1 Debates about the war

I

The field of Yugoslav studies has long been divided. In the Tito era, much of the literature was, very roughly, divided between those who viewed Tito as 'one of ours' ('Has Tito gone bourgeois?', a 1966 article asked) and those who took a more critical view of the Yugoslav leader. Early in the post-Tito years, the field was divided – again, roughly speaking – between those who believed that Yugoslavia had achieved a degree of stability sufficient to warrant, for example, the optimistic sentiment that, 'while the problems confronting the post-Tito leadership are serious, they do appear to be subject to solution within the existing framework',[1] and those who believed that the Yugoslav socialist system 'as it exists has begun to undergo a process of decay' to the extent that the outlook for the survival of Yugoslavia could only be judged to be 'rather bleak'.[2]

More recently, the field of 'Yugoslav' (or, perhaps, post-Yugoslav) studies has again been divided largely between two camps (though not all works fall into one of these two camps, of course). On the one side are those who have taken a moral universalist perspective, holding that there are universal norms in international politics, that these norms are founded in Universal Reason and expressed in international covenants such as the Universal Declaration of Human Rights, and that, in recounting the horrors of the recent War of Yugoslav Succession of 1991–5, the analyst *must* account for the disintegration of socialist Yugoslavia and the outbreak of hostilities, identifying culpable parties. Among the works which best exemplify this school are James Gow's *Triumph of the Lack of Will* (1997, discussed in chapter 4), Thomas Cushman and Stjepan G. Meštrović's *This Time We Knew* (1996), and, among those works presently under review, Norman Cigar's *Genocide in Bosnia* (1995) and James Sadkovich's *The US Media and Yugoslavia* (1998). Authors in this school tend to believe that claims regarding state sovereignty cannot be absolute, insofar as system legitimacy is measured in terms of a system's

observance of basic human rights.[3] Drawing their inspiration, in at least some cases, from Immanuel Kant, these authors also find a natural affinity with Jürgen Habermas, whose writings take their point of departure as 'the universality of basic rights' and the notion that legal systems should 'enshrin[e] universal moral principles'.[4] My own affinities lie with this school.[5]

On the other side are authors who reject the universalist framework, with its emphasis on universal norms and universal human rights and who, in their accounts, embrace one or another version of moral relativism. Most of these authors embrace state sovereignty as their supreme principle, rejecting any appeal to higher values which might justify external intervention – thereby adopting a position which brings them into coalition with the moral conventionalism of Thrasymachus (Plato's *Republic,* Book I). Emblematic of this approach are Lenard Cohen's *Broken Bonds* (2nd edn, 1995, discussed in chapter 3), Susan Woodward's *Balkan Tragedy* (1995, discussed in chapter 4), Robert M. Hayden's *Blueprints for a House Divided* (1999, discussed in chapter 6), and, among the works presently under review, Burg and Shoup's *War in Bosnia-Herzegovina* (1999). Hence, for example, while Woodward 'dismisses Albanian claims to self-determination [in Kosovo] on the [conventionalist] grounds that their constitutional classification . . . as a nationality rather than as a constituent nation made them ineligible for such rights'[6] – recall Thrasymachus' assertion that justice is what the rulers say it is – Burg and Shoup subscribe to the notion of the primacy of sovereignty, supporting 'the rights of states to defend their sovereignty and territorial integrity and to conduct their internal affairs free from external interference',[7] failing to specify any qualifications or curtailment of this principle regardless of tyranny or violations of human rights (both of which are taken to qualify or set limits to sovereignty in Locke's *Second Treatise of Government* and also in the US Declaration of Independence). Authors in this second school tended to be more sympathetic, in the 1990s, to the arguments made by Milošević, Karadžić, and their collaborators and to be critical of Germany (and, in the case of Hayden, also of Slovenia). Drawing their inspiration from realist suppositions which may be traced back to Thomas Hobbes,[8] these writers tended to treat Milošević (who took power in Serbia in 1987) and Tudjman (elected president of Croatia in 1990) as equally responsible for the exacerbation of the crisis which had already engulfed the country.

Ironically, however, it was neither a work inspired by universalism nor one inspired by relativism which had the greatest impact on the general

reading public but, rather, a sand castle known as 'the myth of ancient hatreds', promulgated by Robert Kaplan in his best-selling book, *Balkan Ghosts*. Lacking any sturdy foundations, Kaplan's explanation crumbled at the first touch but, in spite of that, it had its baneful influence, infecting the rhetoric of British prime minister John Major and, by their own admission, influencing the thinking of US president Bill Clinton and EU mediator David Lord Owen, not to mention the many ordinary citizens who read the book and concluded from it that, for reasons not made clear, Kaplan considered the peoples of the Balkans unusually wild and predisposed to violence. But the concept did not spring fully developed out of Kaplan's head. Nearly two decades earlier, in his widely read book, *Wartime,* which dealt with the Second World War, Milovan Djilas wrote that 'the hatred between the Orthodox and the Moslems in these parts is primeval', and referred to 'ancient tribal conflicts'.[9] For that matter, a CIA report dating from 1957 had come dangerously close to advocating an 'ancient hatreds' explanation by writing that 'the Serbs and Croats, conditioned by separate histories and cultures, have developed deep-seated mutual animosity'.[10] It is certainly true that Serbs and Croats had opposite responses to the Austrian occupation of Bosnia-Herzegovina in 1878, and that the history of Serb–Croat interactions between 1921 and 1945 was one afflicted by conflict and mutual misunderstanding, but to refer to 'separate histories and cultures' is to paint on a much larger historical canvas. There are three major problems with the thesis of 'ancient hatreds': first, it is simply not true that relations among the peoples of the Yugoslav area were marked by any special hostilities which distinguished their relations from, let us say, the relations between Germans and French; second, it is false, as demonstrated by the fact that those referring present problems to 'ancient' hatreds, are typically unable to cite any ancient problems (indeed, the Serbs and Croats did not even live in the Balkans in 'ancient' times, if one accepts the conventional definition of 'ancient' as referring to the roughly three millennia which end with the fall of Rome in 476 CE); and, third, it distracts the reader from examining relevant evidence which might lead one to more useful conclusions.

II

The literature on the Yugoslav war of 1991–5 has produced a dizzying array of competing interpretations and understandings. Among the most contentious issues have been the following questions:

- Who started the war and whose fault was it? Were the Slovenes in any way blameworthy?
- What was the nature of the Tudjman regime and were the Croatian Serbs *entitled* to launch an insurrection?
- Did Germany violate any written or unwritten rules of diplomatic behaviour in 1991 and was Germany to blame for the escalation of violence in Croatia and Bosnia-Herzegovina?
- Was the principle of 'one man, one vote' appropriate for Bosnia-Herzegovina in 1991/2; i.e., was there any basis on which to introduce democratic institutions, or would a version of consociational authoritarianism have been preferable?
- Was the Vance–Owen Peace Plan, actively under discussion in early 1993, a positive step or a plan to reward 'ethnic cleansing'?
- What were the war aims of the Bosnian Serbs and were they primarily offensive or defensive?
- What was the nature of Izetbegović's platform and programme – fundamentalist Islamic or secular-liberal?
- Did the war have a genocidal character?

The controversies typically emerged first in local polemics and in newspaper reports, but were carried over into scholarly works for a variety of reasons which need not detain us.

Whose fault? Not everyone has been concerned to assess responsibility; for some writers, the roots of the problem lie elsewhere – whether in the political system or in the economy or in history or in a combination of these. Lenard Cohen, for instance, as will be shown in chapter 7, argues that Serbs as a nation have historically determined tendencies to think of themselves as victims and to prefer strong-arm rule, appealing to historical experiences and shared folklore to account for these alleged tendencies. Cohen's framework is, thus, similar to (though not identical with) that found in Branimir Anzulović's *Heavenly Serbia*, which sought to identify a Serbian tradition of violence fostered by ecclesiastical elites and cultural artifacts. The two key differences are (1) that Anzulović provided specific arguments and artifacts as evidence, and (2) that, while Cohen makes no mention of the possibility of an 'escape' from historically determined patterns, Anzulović assures us that it is possible for nations to change their behaviour. Anzulović's argument is explored more fully in chapter 3.

Still, among those noting human agency, most have identified variously 'Belgrade' or 'the Serbian side' or 'Milošević and his henchmen' as bearing primary responsibility for the war. Typical of this orientation is Christopher Bennett, who accordingly sees Milošević's coup within the Serbian party organization (in 1987) as marking the turning point,

setting Yugoslavia on a course towards war and noting that Serbian 'military action in Bosnia-Hercegovina had been prepared many months in advance . . . [and] coordinated with the JNA [Yugoslav People's Army]'.[11] He reports that the first violence in Sarajevo involved a Serbian wedding guest being shot dead 'by an unidentified assassin'.[12]

Nataša Mrvić-Petrović, in an introductory chapter for an edited collection, says that it was 'Moslem irregulars' who fired at the Serbs' wedding party, and reports, as the first offensive action in Bosnia, a Muslim attack on a JNA column retreating from Sarajevo on 2 May 1992. Moreover, while Bennett asserts that the UN arms embargo imposed on all the post-Yugoslav republics in September 1991 at Belgrade's request crippled the Muslims' capacity to defend themselves, Mrvić-Petrović writes that 'Especially in 1992 and 1993, [Bosnia's] Moslems were generously assisted by the Organization of Islamic Conference . . . This help included weapons.'[13]

Viktor Meier, in his carefully researched treatment of Yugoslavia's collapse, clearly identifies 'the Serbian side' and in the first place Milošević as the driving force behind the war, and reports that the man killed at the wedding party had been shot by 'a criminal of Muslim nationality'.[14] Meier also notes that the Serbian offensive in Bosnia began in April – a point overlooked by Mrvić-Petrović. I have reported the differing accounts of the shooting at the wedding in order to illustrate a point, which is that there are often differences not only of interpretation but also concerning rather unimportant details.

Warren Zimmermann and Robert Hayden offer alternative accounts, however, blaming the Slovenes for contributing to the crisis. Zimmermann, the former US ambassador to Yugoslavia, identifies Milošević personally as the 'villain' in the plot, but criticizes the Slovenes for being self-centred, arguing that they should have stayed in Yugoslavia longer in order to try to help the federation to reach a solution satisfactory to all parties.[15] Hayden, by contrast, seems to want to make the Slovenian leadership co-responsible with Milošević for the breakup of the country, dwelling at length on Slovenia's constitutional amendments adopted in September 1989, which, in his view, 'made the outbreak of internal war inevitable'.[16] Moreover, while every other book with which I am familiar refers to the Slovenian–Croatian joint proposal (1990) to transform Yugoslavia into a *confederation*, Hayden prefers to use the denotatively identical but connotatively distinct term *confederacy*, and resuscitates American president Abraham Lincoln, in support of his own 'anti-Confederate' banner.[17]

But Hayden is an exception. For most analysts, including Norman Cigar,[18] Thomas Cushman and Stjepan G. Meštrović,[19] Reneo Lukić and Allen Lynch,[20] James Sadkovich,[21] Michael Sells,[22] and Laura

Silber and Allan Little,[23] there is no doubt concerning the incendiary role played by Milošević and his associates. Moreover, as a result of the publication of various memoirs and of the testimonies given in the trial of Slobodan Milošević, Belgrade's culpability in the war has been extensively documented.

III

Tudjman and his policies. Franjo Tudjman's ill-considered remark, during his electoral campaign in 1990, that he was gratified that his wife was neither a Serb nor a Jew, continues to haunt him, even after his death in December 1999. With only a few exceptions, English-language treatments of Tudjman tend to be negative. Bennett's comment that 'temperamentally Tudjman was without a doubt the least at home in a democracy'[24] is marked by its reserve. Hayden, by contrast, paints Tudjman in darker colours and invites the reader to see Tudjman as a 'milder' version of Adolf Hitler.[25] Moreover, as Cushman and Meštrović note, Serbian intellectuals produced a string of polemical works during the war years, painting Tudjman as a reincarnation of Croatian fascist Ante Pavelić, who ruled over the Nazi-sponsored Croatian puppet state during the Second World War.[26]

Sells provides a damning summary of Tudjman's 1990 book, *Wastelands of Historical Reality*, in which, says Sells,

> Tudjman revealed an anti-Semitic tendency. He suggested that Jews are genocidal by nature and that Jews were the major executioners in the Ustashe death camp of Jasenovac . . . The problems of the Jews are of their own making, Tudjman implies; Jews could have avoided them had they heeded what he calls, vaguely, 'the traffic signs'.[27]

Tudjman's decisions, soon after taking office, to introduce the kuna (the currency used in medieval Croatia and in fascist Croatia alike) and to fire Serbs working in the Croatian police force were certainly unwise and, in the latter instance, showed a deep insensitivity to the welfare of ordinary Serbs living in Croatia. But Serbs also complained about the use of the *šahovnica*, the red-and-white checkerboard emblem, in the new Croatian coat-of-arms, alleging – falsely – that it was a throwback to the days of Pavelić and his Ustaša movement. But, in fact, the *šahovnica* had been featured in the Croatian coat-of-arms since the end of the thirteenth century and had also been used during the socialist era, as the Serbs must have known. Croatian Serbs must also have known, as Croats certainly did, that whereas the first square in the upper-left corner of the fascist-era coat-of-arms had been *white*, the corresponding

corner in the Croatian coat-of-arms in the interwar period, the socialist era, and in Tudjman's Croatia alike was *red*.[28] Silber and Little, in their otherwise brilliantly researched and balanced account, apparently became confused, representing the *šahovnica* as something contraband in socialist Yugoslavia[29] and claiming that 'Tudjman's insistence on the *šahovnica* as the symbol of a sovereign Croatia, and his insensitivity towards legitimate Serb anxieties, were grist to the mill of Babić's Party.' But they are quite right in noting that, under Belgrade's influence, the Serbian Democratic Party in Croatia 'consciously revived memories of the 1940s' among Serbs in order to kindle hatred of Croatia.[30]

Meier, by contrast, offers a spirited defence of Tudjman's use of traditional Croatian symbols. 'The number of national symbols which a nation has at its disposal is limited', writes Meier:

> The *Ustaše* had adopted a lot of the old Croatian tradition or folklore; it would have been unusual if these symbols had not been endorsed also by today's Croatian state. Even in Germany, today's national anthem and the name of the currency were used by the Nazis, but no one has ever suggested that this signified that the Federal Republic was associating itself with Nazi tradition.[31]

More controversial than his use of symbols, however, were Tudjman's speeches, writings, and policies. In this domain, Michael Sells writes that 'Tudjman refused to acknowledge the full extent of Ustashe persecution of Serbs during World War II', adding that 'nationalists associated with Tudjman' consciously stoked hatreds in order to ignite a war[32] – a point argued in detail by Silber and Little.[33]

But Tudjman has had defenders as well as detractors. One of those who has tried to present Tudjman in a favourable light is James J. Sadkovich, who, at this writing, is completing the composition of the first biography in English of the Croatian leader. Admitting that Tudjman proved to be controversial as president, Sadkovich reproves Western academics and journalists who ignored the Croatian leader's 'respect for formal, procedural democracy' and notes that Tudjman was among those who, in early 1993, 'had pressed for the creation of an international court to try war crimes'.[34] For Sadkovich, the widespread portrait of Tudjman as a provincial authoritarian is superficial and inaccurate, as is the notion that he was a 'fascist' or a 'radical nationalist'. Rather, says Sadkovich, the Croatian leader should be seen as a somewhat 'archaic intellectual' who, if 'long-winded and old-fashioned', was nonetheless a 'Croatian patriot' attracted to humanism.[35] Sadkovich also documents a pervasive tendency of Western reportage to be distinctly unsympathetic to Croats, who were sometimes blamed even when it was Croat villages which were being overrun by the Yugoslav Army and Serb paramilitary forces.

Germany's role. The huge clamour over Germany's allegedly damaging role is largely due to a combination of four factors: a relentless anti-German line taken by Serbian propaganda in the Milošević era, the desire by Lord Carrington to find a scapegoat for the failure of his efforts at mediation in the latter part of 1991, persistent anti-German sentiments carried over from the Nazi era in general and from the Second World War and the Holocaust specifically, and an influential article by Beverly Crawford, published in 1996. For Crawford, Germany's diplomatic recognition of Croatia in December 1991 was seen by its European Community partners as 'a crucial breach of consensual norms in international law' and figures, thus, as 'a case of defection from international cooperation'.[36] Burg and Shoup agree with the basic outlines of Crawford's argument, adding that the EC decision to recognize Slovenia and Croatia, taken under pressure from Germany, 'seemed to intensify the Serbian threat to Bosnia'.[37] They further mention the declaration by the Serbian Autonomous Region of Bosanska Krajina, on 18 December 1991, that it was a constituent part of 'Yugoslavia' – a country which both juridically and in point of fact had ceased to exist – rather than of Bosnia. Burg and Shoup interpret both this act and the declaration of the Serb Republic of Bosnia-Herzegovina three days later as direct responses to the EC decision to recognize Slovenia and Croatia.[38]

Not so Lukić and Lynch. Like Daniele Conversi,[39] they believe that criticism of Germany's championing of Slovenia and Croatia on the grounds that it was 'premature' or 'unilateral' or that it contributed to the escalation of violence in Bosnia is misplaced. On the contrary, they argue, encouragement to the well-armed Serbs came not from Germany but from France and Great Britain, who 'were in effect prepared to see Croatia (and later Bosnia and Herzegovina) be defeated by Serbia'.[40] Moreover, Lukić and Lynch argue, the EC had agreed in July to extend recognition to Croatia and Slovenia in October (at the end of the three-month moratorium on independence imposed on the separating republics), so that it was Britain and France that, through their opposition to recognition 'defected' – to use Crawford's term – from the EC consensus, not Germany.[41] The German view, Lukić and Lynch explain, was that 'To criticize the policy of non-recognition was tantamount to acquiescence in the continuing use of military coercion by the Serbs.'[42]

John Major, in his aforementioned autobiography, provides some backing for this viewpoint, urging that 'subsequent events do not suggest that withholding recognition would have prevented the evil that followed'.[43] Sarah Kent, finally, records a position midway between

Burg/Shoup and Crawford on the one side and Lukić/Lynch and Conversi on the other, questioning the 'wisdom' of following Germany's advice regarding recognition but adding that 'to call that recognition "premature" is to invoke the patronizing rhetoric of colonialism'.[44]

Norbert Both makes a nuanced contribution to the continuing debate about Germany's role in the context of his study of Dutch foreign policy during the Yugoslav War. He points out that, as early as November 1990, in the context of a meeting of European Community ministers, Germany argued forcefully that human rights had to take priority over the maintenance of Yugoslav unity – a position which, interestingly enough, was brushed aside by most of the EC ministers present.[45] The German Foreign Ministry voiced concerns four months later, when Serbian security forces backed by tanks suppressed the anti-war protesters who had taken to the streets of Belgrade; Germany wanted to issue a tough warning to Belgrade, but other EC members felt that Germany 'was racing ahead of developments'.[46] In May 1991, developments in Yugoslavia turned ugly, with violence at Borovo Selo. According to Both, Germany circulated a draft resolution among EC ministers calling on Belgrade to respect human rights, work for democracy, and honour the right to national self-determination; as before, most of the other EC member states (though not all) continued to feel that Yugoslavia's territorial integrity and unity should remain the highest priority for the EC, ahead of those values which the German government was championing.

What Both adds to our understanding of the EC debate over recognition of Slovenia and Croatia in 1991 is the following. The Netherlands was, in fact, the most forceful advocate (as of July 1991) of a tough line against Serbia and of accepting the inevitability of Slovenian and Croatian independence.[47] But when Hans Van den Broek, foreign minister of the Netherlands and president of the EC from summer 1991, put forward a tough resolution, Germany, on whose support the Dutch had counted, declined to back them and, instead, joined the French in proposing a weaker resolution. According to Both, an important reason why the Germans declined to back the Dutch proposal was sour relations between the top politicians in the Netherlands and Germany, which had developed at the time of German reunification, which the Dutch had opposed.[48] But by mid-September, German foreign minister Genscher joined Italian foreign minister Gianni de Michelis in declaring that Germany and Italy would be prepared to recognize the independence of Slovenia and Croatia if negotiations broke down. Even so, it was Van den Broek who proved to be 'instrumental in opening the way to a decision in favour of recognition' when, on 8 and 9 October, he

spent hours on the telephone with various European and American politicians arguing the case for recognition.[49] Then came the fall of Vukovar to Serb forces on 18 November, which, for the Dutch, transformed the Yugoslav crisis from a diplomatic and political crisis to a moral one.

Both also offers an account of a meeting of Christian Democratic government leaders and party chairmen on 26 November, which played a pivotal role in the move towards recognition of Slovenia and Croatia. Meeting at Stuyvenberg castle near Brussels, Christian Democratic leaders from Germany, Italy, Belgium, Luxembourg, the Netherlands, and Greece agreed that Slovenia and Croatia should be recognized by Christmas at the latest.[50] In other words, what has been described in much of the literature as a German initiative could be better described as a Christian Democratic initiative involving leading figures from six states. The Dutch subsequently had second thoughts, chiefly because they feared that recognition might have negative effects on the unstable situation in Bosnia,[51] but by then the die had been cast. Kohl and Genscher may have been the loudest advocates of this communally reached policy but, according to Both, it was ultimately a multilateral, Christian Democratic initiative, rather than a German one – Croatian gratitude to Kohl and Genscher notwithstanding.

IV

Democracy in Bosnia. Considerable controversy has also surrounded the referendum conducted by the government of Alija Izetbegović on 28 February–1 March 1991 concerning Bosnian independence. Organized at the behest of the EC's Badinter Commission, which held that a referendum was a prerequisite for international recognition of independence, the vote produced a clear majority in favour of independence – 99 per cent of those voting, and 63 per cent of those eligible to vote. The problem was that, as a result of a decision taken by Radovan Karadžić's Serbian Democratic Party (of Bosnia), the overwhelming majority of Serbs boycotted the referendum (or were kept from the polls by Karadžić's people, according to some reports). Indeed, as Silber and Little point out, Izetbegović was, by then, championing the principle 'one man, one vote' (as opposed to a system whereby a majority within any one of the national groups could veto a decision taken by the majority of Bosnian citizens) not only within the context of the referendum itself but also as the basis for the future organization of the Bosnian state.[52] This was, in fact, the very principle which Milošević had championed previously in the context of socialist Yugoslavia, when he had tried to reduce the autonomy of the constituent republics.