

Commemorating Srebrenica: The “Inadequate” Truth of the Female Victim Experience

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On 23 November 2017, the presiding Justice of the International Criminal Tribunal for the Former Yugoslavia (ICTY), Judge Alphons Orie, delivered a long-awaited judgement: “The Chamber finds Ratko Mladić guilty, as a member of various joint criminal enterprises, of the following counts: ...Count 2; Genocide” (ICTY 2017). Following the live proceedings from the small East Bosnian town of Srebrenica 1800 kilometres from the Hague, a group of women who call themselves the Mothers of Srebrenica cheered in unison as the final word, “genocide”, was read aloud (Al Jazeera 2019). For these mothers, wives, daughters and sisters of the victims of the Srebrenica Massacre of the 11th July 1995, the guilty verdict of the former Bosnian Serb General provided a rare sense of justice. But the acknowledgement of his crime was bitter-sweet; it was, after all, only partial acknowledgement. The women knew the decision would do little to ease tensions in the territory of Republika Srpska on which they were gathered. In the almost twenty-five years following the Bosnian War (1992-1995), evidence of any meaningful reconciliation between the Bosnian Muslim (Bosniak) victims and the Bosnian Serb perpetrators is lacking (Erjavic & Volčič 2012, p. 164). Despite numerous court cases and much discussion over victim compensation, memorials to the Srebrenica genocide are just as scarce.

This essay seeks to prove a connection between commemoration and reconciliation. Differing from scholarly conceptions of the process, I will argue that reconciliation is largely contingent on “adequate” commemoration of the Srebrenica Genocide; that is, memorialisation which encompasses the realisation of a “collective”, rather than “selective”, construction of the female victim’s narrative. Following a brief historical account of the Srebrenica Genocide, I will first comment on the theoretical debate concerning the theories of retributive and restorative justice, analysing in turn their shortcomings in facilitating a victim focused process of reconciliation. This essay will then proceed by way of an evaluation of the mechanisms of firstly, retributive justice; secondly, restorative justice, and finally, sites of commemoration as “adequate” means of achieving reconciliation for the female survivors of Srebrenica. Personal accounts, press releases of the activist groups Mothers of Srebrenica and the Association of Women Victims of War, legal decisions of the ICTY between the years 1993 and 2008, governmental publications of both the Federation of Bosnia and Herzegovina (BiH) and the Serbian dominated Republika Srpska, and public opinion polls will be drawn upon to evince my contention that memorials offering a holistic portrayal of the female experience of Srebrenica are determinative in facilitating reconciliation.

Operation Krivaja ‘95

“It feels like I lost everything. There was screaming, crying. Sorrow. Sorrow... And what help have I had? None. Nobody is helping me” – “Šida”, Srebrenica Survivor (Leydesdorff 2010, p. 132).

The 11th of July is a day of international commemoration for the 8,372 male Bosniaks who were monstrously slaughtered at the hands of Bosnian Serb perpetrators (Galerija 11/07/95 2015). But less spoken about are the estimated 50,000 rapes which also form the “worst European Genocide since the Holocaust of World War II” (Jacobs 2017, p. 425). Following a UN arms embargo (Karčić 2015, p. 329), UN Security Council Resolution 819 nominated Srebrenica as one of six UN “safe zones” in 1993 (UNSC 1993). Paradoxically, the requirement of neutrality assigned greater UN protection to deliveries of aid rather than the men, and women, exposed to threat (Bardgett

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2007, p. 52).

On the 6th of July, Ratko Mladić launched operation “Krivaja 95” and began intensively shelling Srebrenica (Holligan 2019). In the days following, the (mainly) Dutch peacekeepers allowed only 5,000 of the estimated 25,000 Muslim refugees into their fenced compound, exposing over 8,000 Bosniak men to their horrific fate (Holligan 2019), and thousands more women to systematic acts of rape carried out over several months (Azmi 2017). Although the Dayton Peace Agreement brought the war to an end in December 1995 (Jacobs 2017, p. 425), for female survivors such as “Šida”, feelings of helplessness continue to this day.

Theoretical Framework

Although the power of reconciliation in the victims’ process of recovery is well-recognised (see Eltringham & Maclean 2014, p. 1), the contention amongst scholars is the most appropriate means of achieving it. Together coined the transitional justice “tool kit” (Bickford & Sodaro 2010) retributive and restorative forms of justice appear as favourable. Denti (2016, p. 67) argues that by focusing on punishment of criminal acts of genocide, retributive justice forces perpetrators to accept responsibility for their actions. However, according to Leydesdorff (2010), retribution does not necessarily equate with reconciliation. While the successful prosecution of perpetrators is contingent upon testimony, the personal dimension of the meta-stories of victims is entirely lost in the court’s construction of the event (Leydesdorff 2010, p. 124). Thus, for the female survivors who are unable to express a collective memory and receive acknowledgement of the full truth of events, the trauma of the genocide lasts well beyond the delivery of the court’s final judgement (Leydesdorff 2010, p. 135).

Along similar lines, means of restorative justice, which focus on the entitlement of victims to redress by way of reparation and apologies from perpetrators (Denti 2016, p. 67), often fail to acknowledge the collective memory of the victim. According to Lu (2018), victim compensation is an entirely separate process to reconciliation, as standardised schemes of reparation permit perpetrators to evade moral responsibility towards the potentially thousands of claimants. Further, many theorists (Denti 2016; Eltringham & Maclean 2014) point to the deficiency of apologies lacking genuine remorse and acknowledgement of the severity of crimes, which instead allow perpetrator groups to reassert their power over victim groups by reshaping the details, and memory, of events.

Because the memorialisation of the victim’s story is critical to the process of countering genocide (Eltringham & Maclean 2015, p. 1), neither tools of transitional justice constitute “adequate” means of achieving reconciliation for the victims of Srebrenica. Embracing Maurice Halbwachs’ (1980) conception of the “collective memory” as one which encompasses the shared experiences of a community (Mink & Pascal 2010, p. 29), Jacobs (2016, p. 435) envisioned the significance of memorial culture in either perpetuating the trivialisation of genocide by erasing it from public consciousness or promoting reconciliation through the telling of the multi-faceted victim’s story. Following Jacobs, this essay will propose that only the latter is “adequate” for the female survivors of Srebrenica.

Retributive Justice – Female Witness Experience in the ICTY

“Srebrenica was the biggest case in the house... the case that carried the history of the war the most dramatically” – Louise Arbour, the Prosecutor of the ICTY (Hagan 2003, p. 155).

Just as the ICTY’s decision in *Mladić* was highly anticipated by the Mothers of Srebrenica, the trial of many perpetrators of the Srebrenica Genocide have personally involved victims in what some have labelled a process of reconciliation (see ICTY 2004). However, drawing upon the insights of Leydesdorff (2010), this section will illustrate how retributive justice has hindered the reconciliation process for the female victims who testify. According to Eltringham and Maclean (2014, p. 6), legal interventions enforce and popularise formulaic templates of witness testimony, consequently reducing the collective memory of the event to one suitable to the prosecution’s indictments, and such processes were evident in the proceedings of the ICTY (Denti 2016, pp. 65-66).

Established in 1993 (Clark 2014, p. 17), the ICTY has successfully convicted 14 former members of the Army of the Republika Srpska in what has been labelled “the biggest case in the house” (Rovcanin 2018). Five of such

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convictions were for genocide, the most recent being against Mladić in November 2017 (ICTY 2017). While such rulings of the Court were well-received by the Mothers of Srebrenica and many other female survivors, for the women who testified in the legal proceedings, the procedures to which they were exposed conjured very different sentiments. A study conducted by Leydesdorff in 2010, during which she interviewed many of the female witnesses in ICTY proceedings, revealed that victims were often left dissatisfied by the judicial process. Many women had agreed to testify on the basis that their own stories of genocidal rape would be acknowledged (Leydesdorff 2010, p. 130). In one case, a witness named “Edina” who was aged only 15 when she was brutally raped by Bosnian Serbs near Srebrenica was, to her dismay, asked a series of questions aimed at establishing specific elements of the prosecution’s argument of which accusations of rape did not form any major part. Forced to adapt their stories to an unfamiliar vocabulary (Leydesdorff 2010, p. 124), the recollections of women like “Edina” were selectively construed in a manner prescribed by the court, and later labelled as the hallmark of a collective memory of the genocide. The appropriateness of the courts in dealing with the trauma of past atrocities is severely limited by its simultaneous suppression of collective memory, presenting retributive justice as a highly inadequate avenue of reconciliation for female victims.

Restorative Justice – Glossing Over Crimes Against Women

“I’d rather be killed than give my money to Dodik. When they pay me for my destroyed life, then I’ll pay the fees without another word” – “Selma”, Survivor of Rape (Gadzo 2017).

Unlike mechanisms of retributive justice, restorative justice envisions the compensation of victims at its core. As Denti (2016, p. 67) asserts, “genuine” apologies, being those in which full responsibility is accepted without excuse (Tavuchis 1991, p. 16), are considered both a signal of and catalyst for reconciliation. While in theory, the issuance of formal apologies by Bosnian Serbs should have paved the way for reconciliation, in reality, a failure to acknowledge crimes against women, and the presence of ulterior motives, have rendered such attempts as far from “adequate.”

According to an Al Jazeera Balkans poll from 2018, 66% of Serbs residing in Republika Srpska deny the Srebrenica genocide and the accompanying systematic rapes, as do politicians as high profile as Milorad Dodik, the current Serb member of Bosnia’s tripartite presidency (Al Jazeera 2019). It is against this backdrop that formal apologies for Srebrenica have been met with understandable scepticism. Following the publication of a report by the Republika Srpska’s Commission for Investigation of the Events in Srebrenica in October 2004, President Dragan Cavić publicly apologised on behalf of the governing body (Karčić 2015, p. 377). Although the official apology acknowledged that “enormous crimes” were committed, it failed to employ the word “genocide” or acknowledge those crimes against women (Karčić 2015, p. 377). Cavić’s apology is one of many lacking any real expression of remorse, and as states often offer public apologies to comply with external requests (Bilder 2006, p. 464) such acts may be nothing more than a guise for broader political goals including the long-term goal of accession into the European Union (Denti 2016, p. 75).

In a 2009 Resolution, the European Parliament specifically requested Bosnia and Herzegovina (BiH) to establish a reparations scheme as a condition for EU accession (Denti 2016, p. 81). Thus far, however, progress is minimal. BiH’s failure to enact an enforceable national reparation scheme has left “Selma” and many of the 50,000 female rape victims of Srebrenica in considerable debt for court fees arising from reparations claims (Sito-Sucic 2018). Despite a landmark High Court case in June 2015 ordering a former Bosnian Serb soldier to pay 15,000 euros to a rape victim as compensation (Borger 2015), successful compensation claims, particularly in Republika Srpska, are rare. For those women denied reparations in the first instance, the stigma and shame of sexual abuse is a major source of deterrence from pursuing alternative avenues of compensation (Azmi 2017). Consequently, many female victims struggle to rebuild lives devastated by the trauma inflicted by perpetrators who to this day refuse to acknowledge and compensate them for their crimes. Thus, as such “inadequate” attempts at restorative justice would seem to indicate, reconciliation, at least for now, is not an option (Leydesdorff 2010, p. 135).

From ‘Selective’ to ‘Collective’ Memorialisation

“Through our fight for justice and truth...we can all become united once again” – Bakira Hasečić, Founder of the

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Association of Women Victims of War (Remembering Srebrenica 2019).

It is evident that neither methods of retributive nor restorative justice are “adequate” in facilitating reconciliation; the common thread being the suppression of the female experience of Srebrenica. For the survivors, a process of forgiveness cannot be initiated without acknowledgement of the crimes and an understanding of the collective memory of those victimised. While there are relatively few commemorative spaces dedicated to the Srebrenica Massacre (Jacobs 2017, p. 424), those that exist give great importance to the narratives of collective memory constructed in the genocide, and this is particularly true of the Srebrenica-Potočari Memorial and Cemetery.

Just over 80 kilometres from Sarajevo, the cemetery contains more than 6000 identical marble obelisks in the tradition of Islamic grave stones (Jacobs 2017, p. 426). Although orchestrated by the former UN appointed High Representative in BiH between 2002-2005 (Remembering Srebrenica 2019), the decision regarding location was largely informed by the activism of female victim groups including the Mothers of Srebrenica, which conducted an extensive poll about public feelings towards the creation of a national cemetery in Srebrenica (Jacobs 2017, p. 426). As the site where many bereaved relatives last saw their loved ones alive (Remembering Srebrenica 2019), the memorial is very individualised in its approach. Each installation of the adjoining Memorial Room includes the life story of the victim as recorded by journalist and Srebrenica survivor, Emir Suljagic (Bardgett 2007, p. 53), and this acknowledgement of their personal circumstances appears to form a collective memory of the atrocity (Remembering Srebrenica 2019).

In reality, the memory displayed in Srebrenica-Potočari Memorial and Cemetery is highly selective. None of the 50,000 victims of genocidal rape are acknowledged, and according to Jacobs (2017), the exclusion of the female voice from memorial culture has led to the trivialisation of their own experiences of trauma. Building upon Jacobs’ framework, it is my contention that such “selective” commemoration, which acts as a major obstacle to reconciliation, is reflective of the Bosnian cultural paradigm in which women are discouraged from incriminating men for sexual crimes for fear of disgrace and humiliation (see Azmi 2017, Jacobs 2017). Repeatedly ignored by government officials (Graham-Harrison 2018), women seeking acknowledgement must therefore resort to private spaces of commemoration. Perhaps the most powerful private space is the Sarajevo headquarters of the Association of Women Victims of War, a non-political and multiethnic organisation led by genocidal rape survivor, Bakira Hasečić (Remembering Srebrenica 2019). In a dingy, unassuming office on the city’s outskirts, a collection of photographs of the perpetrators and victims alike, excerpts of judicial decisions and articles, and maps of site locations form the mosaic of a “rape memory” confined to the shadows of the public eye (Jacobs 2017, pp. 432-433). The transition of these memories from a private to a public sphere of commemoration to form a truly collective memory is no easy feat, but as Bakira contends, this may be all that is required to start the long-awaited healing process for women, and Bosnian society, as a whole.

Conclusion

“The more people speak about it, the more people are aware, and we can work to enable a better and more tolerant world, sending out a clear message to future generations to say, ‘Never Again’” – Una Srabović-Ryan, a Child of Srebrenica (Remembering Srebrenica 2019).

Almost 25 years after the genocide, 16 years after the establishment of the Srebrenica-Potočari Memorial and Cemetery, and two years after the conviction of Ratko Mladić, Bosnia and Herzegovina is becoming increasingly plagued by ethnic tensions. As Republika Srpska continues to build a heavily militarised police force, alarming Bosnian and international authorities alike (Brezar 2019), a surge in nationalist rhetoric has come to dominate the electoral scene (Erjavec & Volčič 2012, p. 177). But in the midst of political chaos, voices such as Una’s provide hope for the female victims of Srebrenica and their collective quest for acknowledgement. While the delivery of retributive and restorative mechanisms of justice has done little to facilitate a more tolerant world, memorial sites have been instrumental in projecting victim memory, albeit in a selective manner. Connecting the stories of “Šida,” “Edina,” “Selma,” Bakira Hasečić and Una Srabović-Ryan is the common desire to publicly construct a truly “collective memory” of Srebrenica built on the female experience. Only once they succeed in their struggle will memorial culture in Bosnia and Herzegovina be capable of adequately voicing the message: “Never Again.”

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