

Zitierhinweis

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civil society in post-conflict societies, they evaluate the power-sharing in Bosnia-Herzegovina and Macedonia that has resulted from the Dayton (1995) and Ohrid (2001) agreements. The authors reach the grim if predictable conclusion that both political systems and civil societies are weak and that support is needed from international actors, but they recognize that at the same time that would undermine 'the very principles of local ownership' (210).

The contributions of Stefano Bianchini, Wladimir Fischer and Ian D. Armour are off-topic, but well written and interesting in their own right. Bianchini discusses the resurgence of nationalism in times of crisis and can deploy particular expertise on the economic crisis of the 1980s in Yugoslavia. He claims that for EU too there looms a similar retreat to nationalism as occurred in Yugoslavia during the 1980s, at least if further austerity policies are imposed. From his work based on the analysis of a selection of Croat and Serb magazines from the 1980s, Fischer argues that 'from the 1950s onwards, nationalist traditions were catered to in the framework of Yugoslavism, which was itself nationalist in a new, multi-nationalist way' (71). Hence, when nationalist discourse became dominant in Yugoslavia during the 1980s, it was within a framework that already provided for national categories. Armour meanwhile presents a historical account of Austro-Hungary-Serbia relations in the second half of the 19th century, with its focus on the work of the Serbian Historian Vasilije Krestić. Armour argues that Krestić's 'portrayal of anyone but the Serbs as manipulators and hegemonists' implies that Serbs are 'blameless victims' (107) and shows how Krestić's work serves the diplomatic interests of Serbia in the region and that it was matched by the policies of the Croats and other forces within the Dual

Monarchy, thereby Armour places Serbian victimhood in perspective. It could be argued that all three authors have addressed the underlying problems of the wars of the 1990s and are therefore dealing with issues that are subject to post-conflict reconciliation, but that would be a stretch.

The final contribution comes from Leonard J. Cohen and draws on his book written with John R. Lampe *Embracing Democracy in the Western Balkans* (2011). Here, the argument is that democratisation is a key ingredient in the process of reconciliation, and Cohen describes political developments in the region and their relation to the spread of the liberal democratic values adopted by the urban middle classes. He remains optimistic from his birds-eye view of politics in the Western Balkans; rather a contrast to certain of the contributors who are perhaps more sensitised to the political problems in the region. A bright ensemble of chapters of high quality, this volume does however read somewhat like a scholarly journal and so runs the risk of seeming attractive only to scholars of post-conflict reconciliation, whereas some of the less specific individual articles are just as worthwhile. Overall, then, although individual chapters are all interesting in their own right, the book does rather lack cohesion.

Geert Luteijn (Amsterdam)

Katarina Ristić, *Imaginary Trials. War Crime Trials and Memory in The Former Yugoslavia*, Leipzig: Leipziger Universitätsverlag, 2014. 246 pp., ISBN 978-3-86583-877-3, € 33.00

On 24 March 2016, the United Nations' International Criminal Tribunal for the former Yugoslavia (ICTY) found former

Bosnian Serb leader Radovan Karadžić guilty on counts of genocide, a number of crimes against humanity and war crimes, and sentenced him to 40 years in prison. By contrast, a week later on 31 March the same court acquitted Serbian ultra-nationalist Vojislav Šešelj of war crimes and crimes against humanity in the context of the Yugoslav wars of succession which took place during the 1990s. Reactions to the two verdicts were mixed. Survivors of Bosnian Serb atrocities, relatives of victims and some legal experts were dismayed at the news that Karadžić had avoided a whole-life sentence, while many Bosnian Serbs still believe they have been unjustly targeted by the 'very political' Hague tribunal. The acquittal of Šešelj sparked celebration among his followers, but angry reactions from officials in Zagreb and war victims in both Croatia and Bosnia and Herzegovina. During a visit to Vukovar, scene of some of the alleged atrocities, current Croatian Prime Minister Tihomir Orešković labelled the verdict 'shameful' and declared that the acquittal represented a defeat for the UN Tribunal.

Those same public discourses about the ICTY war crime trials, and the complaints that the ICTY is a political rather than a purely legal institution, make up the central themes in the book reviewed here. Focusing on the use of legal narratives in the production of public discussion of 'the past', Ristić analyses how collective memory has been formulated in the three former Yugoslavian republics of Croatia, Bosnia and Serbia, where twenty years after the wars there is only a very limited positive record of transitional justice. From the first indictments before the ICTY until the end of the process each of the three states adopted different strategies to explain, justify, promote, obstruct or reject cooperation with the Court, the perception of which

has been dominated by the political elites and mass media who have shaped public opinion. Even cooperation, to say nothing of new indictments, was seen as a major setback for governments, which had the effect of strengthening anti-EU sentiment and radicalizing public support for nationalist political parties.

The opening chapters of the book introduce a short review of this complicated process of cooperation, in two parts. First we read of the initial phase from 1995-2000 until the period of full cooperation which effectively ended the process for Bosnia and Croatia during 2000-2005, and then the analysis moves on to the prolonged search in Serbia for the last fugitives, which went on from 2006-2012. The first part addresses the various debates about transitional justice and looks at the literature on the war crimes trials and memory formation as they apply to Bosnia, Croatia, and Serbia. It amounts to an overview which provides the theoretical framework for the second part, in which Ristić presents the results of her research on legal documents and articles from the Croatian, Bosnian, and Serbian press. Inspired by Pierre Nora's work on *lieux de mémoire* and Jay Winter's use of the concept of 'theaters of memory', Ristić argues that these war crime trials can be portrayed as 'sites' and 'theatres' of memory. She states that 'trials are a place where evidences and witnesses are called to tell their story of the crime' (82). They open up space for victims and their memories, and offer the opportunity to reflect critically on the past. More symbolically, trials produce meanings of their own. Media, politicians, scholars and artists function as 'social carriers', who encode events as narratives, thereby ascribing a meaning to the past and suggesting guidelines for the future.

To illustrate how the trials have been translated into nationalist themes selective-

ly presenting and framing legal proceedings to fit national myths and stereotypes, Ristić introduces a mythological model of legal storytelling. Using discourse analysis to assess the public portrayals of the trials in the Croatian, Bosnian and Serbian press, and narrative jurisprudence to outline victims' stories, Ristić shows how the media framed and defined narratives of the past, and in doing so transformed the legal proceedings into imaginary trials (224). She begins with Croatia, where the memory of war is the memory of the 'winners' because the war finally realized the dream of an independent Croatian state. The conflict of the 1990s was therefore contextualized in terms of a liberation after a defence against Serbian aggression (95). Ristić's analysis of the Ovčara, Gotovina and Milošević trials shows that any responsibility for crimes committed during the conflict, for example during Operations 'Flash' and 'Storm', was rejected. The role of the army was glorified as were the brave soldiers and the generals who masterminded the critical battles. The myth of the Croatian hero and martyr framed media reports, 'a myth which successfully and easily reframed all charges into lies, and dead bodies into the enemy's self-induced injuries' (131). Consequently, the fact that not all the ICTY sentences confirmed the 'Homeland' war narrative evoked anger and disappointment, the ICTY's verdict that the Ovčara massacre, the killing of Croatian POW's and civilians by Serb paramilitaries and the Yugoslav People's Army in November 1991 did not constitute genocide coming in for particularly severe criticism. No mention was made of the controversial role of the Croatian government as Croatian victimhood and Serbian culpability dominated media discourses. Instead of engaging in a critical examination of charges, blame was transferred to the ICTY, the international

community, domestic politicians and—of course—Serbia.

In Bosnia, in stark contrast to Croatia, public portrayals of war crime trials were tragic and suffused with a sense of resignation (140). There, the memory of war is above all the memory of the victims (*Opfergedächtnis*). War narratives were told from victims' perspective, addressed to the victims, and it is the victims who comment on them. Furthermore, victims' organisations were involved in the legal proceedings, whether by providing evidence, testimonies, critical reflection on indictments or simply by making the initial request for justice. Many trial reports were even written by victims themselves (140). Analysis of media discourse on the Kunarac, Orić and Krstić trials points up how in Bosnia the ICTY trials serve as 'a confirmation of tragic victimhood, and that they are criticized mostly when they failed to adequately acknowledge and punish crimes' (141). Since in most cases the ICTY confirmed Bosniak victimhood, the trials were directly transcribed into the narrative of war. Bosniaks praised the Tribunal for prosecuting most of the political and military leaders of the Serbs and Croats within Bosnia, for confirming genocide in Srebrenica, and for being the only institution to fight against impunity and promote justice. However, there was also criticism, for the processes were sometimes perceived as adding insult to injury, and their inability to transform victimhood into more concrete political gains caused frustration (186).

According to Ristić the portrayal of war crimes in Serbia differs significantly from that in both Croatia and Bosnia. Analysis of the same trials mentioned earlier but presented from a Serbian perspective, reveals that the collective memory in Serbia is of neither victims nor winners: 'Serbian de-

fendants are the martyrs who resist the new world order and the capitalist, imperialist "West", transforming the whole narrative of the past into the memory of the defeated' (188). Whereas in Bosnia decisions were made after everything was known, in Serbia ignorance and confusion prevailed. Ristić states: 'The incriminating prosecution's narrative was largely criticized and rejected as being false, and another interpretation of "the past" was offered. The accused and the public jointly stood up in defence of the commonly shared image of the conflict, created during the war [...] and cultivated during Milošević's rule' (221). Thus, the ICTY trials provoked strong rejection, and the ICTY itself was demonized. Caught between charges for the Srebrenica genocide on the one hand, and the defeat in Croatia on the other, denial and constant self-victimisation created the Serbian memory of the 'defeated'.

Although the book's overall style makes it something of a difficult read, and her efforts to represent most of the scholarly works on transitional justice and memory creation cause Ristić occasionally to lose thematic focus, it is nonetheless convincing in its analysis of how media in Croatia, Bosnia, and Serbia have used and framed the ICTY trials to create three substantially different memories of the war. In pointing out too how political elites misuse transitional justice mechanisms to promote their own agenda just as readily as the media do, the book neatly addresses the problems and deficiencies of transitional justice, both as discourse and as toolkit. Written in the hope that justice will prevail, the book offers valuable insights to scholars, journalists or diplomats who deal with the ICTY and the processes of memory formation, especially in the light of current events in 2016. I would argue too that the book contains an important warning for all of us,

that we should not simply believe what the media say and blindly follow it, but that we must be careful of imaginary narratives, especially in the present time of global conflict.

Marieke Oprel (Amsterdam)

Matthias Fink, Srebrenica. Chronologie eines Völkermords oder Was geschah mit Mirnes Osmanović, Hamburg: Hamburger Edition, 2015, 992 pp., ISBN 978-3-86854-291-2, € 45.00

Twenty years after the Srebrenica massacre investigative journalist Matthias Fink has written the first authoritative account of the event in the German language. He spent years researching the topic both in Bosnia and The Hague, where he covered the trials at the International Criminal Tribunal for the Former Yugoslavia (ICTY). Almost a thousand pages long, the volume provides a wealth of information, even for readers familiar with the horror story of Srebrenica. This is the first attempt to construct a detailed narrative using the vast amount of evidence produced by the ICTY over the last fifteen years, which itself runs to hundreds of thousands of pages of transcripts and exhibits. Although the trials of the two most important and infamous suspects, Ratko Mladić and Radovan Karadžić, are yet to be completed, it may be assumed that by now the ICTY has released most of the available evidence, so that it is possible to begin a detailed historical reconstruction of events.

This body of evidence has yet to be extensively studied by academics but Fink has now taken the lead. He is an academically trained journalist who has written a great deal of political reportage and produced documentaries for German public