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# "The Bright Past", or Whose (Hi)story? Challenges in Russia and Serbia Today

**Abstract:** *In Russia, two decades after the collapse of the Soviet Union, Stalin's popularity soared in nationwide polls, as many recalled the country's former prestige and their previous sense of security. Likewise, many Serbs, who formed the largest group in former Yugoslavia, look back with nostalgia to a time of greater national pride and material comfort. By contrast the dominated ethnic populations in that same nation at that same time were frustrated in their striving for national pride. Each polity has a story fashioned by selected and connected events that promote its national interests. Although the physical battle in former Yugoslavia has ended, the divisiveness remains, and is perpetuated by competing narratives of what happened and why. And in Russia, an increasingly emergent "invisible Stalinism" has once again given victims of the repression little validation of their experience. This article offers preliminary observations on the disjunction of narratives in Russia and Serbia, and seeks to explain one of the key impediments to coming to terms with the past.*

**Key words:** *Post-Communism, Gulag, Milosevic, repression, transitional justice, Russia, Serbia, victims, narratives.*



## Introduction[1]

We are living in the age of transitional justice, in which an increasing number of post-repressive societies recognize the benefits of moving toward democratization, as well as the tumult of this journey. Despite advances in restorative and retributive justice efforts, one of the major impediments remains the persistence of

1 The preliminary observations recorded in this essay are part of a larger transitional justice research project of the NIOD Institute entitled, "Survivalist Narratives Meet the Age of Transitional Justice: Deterrents and Determinants in Russia and Serbia" (NIOD Institute for War, Holocaust and Genocide Studies, Amsterdam). I wish to acknowledge my gratitude to the Heinrich Böll Stiftung in Belgrade for inviting me to participate in the valuable 2012 discussion on the legacy of Sajmiste, to Vladimir Petrovic for his careful reading and insightful comments on earlier versions of this article, and to Predrag Milidrag for his engaged remarks and suggestions. The article is a revised version of the paper prepared for the international *conference If not now, when...? The Future of the site of the Old Fairgrounds (Sajmiste) in Belgrade*, held in Belgrade, 10-12 May 2012. Its organizers were The Federation of Jewish Communities in Serbia, Foundation for an Open Society in Serbia, Stiftung Erinnerung-Verantwortung-Zukunft from Berlin and Heinrich-Böll-Stiftung in Serbia.

competing narratives on past repression. Indeed, the process of fashioning a good future out of a 'bad past' can often require the creation of a "usable past" for the national narrative. (Bevernage 2010, Gow 2007, Goti 2010). Thus, in a number of post-repressive Communist as well as other states, there is an increasing trend to manage national and public memory by repressing the memory of repression,[2] a process sometimes accompanied by promoting nostalgia. Such a "backward looking utopia"[3] can aptly be characterized by subverting Santayana's oft-quoted admonition: those who do not want to be condemned by the past should remember their history from a *positive* perspective.

Post-Soviet Russia and post-Milosevic Serbia offer current, revealing illustrations of how competing narratives can be an impediment to transitional justice efforts. These cases raise general and parallel issues that are useful in helping frame the discussion on Serbian remembrance, inspired by the remains of the Sajmiste concentration camp site. Survivors of Nazism, Stalinism, and the Yugoslav wars all have—if no other commonalities—a narrative of their experience of repression. Regarding these stories, Holocaust historian Omer Bartov has argued in support of using victims' testimonies as evidence because, he maintains, no history should be written without listening to its protagonists (Bartov 2009). Fortunately, in the last two decades, serious scholarly efforts have been undertaken to integrate the memories of mass violence into the writing of history, not just out of respect for the survivors but because any history writing that would exclude the voices of victims would be arguably incomplete.



Having worked with Gulag survivor accounts for 25 years, I have found eyewitness testimonies to be instrumental sources for reconstructing and understanding what happened, particularly in the aftermath of mass political violence. These sources, of course, must be approached with a critical understanding of all their complexities. One of the obstacles to coming to terms with the past that we observe today is that eyewitness accounts and victim testimonies are often challenged by the official narrative. Especially because the numbers of survivors are dwindling, it is critical for researchers to record, document and make available victims' stories. Furthermore, it is important to recognize not only the victims, but also the forces in the system that made their victimization possible. Such recognition may better facilitate Serbian efforts at remembrance, and stands valid for consideration of human rights breaches regardless of the period—Sajmiste, as well as Srebrenica.

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2 This trend is manifested in, among others, official unwillingness to exhume newly discovered mass graves and the steady restoration of Soviet – (or Stalin-) era symbols (Adler 2005 and 2012b).

3 Regarding post-Communist Europe, this phenomenon has variously been labeled "red nostalgia", "Ostalgie", "Yugonostalgia" and "Soviet nostalgia." (Koleva 2011).

As noted, these reflections will look at some of the issues attendant to the aftermath of the Soviet state's repression of its own people, and the share of Serbian state responsibility for war in Bosnia and particularly the crimes which transpired in its course. This 'research in progress' offers preliminary observations on how the competing official and personal narratives in Russia and Serbia impede the successful implementation of transitional justice measures, and how we might move beyond this impasse.

## Overview

Those who presided over an unsuccessful civil war or a failed political party, might have looked for lessons learned instead of diverting attention from the failed present to a "golden past"/"bright past", now retrofitted with a nostalgic glory it had never originally possessed. "Why shouldn't we be proud of our past," a Serbian aphorism claims, "when each new day is worse than the previous one?" (Bilefsky 2007). The aphorism wittily reveals a politically expedient mechanism for rescuing national pride from the heritage of an onerous past, but poignantly reveals a political impediment to improving the future by learning from past errors. The aphorism's subversive shift of time frames also illustrates that the construction of history need not adhere to chronology or facts; the purposes of the present can change the meaning of the past without changing the facts. The meaning of these facts can seem self-evident if they are put into a persuasive narrative that meets the current needs of the audience. The longer term needs of the audience would be better served by a narrative that acknowledges failure and invites audience participation in seeking a remedy.



However, this was not the story promulgated by post-Soviet Russia, and post-Milosevic Serbia. Early on, under Khrushchev, Russia made some attempts to confront and judge the Stalinist past. By contrast, under Milosevic, there was little more than a limited review of the Titoist era, nor is there a fundamental review of Milosevic's repressive regime in today's Serbia. The review was largely confined to nationalist reinterpretations; Tito was portrayed in a negative light as a presumed Serbophobe, whereas Milosevic was disparaged more for losing wars than for starting them. The human rights records of these regimes have not been the subject of serious review. In consequence, the authoritarian legacy of the Communist period as well as criminal legacy of the Milosevic era is not only *not* readily confronted, but positive assessments of many aspects of these times prevail. These positive assessments frequently play a dominant role in a collective national narrative, which remains oppressive towards individual freedom (Petrovic 2012).

The Soviet Union and Yugoslavia were both federal constructions with a dominant nation; the former experienced a relatively peaceful disintegration, while the latter experienced a civil war. As noted, post-Soviet Russia has made few attempts

to come to terms with its repressive past and, similarly, post-Milosevic Serbia has been characterized as having 'arrested development' and being locked in denial when it comes to facing its criminal past (Ramet 2007: 41–58, Petrovic 2007: 165–174).[4] Additionally, despite several differences, the repressors and the repressed of these countries share a political culture with each other, and with other repressive regimes. Part of that culture included non-accountability, some lack of sensitivity toward human suffering, a non-transparent political system, and the prohibition of public discussion of the repression. Indeed, many Serbs perceive their country as a "small Russia" in the Balkans. Unlike other countries of Southeastern Europe, Serbia, as an aftereffect of the 1999 NATO bombing of Yugoslavia, has not shown a solid intention to join NATO, and public opinion polls express lower support for EU accession than elsewhere in the region.[5] Instead, as Vladimir Petrovic has observed, "a fiction of cultivating special relations with Russia, resting on imagery of Orthodox solidarity, historical and cultural ties, has resulted in the promotion of equidistant policies between the East and West" (Petrovic 2012).[6] Witness, for example, newly elected Serbian President Tomislav Nikolic's exclamation on the occasion of his first official trip abroad, during which he met his Russian colleague, Vladimir Putin: "The only thing I love more than Russia is Serbia" (B92 News, internet). Accordingly, contemporary Russian politicians, particularly those who resort to "firm hand policies," are gaining increasing popularity in Serbia, and are returning these sympathies paternalistically.



At present, in Russia and Serbia, the narratives of the state and the victims of state-sponsored repression disagree about what facts should be accepted, let alone how to interpret accepted facts. Sometimes they do not address the same evidence, or evidence is missing. In consequence, such fundamental issues as who or what should be remembered—and how—are chronically subject to challenge. The resulting marginalization of the victims' accounts not only affects national memory, but can cause the mechanisms of transitional justice to miscarry because it impedes the emergence of an inclusive post-repression narrative.

This article will identify and preliminarily analyze current challenges with regard to transitional justice in Russia and Serbia, and provide the foundation for the discussion on how to move forward. Based on these two cases, three overlapping but separable impediments to achieving the goals of transitional justice seem clear, even if their solutions are not. The first is the dispute regarding the actual occurrence of events claimed by victims of repression. The second is the moral/legal

4 Knowledge of the crimes of the recent past and attitudes of the public are the subject of annual surveys which reveal telling results on the OSCE Mission to Serbia, the Rule of Law and Human Rights, "Views on domestic war crimes judicial authorities and the Hague Tribunal SMMRI" (internet).

5 "Support for EU membership bid drops in Serbia," (internet).

6 My thanks to Vladimir Petrovic for drawing attention to this discussion.

explanation of the repressors (or their successor regimes) to justify acknowledged events. The third is the politically difficult task of challenging the repressive practices of sovereign states, which include the repression and/or invalidation of victims' narratives, without undermining the state's need for stability, order, and national pride.

## Post-Soviet Russia

Over two decades after the collapse of the Soviet Union, Stalin's popularity ascended in nationwide polls (48% of those surveyed in 2012 regarded the former leader as having had a positive role in the country's history (Interfax 2012, Levada Tsentr 2012)), a reflection of the longing of many to restore the country's former prestige and the security of a more strictly ordered society (Leont'ev 2005, Kiselyov 2008). A sequence of measures, including the restoration of an ode to Stalin engraved in a Moscow metro station and the creation of a state commission to guard against the "falsification of history to the detriment of Russia's interests," led the chief human rights watchdog organization Memorial to argue that, "de-Stalinization is Russia's acutest problem at the moment" (Itar-TASS 2009).



Political support for an expedient national amnesia is not new, but its timing may be critical because the generation of Gulag survivors is dwindling, and despite several attempts at de-Stalinization in the decades since they returned from the camps, there is still no state-sponsored monument to Stalin's victims or anything akin to a national remembrance project.

When repressive regimes fall, it is incumbent upon the successor government(s) to assess past crimes, condemn past practices and perpetrators, properly compensate, acknowledge, and memorialize victims, conduct trials or set up truth commissions, and set the historical record straight in the educational curriculum. However, aside from symbolic reparations, the post-Soviet governments have implemented none of these measures (Roginskii 2011, Adler 2012b).

Today's national amnesia of the Gulag risks the integrity of the collective memory, is an obstacle to transitional justice and further victimizes the dwindling generation of Gulag survivors. In fact, confronting this criminal history was calculated as a risk to the stability and legitimacy of the regime by Khrushchev and Brezhnev, and later Gorbachev, Medvedev and Putin. They were concerned about a de-Stalinization that might emerge uncontrollably from below and tried to contain it. In 1988, Gorbachev suggested limiting the anti-Stalinist (later leading human rights watchdog) organization Memorial to the regional level under Party supervision, because he was apprehensive about the effect of widespread revelations of state-sponsored repression.[7] It was feared that once the discussion got out

7 See Gorbachev's remarks on Memorial, Zasedanie Politbiuro TsK KPSS, 24 November 1988, RGANI, f. 89, op. 42, d. 23, ll. 1–5.

of the Party's hands—which it did—it would be more difficult to contain the damage. The revelations on state-sponsored repression may not have been a major determinant in facilitating the collapse of the Soviet Union, since it resulted from many cumulative factors (Cohen 2009, Chapter 5), but their importance might be assessed from the importance placed on censoring them.

While the current administration cannot get the historical genie back into the political bottle, they are attempting to constrain it (Ukaz 2009). They have imposed new limitations on archival access, even arresting or harassing researchers of Stalinist archives (Biurchiev 2010, Petrov 2011), and are skewing the historical narrative by authorizing textbooks that sanitize the Stalinist past (Filipov 2007, Barsenkov 2010). Indeed, the work of historians and civil society actors who challenge the official narrative of present or past events has become more marginalized, and in some cases even dangerous (Barry 2009). In open societies, such challenges tend to be a core value. In closed societies, the remnants of which Russia and Serbia are far from shedding, challenging the official history or story by scholarly or civil means has proven ineffective because that narrative may be defending a core value of non-accountability.



Reforms in curricula are a useful indicator of authentic efforts to come to terms with a repressive past (Cole 2007). Putin, who described the collapse of the Soviet Union as "the greatest geopolitical catastrophe of the 20th century"[8] in a nationally broadcast address in 2005, was an influential advocate of the textbook narrative. In a 2007 televised meeting with social studies teachers, he argued that Russia should not be made to feel guilty about the Great Purge of 1937, because "in other countries, even worse things happened" (Birch 2007). Putin admitted that there were some "problematic pages" in their history, but asked in the same breath what state had not had these (Aron 2008). This stance is part consequence and part symptom of the fact that Russia made no substantial attempts to come to terms with the legacy of Soviet Communism. The 2007 meeting was partially to promote a new handbook, titled *The Modern History of Russia, 1945–2006*, (Filippov 2007) commissioned by the presidential administration. Its contents smacked of Soviet-era textbooks, complete with guidelines dictating how to perceive (and present) leaders: Stalin and Brezhnev were valorized, Gorbachev and Yeltsin disparaged, and Putin glorified. Shortly after the conference, the Duma introduced and quickly passed a new law authorizing the Ministry of Education to recommend which textbooks should be published and used in schools (Brandenburger 2009, Zubkova 2009) (though in practice, not every teacher assigns the official textbooks).

In consequence, educational materials were hewn to reflect which way the political winds were blowing. In 2008, in an effort to promote patriotism among

8 Poslanie Federal'nomu Sobraniiu Rossiiskoi Federatsii (internet).

younger people, a new teachers' manual, titled, *The History of Russia 1900–1945* (Danilov 2009), was officially approved for use in schools. Achieving such a goal through the use of history required considerable whitewashing. In the guidelines, teachers were instructed on how to address the period of Stalinist repressions: "the focus should be on what we built in the 1930s".[9] They were told to explain that "Stalin acted in a concrete historical situation, as a leader he acted entirely rationally—as the guardian of the system."[10] Since the scope of the repression does not readily fit into the concept of "rational governance", the manual suggests working the numbers a bit. For example, it recommends that "a formula could be used wherein only those who received death sentences and those who were executed would be counted."[11] These figures are significantly lower than the additional millions who languished and then died from disease and forced labor in the Gulag. Other recent history texts have advanced similar views (Barsenkov 2010). So, despite the introduction of Solzhenitsyn's *Gulag Archipelago* into the high school history curriculum—an initiative supported if not driven by Putin, and completed in 2010—a subtext of this history lesson is that the political ethos is perhaps not fully ready to change. While the state may be over-estimating the importance of disclosures on the repressive past to the stability of the system, any outsider assessment should be calibrated in light of the regime's insider assessment.



Despite official resistance, civil society organizations have persisted in their efforts to expose the past. Their recommendations to the presidential administration have included a call for the state admission of state culpability, along with the acknowledgement that the whole country was "one big Katyn" (Roginskii 2011, Motyl 2010).[12] In fact, the official efforts at acknowledging Soviet culpability for the 1940 Katyn massacre offer informative insight into the causes and effects of consistent ambivalence. In 1990 Gorbachev admitted that the Soviet Union was responsible for the murder of thousands of Polish officers in a forest near Smolensk. He then handed over lists of Polish POW's to the Polish government, and instigated investigations. Yeltsin continued the de-Stalinization trend, and in 1993 the Russian president laid a wreath as he asked forgiveness at the Warsaw monument to the victims of Katyn. In 2000, a Russian-Polish Katyn memorial gravesite was officially opened. However, by 2004 archives relating to the killings became reclassified. Researchers spent the next number of years battling these restrictions in court and by the fall of 2010 there were prospects for progress (Gur'ianov 2010).

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9 "Stanovlenie mobilizatsionnoi politicheskoi sistemy," "metodicheskii kommentarii" (internet).

10 "Stanovlenie mobilizatsionnoi" and Danilov 2009: 19, 267.

11 "Uchitel'iam istorii veleno prepodnosit' stalinskii terror kak ratsional'nyi instrument razvitiia strany" (internet).

12 See "Stenograficheskii otchet o zasedanii Soveta po razvitiu obshchestva i pravam cheloveka" (internet).

Moreover, in April of that year (70 years after the tragedy), Putin joined the Polish Prime-Minister at a wreath-laying ceremony at the site of Katyn, and called the executions of the Polish POW's a "crime of totalitarianism".

To date, there are several unresolved questions. Victims of Soviet terror are eligible for rehabilitation (the only state-sponsored transitional justice mechanism available) however paltry the attendant privileges may be, but the Rehabilitation Law still eludes the families of these victims, and the General Procuracy still refuses to name names of the individual perpetrators. Not surprisingly, in this environment of mixed messages and politicized history, a 2010 survey found that only 43% of those polled knew anything about Katyn, 19% considered the Soviets responsible, and 28% maintained that the Nazis committed the crime; 53% weren't sure who was responsible (Levada Tsentr 2010). The fact that nearly one-third of those polled still viewed the Nazis as the perpetrators of this massacre speaks volumes about the interaction between official and public unwillingness to fully confront this part of the nation's past. In a potential step toward acknowledgement of past violations, the Russian Foreign Minister stated in a 2011 radio interview that Moscow was ready to consider rehabilitating the victims of Katyn.



Memorial has asserted that the Russian state is obliged to condemn the Stalinist repressions (Dolgin 2009), and victims' organizations have demanded a "federal program" to study the terror (Turchenkova 2009). They protest that the discussion has centered only on the products of the crime—the victims—not the criminals who perpetrated it, much less the system that permitted it. As noted, aside from symbolic reparations, the post-Soviet governments have not implemented transitional justice measures. Consequently, the refurbished postmortem popularity of Stalin may represent an "invisible Stalinism" without the Gulag, a resurgence of the principle that the order attendant to centralized power justifies the deprivation of individual rights (Brent 2008, Interfax 2008).[13] Chief among the resurrected symbols is Stalin himself, whose role in history has been fashioned to fit a mythologized narrative, as evidenced in the textbooks.

In 2009, furthering this trend, as noted above, the state undertook the management of the historical narrative with the establishment by presidential decree of a "Commission to Counter Attempts to Falsify History to the Detriment of Russian Federation Interests." This decree was testimony to the increasing politicization

13 Writing in 1991, one former prisoner concluded: "In the historical perspective of the development of Russia, the history of the GULAG will not be repeated. But if time and again the liberals and thinkers, humanists and politicians of the world do not draw the lessons from the GULAG and the historic defeat of its contemporaries, it is hard to believe in the triumph of higher reason." (A. Sandler, M. Etlis 1991: 558.) Perhaps unexpectedly even to its author, the years in which these lines were written ended up being the peak of anti-Stalinist revelations and public discourse on the Gulag.

of history in Russia. The commission was made up of state and public officials and historians, who were charged with looking at past events for misrepresented or manipulated facts that cast Russia in a negative light. Civil society expressed concern about the "struggle against the falsification of history" becoming an "affair of the state", because, they cautioned, the state cannot be the arbiter of the "truth" (Goble 2009). But the question of who should be remains complex as attested by, also attested by the experience of international criminal proceedings (see below). The moral credo of the South African Truth and Reconciliation Commission is that 'the truth will set us free'. The discussion becomes complicated when we recognize the co-existence of different truths, some more implicit than others. One of Medvedev's last measures as acting President in 2012 was to dissolve the dubious commission (Kantor 2012).

In a noteworthy shift, the current administration is considering establishing a commission on the "Perpetuation of the Memory of the Victims of the Totalitarian Regime and National Reconciliation" for which civil society organizations lobbied (Karaganov 2011),[14] but the petitioners are acutely aware that they might achieve no more than "1/20th" of their requests (Roginskii 2012). For example, Medvedev was in favor of the suggestion of creating a data base on victims, complete with accurately investigated numbers on the scope of the terror, but stopped short of supporting the request for a "political-legal judgment of the crimes of the Communist regime." He questioned what authority could condemn the former totalitarian regime, and rejected the notion of the state admitting culpability on behalf of the state, arguing that "legal judgments are passed by judges, not even the president or parliament".[15] Such stances turn a blind eye to the current discussions in which successor states (with the aim of consolidating democracy) recognize their responsibility for acknowledging and condemning a former regime that had been guilty of committing repression.



However, while integrating the story of the terror into the mainstream history of Russia seems like a relatively simple undertaking at the level of historical scholarship, at the political level, it is complicated by systemic obstacles. It requires a fundamental move from a system of governance that devalues human rights, toward a democratic ethos that prioritizes them. As one historian observed, "attitudes toward the Soviet past are a matter of values much more than knowledge" (Khazanov 2008). Russia has no historical democratic traditions for balancing individual rights with collective responsibilities; authoritarianism is the default political culture. The survival of civil society depends on both the survival of the state and the individuals it governs. At present, the essential rights of both are polarized by competing narratives—those proffered by the victims of the repression and those

14 Roginskii-Medvedev: "Eta programma ne tol'ko pro istoriiu" (internet).

15 "Stenograficheskii otchet".

by the state/government. Each addresses different issues and endorses different priorities regarding means and ends. So, notwithstanding the recent mixed official signals which indicate some ambivalent support for coming to terms with the onerous past, these competing narratives reflect deep-seated problems with reconciliation in post-Soviet Russia.

In this age of transitional justice, a national process of reckoning might achieve sufficient consensus to interrupt the perennial recycling of old repressions into newly "justified" repressions—which include the repression of the victims' stories. There is support, however limited, for such an approach in Russia, as attested to by some civil society organizations, who have offered the prescription that "society and the state will need to work together, and historians bear a special responsibility in this process" (Roginskii 2011: 27). Maybe an inclusive history that recognizes the victims but also verifies, analyzes, records, acknowledges, and seeks to understand the competing narratives could facilitate a shift from dueling monologues to engaging dialogues. Such an undertaking could move Russia beyond the post-Communist impasse.



## Serbia

In 2005, the Beogradski Krug translated and published my work, *The Gulag Survivor: Beyond the Soviet System* (Adler 2002, 2005) into Serbo-Croatian. When asked how this book on the Soviet experience was relevant to their cause, the Serbian human rights defenders explained that it addressed a similar unwillingness and inability of both the state and public to confront a repressive, onerous past. Even while Russia's efforts to disclose its repression were fitful and ultimately mostly failed, Serbia made few such efforts and there was no consensus about how the truth was to be formulated.

Yugoslavia was a multi-national federation of ethnic groups, cobbled together as a complex state, and for a considerable part of its history dominated by the Serbs, who constituted the largest group. Their victimization, martyrdom, and national entitlement were central themes of Serb narratives, in which glorification of different periods of the past, from the Middle Ages, through 19th century uprisings to the first and second world wars served present political purposes.[16] Many Serbs look back with nostalgia to a time of greater 'national' pride and material comfort.[17] By contrast the dominated ethnic populations were frustrated in their striving to share a similar national pride.[18] This rupture turned into an

16 Ramet 2007: 63, 66; Erjavec, Volciv 2009: 132–135.

17 "Serbs at a crossroads as elections approach: Vote is a choice between East and West," *International Herald Tribune*, 7 May 2008.

18 Macek 2009: 185–186. Nenad Dimitrijevic, criticizing Serbia's "old narrative about the victimized Serbian nation", disparages contemporary Serbia's efforts to rebuild itself "from

armed conflict, in which according to the ongoing research, 150,000 people lost their lives.

Thus far, supporting a "culture of denial"[19] has been the official approach to the past. Serbian military actions are still interpreted by some as defensive strategies, and nationalist media discourses surrounding the death of Milosevic have depicted him as a "legendary leader", who epitomized the victimhood of the Serbs.[20] Consequently, while Serbia's wartime acts have been internationally condemned, they have not been adequately acknowledged at either the national or local level. Moreover, acknowledgement would be insufficient for some. Civil society organizations press on with the demand that, "we need more than truth, we need to force Serbia to admit responsibility for aggression."[21] To date, attempts to reconcile contradictory versions of past events, by merging them into one "foundational narrative"[22] have failed. So also have the efforts to employ institutionally sanctioned approaches, including trials, truth commissions, vetting, and their various combinations. A just resolution in the aftermath of these mass atrocities, even lowering the goal to modest negotiations limited to "the art of the possible,"[23] has thus largely failed. Alternative solutions should be sought because legal proceedings often fail to bring competing versions of ethnic clashes to a consensual "truth." Rather, these proceedings reveal the co-existence and persistence of many "truths" based on different group perceptions, as well as different interpretations.[24]



The International Criminal Tribunal for the Former Yugoslavia (ICTY) attempted to set the record straight, overcome ambiguity, and "police a violent past"[25] by adjudicating claims and counter-claims, all supported by irreconcilable narrative versions of events.[26] For example, the central Serb narrative characterizes

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the ruins of the communist and nationalist regimes of yesterday. (Dimitrijevic 2008: 15). Further, he asserts "the past that today's elites defend has never actually been," and argues for a truth commission to remedy these ills. The mandate of a truth commission, however, with so many "contesting truths" (Macek 2009: 7) would be enormous, if not insurmountable.

19 Orentlicher 2008: 21, 90. See also Sonia Biserko, IWPR special report by Simon Jennings, EU urged to Boost Balkan Reconciliation Efforts, May 2009; Ramet 2007: 66.

20 Erjavec, Volcic 2009: 135, 142.

21 Natasa Kandic, conference, "Beyond Peace versus Justice: Fighting Impunity in Peace building Contexts," The Hague, 17 September 2009. Despite their activism, Serbian civil society organizations are regularly marginalized. Ostojic 2007: 122.

22 Ilic 2004: 17.

23 Mark Freeman, "Transitional Justice: the Current State of the Field," paper, *60 Years Genocide Convention*, the Hague, December 8, 2008.

24 See Daly 2008: 23–41.

25 Kostic 20078: 33.

26 See Wilson 2005: 908–942; see also Garton Ash 2002.

the catastrophic war in former Yugoslavia as an internal conflict, triggered from the outside, resulting in a civil war in which Serbs were also victims.[27] By contrast, the central Bosniak narrative frames these same harrowing events as unbridled external Serb aggression.[28] Thus years after the physical battle in former Yugoslavia has ended, the divisiveness remains, and is perpetuated by competing narratives of what happened and why.[29] While some ICTY judgments have contributed to the pursuit of historical accuracy regarding the causes of the conflict,[30] the "legal narrative", in contrast to the personal narrative, is adversarially driven toward a clear end that may not reflect the whole story.[31] Consequently, contending parties sometimes enter and leave the court with "their own truths" still intact.[32] The ICTY was widely considered an anti-Serb creation, and after the fall of Milosevic, Serbia had to be coerced into cooperation with the Tribunal. The outreach program, which might have explained more about the nature and procedure of the court, experienced a slow start-up phase, leaving public opinion in Serbia rather firmly "anti-Hague".



As in Russia, the content of school history books and curricula provide useful indicators of how the state prefers the narrative of the past is to be understood. In the former Yugoslavia, the teaching of history remains a "thorny issue". In Bosnia, the three peoples do not even share the same view of how the war started.[33] These views are difficult to challenge or reconcile because they are reinforced by selective attention, omissions, and emphasis.[34] And in Serbia, while the gruesome facts of Srebrenica were graphically depicted on television in 2005, there remained a considerable degree of public silence.[35] According to analysts, this amnesia is institutionally perpetuated by the school system.[36] The history of Srebrenica is not

27 Sonja Biserko, contribution to panel discussion "Letting Go of the Past, Losing a Hold on the Future," the Hague, 11 February 2008.

28 Kostic 2007: 256, 259.

29 See, among others, "Action to Combat Impunity in Serbia; Options and Obstacles" 2008: 25. On cogent but irreconcilable narratives, see Wilson 2005: 908–942; see also Garton Ash 2002; Obradovic-Wochnik 2009: 63–64.

30 See the discussion in Wilson 2005: 912, 922, 924.

31 See Eltringham 2009: 59–60.

32 Gross 2007: 8. See also Erik Ketelaar 2008.

33 Kostic 2007: 157. The school system in Bosnia-Herzegovina segregates along national lines, with rival textbooks, and different curricula (Ramet 2007: 56–57).

34 Macek 2009: 194–199.

35 Natasa Kandic, cited in Dan Bilefsky, even went so far as to assert that, "there remained public amnesia about the killings." "Karadzic Sent to the Hague for Trial Despite Violent Protest by Loyalists," *International Herald Tribune*, 30 July 2008; for a comment on the media's efforts to remedy amnesia, see Sajkas 2007.

36 "Action to Combat," pp. 61, 71.

sufficiently covered in school history books,[37] where it could provide a forum for discussion and conflict resolution.[38] Instead, the divisiveness continues to roil in the popular culture as competing narratives that slip past each other or collide, but hardly engage in a dialogue.

There is relative consensus among observers that the government of Serbia remains resistant to accepting political responsibility for the crimes committed by its military and paramilitary forces.[39] The progress that has been achieved is fragile; whereas the former Serbian president attended the annual mourning ceremony in Srebrenica, the newly elected Serbian president has even denied that the Srebrenica massacre constituted genocide (despite the rulings of the ICTY and the International Court of Justice").[40] This negationism and resistance reflects the public's sentiments and fosters a climate of impunity in which Mladic remained at large for 15 years, and enraged protestors rallied in Belgrade's streets to protest the 2008 extradition of Karadzic.[41] (Such protest did not occur after the arrest of Mladic. Historian Vladimir Petrovic, part of a 'welcoming committee' in the court's special prison, recalled that once Mladic was in prison "there was great concern about the huge crowds that might appear. Yet they did not... Still, the fear that they would come was paralyzing to the investigation for quite some time."[42]) For his part, Karadzic, starting with his initial non-appearance in court, followed Milosevic' lead, using destructive behaviors purposed to have a delegitimizing effect on public opinion of the ICTY. Moreover, his defense commenced with a vehement denial of genocide and revisionism. Mladic appears to be taking their example. The salience of a culture of impunity remains a fundamental impediment to transitional justice efforts.



In 2001, Serbian Prime Minister Zoran Djindjic, who was later assassinated, asserted that Milosevic should be tried domestically, because, he conceded, "Milosevic would not have become what he is without us."[43] That domestic trial never came about, but others will. After the assassination of Djindjic,[44] a special war crimes judiciary was constituted, thus launching a long, painstaking and lingering

37 Bilefsky 2008.

38 "Action to Combat," pp. 61, 71. See also Jessica Greenberg's discussion on participation and apathy among the younger generation (Greenberg 2010: 41–64, particularly 54 and 63).

39 Neier 2008.

40 See "Reactions to Statements from Newly Elected President of Serbia, Tomislav Nikolic," 2012: 12–14.

41 See also Miller 2006: 317, 320–321; Obradovic-Wochnik 2009: 64. See Bilefsky 2008.

42 Vladimir Petrovic, comments, Amsterdam, November 2012.

43 Gordy 2003: 2–3.

44 Despite the completion of the criminal trial against his perpetrators,who were members of the State Security anti-terrorist unit JSO (Jedinica za specijalne operacije – Special

process of domestication of war crimes trials. Additionally, at present, several other initiatives are being operationalized, including 1,500 non-governmental organizations, associations and individuals that have become involved in the establishment of a regional truth commission (RECOM),[45] but progress is slow.[46] The RECOM constituency's goal is to collectively establish a "shared narrative" of the past, centered around wartime victims, to the end of achieving a stable peace. They aspire to move past state-generated stories of the past in order to "examine how the fragmentation of Yugoslavia and its attendant crimes is a history of regional, if not global, culpability and complicity."[47] However, over fifteen years after the end of the physical conflict, the coalition complains that many victims have still not been named nor sufficiently acknowledged, and only a handful of perpetrators have "faced justice".[48] But even if such efforts were more successful at the judicial level, they might still be thwarted by a failure to sway public sentiment. As proverbial wisdom cautions, "A man convinced against his will, is of the same opinion, still." Is such resistance to objective evidence indicative of a faith-based belief? (Adler 2012a). Support for this inference is provided by abundant examples of ethnic cleansing which transgresses the espoused moral tenets of the repressors and justify present repression as revenge for past repression or prevention of supposed future repression (Gow 2003, Ramet 2007, Petrovic 2007).



The current questions critical to the success of transitional justice in Serbia include: how might a court ensure that its judgments are widely accepted; how does a court gain sufficient influence as well as legitimacy to alter the "truth" held by certain groups; how can a more inclusive national narrative be created on the basis of evidence; what would political elites and the public gain and lose by acknowledging more comprehensive truths; and what is the relationship between democratic values, economic development, education, and acceptance of complex and adverse truths?

## Reflection

The narrative presentation of accurate facts, as well authentic, if inaccurate perceptions should be viewed as a necessary early stage in a continuous process

Operations Unit of State Security Service of Serbia), there is still controversy as to what the political motives were behind his assassination.

45 *RECOM Initiative !Voice*, 5 (2012): 5–6.

46 For an overview of several of the TJ mechanisms employed, see Roozbeh (Rudy) B. Baker 2009: 171–226. Baker asserts that the lack of "transitional justice pacts" in the early stages affected the success or failure of the process.

47 Jeffrey, Jakala 2012: 27–28.

48 "Report about the Consultative Process on Instruments of Truth-Seeking About War Crimes and Other Serious Violations of Human Rights in Post-Yugoslav Countries, May 2006 – June 2009," p. 2.

aimed at promoting the successful transition from the violation of, to the protection of, human rights in these two former repressive societies. Subsequent stages can use these narratives to recruit an audience empowered by an accurate history.

However, since many who benefitted from a former regime look back with pride at its accomplishments, it is not clear whether and how a confrontation with disconfirming evidence might change such perceptions or to what extent dialogue is possible. Nor is it clear how capable and motivated a given group/nation/individual might be to undertake a potentially de-stabilizing reappraisal. On the other hand, we might be able to bridge the gulf between the official histories of repressive regimes and the personal narratives of victims by delineating the areas of agreement, disagreement, and negotiability. Such *conciliation* ("the bringing together of two opposed sides into a working relationship" while recognizing fundamental differences[49]) could lead to reconciliation. This process has been neatly framed as 'doing history, doing justice,'[50] and the benefits to reconciliation of adjudicating the disagreements in a single, "shared narrative"[51] that analyzes past crimes have been lauded. Perhaps the opening of classified and reclassified archives as well as the proper placement of the records used for political trials, together with collated, divergent official and personal narratives can facilitate the "shared custody"[52] of an amalgamated "common past," based on credible evidence, and validated by a credible audience.[53]



That past may become less "bright" for some, but a national process of reckoning could facilitate sufficient consensus to prevent new opportunities for old sentiments to surface in Russia and Serbia. Moreover, there may be a tipping point—as in South Africa—when the cumulative impact of public disclosures shifts the balance, and expands the validating audience. This might then be aphoristically expressed as: "Why shouldn't we expect a bright future, when every day, more people make constructive use of our terrible past."

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49 For a succinct discussion of the differences between reconciliation and conciliation, see Blakeley 2005: 53.

50 See Charles S. Maier's thought-provoking discussion (Maier 2000).

51 Barkan, p. 903.

52 Ketelaar 2008: 13; see also Ketelaar 2008: 9–27. Kostic 2008: 394–395.

53 For a discussion on unified narratives and national belonging, see Schaffer and Smith 2004: 6, 13, 19, 21. On truth production by ruling elites in post-repressive states, see Grodsky, 2007.

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„Svetla prošlost" ili čija (pri)povest? Izazovi u Rusiji i Srbiji danas

Apstrakt

U Rusiji, dve decenije nakon urušavanja Sovjetskog Saveza, Staljinova popularnost je po anketama javnog mnjenja ogromna, pošto se mnogi prisećaju nekadašnjeg ugleda zemlje i svog osećaja sigurnosti. Slično tome, mnogi Srbi, koji su bili najveća grupa u bivšoj Jugoslaviji, s nostalgijom su gledali na vreme nacionalnog ponosa i materijalnog komfora. Nasuprot tome, potčinjene etničke zajednice u isto to vreme osećale su frustraciju u težnji za nacionalnim ponosom. Svaki politički poredak ima jednu pripovest sačinjenu od odabranih i povezanih događaja koji promovišu nacionalne interese. Iako se završila oružana borba, u bivšoj Jugoslaviji ostala je podeljenost koja je perpetuirana konkurentskim narativima o tome šta se i zbog čega dogodilo. U Rusiji, „nevidiljivi staljinizam" u porastu još jednom je omalovažio iskustvo žrtava represije. Ovaj članak pruža preliminarna razmatranja o razdvajanju narativa u Rusiji i Srbiji i pokušava da objasni jednu od ključnih prepreki u pomirenju s prošlošću.

**Ključne reči** postkomunizam, gulag, Milošević, represija, tranziciona pravda, Rusija, Srbija, žrtve, narativi.