

The role of religion within the Yugoslav Wars (1990-1999) and the mantle of ethno-religion in post-conflict societies

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Abstract

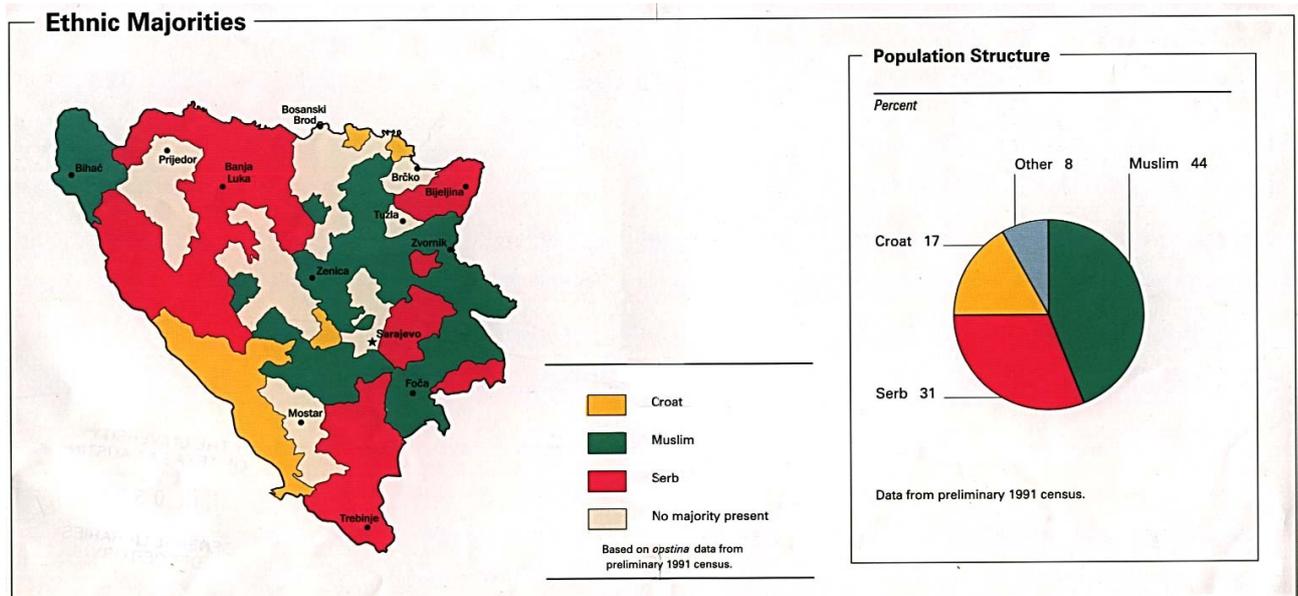
This thesis examines the role of religion in the Yugoslav Wars (1990-1999) and development of peace thereafter. Considered in terms of 'Conflict Transformation', it analyses the way that religion, culture and ethnicity have interplayed with politics throughout the series of conflicts making up the Yugoslav Wars, through an examination of the actions, traditions, symbols and narratives of each of the 3 main ethno-religious groups in the region; Serbian Orthodox Christianity, Croatian Catholicism and Balkan Islam. Following on from this, and contributing to a growing canon of scholarship regarding transitional justice and reconciliation, the thesis considers the role that religious mechanisms, actors and theories could have in creating a lasting peace in the region. Examples are drawn from diverse geographical and temporal spaces to provide a wholesome exploration of justice and reconciliation methods; both formal and 'traditional'. In accordance with the goal of reconciliatory peace, theoretical mechanisms and concrete actions are canvassed and contrasted, building a full picture of the possibilities within the Balkan region. Throughout the thesis, the requirement for a holistic, multi-layered and ethno-religiously sympathetic approach is expounded, whilst the actions of organisations (local, national and international) are examined in concert with religious efforts and thinking. The terms 'narrative-restructuring' and 'relationship leading' are introduced to provide a template for reconstruction and action.

Key Terms: Balkans, conflict, human rights abuses; genocide, reconstruction, reconciliation; 'narrative-restructuring', 'relationship leading', Conflict Transformation; transitional justice, ethno-religion, ultra-nationalism

Maps



Map of the Yugoslav Federation in 1991 and the borders of post-Yugoslav republics in 2006. Source: BBC



Map of ethno(-religious) majorities within Bosnia, 1992. Source: CIA via the University of Texas

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Chapter 1: Introduction

General introduction

This thesis is, generally, an extended study into religion in the countries that formed the state of Yugoslavia until its break up in 1992. As Yugoslavia broke up, a series of ethno-religious conflicts occurred between the Serb, Croat and Bosniak groupings- including a brutal series of wars and a concerted campaign of ‘ethnic cleansing’ against Bosniak Muslims. Due to the complete and complex blending of ethnicity, nationality and religion within the area, the role of religion is paramount in understanding the ongoing tensions within the region. Any ongoing and reconciliatory peace must be cognisant of these tensions and for its success the inclusion of ethno-religious traditions is paramount. To this end, we shall analyse creative ethno-religious (indigenous) methods of justice and the theological backings evident in the three major religious traditions in the area; Serbian Orthodox Christianity, Croatian Roman Catholicism and Balkan Islam.

The somewhat complex religious milieu of the area does not detract from the allegiance that each adherent to the religions have; in the 21st Century, the area continues to be self proclaimed religious; “Kosovo, Macedonia and Romania emerge as the most self consciously religious societies in the region, and in Europe; 88 per cent of people in Macedonia, 83 in Kosovo and 77 per cent in Romania consider themselves religious. Serbia, Croatia, Montenegro and Greece all come close, some way behind, with 70 to 72 per cent of their populations considering themselves religious. Bosnia comes next on 65 per cent.” (Tanner, 2018) This underlines our requirement for religious inclusion in plans and initiatives for peace.

It is important to note the terminology used within this thesis; technical terms will be explained in full, later on. Where national administrations of the independent former-Yugoslav republics are referenced; the names of each state is used. However, such is the inter-mixing of the different ethno-religious groups, within Bosnia-Herzegovina in particular, a vassal Serbian ‘state’ was created- called the ‘Republika Sprska’, or RS. This was inimitably tied to the remaining rump of Yugoslavia, comprised of Serbia and Montenegro- and the decision of its leaders and armed forces were almost entirely consistent with the wishes of the Yugoslav rump.

Scope of research and writing

This thesis is intended to be an enquiry into the role of religion in the Yugoslav Wars and the possibilities for religious reconstruction in the time following. As will become clear, the brutality of the Yugoslav Wars has been unparalleled in Europe in the post-WWII era. Whilst the Yugoslav Wars will be referred to throughout, the 1991 Ten-Day War in Slovenia will not be considered within our frame of reference- with the Yugoslav Army withdrawing in a short time. Moreover, the war is usually considered in terms of a political struggle for sovereignty, rather than having the ethno-religious elements of others (Anderson, D, 1995). Similarly, the insurgency in Macedonia in 2001 has not been analysed, nor Insurgency in the Presevo Valley (1999-2001). The background to and events of the Kosovo War (1998-1999), though sometimes alluded to throughout as examples, require their own wide-scale research

project. Our main periods of reference are the Croatian War of Independence (1991-1995) and the Bosnian War (1992-1995), both of which display the wide-scale religio-ethnic involvement that can be analysed in a thesis such as this. Our aim is more to illuminate the role of religion within the Yugoslav Wars that has often been forgotten in research regarding the political manoeuvring and international action surrounding the series of conflicts.

To this end, sources and literature have been consulted and found that range from political speeches, eye-witness reports and both 'free' and state-controlled media from the time, to the most recent research in the field and subsequently-published memoirs and diaries. Whilst the testimonies of individual survivors and victims of the Yugoslav Wars are of paramount importance in the creation of a long-lasting peace, it was not feasible to cast a net wide enough to gain an understanding of individual opinions and thoughts in the region. A research paper can never capture the visceral savagery of events suffered by those in Bosnia, SFR Yugoslavia or Croatia- and it is impossible to account for the amount of suffering experienced and witnessed.

Methods of research, central questions and intended effect

The central research questions of the role of religion in the Yugoslav Wars and how ethno-religious traditions can contribute to long-term reconciliation and peace in the region were approached from a historical perspective. In terms of research paradigm; mixed methods and a "pragmatic" philosophy (Johnson & Onwuegbuzie, 2004) have been the general academic backing, however the theory of 'conflict transformation' (Lederach, 2003) has been utilised in order to envisage the positive possibilities of conflict, whilst a religion-positive position is held by the author.

In approaching the central research questions, a number of interim steps (expressed as sub-questions), have been taken. In considering the role of religion in the Yugoslav Wars, the questions of *which parts of religious traditions were utilised for expedient ends* and *how religion combines with politics in ultra-nationalism within the wars*, were used as guidance. When considering *how religion can be used to come to terms with the past and provide reconciliation*, guidance came from questioning *the role and limits of legal (or formal) justice, the abilities of religious and social traditions in filling gaps left by the formal justice system and what specific theological points could be utilised* as the backing for transitional justice efforts.

The thesis is intending to provide a nuanced account of the role of religion in the Yugoslav Wars, demonstrating the power or ethno-religious narrative, symbols and belief when creating the ultra-nationalist environment that the violence across Serbia, Croatia and Bosnia-Herzegovina sprung from. I then intend to assess the role that religion can play in creating the conditions for peace, before moving more specifically into institutions, traditions and examples of religious reconciliation. By the end of this thesis it is my intention to have illuminated the relationship between religion and the Yugoslav Wars and the role religion can and should have post-war.

Outline of thesis

Following on from these opening remarks, the thesis will work from a large-scale monograph of the national and religious history of Yugoslavia (1.1 & 1.2), through to further macro considerations of post-conflict religious-led and international efforts at providing reconciliation (1.3). Once the general picture is clearly outlined, the paper will then look at the Conceptual Framework utilised; through the clarification of terms (1.4a/b/c) including how we understand conflict in our considerations of the Yugoslav Wars, and a discussion of the 'Conflict Transformation' lens; utilised throughout.

Chapter 2 goes into detail looking at the role of religious people, institutions and narratives throughout the Yugoslav Wars; considering the three main religious traditions in the region- Serbian Orthodoxy (2.1), Croat Roman Catholicism (2.2) and generally-Bosniak Balkan Islam (2.3). From this a picture will emerge of the role and use of religion in the post-Yugoslav landscape (2.4).

After looking at the historical role of religion in the conflicts, the paper will then look presently and forward towards how reconciliation can be promoted- with the help of religion. Firstly formal justice methods will be considered (3.1); characterised by the ICC and ICTY (3.1a). Having considered formal justice, the thesis will explore the theoretical possibilities of using religious narratives in reconciliation (3.2)- and the exemplification of this in South Africa's TRC (3.3); which can be considered a religiously-led process (3.3a). Going hand-in-hand with religious efforts and considering how interlinked religion and culture are; an exploration of 'indigenous justice' methods (3.4), with the example of the post-Rwandan genocide Gacaca Courts (3.4a) provides examples of how these methods may benefit a post-conflict situation. Moving back to the Balkans, 'indigenous justice' (3.5), attempts at forming a Truth Commission (3.5a) and religious traditions that may be used to inspire reconciliatory actions from each major Balkan religion (3.5b/c/d) will be considered.

Finally, to close the thesis, remarks will be made on the future of reconciliation in post-Yugoslav Wars (4.1); the future of justice without the ICTY (4.2) and the role of the international community (4.3) in creating a lasting peace in the Balkans based on reconciliation following the events of the Yugoslav Wars.

The historical background/general historical outline of the Yugoslav Wars

The region encompassing the present post-Yugoslav republics has been oft-forgotten in histories of Europe. The Balkans is certainly a diverse region; where ethnicities, religions and nationalities all combine into incredibly personal identifications. Throughout the 17th and 18th Centuries, the inhabitants of (today's) Serbia, Montenegro, Croatia; Bosnia and Herzegovina, Slovenia, Macedonia (FYROM) and Albania lived either under the jurisdiction of the Ottoman Empire, or Hapsburgian rule. Indeed, 'The Balkan people, largely peasants, shared certain experiences. Their chief ties were to their families and to their local communities...With their outlook shaped by the church and by a complex heritage of local traditions handed down generation after generation... Justice was administered on the basis of church and customary law' (Jelavić, 2006, p58). Within this context, it is somewhat impossible to separate ethnicity and religion; hence our use of the term 'ethno-religion' throughout, to demonstrate the blending of the two.

Balkan history in the 19th Century can be characterised as the region being stirred into chaos by rival international powers, with wars fought throughout the 19th Century culminating in the 1878 Congress of Berlin. Here, “the world’s great powers redraw the map of the Balkans... Three new countries, Serbia, Montenegro and Romania are established...” (UNHCR, 2001). However, and a theme that becomes very apparent following the fall of Tito’s Yugoslavia; national borders were exceptionally difficult to draw. ‘[U]nder both Hapsburg and Ottoman rule, the population intermingled. As a result, all of the new states were to a greater or lesser extent multinational... each state had some claims on its neighbours... Oppressed minorities and militant nationalists assigned to an alien authority still looked to terror and revolutionary action as the best hope for the future.’ (Jelavić, 2006, p95) Though under constant rule, Serbia in particular showed the stirrings of statehood; with an assembly of Serbs proclaiming Miloš Obrenović Prince in November 1917 (Benson, 2001) and ran his Principality in such a way that “[t]he result was a remarkably homogenous society of peasant smallholders, unscathed by industrialisation, and immune to social and intellectual novelty (Benson, 2001, p2). Though this view may be slightly romanticising the pre-industrial condition of the Balkans at that time, it is emblematic of the similarity in situation of all the ethno-religions across the region.

Between 1912 and 1913, two Balkan wars were fought against the Ottoman empire, whilst Sarajevo then became the scene of the assassination of Archduke Franz Ferdinand in 1914 (the starting point of World War One). Yugoslavia, as an entity, was created in 1918 and referred to as “the ‘Kingdom of Serbs, Croats and Slovenes’” (UNHCR, 2001). In 1944 Josip ‘Broz’ Tito’s Partizan group ousted the occupying Nazi forces, before becoming embroiled in a civil war seen by Glenny as emblematic of simmering tensions in the region and a signpost for the conflicts in the 1990’s. “It is of no coincidence that the war between Tito’s Partizans and the Croat fascists, the Ustashas, one of the most bestial struggles within the myriad conflicts of the Second World War, erupted largely along this strip of south-eastern Europe” (Glenny, 1996). As Glenny sagely notes, the region has become a by-word for unbelievably violent fighting across the 20th Century, as ethno-religious tensions have been left unaddressed.

Within this milieu of factionalism, it is unsurprising that differing regions under differing rule in the Balkans would (in economic terms) develop at different speeds (Sörensen, 2009). As seen throughout the Yugoslav Wars, resentment of ethno-religious groups could easily be supported by well-chosen historical fact. With the coming of the Titoist Yugoslavia in 1944 and its grand social and economic reforms, methods of political rule were imposed from above on the huge country of differing peoples and overlapping identities. Until 1980, the rule of Josip Broz Tito was effective at keeping peace in the Socialist Federal Republic of Yugoslavia; through a mixture of personal charisma and bringing material benefits to the people of the sprawling country. His New York Times obituary noted that, under his rule,

‘[w]hat emerged in Yugoslavia was... a brand of Communism with free-market forces, consumerism, Western publications at the newsstands, including nude centrefold magazines, a decision-sharing role for employees called workers’ self management, and, importantly, freedom for virtually all citizens to travel abroad and to return at will...’ (Anderson, H, 1980, A12)

Tito was not blind to the dangers of having so much power concentrated into his hands; attempting to find a way to balance the various and easily-flammable ethno-religious tensions within the SFR Yugoslavia, including a new constitution for the country twice; in 1963 and 1974. “The 1963 Constitution had itself moved Yugoslavia towards a new political balance. On the basis of a theory of double sovereignty of working people and nations, the reforms introduced personal rotation for all effective functions except the Presidency.” (Sörensen, 2009, p102) Though capable of generally holding peace throughout his 27-year presidency, the socialist framework, under which all ‘nations’ had a finely-balanced say in proceedings, did come under pressure. ‘[S]trains and conflict developed as Tito endeavoured to forge a nation out of diverse and rival peoples... Eastern Orthodox, Roman Catholic and Islamic. All the while, the shadow of the disapproving Kremlin hung over the country’. (Anderson, H, 1980, A12). The complexity of government in Yugoslavia was compounded by the ‘federation’ being split into six constituent republics: Bosnia-Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia (BBC, 2006) and the utilisation of a myriad of political, ethnic and class terms to describe the constituent peoples of Yugoslavia.

Following the death of Tito in 1980, the rotating presidency continued as planned for around a decade. “[P]rovisions of the 1974 constitution provided for the effective devolution of all real power away from the federal government to the republics and autonomous provinces in Serbia by establishing a collective presidency of the eight provincial representatives and a federal government with little control over economic, cultural, and political policy.” (NIE, 2003) Whilst a marvel of legislation, the system quickly proved to work only as a way for any state to bring the system to a deadlock if it went against their own interest, or the interests of its leaders. This was intensely felt by Stjepan Mesić, the last President of Yugoslavia and so exceptionally well-placed to witness the power vacuum that precipitated the breakup of the former SFRY, who noted that “entrance to the cabinet was determined by the Rules of Procedure and followed the 1974 Constitution. Following this process, thirteen people from all six republics and two autonomous regions had served their turns before me.” (Mesić, 2004, p8) Whilst it is neither possible nor desirable to apportion a singular reason for Mesić being the end-point of the rotating Yugoslav Presidents, it is wise to signpost the changing historical and political milieu, which contributed to the fall of the SFYR. The general collapse of Communism in Eastern Europe from 1989, in Poland, Hungary, East Germany; Bulgaria, Czechslovakia and Romania meant that Yugoslavia had regimes built on similar foundations as its own collapsing at each border. Moreover, aside from the revolution in Romania, all of these countries transitions away from authoritarianism had been mostly peaceful. A further compounding issue was the collapse of the Soviet Union removed the existential threat that served to ground Yugoslav unity (NIE, 2003). Elections in 1990 returned non-Communist parties to lead the Slovene and Croatian parliaments and both countries declared formal independence on June 25th, 1991.

At the same time as this, Slobodan Milosević had been accruing power and nationalist standing in Serbia; becoming head of the Serbian Communist Party in 1986 and had worked through democratic and ‘democratic’ (NIE, 2003) methods to revoke the autonomy that Kosovo and the Vojvodina regions enjoyed. Meanwhile, the Montenegrin leadership had become staunchly pro-Serb; meaning that by 1989 the Milosević regime controlled a vast swathe of the rapidly-disintegrating SFYR. The Milosević regime also controlled the enormous Yugoslav Army (the JNA), and could call upon vast reserves of

militias and allies throughout the region. This meant that once Croatia had declared independence, it immediately collided into a full-scale war. At the same time, the attempt of the Bosnian President Alija Izetbegović to declare independence led to full-scale war breaking out in Bosnia-Herzegovina in April 1992.. Communist Yugoslavia, as an entity, dissolved on the 27th April, 1992 and was replaced by the Federal Republic of Yugoslavia; comprising Serbia and Montenegro. (Benson, 2001, pXVII)

The exact timeline of the events relevant to our study of the role of religion in the Yugoslav wars and the possibilities of peace thereafter begin in 1992; whilst it is almost impossible to provide an exact and complete timeline of all events, though many will be discussed, Glenny (1996) provides a compelling account of his time reporting on the Yugoslav wars and from his sum-up of the effects of the war, the scale of brutality becomes clear:

There was virtually no community left in Bosnia or Croatia which had not been touched by the disease of ethnic cleansing and murder. The Moslems of the Drina valley, northern Bosnia, the Lašva valley, western and eastern Herzegovina had been massacred in an unprecedented example of racist militarism in post-war Europe. The Croats of central Bosnia and large parts of the Posavina had been driven away for ever, as had the Serbs of the Krajina. The former Yugoslavia had become the area of a vast population exchange, engineered chiefly by Milošević and Tuđman, and has been executed through a series of small, very vicious wars. (Glenny, 1996, p 288)

The religious background of the area

The area of the Balkans that became the SFYR, and the former-Yugoslav nations, sit at an interesting geographical crossroads; situated between Europe, Russia and Turkey. As part of this, the region has strong influences and bases from the monotheistic traditions; in the main Islam, Orthodox Christianity and Roman Catholicism. Islam took root with the invasion of the area by the Ottoman Empire, from 1463, with the ‘golden age’ of Muslim Bosnia in the 16th and 17th Centuries, when the Albanian ethnic group mostly converted (Waardenburg, 1997, p391). An important point to make early on when considering the Balkans; religion, ethnicity and political leaning were already tightly intertwined Waardenburg (1997) draws attention to the calling of Muslims as ‘Turks’ by the Balkan Christian majority as an example of this.

Religious institutions functioned as the keepers of culture and tradition; often intimately being linked with notions of former glory and group myth. This is particularly notable in Serbia, “[i]ndigenous Serbian culture as oral, contained in the folk epics recited by traditional bards, and rooted in the authority of the Orthodox Church, the only institution that connected Serbs with their remote past as a free people.” (Benson, 2001, p2) Likewise, ideals of Muslim nation and superiority were rooted in the Ottoman empire, where entry to high office and positions of responsibility was allowed only to Muslims. Thus, “[o]nly by conversion to Islam, could non-Muslims achieve high office, and during the sixteenth and seventeenth centuries, many of the Ottoman’s Balkan subjects did precisely that.... creating a two-tier social structure in which Allah-worshipping Slavs le a privileged existence” (Lane, 2004, p18). Within the Roman Catholic population of Yugoslavia (in its various

forms), the Vatican has consistently been the chief purveyor of culture and tradition; the Archbishop Alojzije Stepinac in 1946 demonstrated the wishes of the Titoist Yugoslav state in reigning in the spiritual and cultural leadership of the Vatican (Allcock, Milivojević & Horton, 1998, p38). It is noted that the political scientist Ramet suggests four main functions of religion in the area- the most notable of which is “providing the historical core of the culture of most groups” (Allcock, Milivojević & Horton, 1998, p243), whilst in Ramet’s own book (2002) it is suggested that the Islamic leadership kept a lower profile than the Catholic and Serbian Orthodox ones, evident in the tones of the *Preporod* Muslim newspaper. Thus, Islamic symbolism in the imagination of many Yugoslavs was rooted in the actions of foreign Islamic states (such as Colonel Gaddafi’s Libya), rather than being able to draw on the actions of the Vatican, or the Patriarchate.

The ability of religion and nationalism to co-incide and destabilise the nascent forms of Yugoslavia was well within the minds of its rulers, who generally attempted to sideline the Orthodox Church as a symbol of ‘Serb-ism’ and so a possible coercive influence. King Aleksander (of the 1918 ‘Kingdom of Slovenes, Croats and Serbs’) attempted to ban all organisations based on a religious leaning in early 1930, however in 1931 “Aleksander conceded a unified constitution for the revived Patriarchate of Pec, provoking a reaction among the Catholics and Muslims, who feared it was the first step in establishing a state Church. Religion reasserted itself as a marker of ethnic identity, functioning as a surrogate nationalism.” (Benson, 2001, p53). For Croatian Catholics, Cardinal Stepinac (b.1898, d. 1960) fused together ‘blood and soil’ patriotism and Catholicism (Benson, 2001), which helped underline the ability of religious leaderships to be the flagships of factionalism. Islam itself within Yugoslavia cannot be said to have had overt nationalist leanings of its own volition, however external forces certainly provided signs for their possibilities, as well as documents such as future-Bosnian president Alija Izetbegović’s *Islamic Declaration* (which will be discussed in detail later):

“Non-Muslims in Yugoslavia recalled Libyan dictator Qaddafi’s generosity in providing for the Yugoslav Islamic community’s mosque-building program, noted Bosnia’s long term interest in building economic and cultural contact with Syria, Iraq, and other Arab states, pointed to the Muslims’ efforts to align Yugoslavia with the Arabs during the October 1973 war...” (Ramet, 2002, P118)

Throughout the 20th Century, it can be said that the religions and religious institutions in Yugoslavia under its various guises had an uncomfortable relationship with the state. Though only secluded pockets of outright hostility occurred, the Titoist regime attempted to impose a wedge between the religions and their adherents, through narrative-changing and maintenance of image.

Under Tito, the Catholic Church was generally portrayed as being pro-*Ustasha* (the fascist regime that controlled Croatia in WW2), though certain figures such as Methodius- the creator of the Glagolitic alphabet- were lionised (Ramet, 2002). The portrayal of the Catholic Church as a form of foreign intervention was widespread, with the Yugoslav government ending relations with the Vatican City in November of 1953 (Benson, 2001). The regimes’ approach to the Orthodox Church, too, was characterised by the outspoken wish to separate church and state, but also the preservation of cultural elements; “[t]he Communist regime repeatedly praised the cooperation it received from the Orthodox

association and occasionally presented awards to its members” (Ramet, 2002, p 111). In SFR Yugoslavia, classes used a confusing mix of religious and ethnic labels; “Thus a Bosniac with a Muslim name but who was atheist and non-observant was of the "Muslim" nation while an Albanian Muslim who happened to be a believer and observant was designated "Albanian" with no reflection of Islam in the name of the nationality” (Sells, 2003, p320). This further blurred the ethno-religious lines in the area, melding together social and religious traditions with powerful national narratives.

As has will be continuously stressed; this melding of ethnic and religious groupings provide unique obstacles within the Balkan region. “One consequence... is that the equations Serb=Orthodox and Croat=Catholics, which continue today have become a more accurate indicator of ethnicity than religious affiliation.” (Dunn, 2015) Regarding the Muslims of Bosnia-Herzegovina, Shenk notes that they “are the only Muslims in the world considered so by nationality.” (1993, p 43) Dunn goes on to suggest that the tensions that flared into brutal hostilities in 1992 were a cause of the imperial history of the Balkans. “From the early periods of rule by the Ottoman and Hapsburg empire through the two World Wars and beyond, each of these three religious groups enjoyed a measure of privilege afforded by shifting alliances with ruling powers sufficient to generate suspicion of unfair collaboration to the disadvantage of the other two” (Dunn, 2015). The complex and tense milieu of ethno-religions in the area of Yugoslavia were ripe for use by unscrupulous politicians, in Chapter 2 we will consider this use and the parallel actions of religious actors and institutions, in creating the firestorm of the Yugoslav wars in Bosnia.

The current state of faith-led reconciliation and transitional justice efforts

For the most part, the religious organisations within the former Yugoslavia have outwardly supported interfaith dialogue and attempts to both fully come to terms with past atrocities and move towards reconciliation. Examples of this have included a series of statements throughout the late-1990’s; “[t]he Serbian Orthodox Bishop of Zagreb, Ljubljana and Italy, Metropolitan Jovan, called on Serb refugees to return to Croatia and the Yugoslav authorities to help them return...” (HINA, 23rd Aug 1997). As Clark (2010) notes, ongoing tensions between the religio-ethnic groups in Bosnia-Herzegovina are exacerbated by a collective memory of Catholic Croats aiding and abetting attacks by the Croatian Defence Council (HVO). Clark then notes an abiding issue of religion within national identity in Bosnia-Herzegovina in particular that makes it difficult for religious leaders to bridge the gaps between communities, firstly because “religious actors are to some extent not merely the guardians of their nation’s religious identity, but also of its national identity” (Clark, 2010, p674), but also because “[t]hat religion is a constitutive element of national identity in BiH makes it extremely difficult for religious actors to be viewed as neutral, particularly when they embrace nationalism and align themselves with political leaders of parties.” (Clark, 2010, p 675). As already noted, the Serbian Orthodox Church has the most issues with being viewed as a mouthpiece for the Milošević regime; supported by such wilful ignorance of great crimes committed in the name of Serbia. Mojzes notes that in 1992, the Orthodox church put out a statement not only denying any use of rape within Bosnia-Herzegovina, but challenging anyone to name a concentration camp in the region, whilst

indeed charging that Croat and ‘Muslims’ had raped Serbian women (Mojzes, 1995, p139). This is just one of a wide range of examples about the role of narrative in the region.

However, as demonstrated by the statement of the Bishop of Zagreb, symbolic acts by church leaders have been the first steps towards organised religiously-led reconciliatory efforts. Bosnia-Herzegovina’s Inter-Religious Council (IRC) have set up visits of multi-faith Bosnian clerics to sites of atrocities (Spaić, 2017). These have included powerful statements by leaders; “ ‘The time has come for everybody to honestly feel shame for all that has happened among us’ said Serbian Orthodox bishop Vladika Grigorije” (Spaić, 2017). An important indicator in the development of a more peaceful Balkan region is the inclusion of all religions present; the IRC even has representatives from the only-1000 strong Bosnian Jewish community (Spaić, 2017). The ability of religion to cross political bridges is evident here, which will be drawn upon throughout this thesis.

The IRC has been the main conduit for high-level attempts at reconciliation; “the IRC... has, *inter alia*, produced a ‘Glossary of Basic Religious Concepts’ of Islam, Orthodoxy, Catholicism and Judaism, and drafted a new law on freedom of religion and the legal status of faith communities in BiH. The latter was officially adopted by the BiH parliament in 2004...” (Clark, 2010, p 677). As Sterland & Beauclerk (2008) point out, the high-level meetings of the IRC have been somewhat divorced from actual action; to the point that the Inter-religious Institute (MRI) has been created by the IRC to carry out actual dialogue. A host of religious NGO’s have also become involved in attempting to build bridges and foster dialogue in the region; however “many of these NGO’s, especially those established by the Orthodox churches, suffer from a lack of autonomy. This prevents them from providing the church with the innovative function so important for inter-religious dialogue and peace-building” (Sterland & Beauclerk, 2008, p 36). When NGO’s are so allied to institutions, the risk of them adopting specific unhelpful narratives is exemplified.

Material efforts at peace-building have centred around the religious buildings that had been destroyed in previous hostilities and war; the Serb-majority city of Banja Luka had its Ferhadija mosque re-built and opened in 2016. At the same time, the day the mosque was levelled (7th May) has been named ‘Day of the Mosques’ in Bosnia (Katana & Zuvela, 2016). Clark notes that the Franciscan order, in particular, has led physical initiatives at reconciliation and peace-building. Attention is drawn to the work of Fra Marko Oršolić and the International Multi-Religious and International Cultural Centre (IMIC), which runs programmes such as “running a *Kuca Mira* (House of Peace) and inter-religious centre in the village of Tisina, in northern BiH, to aid returnees” (Clark, 2008, p 688). Further efforts have concentrated on bringing together disparate communities through music; for example the Pontanima Choir, which has over 70 multi-religious singers and performs around the world. The *Kruh Svetog Ante* (Bread of St Anthony) Franciscan group, which also originally only had a mandate to provide food to the poor, “for example by setting up a public kitchen which provided 400 meals a day and still exists today. Since the end of the war, and particularly since 2000, it has focused more on reconstruction work- on restoring and rebuilding homes for returnees” (Clark, 2008, p690). However, a continuing theme picked up by Clark (2008), Sterland & Beauclerk (2008) and others, is that these organisations are often voluntarily funded; shunned by the national churches for fear of syncretism and so hampering their overall effectiveness. International organisations, too, have attempted to contribute to reconciliation and transitional justice; with similarly mixed outcomes.

Efforts of international organisations

At the time of the war in Bosnia, the atrocities committed received very little coverage and international attention; though in the ensuing years there have been enormous attempts to establish both ‘transitional justice’ and indeed attempt to create a long-lasting and peaceful civic society in the former Yugoslavia. (Subotić, 2009) The United Nations, having failed to keep peace militarily during the series of conflicts (for example in Srebrenica) put together ‘An Agenda for Peace’ in 1992, which was presented by the Secretary General Boutros Boutros-Ghali. As an agenda for multi-national peace building in the 1990’s, its suggestion that the use of “concrete co-operative projects which link two or more countries in a mutually beneficial undertaking that can not only contribute to economic and social development but also enhance the confidence that is so fundamental to peace” (Ghali, 1992, art. 56) This statement has provided the basis for NGO’s such as World Vision (WV), which is one of the only substantive INGO’s active in the region (aside from the Norwegian Church Aid). Sterland & Beauclerk note that the WV “appears to be the only other case of an INGO implementing projects directly targeted at inter-faith dialogue and diapraxis.” (2008, p 38) This is demonstrative of the closed-off nature of religious institutions in the region, as noted in the previous section, and indeed of the ongoing political pressures against INGO work- possibly due to the expedient use of the narrative of the Yugoslav Wars by politicians, who desire a maintenance of tensions for vote-accruing.

Other international organisations, such as the European Union (EU), have more focussed on working at a state level to try and create ‘development’; “We deduce that the EU has been using a developmental approach to assist post conflict recovery in the Western Balkans, namely by supporting socio-economic development to create favourable context conditions for democratisation. A political approach, on the contrary, would have prioritised investing in democratic institution-building and in advancing the empowerment of democratic actors.” (Grimm & Mathis, 2015) Whilst the EU does monitor such things as Education, which can have a dramatic effect in peacebuilding (Tolomelli, 2015), the complex nature of how Bosnia-Herzegovina in particular is governed, have hampered efforts. “A representative of the EU delegation in Bosnia explained that as the EU monitors discrimination and segregation in schools, the identified problem is the lack of a state level education policy or strategy” (Santander, 2016, p 99). As argued by Sörensen (2009), amongst others, the strengthening of institutions should be the primary immediate aim of reconstruction- this may help ameliorate ongoing issues in sectors such as education.

One of the more successful areas that international organisations have been involved in is in the traditional justice sense of finding and trying those responsible for the worst crimes in the Yugoslav Wars. We will discuss the International Criminal Tribunal for the Former Yugoslavia (ICTY) at the International Criminal Court (ICC) in later sections, however Subotić notes that the position of Serbia (as it was, post-fall of Milošević) in relation to the ICTY was that “[i]nstead of approaching the transitional justice as an issue of morality, Dindic justified cooperation with the ICTY on the basis of both international prestige... and the punishment noncompliance would bring” (Subotić, 2009, p 46). Therefore showing issues of ‘hijacked justice’, the disconnect between institutions like the

ICTY and people within the Balkans, and the requirement for multi-layered and grass-root solutions.

It is true to say that the role of international organisations in the former Yugoslavia have mostly centred around ‘state-building’ and economic efforts to immediately try and ameliorate the average living situation of Bosnians in particular. The approach of the EU is perhaps most indicative of this; whilst various reconciliation-style preconditions were attached to Croatia’s entry to the EU and of Serbia’s to the Council of Europe, very few were actually carried through (Subotić, 2009) and it could be argued strongly that grass-roots peace-building in particular were subordinated to economic development in the years following the Yugoslav wars. Indeed, Santander has argued that the efforts of international organisations in the former Yugoslavia have been “[d]estabilising...externally imposed, as there is an institutional preference for overseas tribunals and for international NGOs to lead reconciliation processes with victims and communities, and culturally inappropriate as they ignore indigenous demands for accountability or previous local practices in the area of justice and civil society development.” (Santander, 2016, p 87) It is these issues that the involvement of ethno-religious (indigenous) justice methods can help reduce, or solve.

Conceptual Framework

What is religion?

Within the post-Yugoslav context, ‘religion’ is an exceptionally difficult word to define. A functional starting-point is Durkheim’s definition; “religion is a unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden-belief and practices which unite into one single moral community called a Church, all those who adhere to them.” (Durkheim, 1915) Whilst this is a somewhat abstract definition, its highlighting of the relevance of ‘sacred things’ is useful when considering such acts within the post-Yugoslav context as the destruction of the Careva Mosque of Stolac, by the HVO and leaving surrounding Catholic shrines untouched (Sells, 2003, p 317). Durkheim’s calling to a ‘single moral community’ is equally relevant when considering how the established churches reacted to atrocities within Bosnia-Herzegovina in particular- and indeed the (already alluded to) role of the Serbian Orthodox Church as defenders of the one true ‘Serb’ people. One part of the Durkheimian definition above that we may dispense with in our survey of the role of religion in the Yugoslav Wars is ‘all who adhere to them’; namely because the use of religious labels in defining religio-ethnic groups did not require any actual adherence to that religions beliefs (Dunne, 2015, Ramet, 2002, et al). This is indeed the reason for the use of ethno-religious when describing groups and tensions in the Former Yugoslavia throughout this thesis.

In order to further our working definition, we may consider ‘lived religion’ as a way of unpacking the densely woven strands of history, sentiment and action that comprise religion in the Balkans as a whole. Referring to Orsi’s (2003) seminal work on ‘lived religion’ amongst Italians in Harlem, New York; McGuire surmises the term as:

useful for distinguishing the actual experience of religious persons from the prescribed religion of institutionally defined beliefs and practices... Although lived religion pertains to the individual, it is not merely subjective. Rather, people construct their religious worlds together, often sharing vivid experiences of that intersubjective reality. (McGuire, 2008, p13)

We now have a functionally better definition of ‘religion’ within the Balkan context; it is anything but a consolidated and neat arrangement of like-minded local congregants and includes tradition, social views and lived experiences within its arena.

What is justice and reconciliation?

When we refer to ‘justice’ and ‘reconciliation’ within this paper, it is important to note that the two terms are not at all homogenous, nor do they imply singular aims. An important piece of scholarship by Wettach (2008) was researched by surveying religious communities in Bosnia-Herzegovina on what they believed certain key terms; including ‘justice’. For the Muslim community surveyed, it was surmised that ‘justice’ is “in the political sense, as the punishment of individual perpetrators for the crimes they committed against civilians...” (*ibid.*, p 3). For the Catholic community it is a loaded term; being couched in terms of Serbian aggression towards Croatia and Croat Catholic communities (*ibid.*, p 9), and ‘justice’ therefore being an acknowledgement of this. The Serbian Orthodox contingent surveyed equally saw ‘justice’ as the overall recognition that Serbian actions in the Bosnian War in particular were “legitimate defensive measures” (*ibid.*, p 12). Clearly, then, the term ‘justice’ is loaded and easily manipulated for expedient ends.

In the Balkan context, we may say that it is best to strive for a mixture of ‘traditional justice’ and ‘restorative justice’. As we shall explore later, ‘traditional justice’; that is the Western notion of charging perpetrators within a court of law, is quite advanced through the ICTY at the ICC. However, the reconciliatory idea of ‘restorative justice’ is lacking in much of the post-Yugoslav region. “Restorative justice returns the voice of the victim, whether alive or dead, from the periphery to the center... The question is not ‘how combatants *have* lived’ but ‘how the next generation *is going to* live’.” (Botman, 2004, pgs 249-250). This question provides the forward-looking impetus behind all religious and non reconciliatory efforts, and indeed is a driving force behind this thesis.

‘Reconciliation’ is a natural follow-on from ‘restorative justice’ and so may be seen as the primary end to strive for within the post-conflict Balkan context. Reconciliation has some element of changing power; it “implies a fundamental shift in personal, and power relations.” (De Gruchy, 2002, p 25) Within the framework for peacebuilding of ‘conflict transformation’, we may see various inclusions of ‘reconciliation’ (Lederach, 2005), making it well-suited to our later considerations on how religion can contribute to a lasting peace in the Balkans.

A further important term to clarify in this area is ‘transitional justice’. This is the methods by which a wholesome definition of justice is implemented following periods of particular strife, war and human rights abuses (ICTJ, 2018). This can include a range of legal and non initiatives, bodies and ideas; essentially any attempt to re-dress the balance of relations following an oppressive overarching system.

Conflict transformation and how we understand conflict

As noted by Lederach, “conflict is normal in human relationships and conflict is a motor of change. And transformation is clear in vision because it brings into focus the horizon toward which we journey, namely the building of healthy relationships and communities...” (Lederach, 2003). The conflict within the Balkan region can be understood in a myriad of ways; physically, with widescale loss of life and inconceivable brutality, but also in terms of “long-standing cycles of hurt and destruction” (*ibid.*), which contribute to long-running mistrust in now ‘peaceful’ states. An example of this is the segregation of education described by Tolomelli (2015), and indeed the responses within Wettach’s survey (2008). The Conflict Transformation ‘lens’ (Lederach, 2003) allows us to look both back at the atrocities committed, and forward towards a peaceful future.

Whilst many approaches toward the Yugoslav Wars, such as that of the EU, assume that the prevention of further conflict through strengthening of economies and institutions is the end-game of reconciliatory efforts in the region, through ‘conflict transformation’ we may suggest an opportunity for something deeper to emerge. “Conflict transformation begins with a central goal: to build constructive change out of the energy created by conflict. By focusing this energy on the underlying relationships and social structures, constructive change can be brought about (Lederach, 2003). The three main Balkan religions, as shall be explained in later sections, are incredibly well-placed to help facilitate this, due to their unique positions within personal identities. A further advantage of using the ‘conflict transformation’ lens to look at the post-Yugoslav landscape is that it emphasises change at several levels; “we need to develop capacities to engage in change processes at the interpersonal, inter-group and social-structural levels” (*ibid.*). This again shows the power that religious leaders and institutions can have; whilst gestures such as those by the IRC in visiting sites of atrocities can help to affect inter-group relationships, and efforts by the EU, international NGO’s and the ICTY can help at a social-structural level, local religious leaders can help affect change at the interpersonal level- impelling the entire process from the ground up. In an exploration of religious reconciliation methods, Philpot notes that relationships are at the heart of certain ‘relational theories’ of justice; “reconciliation is itself a concept of justice... justice means the comprehensive set of obligations that define the right relationship in all spheres of life.” (Philpot, 2015, p 339) From this we can derive that justice, reconciliation and peacebuilding spring forth from the well of interpersonal relationships, furthering the reasons for the utilisation of ‘conflict transformation’.

Chapter 2: The role of Religion in the Yugoslav Wars

The case of the Serbian Orthodox Church

The Serbian Orthodox Church occupies a unique position within the Yugoslav wars; being at once entirely supportive of the Milošević regime, but playing a strong role in his downfall. It can be characterised as being ‘demonising’, continuously stoking religio-ethnic tensions and creating false narratives within the disintegrating Yugoslavia, and for whipping up common resentment and violence against both Croat Catholic and Muslim Bosniak people. In many ways, the behaviour of the Serbian Orthodox Church can be explained in parallel to Serbia as a whole; becoming entangled within its own narratives of self-defence and victimisation. It lost a quarter of its clergy during the Second World War and was continuously denigrated by the socialist press in the Tito era (Ramet, 2002), which brought about a particular sense of victimhood. It had “a psychological vulnerability fostered by the vicissitudes in the Church’s fortunes during the twentieth century and by the erosion of its power on several fronts and expressed in the hierarchies self-image as a *suffering* Church, even of a Church market out for *special* suffering.” (Ramet, 2002, p100).

Despite the self-reflective view of the church being one of victimhood, it is undeniable that the Serbian Orthodox worked through its own historical narratives in a way that complemented the ‘greater Serbia’ rhetoric employed by Milošević in instances such as the ‘Gazimestan speech’. Within the speech (delivered to an estimated 1 million people), Milošević whipped up the sentiment that Serbia stood as the guardian of Europe at the Battle of Kosovo in 1389: “Serbia was at that time the bastion that defended the European culture, religion, and European society in general.” (Milošević, 1989) This speech provides several clues as to the involvement of the Serbian Orthodox Church in the Yugoslav Wars. As previously noted, the Serbian Orthodox Church views itself as being the guardian of a ‘true Serbia’ (Clark, 2010) and it found easy confluence into the ultra-Serb nationalism that was a hallmark of both the Milošević regime, but also of the murderous groups led by such figures as Radovan Karidic in the Republika Sprska (RS) within Bosnia-Herzegovina. Describing the speech, which was held within a majority Albanian-Muslim area in Kosovo, Glenny notes “the festivities included a number of regional types of Serbian dances, the *Srpsko Kolo*, Serbian songs, readings from nationalist literature... the colourful dresses were worn by an unlikely mixture of communists, Orthodox Christians and monarchists with one thing in common- they were all Serbs” (Glenny, 1996, p 35). Whilst the blending of religion and politics in ultra-nationalism is consistent between Croatian Catholicism and Serbian Orthodoxy, the position of the Serbian Orthodox Church as a defender of the true Serbia meant that it was easily (and often willingly) used to create Serbian ultra-nationalism under Milošević.

An important element of the Serbian Orthodox Church’s role is the removal of Serbia from time; that is aggrandising tensions to cosmic proportions. As first suggested by Juergensmeyer, taking tensions and inter-personal conflict out from within our own time works to exacerbate them entirely: “[t]hey evoke great battles of the legendary past, and they relate to metaphysical conflicts between good and evil...What makes religious violence particularly savage and relentless is that its perpetrators have placed such religious images of diving struggle- cosmic war- in the service of worldly political battles” (Juergensmeyer,

2003, p 150). Indeed, what we see in the Milošević quote above is the movement of a 600-year old battle right into the national consciousness and the extending of ‘Christian vs Muslim’ dichotomy into the present day. Sørensen notes that “the discourse of warlike ethnic nationalism offers a mythic, anti-historical perception of time, with eternal presence and/or return to the same.” (Sørensen, 2009, p 157) Sørensen details the specific historical revival of the Gazimestan speech and “the Battle of Kosovo Polje in Vidovdan in 1389 where Prince Lazer dies in defending Christianity against the Turks...” (*ibid*, p 157). Added to this, the Serbian Orthodox Church became embroiled in false narratives regarding a Vatican-Islamic plot to uproot the Serbian people (and by extension the Orthodox Church); leading to particular savagery in the Croatian War of Independence (Ramet, 2002). Waardenburg even calls for openness in the relationship between the Vatican and Croatia during its War of Independence (1997,p392). This, combined with the “nationalistic myths” (Cameron, 1999, p4) that became a hallmark of ‘greater Serbia’ iconography, provided a strong historical narrative on which to base violence across Bosnia, Croatia and Kosovo.

A perhaps salient point is the melding of Serbian Orthodox and Serbian nationalist iconography, in particular by the Milošević regime and often without the support of the Serbian Orthodox Church (Glenny, 1996). In particular, the ‘Serbian Cross’ is seen as a potent symbol of nationalism and a summarising symbol for all things Serbian (Colovic, 2002, p8). The four Cyrillic letter ‘s’ are taken to mean ‘само слога Србина спасава’ or *samo sloga Srbina spasava*; “only unity saves the Serb”. Arranged as they are around the Orthodox cross and emblematic of the Battle of Kosovo field, their deployment by the Milošević regime and continued display around Orthodox sites of worship, saw the symbol become reviled by many within Bosnia and Croatia. There were further melding of Orthodox iconography and ‘greater Serbia’ imagery as well; as pointed out by Dunn (2015), the Serbian Orthodox Cross appeared on military weapons and vehicles, as well as the three-fingered *chetnik* salute (symbolising the trinity) and was even carved or burned into the bodies of victims. This visceral use of the symbolism of Serbian Orthodoxy, which as we have noted continuously is intimately tied to notions of being ‘Serbian’ is emblematic of the ‘cosmic war’ dimension of the Yugoslav conflict. It takes a certain amount of inspiration to be so driven to carving religious symbols into the skin of dead compatriots.

Having considered the symbolic and theoretical basis of the role of the Serbian Orthodox Church, we may now turn to the concrete actions it made which helped imperil lives and impel the Yugoslav Wars. In terms of anti-ecumenicalism with the Croatian Catholic Church, the Serbian Orthodoxy often continued allegories of the Catholics as being willing fascist sympathisers (with the Second World War Ustasha regime in Croatia); utilising it as a way of furthering Serb victimhood. “Prominent Serbian Orthodox bishops and theologians began speaking up on behalf of what they considered threatened Serbdom in areas where, in World War II, massacres of Serbs took place” (Mojzes, 1995, p137). Public figures such as Patriarch Pavle and Metropolitan Amfilohije supported the rejection of the Vance-Owen plan for peace in Bosnia, by the Republika Sprska (Ramet, 2002, p256) whilst Pavle himself vociferously defended the actions of Bosnian Serbs; “on meeting with Roman Catholic Franjo Cardinal Kuharić and Islamic Reis-ul-ulema Jakub Selimoski in November 1992, he made a point of telling his Islamic counterpart that Bosnian Serb massacres and the expulsions of the Muslims from their lands were ‘justified’, because, as he put it, Serbs were themselves endangered.” (*ibid*, p 255).

One of the more iniquitous actions of the Serbian Orthodox Church was its support of Milošević in the lead up to the Yugoslav wars; “[b]y the late 1980s the anti-Albania, anti-Slovene and anti-Croat feelings were conflated, and the Serbian Orthodox Church saw initially in Milošević’s ‘Anti-democratic Revolution’ the salvation and liberation of the Serbian people.” (Mojzes, 1995, p 138). In some cases, prominent bishops and leaders engaged in fiery dialogue with Serbian politicians who did not support violent action in Bosnia (Mojzes, 1995).

Often when considering the role of religion in conflict, the agency of the religion itself is the main question posed. In the Yugoslav Wars, we can theorise many ways in which the iconography of the church was utilised, narratives restructured for ultra-nationalist aims and the breakdown of interreligious dialogue. However, it is the actual act of inciting religio-ethnic hatred that is the hallmark of the Serbian Orthodox Church in the Yugoslav Wars; making our use of the term ‘demonising’ when describing its role very apt.

The Roman Catholic Church in Croatia

Though it is the Serbian and Bosnian Serb armies and militias, and hence Serbian Orthodoxy that is most-associated with ethnic cleaning in the Yugoslav Wars (Sells, 2003), it is important to note the role of Croatian forces and militias inspired by an ultra-nationalist and Catholic outlook within the overall chaotic milieu. Sells poses several reasons for the lack of acknowledgement of Croat Catholic crimes; from timing “to hide them partially behind the international outrage over the crimes of Serb forces” (Sells, 2003, p 316), to having different official and expedient positions; “as an official position, [Croatia] its support of an independent BH while Tuđman and his BH allies made unofficial agreements with Serb nationalists to carve by BH between Serbian and Croatia” (*ibid.*). In concrete terms, Croat Catholicism inspired violence of a similar level of brutality as Serbian Orthodoxy, but in a much narrower geographic area. We may see parallels between the two forms of Christianity in the way that they played with narratives to demonise Bosnian Muslims and each-other and also postulate additions to Sells’ thinking as to why Croat Catholic crimes have been less-noticed than Serb Orthodox ones. To demonstrate the ferocity of Croat Catholic forces, we need look no further than the ‘cleansing’ of Muslim and Serb Orthodox alike in Medjugore in 1992 that included the destruction of shrines and the razing of the Zitomislicli monastery. A latin cross was erected by the Croat forces over the still-burning remains of the 16th- Century building. (Sells, 2003, p 320). The regime of Tuđman can be seen in parallel with that of Milošević; including the widespread utilisation of the latin cross and the creation of combined Catholic/Croatian narratives.

Pinnacle in the creation of Croat Catholic nationalism (Bremer, 2010) that permeated the premiership of Franjo Tuđman (1990-1999) was the suggestion that Vatican and Catholicism had provided the impetus for Croatian Independence. Mojzes (1995) gives the example of the popular Catholic Magazine *Veritas* proclaiming in 1992 that: “[t]he cross of Christ stands next to the Croatian flag, the Croatian bishop next to Croatian minister of state... Guardsmen wear rosaries around their necks... it all ended well, due to the Pope and Croatian politics” (Beljan, 1992 *in* Mojzes, 1995, p 130). Several figures were lionised similarly, including Franjo Cardinal Kuharić, who was considered to have manoeuvred the Croatian population to a sovereign Croatia (Mojzes, 1995). The blurring of Croatian

religious and political life became complete with the election of three Catholic priests to the governing body of the Croatian Democratic Community (CDC) in February, 1990 (Kristo, 1995, p439). It is also noteworthy that the Croatian President Tuđman himself was present at mass held in Zagreb cathedral to coincide with the CDC convention- moreover it is suggested that this was “perhaps for him the beginning of still another personal transformation: from the partisan Bolshevik commissar to Croatian patriot searching for Christian roots.” (*ibid.*). Several treaties tie the Croat Catholic Church to the new Croatian State, sealing this relationship between church and state (Bremer, 2010). Moreover, the Croatian Catholic Church continuously worked to re-write historical narratives; for example “medieval history has been rewritten in accordance with the so-called ‘Thirteen Centuries Myth’, which constructs a continuity of spiritual and legal links between the Holy See and Croatian leaders ever since the seventh century” (Perica, 2006, p315). We may draw comparisons between the ‘Thirteen Centuries Myth’ and the mystical remembrance of the Battle of Kosovo within the Serbian Orthodox tradition, to further demonstrate the use of narratives within the region for expedient purposes.

We may also consider the use of symbolism and narrative in the role of Croat Catholicism. As has already highlighted, the latin cross had been used within war; but it also was used throughout Croatia and indeed Bosnia to show Croat Catholic towns and villages (Glenny, 1996). Another powerful symbol of Croat nationalism, language, was used to oppress Serbian-dominated areas of Croatia. Cardinal Kuharić was at the forefront of efforts to change road signs and have Croatian as the national language of the new republic (Mojzes, 1995, p131). In terms of narrative, there are three main strands propagated by the Croatian Catholic leadership that helped contribute to the violence in both Bosnia and Kosovo. The first is the politicisation of Bosnian Croats into religious movements; demanded by Catholic prelates in Bosnia-Herzegovina in 1990 (Ramet, 1996/2004, p 177). The second is the continuous statement and re-statement of an Islamic plot to remove Christianity from the Balkans; calling on time-honoured tropes of rampaging ‘Turks’ (Waardenburg, 1997). This was supported by the state-owned *Vjesnik* newspaper falsely reporting on such non-events as an alleged 35 Croats being hanged by Bosnian Muslims in Zenica in August 1993 (OCHR, 1993, p19-20). Further evidence comes from the Croatian media’s portrayal of all Muslim combatants as ‘Mujahedins’ (Mojzes, 1995, p135). Thirdly, and in a master-stroke of propaganda, the myth of the *Antemurale Christianitatis* was promoted, which pushed the idea that Serbian Orthodoxy was ‘eastern’ and that Croatia was the last eastward bastion of ‘European-ness’. “Writers were quick to cite Croatia’s 1,200-year history of suffering, humiliation and sacrifice in the defence of Western Christendom” (MacDonald, 2002, p116-117). This victimhood narrative on the part of Bosnian Croat Catholics is further expounded upon by their conceptions of the term ‘justice’ in Wettach (2008)- where it is understood in terms of bringing mainly Serbian figures to account for their crimes in Bosnia, forgetting the actions of Croat militias and the HDZ (p 9).

Finally, and to fully understand why in Sells’ view Croat Catholic crimes have been under accounted for, we must consider both the Croatian Catholic Church in relation to the Serbian Orthodox in terms of structure and outside support. Sells notes that the Croat Catholic position was split between religious pluralists and separatists (p 316); providing a smokescreen for the actions of more radical elements. In contrast, the Serbian Orthodox hierarchy were generally monolithic in their thinking and more allied to the Serbian state. A further example of this is the denouncement of Serb forces in Kosovo in 1990 by Cardinal

Kuharić (Allcock, Milivojević & Horton, 1998, p151), which drew international attention to the actions of Serbs, whilst officially distancing the Croatian Catholic Church from human rights violations in general. Secondly, we may consider the actions of the Vatican and in particular Pope John Paul II, who visited Zagreb in 1994 as part of his “pilgrimage for peace” (Ramet, 2002, p258). Due to the world-wide fame and respect for the pontiff, the visit to Zagreb gave the Croatian Catholic Church the perfect opportunity to trumped John Paul II’s messages of forgiveness and reconciliation, whilst working within and through the Croatian government to push Croat-Catholic interests and help to subjugate non-Catholic citizens in Croatia and Bosnia.

The role of Croatian Catholicism in the Yugoslav Wars may be surmised as both ‘two-faced’ and ‘rubber stamping’. These terms are related, ‘rubber stamping’ refers to its cosy co-existence with the Tuđman regime and its salient support for its actions. ‘Two-faced’ refers to the external influence of the Vatican, which was used by figures such as Cardinal Kuharić to provide an external image of Croatian Catholicism as the peace-making influence, without actually changing their support of Croat nationalism and efforts to remove, terrorise and kill Bosnian Muslims.

Islam in Bosnia: religion as an ethnic marker?

During our discussions of the role of both Serbian Orthodoxy and Croat Catholicism, various parallels between the two religious group’s roles have become elucidated. It may strike, then, that our discussions of Islam within Bosnia take a somewhat different tone and line of investigation. This is due to a number of reasons; the main one being that Muslim people within Bosnia-Herzegovina and Albania are generally irreligious; with only 39 % of Albanians in 2018 considering themselves ‘religious’ (Tanner, 2018). An exception to this is Kosovo, with 83% of the population considering themselves ‘religious’ (*ibid.*) however, this could be thought of as a further example of the nationalist/religious blending that exists within many of the former Yugoslav countries- and as a reaction to aggressions from self-consciously different external forces. However, what arises from the reasonably irreligious Muslim population is the “unique and somewhat awkward position of being the only group of Muslim believers in the world who are considered Muslim both by religion and by *nationality*.” (Mojzes, 1995, p 141). Once we have considered the religio-ethnic-national melding process that has come about for Bosnian Muslims and how this interfaced with the nascent Bosnian state led by Alija Izetbegović, we may then consider the roles of Muslim figures and institutions in the war in concrete terms.

Historically, the rise of Islam in the Balkans has been intrinsically linked (and then purposefully cultivated to link) to the decline of Serbian influence. Following the near-mythic Battle of Kosovo, the Ottomans had captured Bosnia by 1483. Indeed, the influence of the Ottomans was such that they “transformed small villages into the new Ottoman-style cities of Sarajevo, Mostar, and Travnik... As Bosnia grew and prospered, Bosnians converted to Islam in a higher proportion... For Croat and Serb nationalists, only the weak and the cowardly converted to Islam” (Sells, 1996, p 35). Ottoman society was naturally exclusionary, with Muslims having better opportunities to jobs and positions of state (Benson, 2001); which heightened inter-personal conflicts and clashes between Bosnian Muslims and Christians into an overarching structure. A salient point, and one that also contributed to heightened tensions between religio-ethnic groups, was the similarly cosy

position that Yugoslav Islam enjoyed within the Titoist state. This was due to the Islamic Community in SFR Yugoslavia having been led continuously “by leaders recruited from World War II Partisan veterans dedicated to Titoist brotherhood and unity” (Perica, 2002, p74). Between the end of WWII and the downfall of SFR Yugoslavia, the role of Bosniak Muslims in the life of the country was accepted and general respected by other Yugoslavs, in stark contrast to the position that Bosniaks found themselves in during the early 1990’s.

The creation of the ‘somewhat awkward position’ described by Mojzes of a religion and ethnicity being defined by nationality is a direct result of Titoist decisions, alluded to previously, that granted them the self-defining status of ‘nationality’. This decision was taken in February 1968 and resulted in over 1.4 million ‘Muslims by nationality’ declaring themselves so by the census of 1971 (Perica, p 75). The decision was not taken without some controversy, with both the founder of the Yugoslav Society of Religion rejecting the national-religious mixture and Muslim leaders suggesting ‘Bosniak’ as an alternative label (*ibid*). Within these developments and the creation of a Bosnian-Muslim ‘nation’, so rose periodic discussions and calls for a ‘Muslim republic’, to guard against aggressions from both Croats and Serbs; “Serbs and Croats have long registered rival claims to ‘annex’ the Muslim community, claiming alternatively that Muslims are ‘really’ Serbs, or Croats” (Ramet, 2002, p 125).

Within this climate, the decision of President Izetbegović to declare independence was taken as provocation by Serb-dominated areas within Bosnia, and this was not helped by the recognition of an independent Bosnia by the European Community and the United States (Glenny, 1996). Following this, the first major military uprising within Bosnia itself occurred; by ‘Arkan’ (Zeljko Raznjatovic; leader of the notorious ‘Tigers’ paramilitary) in Bijeljina and in Zvornik (*ibid*, p 185). An explanation of this lies in the past of Alija Izetbegović himself; who had authored a paper entitled ‘The Islamic Declaration’ in Sarajevo in 1970. The goal of the book is explicitly states as to inspire the “implementation of Islam in all areas of personal individual life, in the family and in society, through the renewal of Islamic religious thought and the creation of a unified Islamic community from Morocco to Indonesia.” (Izetbegović, 1990 in Knezevic, 1997, p484). Whilst not related to any country in particular, and notably an “anticommunist assertion of religious rights” (Sells, 1996, p118), the Declaration was re-printed in Belgrade in 1989 on Izetbegović’s elevation to the Bosnian Presidency; adding to the charges that Bosnians were plotting to recreate Ottoman rule in the Balkans. The Croatian Defense Minister, Gojko Susak, “claimed that 110,000 Bosnians were in Egypt studying to become fundamentalists” (*ibid*. p119). A further complication to Izetbegović’s secular plan for Bosnia was the growing tendency of the UN, European Commission and Western media “to treat the Bosnian government as if it represented only Muslims, even though as of 12 February 1993, the Bosnian cabinet still included six Serbs and five Croats alongside nine Muslims”. (Ramet, 2002, p 209) Continuously throughout the 1990’s, the quest for an independent Bosnia was framed throughout the world and by Serbian media as being in-league with Albanian separatists. This not only further blurred the Bosnian/Muslim marker, but also allowed various Serbian offences into Bosnia to be couched in the memories of Albanian uprisings (led by Marxist intellectuals) of 1968, 1971 and 1981 (Perica, 2002, p 145).

So, whilst in theoretical terms the role of Islam within the Yugoslav Wars is limited to being a religio-ethnic marker and occasional provocateur of Serb Orthodox and Croatian Catholic sensibilities, Bosnian Muslims were responsible for some provocations and violent

actions. In Autumn of 1994, it was reported that Bosnian imams were told to “try to avoid marrying non-Muslims... in Mostar, instruction in Arabic was introduced in Muslim-run schools...” (Ramet, 2002, p256). A Bosnian mujahadeen was founded in the early 1990’s, and Muslim foreign fighters were formalised into the ‘El Mujahed’ unit as part of the Bosnia-Herzegovina Army in 1993; with over 2,000 foreign fighters having fought in the country before the Dayton peace accord (ICG, 2013, p14). The Bosnian Army, though not as brutal as either the Yugoslav, Bosnian-Serb or Croatian army, did use Ukrainian UN peacekeepers as human shields in the defence of Zepa in 1995 (Ramet, 2002, p 237).

We may characterise the role of Islam in the Yugoslav Wars as being ‘unwilling’ and ‘unfortunate’. Both terms have multiple facts; with the state of Bosnia being ‘unfortunate’ to be painted as a nascent Islamist state by Serbia, Croatia and indeed the international community. The term ‘unwilling’ is useful when considering the religio-ethnic label of ‘Muslim’ in the conflicts; being classified so did not require any will or adherence to the tenets of Islam. The point remains, however, that the Bosnian Muslims suffered greatly more than any other group in the Yugoslav Wars, with unbelievable brutality and violence exhibited by both Serbian and Croatian forces.

Synthesis: The use and abuse of religion in the Yugoslav Wars

Whilst individual religions and religious groups have been discussed in turn, several themes have arisen that help to contribute to our overall understanding of the role of religion in general in the Yugoslav Wars. We may surmise them as the hijacking of religious traditions and narratives by charismatic political leaders, the power of iconography and narrative; and a general race to self-define each religion as the ‘most oppressed’- with the twisting of historical fact and narrative to support each position and the connection to world-wide (and so foreign) overarching religious groups to the detriment of inter-ethnic understanding. Each of these themes may be addressed in turn.

Within the Federal Republic of Yugoslavia, Croatia and Bosnia, charismatic political leaders twisted religious thought and narrative for expedient ends into brands of nationalism. The similarities between Yugoslavia’s Slobodan Milošević and Croatia’s Franjo Tuđman are evident. The borrowing of the Serbian Orthodox Church’s claims to be the true defenders of the Serbian people (Clark, 2010) and mythic narratives of Kosovo as Serbian Orthodoxy’s Jerusalem (Powers, 1996) within Milošević’s speeches, such as the Gazimestan speech can be compared to the inclusion of masses publicly attended by Tuđman in Zagreb at the first CDC convention (Kristo, 1995), and the mythic conception of Croatia as *Antemurale Christianitatis*; the last bastion of the ‘West’ against the ‘Eastern’ Serbs and Bosnian Muslims. The charismatic political figures were equally supported by outspoken senior religious figures, and, by extension, the established parts of Serbian Orthodoxy and Croatian Roman Catholicism. Within Croatia, the political machinations of Cardinal Kuharić- which led even to ‘latinising’ road signs even within Serb-dominated areas (Mojzes, 1995)- can be compared to Patriarch Pavle and Metropolitan Amfilohije urging the RS in Bosnia to reject the Vance Owen peace plan (Ramet, 2002). Even though the Serbian Orthodox Church did eventually call upon Milošević to step down in 1992, only two years earlier president-elect Milošević enjoyed a fully televised reception by patriarch-elect Pavle, demonstrating national unity (Perika, 2002, p 144). This twisting of narrative and use of

religion for expedient political ends is key in the rise of Balkan ultra-nationalism, which was one of the main impetuses for the violence.

The power of iconography and narrative has been evident throughout our examinations of the three religions within the former Yugoslavia, and their deployment in order to make the war a ‘cosmic war’ (Juergensmeyer, 2003) was achieved in different degrees. Both the Serbian Orthodox and Croat Catholic insistence on being the final bastion of Christianity against the Bosnian Muslims drew upon a thousand years of history and the complex ex-imperial landscape of the region; with similar warping of time (Sörensen, 2009). Whilst the ‘clash of civilisations’ theory as espoused by William Huntington (1997) was utilised by both Tuđman and Milošević as ways to rationalise their claims of a Muslim plot, including ludicrous claims of Bosnians being trained overseas to be *mujahadeen* (Sells, 1996) and plots from other Islamic countries such as Libya (Ramet, 2002), in order to create the Muslim landscape so depicted by Izetbegović in ‘The Islamic Declaration’ (Izetbegović, 1990 in Knezevic, 1997). It could also be said that Izetbegović’s own relatively innocent attempts to draw upon the great Muslim traditions in Bosnia when building the narrative around an independent state worked with narratives spun in Belgrade and Zagreb to perpetuate a suspicious, uneasy co-existence between the religio-ethnic groups. Finally, as the horrifying examples have shown, the use of religious symbols, such as the latin cross and ‘Serbian Cross’ were used to formally replace all existence of whichever other religio-ethnic group had been forced from an area, whilst also backing up the nationalism within each country (Colovic, 2002).

We may now turn to what could be described as a ‘victimisation complex’; utilised within each country and drawing on religious traditions to distort history for expedient ends. This is particularly evident in the self-identification of the Serbian Orthodox Church, whether with regards to Yugoslav Army and militia atrocities, where ‘justice’ is primarily understood in terms of proving Serb actors innocence (Wettach, 2008), or in the case of the foundational religio-ethnic Serb/Serb Orthodox myth of the 1389 Battle of Kosovo, where the lionised Prince Lazar was comprehensively beaten by the Ottoman forces whilst (it is held) defending Serbian and Christian values (cf. Milošević, 1989). Powers notes that a contemporaneous Serbian high school textbook puts the Croatian War of Independence as being a Vatican plot “which ‘launched a battle against Orthodoxy and Serbs through the Catholic Church and its allies.’” (1996, *Introduction*) and references the WWII-era fascist Croatian Ustashe government’s persecution of Partizans- a selective reading of history. The ‘evidence’ of a Vatican plot was thickened by the international recognition of Croatian and Slovene independence and then later Bosnian independence; which was generally thought to have been pushed by Germany and the Vatican (Powers, 1996 and Glenny, 1996). For its part, the Croatian Catholic church supported various historical images of the *Antemurale Christianitatis* and promoted the idea of Croatia as being under threat by ‘Turkification’ (Sells, 2003), drawing on centuries-old tracts of persecution by said ‘Turks’ (Wardenburg, 1997). As a part of the ultra-nationalism exhibited by both the Tuđman and Milošević regimes; as well as the vessel administrations in the RS (led by Karadic) and Montenegro.

Throughout the various treatises published in Serbian media regarding Croat Catholicism and Bosnian Islam, regular references are made to outside influences- as already discussed. It is perhaps a tendency of a religious conflict to become not only outside of apparent time (Juergensmeyer, 2003) but also of space- where global religious affiliations are brought in to focus within a smaller geographical area. Thus, the Croat Catholics

become fonts for a Papal plot and Bosnian Muslims the focal point of the worldwide struggle for an Islamic caliphate. Serbian Orthodoxy is seemingly isolated in this case; however the Orthodox Church newspaper *Pravoslavije* called for the partition of Yugoslavia into the two Christian spheres of influence and also calling for a commonwealth of Orthodox countries (Perica, 2002, p158). Reciprocal friendliness was cultivated with the Russian Orthodox Church and the Ukrainian Orthodox Church; culminating in an Orthodox symposium in Constantinople (*ibid.* p159) between the 10th and 13th December, 1990. We may suggest that the general isolation of the FR Yugoslav regime in international terms scotched any suggestions of a pan-Orthodox church conspiracy, though considering claims of 10,000 Bosnian *mujahadeen* being trained by the Croatian Defence Minister (cf. Sells, 1996), it cannot be excluded.

Overall, then, the role of religion in the Yugoslav Wars is varied and dependent on the tradition in question and the way any parts of the religion were used for forwarding nationalist aims. We may suggest that the marriage between religion and culture, and religion and society (Allcock, Milivojević & Horton, 1998) meant that it was ripe for cultivation by expedient politicians; however the ferocity of fighting and ethno-religious hate was such that we cannot say that religion was a blameless passenger. We can certainly consider that the confluence of religion and identity within the Yugoslav Wars helped initiate even more savagery than could have been expected whilst transitioning from Communist federation to bordering independent states at the time.

Chapter 3: The use of religious narrative/indigenous justice in promoting post-conflict reconciliation

Following on from our examination into the role of religion in the Yugoslav Wars, we may say with confidence that religion had a role in the creation of the violence. It would seem logical and pragmatic, then, to suggest that religion can have an equal role in peace; especially where traditional justice leaves gaps in reconciliation.

Successes and limitations of formal justice methods in creating a lasting peace

‘Transitional justice’ as a whole package has, since its recognition in the 1980’s (Subotić, 2009) been split into “truth seeking” institutions and “justice-seeking” institutions (*ibid.* p18). The International Center for Transitional Justice makes clear that it should overall the process should be “rooted in accountability and redress for victims. It recognizes their dignity as citizens and as human beings.” (Seils, 2018), however it is clear that within the post-Yugoslav conflict landscape, far greater attention has been paid to the “justice-seeking” institutions by national and international actors, whilst “truth seeking” and reconciliation has been left fallow. We may refer to “justice-seeking” institutions and efforts as ‘formal justice’; they have formally created in charter by a ‘legitimate’ international institution and work within pre-defined legal structures though not discrete legal structures; although an obligation *aut dedere aut judicare* that requires states to prosecute or extradite for breaches of the Geneva Convention and its Additional Protocols (Zgonec-Rožej & Foakes, 2013). Much of ‘formal justice’ is concerned with holding individual figure to account for their crimes whilst in a position of power and responsibility. We may assess the successes and failures of ‘formal justice’ methods in helping to bring about a lasting peace; before suggesting that the tonic to the failings of ‘formal justice’ is the use of “truth seeking” institutions, in co-operation with religiously-led reconciliatory initiatives.

An undeniable success of ‘formal justice’ is the removal of criminal political actors from the region that has been in conflict. For example, the 1985 trial of the *Proceso de Reorganizacion Nacional*, a military junta that had dictatorially ruled Argentina from 1976 to 1983, resulted in the imprisonment of five leading figures. Importantly, these men were not only removed from the political sphere, but also (along with several others) entirely removed from their place in the army. As will be discussed later, the International Criminal Tribunal for the Former Yugoslavia (ICTY) was equally successful in removing politicians from any position in which to continue their terrible legacy.

Secondly, ‘formal justice’ methods will usually uphold and reinforce human rights legislation and the independence of the judiciary. These harmonise with some legalistic conceptions of ‘transitional justice’ as a whole, including the view of many in the United Nations Human Rights Council (UNHRC); it “has four specific goals: providing recognition to victims, fostering trust... in state institutions...contributing to social reconciliation and strengthening the rule of law” (Rivera, 2014, p60). This strengthening of international human rights law and the domestic institutions that uphold it are important points of state-building (Grimm & Mathis, 2015) but do not reasonably promote inter-personal and inter-group reconciliation and can have the secondary and unintended role of formalising and strengthening formerly oppressive institutions. This is expounded upon by Subotić, who

notes that the linking of economic packages and inclusion within institutions such as the European Council to successful prosecutions at the ICTY only helped removing the figureheads of organisations and vassal states such as Milošević, Mladić, Milan Babić and so on, whilst leaving the coercive institutions they headed in equal positions of power (Subotić, 2009).

Other issues with ‘formal justice’ relate to its presentation as being a top-down solution to post-conflict situations. For example, there is widespread distrust that the ICTY is actually a neutral institution amongst lay religious people and local religious leaders (Wettach, 2008), whilst the fact that formal tribunals such as the ICTY and the International Criminal Tribunal for Rwanda (ICTR), following the 1994 Rwandan genocide, were brought about by UN Security Council Resolutions, rather than General Assembly Resolutions (the ICTY by Resolution 827 in 1993 and the ICTR by Resolution 995 in 1994). As the UN Security Council contains the nuclear-armed and largest nations, it cannot be said to speak for the vast majority of the world. Barria & Roper also suggest that the two Tribunals may have been a peacemeal effort by the Security Council; “Some argue that states in the Security Council found the creation of the Tribunal appealing because it provided an economically and politically inexpensive means of responding to demands for international action” (2005, p354). This weakens overall trust in the institution and can also contribute to the victimisation narratives discussed throughout Chapter 2.

Indeed, whilst we could almost refer to ‘traditional justice’ institutions such as the ICTY and its sister tribunal the ICTR as being myopically concerned with bringing individuals to account rather than promoting reconciliation, it would be somewhat missing the point of ‘formal justice’ methods. As Subotić argues in a 2012 letter, ‘formal justice’ methods such as the ICTY are not designed “to deliver justice for past wrongs equally for ‘all sides’, fostering reconciliation, but to carefully measure each case on its own merits... we should judge the work of the tribunal by its legal expertise, not by the political outcomes we desire” (Subotić, 2012). Expecting ‘formal justice’ methods to promote reconciliation is an overstatement of their operational remit. This is no more demonstrated than through the ICTY.

Assessing the ICTY in detail

In conjunction with the more general advantages and deficiencies of ‘traditional justice’ methods discussed above, we may now consider the work of the ICTY in sharper focus. The ICTY exemplifies the importance of ‘formal justice’ institutions notes previously; namely that political and military actors are removed from any position where they may be able to affect the post-conflict landscape. A mark of this success was the setting-up of the International Criminal Court (ICC) at the Hague, following the 2002 Rome Statute and with jurisdiction over “genocide, crimes against humanity, war crimes and crimes of aggression” (Carey, Gibney & Poe, 2010, p35). In bare terms, the ICTY has been responsible for indicting 161 people related to “serious violations of international humanitarian law committed in the territory of the former Yugoslavia” (ICTY, *Key Figures*). Of these, 90 have been sentenced, with RS leader Radovan Karadžić and Colonel-General of the RS Army Ratko Mladić having had their sentences heard on appeal, with the appeal being denied (*ibid*). Former FR Yugoslav President Slobodan Milošević was indicted and

transferred to the court, though died in custody. A recent and high-profile case involved the suicide of Slobodan Praljak in 2017- leader of the Croatian Republic of Herzeg-Bosnia satellite state's army- for involvement in massacres of Bosnian Muslims (van den Berg, 2017). All of these people would have been at the very least malign influences on the nascent post-conflict states and the example made of them at the ICTY was important in strengthening burgeoning democratic states.

As mentioned, one of the success stories of the ICTY was the creation of the ICC in 2002. An equally, if not more important legacy of the ICTY was the establishment of the principle of an obligation to 'prevent' genocide; due to Serbia's influence in the RS's egregious abuses. (Carey, Gibney & Poe, 2010, p46). On a legalistic level, this is significant for the development of a framework for post-conflict transformation.

In the terms specified by Subotić (2012) and mentioned earlier, the ICTY has been a runaway success. However, at a more grass-roots level, its deficiencies become clear. The idea of 'parachuted justice' by the UN security council not only provides opportunity for the further manipulations of ethno-religious narratives, it also physically removed the mechanisms for justice from the post-conflict zone. Held in the Dutch capital of the Hague, the ICTY is distant and has not had one single Serbian sit as a justice (Carey, Gibney & Poe, 2010). As an exercise in trust-building and re-setting of relationships, it hasn't allowed a Serbian to demonstrate the role of neutral justice within new state and ethno-religious relations. Furthermore, whilst the legacy of the ICTY is trumpeted to have included "Bringing Justice to Victims and Giving Them A Voice...Establishing the Facts...", it is simply not physically feasible for all victims to have told their stories at ICTY sittings in the time of its mandate.

A further extension of this point, and one that is the central concern of Subotić (2009), is that it is possible to consider the co-operation of the nation states involved in the Yugoslav Wars as a political strategy, not a wholesale buy-in into transitional justice and conflict transformation. This is most important in the case of Serbia; where "international actors applied a very direct, almost mechanistic policy of issue linkage, tying Serbian compliance in Serbian international standing (membership in the EU, international loans, or direct investment)." (Subotić, 2009, p 167) This meant that Serbian politicians tended to only comply with the ICTY externally to Serbia; thereby not actually helping improve any local relationships or even group relationships.

Overall, the ICTY can be said to have been a success within the limitations of its own mandate. In headline terms, justice has been served and, at a state level, the tribunal has worked to punish those in control at the time of the Yugoslav Wars. However, this has really missed any on-the-ground relationship restructuring and has also not given anywhere near the scope of narrative-changing necessary to help build a lasting peace. Moreover, by not entirely engaging with the people effected by the Yugoslav Wars, it has left a gap in creating the conditions necessary for this peace on an interpersonal and inter-group level.

The theoretical basis for religion's use in facing past atrocities

As our discussions of 'formal justice' methods have made clear, there is little room for grass-roots or inter-personal changes coming about from international institutions, such as the ICTY. Other transitional justice methods and institutions focus more on the re-

orienting of relationships and re-setting of narratives and many are supported by a religious background (Gopin, 1997). Gopin goes on to note two benefits of supporting the relationship between religion and conflict resolution; firstly that religious texts include a “vast reservoir of information...on peacemaking and on prosocial and antisocial values that affect conflict” (*ibid*, p2) and secondly, closely related to the previous remarks in this paper, that “religion plays the central role in the inner life and social behaviour of millions of human beings, many of whom are currently actively engaged in struggle” (*ibid*). We may add two more important bases for the use of religious narrative in facing past atrocities; ‘narrative re-structuring’ and ‘relationship leading’. They may be discussed in tandem; with one providing support for the other. ‘Narrative re-structuring’ may be surmised as the counterbalance to the ‘hijacked narratives’ discussed throughout Chapter 2; ‘relationship leading’ as a direct attempt to engage with Lederach’s (2003) requirements for interpersonal change leading conflict transformation.

Firstly, we may consider the role of religion in changing narratives. As summarised by Wettach (2008), one of the main issues with truth-telling and the pursuit of justice in the former-Yugoslav region are the differing notions of both ‘truth’ and ‘justice’ between religio-ethnic groups. This is in no small part due to persistent and purposeful narratives of victimisation and exclusion by both religious and political leaders. If the Serbian Orthodox Church, for example, stopped maintaining both its and Serbia’s continued victimisation at the hands of the ‘victorious’ Croat-Catholic and Bosnian-Muslim contingents and the international community (Ramet, 2002, Wettach, 2008), it would be easier for international justice efforts to strike a chord with the lay church and for personal opinions to be changed. Analogy can also be helpful here; Considine (2018) notes that the Korean analogy of *han*; “the cumulative experiences of unwarranted suffering that amalgamate, grow and fester among individuals, groups and generations” (p 90) may lead to the recognition of shared humanity and solidarity; through the reflection of their own pain in the (not always physical) scars of others (*ibid*). If analogies such as *han* may be adopted in ‘narrative re-structuring’, then the actions of the ethno-religious groups in the former Yugoslavia can be recast into a shared experience of hurt, rather than a divided one of conflict. In the conflict-transformation vein; we can consider previously-hurtful prejudices and stereotypes as being ripe for ‘narrative re-structuring’. Fretheim (2018) notes that not only can stereotypes and unreasonable generalisation be overcome, they can serve “a constructive purpose as preliminary positions from which new understanding and insights might emerge” (p23).

We can consider narrative to be one of the bases of cultural change and a key part of ‘relationship leading’; where re-structured narratives can be used to help change relationships and so contribute to peace-building. Culture is embedded both in the narrator, but also in the listeners interpretation (Minami, 2000) therefore the changing of a narrative; supported by concrete and reconciliatory symbolic actions, could provide a powerful starting gun for transforming culture- which is one of the main transformations required in creating peace post-conflict (Stoltzfus, 1999). ‘Relationship leading’ includes and is part of not only the changing of narratives, but also actions that can be emulated and the creating or modifying of symbols to support a peaceful end. One combined effort to stimulate this is through interfaith dialogue; Abu Nimer (2018) in relation to the Israel-Palestine conflict notes that the primary use of interfaith dialogue for Israeli Jews is “rehumanizing the other in order to reduce prejudice” (p16). When interfaith dialogue happens at a high level, not only does it assist in general ecumenicalism between religious institutions, it also provides a

powerful symbolic image of religious leaders involved in, for example the Bosnian IRC visiting the sites of war atrocities (Spaić, 2017). It can then be used to inspire more grass-roots and mid-level dialogue and relationship re-orienting; especially due to the combination of culture, character and religion we have discussed continuously throughout the paper thus far. Indeed, the inclusion of religious figures and ideas in any post-conflict institution has generally positive effects. We need look no further than the role that religion played in the South African Truth and Reconciliation Commission (TRC)'s re-orienting of narrative to being victim-centred, or alternatively the Community of Sant'Egidio's role in bringing about peace and reconciliation in Mozambique (Bartoli, 2004, p158).

Now that we have analysed some of the theoretical ways in which religious ideas can assist in the promotion of peace and reconciliation, we may turn to actual institutions and consider their religious influences; and how they have contributed to peace efforts.

South Africa's Truth and Reconciliation Commission (TRC)

The TRC in South Africa can be considered one of the most successful post-conflict reconciliatory institutions and exercises to have taken place; we may argue that it was so due to the inclusion of religion within it (*see* 3.3a), but we may also look at how it relates to both 'narrative re-structuring' and 'relationship leading' and how an organisation with a similar remit may benefit the post-conflict former Yugoslav republics. Continuously being cognisant of the requirements for a tailor-made reconciliatory body within each post-conflict zone; we may still explore the role and work of the TRC, within its own circumstances, in order to further understand the transformative power of narrative.

Following the fall of Apartheid in South Africa in 1994, the TRC was set up by the *Promotion of National Unity and Reconciliation Act* in 1995 and was based in East London, near Cape Town. Its mandate was to bear witness to and record testimonies from all levels of South African society, with sessions for victims and the opportunity for perpetrators to give testimony and (controversially and rarely) be granted amnesty. It heard from over 21,000 victims and witnesses; 2,000 of whom also appeared in public hearings (Hayner, 2002, p 28). The work was organised through three committees; for Human Rights Violations, for Reparation and Rehabilitation, and for Amnesties. In order to prevent 'victors justice'; no group was immune from being called to the Commission. Commissioners represented a wide variety of ethnicities, whilst hearing toured around the country to facilitate grass-root cooperation. We may analyse the TRC on three grounds in order to expound its worth; through its use of narrative, its focus on reconciliation rather than retributive justice and by its ability to help try and re-set relationships on an inter-personal level as well as a national one.

Firstly, the re-orienting of relationships will be explored; noted by Lederach (2003) as the lynchpin of peacemaking. The report of the TRC notes that in some cases, as part of the sharing of experiences, "an astonishing willingness to forgive was displayed, where those responsible for violations apologised and committed themselves to a process of restitution, and where the building or rebuilding of relationships was initiated" (TRC, 1999, vol. 5, p 350). The importance of re-building relationships even extended to the TRC's definition of truth; not just hard facts but an acknowledgement of the pain of the victim (Shore, 2009) in order to restore dignity and facilitate the 'humanising' of each faction in the

Apartheid system. A powerfully symbolic act associated with this is the washing of Reverend Frank Chikane's feet by the former Justice Minister Adrian Vlok (GCIS, 2006).

Secondly, we may consider the focus on reconciliation, rather than retributive justice, to have been one of the reasons for the high success of the Commission. Tutu (1999) emphasises the difference between a political or legal process and a reconciliatory one; "there it is more normal to demand satisfaction... to believe it's a dog-eat-dog world." (p 71). Whilst the political and indeed the 'traditional justice' processes can apportion rightful punishment and uphold a human rights framework; they are incapable of facilitating a reconciliation process.

Thirdly, and importantly, the TRC helped re-structure the narratives around those who suffered from Apartheid, giving victims a voice with huge teams of statement-takers travelling around South Africa "so that victims and survivors could recall their own experiences of human rights violations in their own language" (Shore, 2009, p 80). The narrative process can be central to "transforming the religious trauma that has fueled those divides" (Derezotes, 2018, p31) and so the use of personal narrative to establish different forms of truth (TRC, 1999) was formative in allowing reconciliation following the end of Apartheid. We may now turn to the religious element of the TRC; considering how it facilitated the successes discussed here.

The religious and 'indigenous' background to the TRC

South Africa's TRC can be considered to be a mixing of 'indigenous justice' and religious ideals (Gade, 2013). As detailed previously, we may consider this to be the cornerstone of its methods and supports for its success. It is worth breaking down the aspects of religious involvement and the presence of 'indigenous justice' within the TRC, in order to better understand how they may be transferred to situations such as post-conflict Yugoslavia.

Archbishop Desmond Tutu, the Chairman of the Truth and Reconciliation Commission, explicitly states the religiosity of the leadership of the TRC; "the President appointed an Archbishop as chairperson of the Commission and not, for instance, a judge... there were three active ordained ministers, all of whom had been the national heads of their denominations...Dr Boraine had at one time been the youngest President of the Methodist Conference..." (Tutu, 1999, p71). This inclusion of religious leaders can be seen as an example of 'relationship leading', as mentioned previously- showcasing high-level interfaith and inter-ethnic collaboration as an example for the followers of said religions. Shore (2009) quotes various South African parliamentarians who note that "it was the manner in which the commissioners and staff members implemented the mandate that resulted in the incorporation of religion to the functioning of the TRC" (p 61). Indeed, it is often suggested that the TRC wore the guise of being religious, as this helped its functioning (*ibid*); this is supported by the writings of Tutu, who tells that at the first hearing, "[w]e prayed for God's blessings on our land, on the victims, the perpetrators... I always prayed in English, Xhosa, Sotho and Afrikaans to underscore that the Commission belonged to all...I lit a candle in memory of all who had died..." (Tutu, 1999, p85). As noted in our discussion of the deficiencies of 'traditional justice'; the detachment of processes such as the ICTY make them unsuited to working through personal narratives to help and re-orient overarching

narratives. Though the TRC was brought into existence by an Act of Parliament, and had both a legal mandate and the ability to grant amnesty, it worked through religious garments or ‘lenses’ to work towards reconciliation and transitional justice.

The second layer of spiritual background at the TRC may be surmised as ‘traditional justice’. Gade even puts forward that restorative justice in general has “deep historical roots in African indigenous cultures through its close congruity with *ubuntu* and AIJS [African Indigenous Justice Systems]” (2013, p23). Although there are many facets of *ubuntu* as expressed by Tutu and through the TRC that have closely related ideas within diverse global religious traditions (Gopin, 1997), the idea of *ubuntu* shows the power that calling on heritage and tradition can have. In simple terms, restorative justice related to *ubuntu* is “not retribution or punishment but... the healing of breaches, the redressing of imbalances, the restoration of broken relationships. This kind of justice seeks to rehabilitate both the victim and the perpetrator...” (Tutu, 1999, p51). Imbued throughout the TRC, the reconciliatory spirit of *ubuntu* helped to lead proceedings, in concert with other religious beliefs, towards culture-shift and so building a more peaceful future in post-Apartheid South Africa.

If we combine the form of justice evident within Tutu’s thinking and the TRC’s operation with the more legalistic notions of justice within ‘traditional justice methods’, we allow for a multi-layered restructuring of culture. There are other examples of ‘indigenous justice’, which, like *ubuntu*, provide valuable road-maps for approaching conflict transformation in the Balkans.

Other examples of indigenous justice methods and their use in facing the past

As we have seen, formalised ‘indigenous justice methods’ can help to play an important role in creating the intellectual backing of reconciliatory moves and institutions. The term is broad, and became popularised following the post-genocide Rwandan government’s use of Gacaca; “a ‘modernised’ approach to an indigenous form of dispute settlement” (Helgesen, 2008, *preface*). Gacaca will be considered in detail in a later section; though there are other diverse examples of indigenous justice mechanisms that are demonstrative of the depth of resource that are available. Many of them come from non-European traditions; and this bears exploring. As we have discussed, the main European monotheistic religions are intimately tied to both culture and identity (especially within the Balkans)- and reflected through customary law (Jelavić, 2006). Hence, the development of what may be termed ‘traditional justice methods’, or customary law, is entirely connected to religious organisations. The African continent has a vast array of inter-related and distinct traditions that operate with a similar structure to this fusion of religious tradition and customary law- though often without an explicit link to an organised and monotheistic religion. A hybrid legal system has begun to develop in Indonesia; following wide-scale devolution of judicial affairs by the post-Suharto government (Clark & Stephens, 2011), that includes elements of ‘traditional justice’. It is a revival of the pre-independence system, where ethnic Indonesians utilised the *adat* law system- itself a mixture of traditional and Islamic legal backgrounds (*ibid*).

In concrete terms of dealing with post-conflict and post-atrocity landscapes, we may draw upon experiences in Mozambique, following the civil war that raged between 1977 and 1992. During the civil war, wide-scale breakdowns in personal and local relationships

occurred as even family members were forced to spy upon each other (Igreja & Dias Lamranca, 2008). Following the cessation of hostilities, it is noted that “they tried to take refuge in silence and avoided getting together to look back” (*ibid* p76). The *magamba* spirits are held within Gorongosa customary law to appear due to violence and suffering; and not disappear until the underlying causes of the violence and suffering are addressed. “The *gamba* spirit challenges the prevailing politics of denial” (*ibid*, p77) and so compels those who have suffered to re-orient their narratives in order to make peace; both with the *gamba* spirits and themselves. It is noted by Igreja & Dias-Lamranca that whilst the Mozambican peace agreement brought warring factions to an end, the reconciliation of fractured families and communities amongst the Gorongosa was facilitated entirely through the *magamba* system; in defiance of official silence (p80). A further example of ‘indigenous justice’ comes from the Acholi rites and processes utilised in Northern Uganda; following the (still partially unresolved) conflict between various factions included the Lord’s Resistance Army (LRA). The rite of ‘stepping on the egg’ or *nyono tong gweno* can be viewed as both ‘narrative restructuring’ and ‘relationship leading’. It is usually employed when a member of an insurgent group such as the LRA returns home; it “goes beyond a mere cleansing ceremony, and extends to cover even those who may have left the clan after a quarrel or an unresolved disagreement...” (Ojera Latigo, 2008, p106). As a performative act (the stepping), *nyono tong gwerno* is symbolic of re-acceptance, and allows the ending of a previous, problematic narrative and the beginning of a new one. Again it complemented a legal process and indeed can be judged to have been far more successful.

There is space in the international human rights based justice system for traditional justice methods. The Rome Statute calls for the ICC to act “‘in the interests of justice’, without explanation of what that means, has enabled... serious consideration of alternative conceptions” (Allen & Macdonald, 2013, p 5). Though the two forms of indigenous justice mentioned here have been useful in promoting reconciliation and filling the gaps left within specific judicial and legal processes, they are not especially widespread and show only the possibilities for including indigenous justice. We may consider the Rwandan Gacaca court system to be the most successful method to have worked in concert with a wider ‘traditional justice’ effort.

The Gacaca courts in Rwanda

The Gacaca courts in post-genocide Rwanda are a unique example of using traditional justice for several reasons that bear examination. The most important of these is related to the specific situation of Rwanda; the Gacaca courts functioned as a grass-roots accompaniment to the ‘traditional justice’ ICTR. Leading on from this, their part in a holistic approach (Clark, 2007) to peace-building is important when considering the differing levels required when transforming a conflict towards reconciliation and peace (Lederach, 2003). Thirdly, we shall consider the effectiveness of the Gacaca system in relation to reconciliation and peace-making.

Firstly, it is important to consider the role of the Gacaca as a grass-roots transitional justice process. This occurred on both a practical (Clark, 2010) and theoretical level. On a practical level, and one of the “pragmatic successes” (*ibid*, p170) of the Gacaca system was its speeding-up of justice administration throughout Rwanda, leading to less crowded

prisons (*ibid*). This not only meant that the ICTR was able to hear cases of “suspects among the most important planners and perpetrators of the genocide” (Clark, 2007, p791), but that those who had played a part locally were tried by a Rwandan Gacaca court, allowing their confessions and the narratives of victims to be publicly and symbolically displayed. On a conceptual level, having the Gacaca as a counterpart to the ICTR gave communal involvement to the transitional justice process and helped reduce perceptions of the ICTR being parachuted justice from the UN (Clark, 2007, p 816). Having the local and familiarly (possibly religiously)-styled Gacaca courts is important in establishing grass-roots support for the process and provides opportunities for relationships to be re-oriented through dialogue at a personal level.

Tangentially from the previous remark is the role that the Gacaca plays in holistic peace-building. Clark (2007) refers to this as catering “to the various physical, psychological and psychosocial needs of individuals and groups...” (p 765). In relation to our previous considerations of traditional justice methods’ distance and unwitting use in maintaining damaging narratives, as well as their lack of promoting reconciliation, holistic approaches such as Gacaca are a tonic to these issues. In a practical sense, the work of the Gacaca was not only counterpart to the ICTR, but also a fund for assisting survivors (FARG), and a National Unity and Reconciliation Commission (NURC), making sure that each strata of society had a corresponding institution (Ingelaere, 2008).

Ingelaere (2008) critiques the Gacaca as an “invented tradition” (p 32) that eventually focussed far more on retributive justice in the traditional sense than on reconciliation. This leads to Ingelaere evaluating Gacaca as a whole as “contradictory” (2008, p52) and noting that whilst narrative in the courts was presented successfully, it would often then be used instrumentally; leading to the perception that the process did not properly uncover any form of truth overall (pgs55-56). However, the level of public participation in the Gacaca scheme was exceptionally high (Clark, 2007); a necessary part of facilitating grass-roots relationship orienting. In relation to the two previously-discussed concepts of ‘narrative re-structuring’ and ‘relationship leading’, we can suggest that the Gacaca courts functioned well in promoting victim’s truth-telling and so changing of overall narratives. “[T]he makers of *gacaca* content that creating an environment in which the community feels comfortable...necessitates an avoidance of the adversarial nature... where victims rarely have the chance to talk openly of their pain or to meaningfully engage with perpetrators” (Clark, 2007, p796). In terms of ‘relationship leading’, the closely-allied work of the NURC in creating “Ingando solidarity camps for re-integration and re-education” (Ingelaere, 2008, p45) helped put the symbolic actions of the Gacaca courts into action. We also note that punishments at Gacaca were considered inadequate if they focussed only as punitive measures (Clark, 2007).

The Gacaca courts are an important demonstration of including traditional justice methods within post-conflict zones. Through a holistic approach, they can engage with traditional justice systems and other actors to offer a multi-levelled answer to difficulties with re-orienting relationships and changing culture that are so important to peacebuilding.

Religious methods for achieving reconciliation and justice in the Balkans

As has been expounded throughout our discussions of the Yugoslav Wars and justice post-war, an approach that involves religion and customary law (or indigenous justice) would provide the best answers to questions posed about existing institutions, and help move the region towards a reconciliatory peace. We may suggest that such holistic approaches to transitional justice include truth commissions, institutions such as the Gacaca courts and others, or other multi-levelled attempts to re-orient narratives and restructure relationships. In order to do this, we may first consider attempts at creating a truth commission and official reconciliatory bodies in the former Yugoslavia; before moving into the three main religious beliefs' dogmatics, in order to devise theoretical mechanisms that could work in tandem with existing structures- or can be put into action by the churches themselves. We may further be reminded of the importance of religion to both nationhood and personal identity in the region; to the extent that Perica notes, post-breaking up of SFR Yugoslavia, "a primacy of religious identities could be observed...religious organisations became co-rulers with the new regimes..." (2007, p168). The influence of religion on both government and people in the Balkans mean that the three religious are in a uniquely poised position; able to inspire needed action in the area of reconciliation.

Attempts at creating a Truth and/or Reconciliation Commission(s)

Though we noted that South Africa's TRC was symbolically religious, rather than institutionally, the positive impact of religious thinking upon the TRC assisted in its effectiveness (Tutu, 1999, et al). Within the former Yugoslav states, attempts at Truth Commissions have been met with limited success- we may suggest that this is because they lacked the wide-scale trust and co-operation at grass roots and official level necessary for their work- which could be ameliorated by religious involvement. Freeman notes that the "state of BiH presents the classic dilemma in the area of transitional justice: it is a context marked by unusually high demand for justice and an unusually low capacity or willingness to deliver it" (2004, p5)- whilst most attempts at creating a truth commission, with or without reconciliatory mandate, have been in Bosnia-Herzegovina, other attempts have been made in Serbia and for Serbs living in Bosnia.

Perhaps unsurprisingly, the first Bosnian TRC was suggested at a meeting of Bosnian religious leaders in the United States, and in 2000 the Association of Citizens for Truth and Reconciliation was founded (Subotić, 2009). Support for a Gacaca-court like initiative was also supported by ICTY President Claude Jorda in 2001, who suggested that it have the function of dealing with lower-ranking criminals, victim reparations, historical analysis and overall memory (*ibid*). Unfortunately, the project stalled due to a lack of Bosnian government support; especially from members of the rotating presidency who thought that backing the project would unearth too much disease (and cost too many votes) to be supported politically (Freeman, 2004). The Serbrenica Report on the 1995 massacre was authored by the Republika Sprska government in Bosnia and, though in early versions wildly underestimating the death toll and exonerating any Serbians involved, did deliver effective truth-telling (though without any victim testimony). However, so cool has the reaction of the RS been in years since in relation to any further reconciliatory action, it is considered by Subotić to simply have been a reaction to UN and EU pressure (2009, p152).

In 2004, the Bosnian government flip-flopped around the issue of an investigatory commission into the fate of Serbs in the siege of Sarajevo. Despite ruminations, “structural and personnel problems paralyzed the work of the commission, which has in effect ceased to exist, as it did not produce any report by the expiration date of its mandate in June 2007” (Subotić, 2009, p150). Indeed, Wettach (2008) suggests that any formal commission is likely to fail if supported by the established religious institutions in Bosnia, Serbia and Croatia; due to euphemistically-termed “divergent understandings of justice” (p1) and recommends grass-roots initiatives, in order to build up trust. Indeed, the failings of the attempted truth or truth and reconciliation commissions are indicative of a lack of engagement with traditional norms and beliefs; though we must also reserve some responsibility for expediently-motivated nationalist politicians in the area, who may not wish for narratives to be so changed and reconciliation to occur.

Serbian Orthodox Christianity

Serbian Orthodox Christianity, as has become clear in our previous discussions, is a church that both thinks of itself as unique and has a unique history. Moreover, and also in concert with previous sections of this paper, “Serbian Orthodoxy canvasses both action oriented and spiritual assumptions by highlighting certain values over others and also by investing legitimacy in particular ‘truths’ and meanings.” (Mylonas, 2003, p3) We may add to this that these ‘truths’ and meanings are often historically and socially rooted. Due to this, Serbian Orthodox Christianity provides certain illuminating ideas which can be used to be the base of reconciliatory action. Similarly to the theology of Desmond Tutu, which underpinned the work of the TRC, Serbian Orthodoxy “sanctions a vision of social life, constituted upon the moralistic precepts of the love ethic” (Mylonas, 2003, p179)- and this is to form the lynchpin of our explorations. Other Serbian Orthodox ideas to be considered are those of lay Theologian Marko Djurić and their focus on co-existence with Islam (Mojzes, 2009). Though only theoretical possibilities at present, their use may open space to begin a reorientation of narrative and a reorienting of relationships.

Firstly, we must consider the role of love in Serbian Orthodox Theology. Mylonas suggests that ‘being made in God’s image’ in the Serbian tradition “involves the power to love-in the volitional, not the emotional sense... and to accordingly translate this principle into social action(s)” (2003, p36). The centrality of being made in God’s image and this powerful alliance with actionable love suggests that Serbian Orthodox-led moves to work for reconciliation can be backed. Furthermore, we may surmise the Orthodoxy as the ‘sacralisation of the Serbian identity’ (*ibid*) and so a form of identity can be envisaged with the Orthodox love-principle at its nexus. Serbian Orthodoxy sees a huge social function for love and the running of a harmonious society; “the ‘love ethic’ underlines the volitional-contractual character that permeates the essence of human collectivity” (*ibid*, p82) and so here we may see a role for inter-faith reconciliation and truth telling. This bears explaining; if the contractual character of Serbian Orthodox love and society can be emphasised, then space opens up to admit to failings and repent or atone and so reconciliatory initiatives can be supported.

In specific relation to Islam, and so of great interest to our considerations of the post-Yugoslav landscape, the work of Marko Djurić can be observed as a grass-roots lay answer

to ethno-religious gaps. His work can be seen to specifically support the practice of ‘narrative re-structuring’, by attempting to break the link that equates Muslims to Turks and so to the Ottoman conquerors of the past; who form such a large ‘other’ within Serbian Orthodox history (Mojzes, 2009). Strikingly, Djurić directly confronts atrocities committed within the Bosnian war in Srebrenica; “although the building of mutual trust will undoubtedly be very difficult in this field...we will surely not be able to begin this process without first confessing our sin- or the sin of certain members of our nation- relating to Srebrenica and asking for forgiveness from the victims that survived” (Djurić, 2007, p23). It is unfortunate that Djurić is in the minority (Mojzes, 2009) but through such calling statements as “we need to use the experiences of others so that we can ennoble and humanise our own” (Djurić, 2007, p 25) we may envision the growth in force of his ideas, in co-operation with the traditional role of love discussed previously.

As both Mojzes and Djurić note, it will take a certain changing of the Serbian Orthodox Church’s leadership to fully embrace these changes, however certain moves of Bishops such as Vladika Grigorije, who is also the current head of the Inter-Religious Council (IRC), such as the joint-faith denouncement of wartime sexual violence and a call for the rehabilitation of victims in 2017 (Spaić, 2017) can be seen as an attempt at ‘relationship leading’; so we may take confidence that the Serbian Orthodox Church will be a font of reconciliatory change in the future.

Croatian Roman Catholicism

Croatian Roman Catholicism is largely connected to the Vatican and on matters of dogma differs very little from the Roman Catholic canon (Bremer, 2010). Due to this, we may delve into the deep variety of Catholic theology to consider ideas which could underpin a reconciliatory process in the region. Catholic theology is an incredibly enormous subject, and one in which we cannot canvass thoroughly, however there are certain theoretical positions in modern Catholicism that we may relate to attempts by Croatian Catholic leaders to work towards peace.

The first theoretical position was taken by Pope John Paul II, who attempted to reconcile the role of the Church with its long history of crusade and imperialism. In 1982, his speech to the United Nations made the point clearly that the Church was not interested in any form of political power and would never support any military force (Heft, 2018). Springing forth from the discussions at the Second Vatican Council (1962-1965), the Church has sponsored a human rights framework, with the council’s ending paper *Gaudium et Spes* calling indiscriminate war-making and war crimes a “crime against God and man himself” (*ibid*, P152). A deeply symbolic act of ‘relationship leading’, John Paul II also publicly apologised and asked for forgiveness in “some ninety-four texts” (*ibid*). This position can be seen to work towards dissolving narrative ties of the Church as the bastion of civilisation; a key part of anti-Muslim sentiment in Croatia (Perica, 2006). From within Croatia, but closely related to the theology of John Paul II was that of Tomislav Janko Šagi-Bunić (1923-1999), who embraced the liberalising changes of the Second Vatican Council (*ibid*).

An area of Catholic theology that bears examination and could find some form of root in the region is Liberation Theology. Though only being accepted into Roman Catholic dogma recently under Pope Francis (Kirchgaessner & Watts, 2015), the authoritarian South

American states, under which the theory developed, can have parallels drawn to some post-Yugoslav states and so could provide intellectual heft to reconciliation efforts. Firstly, and in an attempt to decouple the intertwining of religion and politics within the Balkans, the idea of a *homo sacer*; taken to mean ‘the sacred man’ (Agamben, 1998) as the center of any Theological enquiry. This suggests that a victim-centred way of thinking, as in Liberation Theology, can become a strong theme in Catholic thinking (Kirwan, 2012). Furthermore, and as argued by Ciftci (2014), there are parallels between Catholic Liberation Theology and Islamic versions of liberation theology, which could be used to create a victim-centred space within Balkan religion as a whole. The agency of the oppressed and the requirements for orthopraxy (conduct) provide a strongly practical element to Catholic and Muslims liberation theologies, which again offers strong possibilities of creative religious solutions post-atrocity.

We see in the two examples, representing only a tiny fraction of Catholic Theology, both the past foundations for a Catholic tradition that could underpin actions such as indigenous justice and truth-seeking and telling bodies, in the actions of John Paul II and Šagi-Bunić, which have been carried on by the work of Cardinal Vinko Puljic. Puljic was one of the main forces behind the 2010 apology of the Croatian President Ivo Josipovic (Zuvela & Taylor, 2010). In Liberation Theology, we look to the future of Catholic traditions that can underpin transitional justice; through a victim-centric focus and a call to action.

Balkan Islam

Balkan Islam is by no means monolithic, and as noted by several scholars (Mojzes, 1995 & Perica, 2002, *et al.*) is much less linked to religious worship and organisation than either Serbian Orthodoxy, or Croatian Roman Catholicism. That said, the Islamic Community of Bosnia and Herzegovina (*Islamska zajednica Bosne i Hercegovine*) has existed as an organisation since 1882 and provides the public face and theological orientation of official worship of many believers, whilst the ‘lived religion’ of many Bosniak Muslims is heavily influenced by Islamic beliefs. Drawing from the vast canon of Islamic theology, we may consider the role of *hilm*, or the qualities of forbearing and clemency as an important ideal in any future theoretical backing to transitional justice instruments. Secondly, we may consider the intertwining of religious and social ideals to be indicative of a ‘holistic’ (Clark, 2007) approach to peacebuilding, also providing a model of taking discussions for peace out of time and to a spiritual level, a reversal of the processed evident in Juergensmeyer’s ‘Cosmic War’, evident within the Yugoslav Wars. Finally, we may consider the role of Islamic cooperation and co-existence thinking in modern times; including a move towards accepting ‘lived religion’ in Balkan Islam.

The role of *hilm*, or ‘al-haleem’, in Islam can be considered as the central lynchpin of any theory of peacemaking and forgiveness. It is part of the 99 names for God, and is often seen together with ‘al-ghaffur’, meaning ‘the Most Forgiving One; “[g]reater than the domineering powerbroker is the forebearing person who possesses a moral and spiritual power beyond mere force. (Denny, 2004, pgs 133-134). In Islamic history, the uniting of Mecca and Medina in an ordered and non-violent manner is an example of the quality of *hilm*. Furthermore, *hilm* can be seen in conjunction with *silim*; which is the inclination to

make lasting peace. More than being an inclination, *silm* is somewhat of an imperative (Aroua, 2018), where if peace is offered by the aggressor, it becomes mandatory to accept it. In terms of opening up space for reconciliatory dialogue, the idea of *silm* can help bring in Bosniak engagement, were the aggressors of Croat-Catholicism and Serb-Orthodoxy to offer methods of attempting the relationship re-orienting and ‘narrative-restructuring’ necessary for peacemaking.

Furthermore, it can be suggested that Islam opens up the opportunities for multi-levelled holistic transitional justice, and provides a mechanism for moving talks into a spiritual zone. Carter & Smith (2004) note that the comprehensive intertwining of social, political and religious life within *sharia* law makes any approach to peacemaking (possibly based on *hilm* and *silm*) have to approach its goal on multiple levels; similar to those suggested by Lederach (2003) in the theory of Conflict Transformation. Furthermore, it is noted that Islam provides a way for peace and reconciliatory talks to be taken out of present time and space; which we may theorise is as good at promoting peace as Juergensmeyer’s (2003) ‘Cosmic War’ mechanism is at upping violence. Within Islam, peace-makers “can do so by appealing to religious beliefs to raise discussions to a new, spiritual level. They can appeal to superordinate values and goals. And they can inspire disputants to make agreements they would not otherwise make” (Carter & Smith, 2004, p285). The possibilities for an Islamic-led comprehensive theory of traditional peace and justice are strong, whilst the power of religion in creating bridges between conflicting peoples is emphasised.

Finally, we may consider the Balkan Islamic view of co-existence and multiculturalism. Following the Bosnian War, new forms of Islam have been taking root, both railing against the establishment and providing new ways of considering living in a harmonious multi ethno-religious society. Elbasami & Roy (2015) point out that from the late-1990s, Bosnian Islam “is increasingly personal, mobile, weakly institutionalised and collective as a choice...” (p 458), and if this form of Islam is exemplified, it offers spaces for the re-orienting of relationships from the grass-roots up. An example of this is in Wettach’s (2008) observation that Muslim communities in Bosnia consider co-existence within a multicultural state to be a pre-condition of peace in the region- rather than the separation of Serbs into the Republika Sprska and all others into the Federation of Bosnia and Herzegovina. Calling upon the traditions highlighted here, which sit within a much richer milieu than has been explored, shows the theoretical possibilities of Balkan Islam in the facilitation of reconciliatory dialogue and the creation of a lasting peace.

Chapter 4: Concluding remarks

Towards a lasting peace in the Balkans

As has become clear throughout this paper, a lasting and reconciliatory peace across the countries that make up the former Yugoslavia requires multiple initiatives and is an unconscionably difficult task to begin creating a plan for it. However, as has become clear through discussions of the three major religious tradition's roles in the conflict and our considerations of different forms of formal, religious-led and indigenous justice any lasting peace in the region must actively engage with ethno-religion and the people at the heart of the conflict, at a grass roots level. We may envisage two guiding principles for this; the effective harmonisation of international and religious justice methods, and the maintenance of religious freedom in order for creative techniques to be produced.

Whilst issues with the work of the ICTY and formal justice methods have been pointed out when necessary, it is important to note that justice in the legal sense is still exceptionally important when working towards a peaceful region (Sörensen, 2009 *et al*). Within Bosnia, Serbia and Croatia there are grievances that only formal trial and punishment can provide a sense of 'justice having been done' (Wettach, 2008). The dangers of religion and politics combining into ultra-nationalism have been at the forefront of this study into the former Yugoslavia, and the removal of malign influences from any public role is to be supported. However, when considering truth telling and the re-orienting of narratives, the re-setting of interpersonal relationships creating a change in culture and long-term co-existence, creative solutions from religious and social traditions must be given the ability to flourish.

In relation to this, the space for the development of these solutions from religious and social traditions must be maintained within a multicultural society. The partitioning of ethno-religions across the region leads only to further discontent (Perica, 2002) and systematic cultural repression, in the mould of a Titoist state, does not address the root causes of tensions (Mojzes, 1996). It seems clear that many Bosnians, for example, could not countenance not living in a multi-ethnic and multi-cultural society (Wettach, 2008). Religion can play a powerful role in bringing-together, as well as dividing, and so this must be supported by robust political systems and attempts to remove religious institutions from the oft-malign influence of politics.

The end of the ICTY, next steps and 'Hijacked Justice'

An ongoing problem within the development of a reconciliatory peace in the Balkans is the ending of the ICTY's mandate on 31st December 2017 and the subsequent dissolving of the Tribunal. We may consider the next steps available within the realm of traditional justice and any the major challenges that will be faced in creating these steps; with particular reference to Subotić's idea of "hijacked justice" (2009).

Suggestions for the continuation of its work include the creation of domestic trials for anyone who has broken human rights law (Ramet, 2002). This assumes that the domestic judicial system has been built up to the extent it can handle the responsibility of such trials, which has been the aim of many international organisations such as the UN and EU

(Sörensen, 2009). Subotić (2009) suggests that whilst this solution is a laudable approach in trying to remove the disconnect between institutions such as the ICTY, but also opens up any domestic trial system to political interference; or to be used as a presentational tool in order to further membership opportunities of organisations such as the EU. We may suggest that in order to gain grass-roots support and so stability for any domestic trial system, it must be in concert with other holistic approaches to peacebuilding- and engagement with ethno-religious traditions and concepts.

A further issue that the dissolution of the ICTY presents is who can continue collecting the “deep reservoir of evidence from documents and witness testimonies about the atrocities that occurred” (Subotić, 2009, p 191). Though a practical challenge, we may see this as an opportunity for a domestic-based mechanism, such as a truth commission, to fill the void left by the ICTY and continue to build an information bank about what happened within the Yugoslav Wars, which could be used to further reconciliation.

The issues identified, then, require ongoing input from domestic and international groups and organisations, as canvassed in Chapter 1. This is where the international community has a role.

The role of the international community

As our historical investigations into the Yugoslav Wars have shown continuously, the Balkans cannot be seen within their own bubble, nor can the importance of international actors be questioned. Military alliances, such as NATO, which had contributed to acceptance of the Dayton Peace agreement in 1995 and the 1999 Kumanovo Agreement by Serbian and Yugoslav forces, are somewhat guilty of not considering the after-effects that the war had on the region, other than the UN-implemented ICTY. The EU has maintained a more active interest, though as highlighted by scholars such as Subotić (2009) and Clark (2010), this has focussed mainly on political and economic objectives.

Methods such as those considered throughout Chapter 3 of this thesis must gain some international backing if they are to reach their potential effects; and whilst any transitional justice mechanism needs grass-roots support, it equally requires the co-operation of large and powerful international groups. Whilst the possibilities for the reconstruction of a harmonious society in the Balkans are clear, present and broad; the risks of ethno-religious strife rearing its ugly head in the region require mitigation by local, national and international co-operation.

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