UNCOVERING THE (ETHNO)*GENDERED* DIMENSIONS OF
'UNCONVENTIONAL' STATE WAR AND ITS EFFECT ON
NON-COMBATANTS/ (ETHNO)NATIONALIST 'WOMEN'

by

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Abstract

The exploitation and extermination of people in the context of internal conflict in the former Yugoslavia is a grave injustice and the result of a systematic policy of war by an unconventional state. Internal conflict requires investigation by international relations scholars because it is evidence of the changing nature of war. Given that both the methods of violence (ethnic cleansing, systematic/genocidal rape, and sexual torture) and (ethno)nationalism are gendered, a 'new' approach to war is needed. Traditional international relations theoretical approaches to the state, anarchy, and war/peace prove *unable* to analyze: one, the unconventional state (structure); two, the dichotomous separation of the public/international/external/formal/masculine/autonomous from the private/domestic/internal/informal/feminine/vulnerable; three, unconventional war policy; and four, the 'new' actors, the external and internal 'Others,' the 'Invisibles,' the non-combatants/civilians, the 'women' (women and men; people with identities). Thinking that will lead to solutions for the dilemma of war, inclusively defined, will be - to employ Joy Kogawa's word - merciful; it will not exclude people and, while critical, it will be hopeful that the protection of both human dignity and community is in the 'national interest,' in 'our and their interest' as political/social/economic/etc. beings. Because it analyzes dichotomies and deals with the role of identity in the various aspects of (changing) war, a feminist or gendered/identity-deconstructivist approach is advanced as a means to more effectively examine internal/international conflicts, such as the former Yugoslav wars - i.e., unconventional wars whose character challenges the rigid traditionalist international relations definition of war.

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Dedication

Za moje *ljude*: (Baka i Deda) Iva i Stipan Lončar,

(Deda i Baka) Emilijan i Amalija/Ljubica Županec,

(Mama i Tata) Anđela i Nikola Županec,

(Sestra) Helen(a) ('Rubenstein') Županec,

i za *svih* ostalih.

CHAPTER I
Introduction

The events that have taken place in the territory of the former Yugoslavia in the 1990s have prompted evaluation of the changing nature of war, its architects, the 'unconventional' state's motivation for engaging in warfare, and the international community's response(s) to unconventional war situations and their resultant tragic humanitarian consequences. In order to analyze war in the former Yugoslavia tools must be employed; thus the first issue is necessarily that of the approach to be adopted. To this end, the second chapter focuses on the scope (analytical assumptions) of the traditional approaches to studying international relations and how the conventional definitions of the state, anarchy and war versus peace obscure the nature of unconventional/internal warfare. Alternately, because it analyzes dichotomies and deals with the role of identity in the various aspects of (changing) war, a feminist or gendered/critical/deconstructivist approach is advanced as a means to more effectively examine internal/international conflicts, such as the former Yugoslav wars - i.e., unconventional wars whose character challenges the rigid traditionalist international relations definition of war. Effectively, the former Yugoslav conflicts indicate that internal/international conflict is (ethno)gendered. A gendered approach to analyzing the former Yugoslav wars argues that war cannot be understood if the analytical tools employed fail to acknowledge the role of identities (e.g., (ethno)nationality and gender) in war - war fought by an unconventional state targeting non-combatants by using ethnic cleansing.

The third chapter examines the role of the architects of (unconventional) warfare in the former Yugoslavia. Specifically, the triadic structure of the unconventional state is deconstructed into its constituent parts: the regime/power centre, the 'conventional' army, and the paramilitaries. The difference between regular/Northern/western (First World) and irregular/Southern/non-western (Third World) states has been addressed in

international relations literature (for e.g., Robert H. Jackson's discussion of "quasi-states")[1]; however, to superimpose the dichotomy of North versus South on the state is not analytically useful in the former Yugoslav context. Furthermore, the Balkan wars and the role of the (unconventional) state within them have challenged the west (civilized)/east (barbarian) geopolitical distinction. Therefore, the idea of the unconventional state in this discussion differs from some of the other definitions/notions of 'irregular' states in that it is not based on the assumption of a dichotomous (i.e., public/private) international state system (i.e., North/South and/or west/east). Theoretically, this difference in categorization arises because a feminist/identity-deconstructivist approach requires dichotomies to be critically examined and not simply adopted. Gendered/identity-deconstructivists treat the public/private distinction as theoretically problematic because it obscures the understanding of phenomena (e.g., internal conflict and warfare policy) that defy separation into rigid/unconnected spheres (of analysis).

The use of violence in internal conflicts has often wrongly been explained as 'random' or disorganized in nature. Violence in unconventional war is *institutionalized* - that is, it is planned, funded, and executed by the various organs of the unconventional state working in concert. Therefore, violence in internal/international conflicts is *policy*. Furthermore, that the prime victims of violence (non-combatants) are strategically selected on the basis of specific criteria - i.e, (ethno)nationality and gender - attests to the institutionalized nature of internal warfare. It is the covertly institutionalized or seemingly detached paramilitary arm of the unconventional state that becomes crucial to disguising the organized nature of violence in internal/international conflict and, thereby, deflecting political responsibility for warfare onto 'non-state' groups (of 'savages').

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[1]   Robert H. Jackson, *Quasi-states, Sovereignty, International Relations and the Third World.* (Cambridge University Press, 1990).

Chapter IV addresses the role of (ethno)nationalism in unconventional state warfare, as well as the contributions of a gendered approach in this regard. The unidimensional focus of traditional theories of nationalism on ethnicity - exclusive of gender - is problematic for analyzing the relationship between (ethno)nationalism and war for (ethno)nationalist discourse and violence are gendered. In nationalist 'visions,' ideas, and myths various people - women and men - are understood as constituting 'women' - i.e., inferior beings (external and internal 'Others'). Furthermore, such characterization of certain people as 'women' is made concrete as (ethno)nationalist symbolism is transformed into policy, such as systematic rape and sexual torture. Because (ethno)nationalist identity is constructed according and in reaction to certain gender roles, it requires exploration as an integral component of unconventional war. Ultimately, the issue of justice also necessitates seeing how gendered roles can be used to subvert human dignity in war and, consequently, how human rights require that marginalized 'women' (the *'Invisibles'*) be recognized as people. The latter is a prerequisite for international law to become an effective vehicle for seeking justice for those dehumanized and exterminated in war via genocide/systematic rape/sexual torture.

CHAPTER II
Gendered Analysis of the 'Unconventional' State in the former Yugoslavia, its (Ethno)nationalist ideas and its conflict methods

*"[In 1993,] the Belgrade newspapers and magazines, led by **Politika**, started printing a variety of smudgy maps of the ethnic composition of Yugoslavia, of dubious accuracy and quality. . . . [M]ost of them suggested that between a third and a half of Croatia formed part of what these papers referred to as the Serbs' **etnički prostor**, or ethnic space."[2]*

*"Milošević insisted that Serbia was not involved in the war. . . . Yet the fall of every chunk of Croat territory to the Krajina [Serb] forces was celebrated in the most ecstatic terms in the Belgrade media. . . . The Serbian media invented a euphemism for the brutal expulsion of non-Serb civilians from 'liberated' territory. It was called **čišćenje terena** (cleansing the terrain). It gave rise to a new expression among foreign journalists covering the war: 'ethnic cleansing.'"[3]*

2.1   Introduction

The idea of 'ethnic space' (or *etnički prostor)* is reminiscent of the idea of *lebensraum* which was advanced during the period of Nazi Germany by Hitler and his fascist regime. In the former Yugoslavia the idea has been reinvigorated and combined with an unconventionally institutionalized effort to 'deal' with 'undesirable' peoples by: attempting to exterminate them *en masse*, systematically raping them, subjecting them to sexual torture and forcing them to flee territory on which they previously lived - i.e., ethnic cleansing (or *čišćenje terena)*. Legal interpretation of the Statute of the International Criminal Tribunal for the Former Yugoslavia demonstrates that ethnic cleansing and systematic rape constitute genocide:

> The definition of genocide contained in Article 4 of the Statute, which reproduces Articles 2 and 3 of the Genocide Convention without change, requires two essential elements: (1) a prohibited act; and (2) the specific intent to destroy all or part of the members of a national, ethnic, racial or religious group as such. . . . In terms of prohibited acts, the incidents of civilian killings are well documented and may be treated as contrary to the prohibition of 'killing members of the group' under Article 4(2)(a) of the Statute. Similarly, episodes of torture, starvation, systematic rape in detention centers and other acts intended to terrorize people and drive them from their homes may constitute 'causing serious bodily or mental harm to members of the group,' and 'deliberately inflicting on the group conditions of life calculated to bring its

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[2]   Marcus Tanner, *Croatia: A Nation Forged in War*. (London: Yale University Press, 1997): 243.

[3]   *Ibid.*, 255.

physical destruction in whole or in part under Article 4(2)(b) and (c), respectively. Moreover, in a culture where rape is perceived as staining its victims, making single women unmarriageable and married women subjected to rejection by their husbands, rape and forced impregnation of Bosnian Muslims may be found to 'impose measures intended to prevent births within the group' contrary to Article 4(2)(d).[4]

The targeted civilian populations, differentiated on the basis of gender, belong to specific ethnic groups; (ethno)national identity and gender identity have a complex relationship that is directly linked to violence/(ethno)nationalist patriarchal war.

I will demonstrate that feminist analysis provides a framework for understanding both the unconventional Yugoslav state and its methods for conducting war (particularly ethnic cleansing) in a way that traditional international relations approaches cannot. Gendered analysis allows for the introduction and examination of the question of identity.[5] Presently, feminist works in international relations only represent a small percentage of the current literature; however, their contribution has been recognized, by some, as substantial. Both the analysis of dichotomies and the enhancement of critical perspectives that have been put forth by feminist theorists have been especially significant to international relations.[6] The evidence of the gendered nature of internal conflict, in the former Yugoslavia, affirms that a gender-sensitive perspective is integral to explaining contemporary warfare. 'The gendered nature of internal conflict' specifically refers to the following aspects of war: the (ethno)nationalist discourse used to legitimize state war aims, the institutions (the unconventional state's political and para/military organs)

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[4] Virginia Morris and Michael P. Scharf, *An Insider's Guide to The International Criminal Tribunal for The Former Yugoslavia, Vol. 1.* (New York: Transnational Publishers, Inc., 1995): 86-87.

[5] As is advanced by: R. B. J. Walker, "Gender and Critique in the Theory of International Relations," In *Gendered States: Feminist (Re)visions of International Relations Theory.* Ed. by V. Spike Peterson. (Boulder: Lynne Rienner Publishers, 1992).

[6] Jim George, *Discourses of Global Politics: A Critical (Re)introduction to International Relations.* (Boulder: Lynne Rienner Publishers, 1994): 25-26. "While feminist works in International Relations represent only a small percentage of the literature generally, the contribution, in quality terms, is already substantial. In particular, feminist scholarship in the 1980s and 1990s has added important dimensions to critical social theory perspectives concerned to reconnect theory to practice and address the broader implications of 'living dichotomously.' In an International Relations context this is a crucial endeavor given the virtual exclusion of gender issues and women per se from serious concern."

conducting war, the policies of war (ethnic cleansing/genocidal rape/ systematic sexual torture), and the outcome of war (destruction/extermination/mutilation of civilians on the basis of (ethno)national and gender identity). Therefore, in order to examine the importance of a gendered approach to an analysis of the unconventional state and its methods of conducting war, I will first outline how international relations and conflict have been traditionally approached.[7] Subsequently, I will consider the changing nature of conflict and the state, by defining contemporary war and the unconventional state, respectively. It will become evident that the former Yugoslavia is a prime example of an internal conflict context, in which an unconventional state is operating. Lastly, I will examine approaches taken by feminist scholars in order to assess the ways in which they add to the study of nationalism, new types of "quasi-states"[8] and conflicts, especially as it applies to the former Yugoslavia.

2.2   Traditional International Relations: the state, anarchy, and war

"[A] reconceptualization of patterns of violence and war . . . has to be undertaken if the tragedies that are encroaching in many parts of the world are to be halted."[9]

While the study of international relations and feminism are contemporaries,[10] the emphasis on war, which was necessary to distinguish international relations from other disciplines, "also created conditions that blocked off feminist enquiry in this discipline from the start."[11] In his evaluation of the discipline of international relations, Jim George asks:

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[7]   George, *Discourses of Global Politics*, 25-26. "[T]he omission of women is absolutely integral to the 'theoretical' identity of orthodox International Relations 'practice.' More specifically, it is integral to the realism associated with the rule of elite men in the institutionalized forums of power and prestige worldwide."

[8]   Jackson, *Quasi-states.*

[9]   Mary Kaldor, *New and Old Wars: Organized Violence in a Global Era.* (Cambridge: Polity Press, 1999): 12.

[10]   Rebecca Grant, "The Quagmire of Gender and International Security," In *Gendered States: Feminist (Re)visions of International Relations Theory.* Ed. by V. Spike Peterson. (Boulder: Lynne Rienner Publishers, 1992): 86.

[11]   *Ibid.,* 85.

"how is it that some voices/concepts/perspectives have been accorded sovereign status while others have been ignored or marginalized (e.g., gender, culture, race, ethnicity, religion, interpretive, normative, non-western)?"[12] The theoretical structures of traditional international relations approaches have allowed for the 'legitimate' exclusion of the gender variable in analyses of global politics and, specifically, of violence and war.

> Under the traditional requirements international relations theory has two tasks. First, it must present a schema of the international context, defining who the actors are and how they interact. Next, the theory must demonstrate some ability to explain what motivates action and how the international context operates. Under the first requirement women found no place in the international context. In the second case political theory which was used to explain motivations came from gender-biased sources and the exclusion was repeated. . . . Men, states, and wars were the bases of theory, not women.[13]

On the whole, traditional "international relations has developed virtually no tools for assessing gender as a political force"[14] because "international relations theory seeks an abstract representation of the state which can be manipulated as a generic model of a rational actor. Women have been left out of this model because the division between public and private has been enshrined in political theory."[15] Therefore in the 1990s, international relations "remains fundamentally incarcerated in the positivist-Realist framework that characterized its understanding of the world 'out there' in the 1940s and 1950s."[16] It was never the case that war was gender-neutral.[17] Thus whether international relations and feminist approaches are compatible continues to be salient

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[12]   George, *Discourses of Global Politics*, 227.

[13]   Rebecca Grant, "The Sources of Gender Bias in International Relations Theory," In *Gender and International Relations*. Ed. by R. Grant and K. Newland. (Bloomington: Indiana University Press, 1991): 21.

[14]   *Ibid.*, 9.

[15]   Grant, "The Sources of Gender Bias in International Relations Theory," 15.

[16]   George, *Discourses of Global Politics*, 14.

[17]   V. Spike Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" In *Gendered States: Feminist (Re)visions of International Relations Theory*. Ed. by V. Spike Peterson. (Boulder: Lynne Rienner Publishers, 1992): 48. "In mainstream literature, women's participation in war and militarism is obscured by the dichotomy associating women with peace/nurturance/passivity and men with war/violence/agency. . . . The ideological and cultural conflation of manhood, combat, militarism, and national chauvinism not only reproduces violence but glorifies it as a 'natural' expression of masculine and nation-state identities."

because the public/private split upon which traditional international relations is based endures.

However, because gendered social roles are a part of international politics, not pursuing feminist analyses of international relations phenomena is problematic for the discipline.[18] In internal conflict, an unconventional version of the dominant state actor (of international politics) can be observed employing (ethno)nationalist discourse in an effort to shape the gendered roles of individuals and communities, so that its strategic political/military/patriarchal goals can be actualized. Such an observation cannot be (legitimately) articulated and examined without an attempt to grapple with the paradox of international relations and feminist analysis and the fundamental idea of 'Otherness' that it introduces.

In order to examine the 'gender paradox' of traditional international relations analysis - that is, how traditional international relations constructs are treated as ungendered when in fact they are - the state, anarchy, and war will be evaluated. Given its complex and diverse composition, that the state (and, relatedly, sovereignty) is untheorised in international relations[19] constitutes a dilemma. "Even in the trend toward 'reflective' work on international relations theory, gender has not been accorded a place as part of an investigation into why states go to war."[20] The state actor, traditionally defined, is 'uncomplicated'/ungendered in international relations, yet "[a]ll assumptions about state behaviour in the international system were predicated on theories of interaction between

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[18]   Grant, "The Quagmire of Gender and International Security," 85. "Martin Wight believed, as Michael Howard put it, that international politics dealt with 'the very fundamentals of life and death: with the beliefs, the habit structures which shape moral communities and for which it is considered appropriate to die - and worse, to kill.' The implications of social roles based on gender are certainly part of that set of fundamental ideas."

[19]   Christine Sylvester, "The Contributions of Feminist Theory to International Relations," In *International Theory: Positivism and Beyond*. Ed. by Steve Smith, Ken Booth, and Marysia Zalewski. (Cambridge University Press, 1996): 265.

[20]   Grant, "The Quagmire of Gender and International Security," 87.

male citizens, or men in the state of nature, or other androcentric archetypes."[21]   This over-simplification of the state actor in international relations confounds the study of internal conflict (violence); it does not permit for the deconstruction of the (gendered) unconventional state.

The state in traditional international relations occupies solely the public realm, allowing for the state's "construal of sexual violence and the threat of violence . . . as 'private' and not, therefore, a public or political concern" - a situation which "is particularly lethal for women."[22]   Because of the public/private split in traditional international relations theory, the unconventional state's role in the orchestration of *gendered/private/domestic/internal* war and its manipulation of (ethno)nationalism is rendered invisible by the traditional/public/international state actor.   Although they are highly relevant to examining internal conflict, the two primary sets of actors that are rendered analytically 'invisible' in conventional international relations thinking, by both the conventional war[23] and the traditional state actor assumptions/constructs, are 'irregular'/(para)military units and non-combatants (gendered and ethnically differentiated). For example, the central place of non-combatants in internal conflict as the targets of internal war policy[24] is minimized by the traditional (international relations) understanding of war, in which states control conventional armies that battle other conventional armies,

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[21]   Grant, "The Quagmire of Gender and International Security," 86.
[22]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 46.
[23]   Kalevi J. Holsti, *The State, War, and the State of War*. (Cambridge University Press, 1996): 25. "[C]lassical interstate wars have declined dramatically compared to previous historical periods, and constitute only about 18 percent of all war since 1945."
[24]   V. Spike Peterson and Anne Sisson Runyan, "Gendered Divisions of Power," In *Global Gender Issues*. By V. Spike Peterson and Anne Sisson Runyan. (Boulder: Westview Press, 1993): 88-89. "Robin Morgan argued that killing non-combatants . . . 'had become a 'legitimate' military tactic . . . . She also noted that whether it is state terrorism or terrorism perpetrated by insurgent groups against states, terrorists are predominantly male. In contrast the millions of refugees in the world, fleeing from war or terrorism are women and children."

not civilians *per se.* Kalevi J. Holsti notes that "[i]n wars of the third kind, . . . the civilian/soldier distinction disappears."[25] Holsti explains:

> To the extent that control over territory is a key value, civilian populations are objects of eviction, rape, massacres, and 'ethnic cleansing.' . . . In wars between communities as opposed to armies, everyone is automatically labeled a combatant merely by virtue of their identity. . . . Since the distinction between combatant and civilian is blurred or indistinct, it is not surprising that the brunt of casualties are suffered by the inhabitants of villages, towns, and cities.[26]

Mary Kaldor argues that "[t]he distinctions between external barbarity and domestic civility, between the combatant as the legitimate bearer of arms and the non-combatant, between soldier or policeman and the criminal, are breaking down."[27] Kaldor also describes the plight of the non-combatant in "new" warfare/(Holsti's) "wars of the third kind"/internal/unconventional state warfare:

> The aim is to control the population by getting rid of everyone of a different identity. . . . Hence the strategic goal of these wars is population expulsion through various means such as mass killing, forcible resettlement, as well as a range of political, psychological and economic techniques of intimidation. That is why, in all these wars, there has been a dramatic increase in the number of refugees and displaced persons, and why most violence is directed at civilians. At the turn of the century, the ratio of military to civilian casualties in wars was 8:1. Today, this has almost exactly reversed. Behaviour that was proscribed according to the classical rules of warfare and codified in the laws of war in the late nineteenth- and early twentieth- centuries, such as atrocities against non-combatants, sieges, destruction of historic monuments, etc., now constitutes an essential component of the strategies of the new mode of warfare.[28]

Furthermore, that the traditional state operates in an (international) anarchic environment is a theoretical international relations assumption that masks the relationship between domestic violence (internal conflict) and international (public) violence ('war'). Kaldor observes that "[i]n practice, the distinction between what is private and what is public, state and non-state, informal and formal, between what is done for economic or

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[25] Holsti, *The State, War,...,* 37.
[26] Holsti, *The State, War,...,* 39.
[27] Kaldor, *New and Old Wars,* 5.
[28] *Ibid.,* 8.

political motives, cannot be easily applied."[29]   She discusses how such "blurring" of

distinctions is demonstrated by internal warfare:

> [T]he new wars involve a blurring of the distinctions between war (usually defined as
> violence between states or organized political groups for political motives), organized
> crime (violence undertaken by privately organized groups for private purposes, usually
> financial gain) and large scale violations of human rights (violence undertaken by states
> or politically organized groups against individuals). In most of the literature, the new
> wars are described as internal or civil wars or else as 'low-intensity conflict.' Yet
> although most of these wars are localized, they involve a myriad of transnational
> connections so that the distinction between internal and external, between aggression
> (attacks from abroad) and repression (attacks from inside the country), or even between
> local and global are difficult to sustain.[30]

Internal conflict, in the context of state fragmentation, has demonstrated that the

separation between domestic and international war is becoming increasingly difficult to

maintain.   Thus, the phenomenon of internal conflict challenges the separation of the

private/internal/domestic and the public/external/international political spheres, on which

the traditional understanding of international relations is so dependent.

> The assumption that violence is largely the result of anarchic international relations - in
> contrast to supposedly 'peaceful' domestic communities obscures the question of the
> amount of and the way in which violence is deployed from the local to the global level. . . .
> [Therefore] it makes more sense to see domestic and international violence as intimately
> connected.[31]

Moreover, the idea of 'war versus peace' - that is, that a particular period is one

either exclusively characterized by war or peace - is an example of confounding over-

simplification with respect to what constitutes and causes violence, as well as the

levels/structures on which violence operates. Kaldor notes that among "a whole series of

new distinctions . . . characteristic of the evolving state" - e.g., the distinction between

public and private and the distinction between soldier and civilian - the distinction between

war and peace emerged.[32] The corresponding theoretical (dichotomized) idea of anarchy

versus order in traditional international relations obscures the manner in which

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[29]   Kaldor, *New and Old Wars*, 2.
[30]   *Ibid.*, 2.
[31]   Peterson and Runyan, "Gendered Divisions of Power," 159.
[32]   Kaldor, *New and Old Wars*, 20.

contemporary war operates, through its exclusive focus on 'public' violence. "The erosion of the distinctions between public and private, military and civilian, internal and external, also calls into question the distinction between war and peace itself."[33] And how violence operates on various interrelated levels becomes evident when the experiences of women are included.[34]

> While women have been less directly involved in international violence as soldiers, their lives have been affected by . . . the consequences of war and the policy priorities of militarized societies. Certain feminists have suggested that, because of what they see as a connection between sexism and militarism, violence at all levels of society is interrelated, a claim that calls into question the realist assumption of the anarchy/order distinction.[35]

As long as the discipline of international relations "is ensnared by the trap of dividing the domestic and the international" the possibility of introducing gender "as a category of thought" is extremely difficult and, consequently, the explanation of the nature of violence remains inadequate.[36] Ultimately the realist notion of "maximizing order through power and control prioritizes the moral command of order over those of justice".[37] Thus, in light of the rigid definition of war/conflict, the more "gendered" the victims become the more the public/private bias of international relations has negative consequences for justice.

> There is a convergence . . . between the ways of thinking about women and ways of thinking about international law and politics. The more a conflict can be framed as within a state - as a civil war, as domestic, as private - the less effective the human rights model becomes. The closer a fight comes to home the more 'feminized' the victims become, no matter what their gender, and the less likely it is that international human rights will be found violated, no matter what was done.[38]

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[33]   Kaldor, *New and Old Wars*, 29.
[34]   J. Ann Tickner, "Man, the State, and War: Gendered Perspectives on National Security," In *Gender in international relations: feminist perspectives on achieving global security*. By J. Ann Tickner. (New York: Columbia University Press, 1992): 30.
[35]   *Ibid.*, 30.
[36]   Grant, "The Sources of Gender Bias in International Relations Theory," 22.
[37]   J. Ann Tickner, "Hans Morgenthau's Principles of Political Realism: A Feminist Reformulation," In *Millennium: Journal of International Studies*, Vol. 17, No. 3 (1988): 438.
[38]   Catharine A. MacKinnon, "Rape, Genocide, and Women's Human Rights," In *Violence Against Women: Philosophical Perspectives*. Ed. by Stanley G. French, Wanda Teays, and Laura M. Purdy. (Ithaca: Cornell University Press, 1998): 52-53.

Ultimately, "[i]nternational processes are not gender-neutral, and gender relations, for all their autonomy are not insulated from international factors."[39] International relations would lose little to remain theoretically unchallenged "[i]f world politics happened to revert to a competition among coherent, unpenetrated, highly centralized states that ruled over societies with unified, unproblematic, and insular identities, and if the possibility of fundamental changes in the boundaries of societies, states, and identities were to disappear . . .; but that is unlikely."[40] Hence the untheorised gender variable in international relations theoretical constructs (states, anarchy, war/peace) is a stumbling block both for the discipline's analytical development and the creation of solutions to problems such as internal conflict, which necessarily include seeking justice for the victims of violence. Such a dilemma will be persistent so as long as international relations overvalues: "a distanced and disinterested attitude toward its subjects" (by 'degendering' subjects and restricting 'subjects' exclusively to the 'public' sphere), "the perspectives of the powerful" (by marginalizing the voices of 'Others'), and "the specific means its uses to close scholarly debate" (its definition of what framework constitutes valid/'theory').[41] Consequently, "unless we seriously reappraise the way we think and act in the post-Cold War era, the United States and its Western allies will become involved in a series of future conflicts that defy the kind of simplistic conceptual and strategic responses of the past generation."[42]

> Martin Van Creveld (1991) is among the first to recognize the Clausewitzian eighteenth- and nineteenth- concept of war - . . . 'institutionalized war' - is not only fast fading, but is inappropriate as both an analytical and policy guide to those whose must think and respond to violence that concerns ideology and/or the nature of communities, rather than state interests.[43]

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[39]   Fred Halliday, "Hidden from International Relations: Women and the International Arena," In *Millennium: Journal of International Studies*, Vol. 17, No. 3 (1988): 422.

[40]   Craig N. Murphy, "Seeing Women, Recognizing Gender, and Recasting International Relations," In *International Organization*, Vol. 50, No. 3 (Summer 1996): 535.

[41]   *Ibid.*, 526.

[42]   George, *Discourses of Global Politics*, 6.

[43]   Holsti, *The State, War,...*, 36.

2.3   The Increasing Threat of Unconventional State War

"The radically diminished threat of a world war has been replaced by the reality of intra-state conflicts which undermine stability and security. . . . A serious challenge for the international system is the increasing number of weak or even failed states and their inability to control developments on their own territory."[44]

"Most 'ethnic wars' are not the result of primordial hatreds but rather of state policies."[45]

Since the end of the Second World War there has been a shift away from classic inter-state war. While some conflicts in the 1970s and the 1980s, for example, were domestic, others were international "and some, particularly when the great powers were involved, blurred the distinction between the two."[46] Holsti asserts that increasingly: "Attrition, terror, psychology, and actions against civilians highlight 'combat.' Rather than highly organized armed forces based on a strict command hierarchy, wars are fought by . . . groups of regulars, irregulars, [and] cells . . ."[47] Furthermore, he comments on the "de-institutionalization" of war since 1945.[48] In other words, internal war is "de-institutionalized" in the conventional sense. In the former Yugoslavia, the "de-institutionalization" of war has manifest itself as 'unconventional institutionalization' and is derivative of unconventional state policy. Thus, separation between domestic and international violence is not as clear-cut as traditional (international relations) explanations suggest.

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[44]   Adam Daniel Rotfeld, "Introduction: Transformation of the World Security System," In *Stockholm International Peace Research Institute (SIPRI) Yearbook 1998: Armaments, Disarmament and International Security.* (Oxford University Press, 1998): 1.

[45]   Holsti, *The State, War,...,* 107.

[46]   Tickner, "Man, the State, and War...," 52.

[47]   Holsti, *The State, War,...,* 20.

[48]   *Ibid.,* 27.

There is an increasing threat of unconventional state war; since 1945 "80 to 90 percent of casualties due to conflict . . . have been civilians, the majority of whom have been women and children."[49] Holsti notes:

> Casualty figures are a grim indicator of the transformation of armed conflict represented by wars of the 'third kind.' In the decade of the 1970s, there were 921,000 deaths through armed combat. Of these, almost 90 percent (820,000) died in civil wars. . . . Of the 90 percent, another 90 percent, approximately, were civilian casualties.[50]

David Turton also describes this war trend of civilian targeting:

> Nearly a quarter of all wars that had taken place since 1945 [total number of wars = 184] . . . were in progress in 1993. This increase in the incidence of war is accounted for almost entirely by an increase in the number and duration of 'internal' or intra-state wars . . . . [I]nternal wars are particularly destructive of the lives and livelihoods of civilians. . . . [I]n today's internal wars civilians often become the targets rather than the bystanders of violence. Thus, while civilians accounted for 10 per cent of those killed during the First World War . . ., and 52 per cent of those killed during the Second, it has been estimated that they make up 90 per cent of contemporary war deaths.[51]

Civilians are increasingly targets of war where gender differentiation is evident in their treatment by aggressors.

> It has been estimated that in the 'wars of the 17th century on the European continent 3 million people perished, in the 18th century - 5.2 million, and in the 19th century - 5.5 million.' Increasingly, most of the victims in war are civilians and their treatment has been 'unremittingly harsh.' . . . Throughout the history of war, while male civilians are killed, female civilians are typically raped, *then* killed. In torturous interrogations, males are savagely beaten. Females are savagely beaten *and* raped. Conclusively, all civilians are not treated similarly . . .[52]

Women have been a part of and "experienced the effects of wars and other manifestations of state conduct."[53] "[I]n war zones women are always in a more precarious situation than

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[49]   Tickner, "Man, the State, and War...," 56. See also: Ruth Seifert, *War and Rape: Analytical Approaches*. (Women's International League for Peace and Freedom, 1993): 11. "UNICEF data of 1989 indicate that in the wars fought since World War II 90 percent of all victims have been civilians, with a high percentage of women and children."

[50]   Holsti, *The State, War,...*, 37.

[51]   David Turton, "Introduction: War and Ethnicity," In *War and Ethnicity: Global Connections and Local Violence*. Ed. by David Turton. (University of Rochester Press, 1997): 2-3.

[52]   Kelly Dawn Askin, *War Crimes Against Women: Prosecution in International War Crimes Tribunals*. (The Hague: Martinus Nihoff Publishers, 1997): 12.

[53]   Grant, "The Sources of Gender Bias in International Relations Theory," 10.

men. As civilians they are - along with children and old men - the material that war is waged with."[54]

When recognized, both the interrelationship between the domestic and the international spheres[55] and the linkage of war to violence against women[56] collapses the public/private dichotomy and exposes the patriarchal nature of the state and its war mechanisms. Therefore, the 'domestic' (war) policies of states in internal conflict/'new war' are not separate from their behaviour in the international system - i.e., such policies need evaluation as an integral part of the phenomenon of 'War.' Consequently, both the changed/changing nature of warfare and the unconventional state require (re)definition. The former Yugoslav context is an ideal example of such an internal conflict situation in which an unconventional state (i.e., the Federal Republic of Yugoslavia, FRY) has conducted (gendered) war. Systematic sexual violation has distinguished the former Yugoslav conflicts from others:

> [T]he extraordinary accounts of systematic sexual violence, particularly the construction of formulated rape camps to perpetrate ethnic cleansing in the former Yugoslavia, are what have set the Balkan war apart from other wars. . . . Women have been raped, forcibly impregnated, and forced into sexual slavery because of their ethnicity, religion, nationality, and most definitely, because of their gender.[57]

Interconnectedly, ethnic identity was also a major criterion for differentiating between civilian targets in the former Yugoslavia.[58] In the Balkans the 1990s have been plagued with such 'unconventional' war (domestic/international conflict).

> Far from heralding the end of history or a New World order, the 1990s have witnessed a series of vicious internal armed conflicts, gross violations of human rights such as have not been seen since World War II, complex humanitarian emergencies and instances of collapsing states. Sometimes these have occurred simultaneously, as in the

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[54] Seifert, *War and Rape: Analytical Approaches*, 12.

[55] Tickner, "Man, the State, and War...," 58.

[56] *Ibid.*, 55.

[57] Askin, *War Crimes Against Women*, 295-296.

[58] Gutman, *A Witness to Genocide*, xxvi. "Serb forces detained, tortured or slaughtered thousands of Croats whose only fault was their ethnic identity and their attempt to defend their villages. The war ended in January 1992 after Serb forces had seized roughly a quarter of Croatian territory."

case of the former Yugoslavia . . .[59]

While the fall of communism in Eurasia[60] has been accompanied by an increase in the incidence of internal conflict, which has been characterized by a rise of identity politics and, whereas, state fragmentation has been a significant component of contemporary war, the birth of states through violent means is not a new phenomenon.

> A significantly high proportion of the world's existing states came into being through war and violence. The United States was born through rebellion and achieved its present territorial dimensions largely through armed conquests at the expense of the Mexicans, Hawaiians, and Spanish. Germany, Italy, the Balkan countries, Israel, Algeria, Indonesia, and dozens of other states became members of the society of states only after prolonged armed conflicts.[61]

Self-determination, ideological and political principles, and "sympathy for kin . . . have become increasingly important as sources of war while concrete issues such as territory and wealth have declined."[62] However, in the former Yugoslav context, conflict has included both (ethno)nationalist principles and concrete territorial objectives, suggesting that the source(s) of internal conflict are multidimensional and attesting to both the dynamic nature of war and the rise of the unconventional state. The former Yugoslav wars were "wars against civilians who have been subjected to violent and abusive practices on the basis of nationality. . . . The chief offenders have been Serbian military and paramilitary forces. . . . Mass rape of women has . . . been used as a tool of 'ethnic cleansing,' meant to terrorize, torture and demean women and their families and compel them to flee the area."[63]

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[59]   Margaretta Sollenberg and Peter Wallensteen, "Major Armed Conflicts," In *Stockholm International Peace Research Institute (SIPRI) Yearbook 1998: Armaments, Disarmament and International Security*. (Oxford University Press, 1998): 69.
[60]   Eurasia refers to central and eastern Europe and the territories of the former Soviet Union (some of the former Soviet territories are geographically located in Asia).
[61]   Kalevi J. Holsti, *Peace and War: Armed Conflicts and International Order 1648-1989*. (Cambridge University Press, 1991): 322.
[62]   Holsti, *Peace and War*, 321.
[63]   Human Rights Watch Women's Rights Project, *The Human Rights Watch Global Report on Women's Human Rights*. (New York: Human Rights Watch, 1995): 8.

The change in the structure and objectives of international mechanisms designed to deal with conflict is also an indicator of the changing nature of warfare; the 'new conflicts' that emerged in the 1990s "were wars which . . . created massive refugee movements which could destabilize a widening circle of countries and regions."[64]   The former Yugoslav internal conflicts, born in the context of post-communist state fragmentation, are prime examples of such 'new' conflicts requiring 'new' responses.[65]

Rather than being prompted by the unleashing of 'ancient hatreds'[66] in a 'backward' area of the world, populated by 'wild/savage' people, the ethnic cleansing that has taken place in the Yugoslav wars should be understood as a war policy[67] - orchestrated by an unconventional state and mobilized (by ruling elites) through the use of a (ethno)nationalist/patriarchal discourse.

> During World War II, the Nazis simply determined to exterminate the Jews by eradicating them, one way or another. The military tactics promulgated during the Balkan conflict have been cloaked in more disguises. They involve a policy of 'ethnic cleansing,' elements of which include, among other things, humiliation, forced displacement, murder, torture, genocide, rape, forced impregnation, and forced maternity. Many of these tactics are specifically gender based, and they are often committed simultaneously.[68]

Catharine A. MacKinnon asserts that ethnic cleansing is a euphemism for genocide; it is characteristic of ('unconventional') war that targets civilians, rather than war fought

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[64]   Kumar, *Divide and Fall...?* 4.

[65]   Kumar, *Divide and Fall...?* 29. "In the summer of 1991, Slovenian and Croatian declarations of independence were followed by war: though the Slovenian conflict was little more than a skirmish because Slovenia was at one edge of the federation and relatively homogeneous, the large Serb population of Croatia ensured a bitter and prolonged war which was bound to spill over into the neighbouring Bosnia, with its proportionally even larger and contiguous Serb population."

[66]   A great deal of misunderstanding of the Balkan conflicts is derived from the 'Balkan ancient animosities' myth - in other words, the notion that the various groups of people in the former Yugoslavia are 'modern versions of ancient/primitive battling tribes.' See, for example: Bogdan Denitch, *Ethnic Nationalism: The Tragic Death of Yugoslavia*. (Minneapolis: University of Minnesota Press, 1994): 62.

[67]   Human Rights Watch Women's Rights Project, *The Human Rights Watch Global Report on Women's Human Rights*, 9.

[68]   Askin, *War Crimes Against Women*, 261-262.

between conventional armies.[69] Ultimately, there is mixed optimism and pessimism about the dynamics of unconventional warfare in the current period:

> The global trend is that of a decline in the total number of conflicts since 1990. . . . [T]he number of armed conflicts in Europe has fallen since the peak year 1993. [In 1997 there were] no active major armed conflicts stemming from the breakup of the Soviet Union or Yugoslavia. However, the underlying political disputes behind several of these conflicts remain to be resolved.[70]

Unfortunately, it is the last point that needs greater consideration, especially because of subsequent developments in Kosovo (the war between the FRY regime and the Kosovar Albanians).

2.4 The Unconventionally Institutionalized State

The term 'state' in the former Yugoslav context needs problematization because the conventional term implies a certain cohesiveness and structure which most closely (although not completely) resembles established Western states. In the former Yugoslavia 'state' refers to a more atomized and irregularly-structured entity. Thus, as previously observed, 'unconventional institutionalization' is about making covert or blurring structural distinctions. Elites, who are connected to certain 'sub-state' (political/paramilitary) groups, in a covert but institutionalized fashion, preside over (what I have labeled) the unconventional state. The triadic structure of the unconventional state (political power/regime center, formal military organ/arm, and paramilitary/special (police)

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[69]   MacKinnon, "Rape, Genocide, and Women's Human Rights," 45. " 'Ethnic cleansing' is a euphemism for genocide. It is a policy of ethnic extermination of non-Serbs with the aim of 'all Serbs in one nation,' a clearly announced goal of 'Greater Serbia,' of territorial conquest and aggrandizement. That this [was] . . . a war against non-Serbian civilians, not between advancing and retreating armies, is also beyond question. Yet this war of aggression . . . has repeatedly been construed as bilateral, as a civil war or an ethnic conflict, to the accompaniment of much international head-scratching about why people cannot seem to get along and a lot of pious clucking about human rights violations of 'all sides' as if they were comparable. This three-pronged maneuver is familiar to those who work with the issue of rape: blame women for getting ourselves raped . . ., chastise us for not liking them very well afterward, and then criticize our lack of neutrality . . ."

[70]   Sollenberg and Wallensteen, "Major Armed Conflicts," 22.

units/other armed formations) allows the *institutionalized* nature of internal/ethnic conflict to be *masked*. The sheath-like quality of the unconventional state structure allows the political power/regime center and the formal military organ to appear as though they are detached from 'informal,' supposedly 'non-state' groups - the paramilitaries. However, the paramilitaries, which form the third branch of the unconventional state structure, are in fact *directly* connected to the formal state apparatus as they receive the bulk of their military supplies from the state, are legally linked (through laws recognized by the legal system of the state) to the state, and take their directives from political leaders who run the state. The paramilitary organ, as is subsequently noted in Table 1, is horizontally-structured; various cells under the command of individual leaders enact warfare policy sometimes in concert within one another or the army and sometimes alone, depending on the particular constraints and territory in question. Conversely, the formal army is vertically ordered with commands moving from the top of the structure downwards to the level of the soldier; it cannot properly be understood as a web-like aggregate of cells.

Therefore, while the political power/regime center and the formal army create policy, and, in the army's case, carry it out on occasion, the majority of internal conflict policy (i.e., ethnic cleansing, systematic rape, and sexual torture) is carried out by the paramilitaries. The unconventional state's paramilitary branch is a 'useful' development/innovation for a state whose objective it is to fight (ethno)nationalist/patriarchal war. The paramilitaries are *the* weapon of the unconventional state: they commit genocide, systematic rape, acts of sexual torture, and cause population expulsions - all outcomes that conventional military hardware and weapons systems are unable to produce, but that are integral to achieving territorial conquest objectives. The specific structure of the unconventional state in the former Yugoslavia will be elaborated on in the following chapter, which, respectively, examines both the conventional/regular/'formal' institutions and the

unconventional/irregular/'informal' 'non-institutions' or (conventionally) "de-institutionalized" (paramilitary) organs. The unconventional state's patriarchal character makes it less surprising that the paramilitary arm is comprised of young, underemployed men (as will be discussed in the following chapter). Kaldor observes that a typical contemporary "phenomenon is the new bands of young men . . . who make a living through violence or through treats of violence . . ."[71]

2.5   The requirements and contributions of a gendered perspective

There is no single feminist perspective.[72] While feminist enquiry is ideologically diverse, it commonly takes women's lives as an epistemological starting point.[73] In the context of world politics and international relations, a gendered perspective has "aspirations for a greater sensitivity to the diversity of situations in which women act in different parts of 'the world.' "[74] Feminist (empiricist) approaches, for example, ask " 'whether it is accurate to focus on states . . . and not also examine the social attitudes and structures which impart a gender to international relations' ".[75] Standpoint feminist theorists examine international relations critically from the perspective of "people who have been excluded from power."[76] And feminist postmodernists attempt to resist a " 'falsely universalizing perspective' " in their analyses of political phenomena.[77] That gender is a socially constructed inequality between women and men is exposed by feminist perspectives. Gendered perspectives also provide specific guidelines for assessing international relations theory - e.g., they question whether international relations theory

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[71]   Kaldor, *New and Old Wars*, 83-84.
[72]   Walker, "Gender and Critique in the Theory of International Relations," 183.
[73]   Grant, "The Quagmire of Gender and International Security," 84.
[74]   Walker, "Gender and Critique in the Theory of International Relations," 183.
[75]   Robert O. Keohane, "International Relations Theory: Contributions of a Feminist Standpoint," In *Millennium: Journal of International Studies*, Vol. 18, No. 2 (1989): 245.
[76]   Keohane, "International Relations Theory...," 245.
[77]   Keohane, "International Relations Theory...," 245.

allows for the discussion of: the social construction of meaning, historical variability, and the theorization of power in a manner that uncovers the masking of power relations.[78]

V. Spike Peterson and Anne Sisson Runyan offer an approach which contends that gender analysis must be applied to three different dimensions: normative (how people evaluate), conceptual (how people categorize and think), and organizational (how people behave).[79] Normatively, this gendered approach requires that gender inequality be recognized and, therefore, that predominant ideologies, which normalize the (masculinist) status quo, be questioned. It necessitates a re-evaluation of the normative status quo[80] - i.e., it requires both understanding and rectifying the injustice suffered by women and men in war.

Peterson and Runyan's approach also requires a conceptual examination of how thought patterns (categories, dichotomies, stereotypes, ideologies, theoretical frameworks, religion, and science) make gender invisible.[81] (With respect to internal conflict, various gender dichotomies that are covertly present in (ethno)nationalist discourse, or the thinking which fosters a climate that allows internal conflict to occur, need to be analyzed and their symbolism made explicit.) "[G]ender dichotomies such as the following are at work in reproducing the gendered division of violence: soldiers-mothers, protectors-protected, aggressive-passive, battlefront-homefront, batterers-victims."[82]

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[78]   Sandra Whitworth, "Gender in the Inter-Paradigm Debate," In *Millennium: Journal of International Studies*, Vol. 18, No. 2 (1989): 266-267.

[79]   V. Spike Peterson and Anne Sisson Runyan, "Gender as a Lens on World Politics," In *Global Gender Issues*. By V. Spike Peterson and Anne Sisson Runyan. (Boulder: Westview Press, 1993): 40.

[80]   *Ibid.*, 40-41. "Writers of conventional accounts tend to deny the importance of gender, its relation to social inequalities, and, therefore, the moral costs imposed by gender hierarchy. . . . [B]lindness to gender inequality is a consequence of reigning ideologies . . . . that naturalize status quo masculinism. . . . The problem is twofold: androcentric moralities exclude or silence women's experience and moral orientations and also fail - normatively - to be critical of gender inequality and injustice."

[81]   *Ibid.*, 42.

[82]   Peterson and Runyan, "Gendered Divisions of Power," 83.

Organizationally, Peterson and Runyan's approach moves beyond an exclusive focus on the activities of men. Because gender is made invisible "primarily by the androcentric focus on what men do"[83] their analysis turns attention to women's roles as well. However, this does not imply that such gender analysis is, therefore, simply about women because, by definition, gender refers to socially constructed feminine and masculine traits and not to mere sex differences.[84] War is a process in which both men and women participate, albeit in different ways. Why women and men have different roles in society and during internal conflict is important and, therefore, any thorough examination of internal conflict must consider all relevant (gendered) actors.

While Peterson and Runyan's gendered framework is insightful, feminist perspectives that are specifically oriented towards tackling identity questions,[85] such as MacKinnon's, Christine Sylvester's, and Marysia Zalewski's, are more useful for examining contemporary international relations phenomena, such as: internal conflict (new types of conflicts), the integral role of (ethno)nationalist discourse in war, and unconventional (new types of 'quasi'-) states. Identity-focused feminist theorising:

> critically probes social theories for marks of gender that have gone unnoticed, and
> reveals distortions, biases, exclusions, inequalities, and denied identity politics in such
> theories; it traces how it has come to be that gendered theories seem neutral and universal
> and without gender; it transgresses the boundaries of supposedly true theories by
> positing gender experiences of narratives that counter or deepen our knowledge, or that
> reveal another side, a different puzzle, perhaps a different story than gender.[86]

Identity roles (codified within nationalism) are complex constructions, but a gendered/identity perspective's inclusive orientation and deconstructive tools are able to

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[83] Peterson and Runyan, "Gender as a Lens on World Politics," 42.

[84] Adam Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," *Ethnic and Racial Studies*, Vol. 17, No. 1 (1994): 115-134. Article also available on-line: *http://www.interchange.ubc.ca/adamj/yugo.html*

[85] George, *Discourses of Global Politics*, 27. "Issues of race, class, and culture . . . have become part of the feminist agenda as it seeks to more sensitively address that complex matrix of human existence which International Relations reduces to (largely) western, elite male images of reality."

[86] Sylvester, "The Contributions of Feminist Theory to International Relations," 257.

analyze such roles by allowing traditionally ignored variables and ideas about internal conflict to be exposed.

Hence, the specific objective of tackling international relations through a gendered/identity lens is to provide a more complete picture of a particular phenomenon - internal conflict, for example - while questioning and probing identity construction.[87] In identity deconstruction not only do the state-actor and masculinist archetypes of international relations require analysis, but so do the categories 'woman' and 'man.' By changing the androcentric focus of conventional analytical frameworks, a feminist/identity perspective allows for the advancement of different and overlooked explanations of political and military processes. "Women do have different stories to tell. Many would not begin with the benign appearance of state sovereignty. As a principle this is only an . . . answer to questions theorists of international relations no longer take seriously. The question to which it is an answer - who are we . . .?"[88] And who various people 'are' in internal conflict - as is defined by their (ethno)nationalistically constructed roles - needs exploration. The character of internal conflict is formed by unconventional state war policy, which attempts to construct, manipulate, and destroy identities. By harnessing the principle of state sovereignty, elites appeal to (ethno)nationalist symbolism in order to maintain their hold over power.

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[87]   Sylvester, "The Contributions of Feminist Theory to International Relations," 262-263. "Several typologies can fit feminist analyses of international relations. I have observed, however, that the two major, albeit overlapping, manifestations of feminist theorising perch there, the one removed from the other only, but importantly, in relative, emphasis. What I call everyday forms of feminist theorising - pirating James Scott's (1985) notion of everyday forms of resistance and struggle - issue from activities of average people, as interpreted by feminist analysts. This form *outlines* women, power, and international politics where this gender triangle was not presumed to exist. It is an alternative form of realism that seeks to get the real right. A second, radically skeptical approach, *inlines* identity in international politics with respect to shapes that surround men and women in theories and practices, leaving behind, in the middle so to speak,' shadows of gender and boundaries of gender transgressed."

[88]   Walker, "Gender and Critique in the Theory of International Relations," 198.

Therefore, a gendered/identity perspective is crucial to any examination of internal conflict because it permits the delineation of the underlying *dichotomies* of (ethno)nationalist discourse (the basis for the legitimization of power-holding elites and their territorial conquest politics/policies), and war (the pursuit of political/(para)military objectives). Thus the exposition and, then, deconstruction of dichotomies, through the use of a gendered/identity framework, allows one to consider: the motivation behind internal/ethnic conflict (nationalism), the nature of its mobilization (nationalist politics), its consequences for women and men (gendered war and violence), and, ultimately, the potential of establishing new assumptions/ideas that would contribute to the effectiveness of peace building and conflict resolution mechanisms/structures for the prevention of the future construction of harmful unconventional state policy, such as ethnic cleansing and systematic rape (alteration of the patriarchal structure of nationalist discourse and its political/military mobilization mechanisms).

Consequently, internal conflict policy - ethnic cleansing for example - is not only important to examine as a 'concrete' political/military act, but also as a symbolic, gendered process: terrain/territory is known to signify a 'feminine' body or mother (of the 'body politic'). The 'feminine' body is further linked to the idea of nature. "The identification of nature as female is not an accident but a historical development that is visible in justifications by elites for territorial and intellectual expansion."[89] To cleanse the national mother is to expel a foreign/filthy/contaminated seed (i.e., that of particular 'foreign' ethnic groups) from her womb and to sew the nationalist/pure/healthy seed (i.e., that of the national group) in its place.

In the former Yugoslavia, the nationalistic motivation for conquering territory has drawn upon such symbolism of the feminine 'body.' The symbolic cleansing/rape of the

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[89] Peterson and Runyan, "Gender as a Lens on World Politics," 40.

body (politic)/mother has translated into the physical rape of women (and girls) in the former Yugoslavia. While men have also been raped, the systematic rape process is understood and carried out differently when men are its targets. Rape is used to 'feminize' men and to destroy their ability to be soldiers for the national body. And, whereas women were raped by unconventional state actors (both uniformed and non-uniformed forces), targeted men were forced to rape one another. The systematic rape of former Yugoslav women was based on a policy constructed by the Federal Republic of Yugoslavia (FRY). This (rape) policy viewed the territory on which certain 'foreign women/whores' (and their national groups) lived to be a part of the FRY state's national body and, therefore, legitimized the use of systematic rape to achieve political/military objectives. Once the foreign women were raped (cleansed), the unconventional state had ensured that their (ethno)national group's 'filthy seed' would not survive on the territory in question. This notion of 'dirty' foreign women will be more extensively considered in Chapter IV, along with other external and internal 'Others' and their attempted destruction by unconventional state forces.

According to the European Commission there are 20,000 women survivors who have been systematically raped; the Bosnian government contends that there are 50,000 for Bosnia-Herzegovina alone.[90] The *UN Chronicle* documents that there have been massive numbers of "organized, systematic rapes of women, particularly Muslim women, in Bosnia and Herzegovina."[91] Many of these women have been "raped 100 to 300 times over the course of a month or more."[92] Moreover, the rape victims were kept at rape camps for at least one complete menstrual cycle in order to ensure impregnation.[93]

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[90]   Fred Pelka, "Voices from a War Zone," *The Humanist* (March/April 1995): 6.
[91]   "Yugoslav Crisis," *UN Chronicle*, Vol. XXX, No. 1 (March 1993): 8.
[92]   Fred Pelka, "Voices from a War Zone," 8.
[93]   *Ibid.*, 8.

The male victims of systematic rape/sexual torture have been less willing than women to come forward after having been raped: " 'There is a conspiracy of silence, where men which are survivors are ashamed to discuss it . . .' which is why only a few dozen men have come forward to discuss their personal experiences of sexual torture. (Another factor is that the men who are fully castrated generally bleed to death.)"[94]

Jean Bethke Elshtain explains how the body politic is symbolic of a mother and how (masculine) soldiers are expected to die for this national body: "The young man goes to war not so much to kill as to die, to forfeit his particular body for that of the larger body, the body politic, a body most often presented and re-presented as feminine: a mother country bound by citizens speaking the mother tongue."[95] The notion of 'political love' for the nation (mother) becomes the most powerful legitimizing force during internal conflict. Elshtain explains that 'political love' is "a love that retains the fraternal dimensions of medieval *caritas* but incorporates as well a maternalized loyalty symbolized domestically: the nation is home and home is mother."[96] The personification of the nation as female is significant and elucidates the connection between the role of 'woman' as the symbol of ethereal civic values and the role of 'man' as political agent responsible for decent government (and military protection).[97] "[T]he motherland is female but the state and its citizen-warriors are male."[98]

During internal conflict/war the soldier identity role and other gendered roles function more overtly because the extreme condition of war requires their direct mobilization for the war effort. Thus, gender polarization is clearly observable during

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94   *Ibid.*, 7.
95   Jean Bethke Elshtain, "Sovereignty, Identity, Sacrifice," In *Gendered States: Feminist (Re)visions of International Relations Theory.* Ed. by V. Spike Peterson. (Boulder: Lynne Rienner Publishers, 1992): 141-142.
96   Elshtain, "Sovereignty, Identity, Sacrifice," 149.
97   Grant, "The Quagmire of Gender and International Security," 89.
98   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 44.

periods of conflict because war depends on such a societal 'organization.' "War is a time when male and female characteristics become polarized; it is a gendering activity at a time when the discourse of militarism permeates the whole fabric of society."[99] Integral to the creation of the unconventional state's military mechanism is the socialization/'construction' of people into particular identities; it is (ethno)nationalist discourse/patriotism that functions to create ('sacrificial') soldiers, national mothers, foreign/whore women and others. In order that the role of masculine/soldier can be harnessed by the state it is tied to the construct of (masculine) citizenship. "The most noble sacrifice a citizen can make is to give his life for his country."[100] Therefore, "[t]he male role of the warrior is the strongest underpinning of authority implicit in the image of sovereign man. Man is the rational, choice making citizen; but the power of sovereign man comes from his ability to legitimize violence."[101] This (gendered) soldier identity is dichotomously constructed in opposition to the mother/'woman' role.

> To be a soldier is to be a man, not a woman . . . . War demands manliness; it is an event in which boys become men. . . . Because military recruiters cannot rely on violent qualities of men, they appeal to manliness and patriotic duty. . . . The association between men and violence therefore depends not on men's innate aggressiveness, but on the construction of a gendered identity that places heavy pressure on soldiers to prove themselves as men.[102]

And both the soldier identity role and the state are constructs that are based on a masculine archetype; in practice, the (macro/aggregate) state (in international relations) and the (micro/individual) soldier (in war) are judged according to how well they can defend their (masculine) autonomy.[103]

To illustrate the primacy of the notion of masculine autonomy in traditional international relations/war, Elshtain observes that " 'no children are ever born, and nobody

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[99]   Tickner, "Man, the State, and War...," 47.
[100]   Tickner, "Man, the State, and War...," 39.
[101]   Grant, "The Sources of Gender Bias in International Relations Theory," 18.
[102]   Tickner, "Man, the State, and War...," 40.
[103]   Tickner, "Man, the State, and War...," 38.

ever dies. . . . There are states and they are what is.' "[104] In other words, the masculine (autonomous) state is in a (public) sphere separate from the feminine (nation)al mother. She/femininity is relegated to the 'Other' (private) sphere; it is in this sphere that children are born and where vulnerability exists. And it is in the public sphere that the soldier must do battle and die - alone/autonomous (and, therefore, supposedly still strong/invulnerable even in death?). While 'Mother' compels the soldier to sacrifice, his sacrifice is ultimately possessed/institutionalized by the state. Thus, his civic duty requires him to be masculine/brave and not a 'coward' who runs home to Mother for his protection - the one whom he is supposed to be protecting - because he *feels* (vulnerable) and questions the extent of his autonomy.

Ultimately, (ethno)nationalistic symbolism (as has been evidenced in the former Yugoslavia) 'justifies' the dehumanization and genocide of particular people because it allows ethnic cleansing to be linked to the protection of nationalist interests/the body politic/mother. That certain territory (that is seen by the aggressing nation to 'belong' to it) must be seized and in the process masses killed and displaced is 'justified' by 'mother.' Thus the idea of 'political love' is of great utility to nationalist elites conducting war. The message that 'alien seed' must be exterminated so that the national territory/body/mother(land) would be made 'pure' has had a substantial impact on the developments in the former Yugoslavia; 'political love' has supported the removal (cleansing) of 'external' groups. Opponents of the unconventional state's mission to 'purify' certain former Yugoslav territory have been punished for not loving their 'mother' - for not engaging in the ultimate act of sacrifice.

The state plays a crucial role in nurturing nationalist 'motherly love,' whereas the principle of state sovereignty legitimizes the state's existence and, therefore, role in this

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[104]   Tickner, "Man, the State, and War...," 42.

regard. Unconventional states "manipulate sovereignty (claims to self-determination and non-intervention)" in order to control and use (ethno)gendered violence within their borders.[105] Why? Holsti writes that "[v]iolence is not just a means to an end of achieving power; it transforms man (generic) from passive object into an active subject of political participation." However, the "transformation" prompted by violence occurs via gendered and other identities, not according to 'neutral' means. Therefore, 'women', as described by my five categories in chapter four, are used by the unconventional state when implementing violence - they are the channel through which violence is funneled. Although these 'women' are no longer "passive object[s]" they remain *objects* (as opposed to human beings) to the executors of violence. In other words, 'women's' participation in internal/unconventional conflict is their marginalization; 'women' are politicized, but at the price of their dehumanization.

Elshtain explains that in order to harness sovereignty a state needs acknowledgment from other states, which is usually achieved through war. "The state's proclamation of its own sovereignty is not enough: sovereignty must be recognized. War is the means to attain recognition. . . . To preserve the larger civic body, which must be 'as one,' particular bodies must be sacrificed."[106] And political love aids a state's 'birth' and its fight for existence. The state's particular bodies must willingly sacrifice themselves for the 'good' of the whole - women must produce future soldiers (men) and future reproducers/mothers (women), while men must fight and die (for mother): "Women are expected to mourn dutifully the loved ones who fell in war and then provide new lives for the nation to replace its lost members. . . . [Women are to produce] more men - who too often serve as soldiers - and more women - who too often bear sons only to lose them through war."[107]

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[105] Peterson and Runyan, "Gendered Divisions of Power," 160.
[106] Elshtain, "Sovereignty, Identity, Sacrifice," 143.
[107] Peterson and Runyan, "Gendered Divisions of Power," 82.

Because nationalistic symbolism is made concrete or mobilized via policy in internal conflict, the link between (ethno)nationalism and gender roles needs consideration. Elshtain comments on the positive and negative ideological consequences of nationalism and makes the observation that one's national identity is a strong political (symbolic/emotional and physical) marker. She argues that in "[o]ne way or another we are all marked, deeply and permanently, by the way political life gets embodied in images of motherland and fatherland - so much so that the human body itself is politicized, taking on the markings of one civic realm as compared to another."[108] (Ethno)nationalist movements "subordinate women in a particular definition of their role and place in society, enforce conformity to values that are often male-defined, and enable the delegitimization of alternative policies on the grounds that these are 'alien.' "[109] Such movements allow political goals - territorial conquest objectives, for example, which require the use of violence against both women (e.g., systematic rape) and men (e.g., extermination) - to be 'legitimized.'

As has been discussed, the (feminine or masculine) 'body' is interpreted/'constructed' by nationalism. In nationalist discourse the external (bad) woman role allows the bodies of the women who are defined as such to be politicized in internal conflict situations and violated by political/(para)military actors in order that the unconventional state's territorial/political objectives are achieved. The idea of "deviant/defiant - women", in particular, has been seen as a threat to the order of the modern state era.[110] In nationalist discourse this idea of deviance, associated with (the role of) 'woman,' is embraced and codified by the nationalist 'us versus them' dichotomy, while, concurrently, comprising a gender dichotomy (bad-foreign-whore-feminist-woman/good-nationalist-soldier-man). In post-communist former Yugoslavia the deviant

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[108]   Elshtain, "Sovereignty, Identity, Sacrifice," 148.
[109]   Halliday, "Hidden from International Relations...," 424.
[110]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 39.

woman figure has been defined as threatening to the nation because 'she' both destroys and contributes to the (simplified) version of reality which nationalist sentiments hinge on - she is a part of the nationalist external/internal paradox - in other words, she either questions her reproducer/mother role, and is therefore an internal threat to the nation, or she is an 'alien' (an 'other') or external threat to the nation that unifies the nation by allowing it to define itself against her.[111]

Deviant (foreign) women of particular ethnic groups (living on a nationalistically/politically/militarily desirable territory) first come to be defined (in nationalist discourse) *symbolically* as whores. These 'whores' can then legitimately be raped and sexually tortured and, subsequently *'actually made'* into whores. The transgression of such nationalistic ideas from the symbolic realm into 'real life' (the physical act of rape/sexual torture having taken place and having been subsequently interpreted by the perpetrators as making the raped woman into a whore) is caused by (para)military actors who are obeying political/military orders. Internal conflict is characterized by the transformation of (ethno)nationalist discourse/ideas, first, into policy and, ultimately, into (unconventional state) military command which can be pragmatically executed.

Because the unconventional state uses 'private methods of violence' (e.g., rape) in order to achieve its political objectives, in the context of internal conflict, (public) warfare is conducted according to ('private') means that blur the distinction between public and private (political spheres) - between public violence/war and private violence. In non-conflict periods all states regulate rape to varying degrees, but do not prohibit it: "if we

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[111]   Susan L. Woodward, "The Rights of Women: Ideology, Policy, and Social Change in Yugoslavia," In *Women, State, and Party in Eastern Europe*. Ed. by Sharon L. Wolchik and Alfred G. Meyer. (Durham: Duke University Press, 1985): 256. 'Women' are often defined as the "foreign sex". so that they can be blamed when social unity is threatened. Woodward discusses how this was the case during the Yugoslav socialist period, prior to the state's disintegration in the early 1990s.

fail to notice that the state regulates rape but does not prohibit it, we fail to ask *why* women are being raped and how the state is complicit."[112] During war, an unconventional state constructs policy, as was the case in the former Yugoslavia, which changes the state's regulation of rape into the mobilization of rape as a military weapon.

Sylvester discusses how nationalism perpetuates and privileges masculinity, while marginalizing women. She critiques critics of nationalism who fail to include calls for the dismantling of patriarchy in their evaluation of the political nature and the military consequences of nationalist discourse:

> I've become too aware now of the ways in which men have used nationalism to silence
> women, too conscious of how nationalist ideologies, and structures have served to
> update and so perpetuate the privileging of masculinity. In recent years I've come to see
> how nationalism . . . can grease the wheels of militarization, a process that ultimately
> marginalizes women. At the same time . . . critics rarely couple their critiques of nationalism
> with a call for the dismantling of patriarchy or pay attention to feminist analyses of
> masculinity inside nationalist movements.[113]

Inescapably, the influential (ethno)nationalist ideology is embedded with gendered and other identities: identities which the nationalist culture reconciles by organizing social roles.

> The gendered identities embedded in nationalism . . . . are perhaps the most powerful
> ideology of collective authority and political identity in the modern era; its gendered bias
> therefore has many implications. Historically, European nationalism (deployed within states
> as a unifying political/emotional identity and externally as a weapon of imperialism) and Third
> World nationalism (deployed in independence struggles) have promoted similar constructions
> of gendered 'respectability': the superiority of nationalist culture is demonstrated by 'assign[ing]
> everyone his place in life, man, and woman, normal and abnormal, native and foreigner.[114]

While Western European nationalism is more accurately characterized as a unifying force, Balkan/Yugoslav nationalism is conceived of as divisive; however, both types of nationalism are constructed according to a conceptual framework that is based on gender and ethnic dichotomies. Thus Balkan/Yugoslav nationalism also defines specific

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[112]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 46.
[113]   Sylvester, "The Contributions of Feminist Theory to International Relations," 260.
[114]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 47.

(gendered) roles for all actors in its sphere; it collapses diverse social identities into 'one.' The 'us versus them' dichotomy in nationalism is the means by which 'disintegration' of 'other' identities takes place to ensure that the 'unified/homogeneous' (nationalistic) identity is the only identity that is seen as legitimate.

> Nationalism mapped on to state making is particularly effective in obscuring social hierarchies: the political identity constituted by citizenship collapses diverse, particular identities to a 'one-ness' of nation-state membership. To the extent that nationalism is effective, it mystifies the multiple particularities that in fact differentiate those within the state: by gender, ethnicity, class, language, region, etc. . . . 'To define 'us' in national terms (as against class, . . . or gender, or religion, . . .) has consequences. Such classifications are means for a project of social integration which is also, inseparably, an active *dis*integration of other focuses of identity and conceptions of subjectivity.[115]

By employing a nationalist discourse that subverts any complicating ideas and roles, the unconventional state undermines other (potentially conflicting) identities. This subversion can be properly understood as a patriarchal and undemocratic act - one which most benefits (masculine) elite nationalist actors who direct the path of nationalism (which is an exclusive, hierarchical system of political organization). In the (simplified) 'nationalist reality' some women can be identified as 'whores,' while some men can be transformed into 'women' (demasculinized) so that the nationalist 'play' can continue with all its necessary 'external' (foreign) and 'internal' (nationalist) actors. The unity/purity of nationalism/nation/mother(land) is, ultimately, maintained through the emphasis of external difference and internal coherence.[116] The gendered 'insider versus outsider' dichotomies, which construct nationalist thinking, prompt particular applications of violence and trap people in specific and constraining gender roles that become most salient in periods of internal conflict. Such gendered roles and classifications are used to control

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[115]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 47.
[116]   Peterson, "Security and Sovereign States: What is at stake in taking feminism seriously?" 47-48. "While internal differences are masked, the assumption of external differences is codified [in nationalist discourse]: what I call the 'sovereignty contract' fixes the trade-off between internal unity/reason/politics and external differences/irrationality/war. Externally, militarism occurs as states consolidate and defend territorial boundaries; constructions of 'sovereignty' legitimize the maintenance of the state system in which direct violence is the ultimate arbiter of social conflict(s)."

various groups of people - to make them conform to the prevalent (ethno)nationalist vision.

2.6   Conclusion

Having examined the changing nature of conflict and the rise of the unconventional state - characterized by a triadic structure: the political power/regime centre, the formal military organ, and the paramilitary arm - it is evident that contemporary international relations phenomena are gendered. Because traditional international relations theory tends to ignore gender, it lacks the tools of analysis to fully explain new forms of states and violence. The case of the former Yugoslavia illustrates how unconventional states construct gendered war policy in order to achieve their territorial/political/(para)military objectives. Internal conflict, which is characterized by targeting civilians/non-combatants that are differentiated on the basis of ethno-gendered identity, necessitates a re-evaluation of the primary assumptions/constructs of traditional international relations approaches. The traditional/cohesive state, international anarchy (the public/private political distinction), and 'conventional' war of formal army versus formal army are incapable of explaining the former Yugoslav conflicts.

Confronted with the gender-avoidance paradox of international relations, various approaches taken by feminist scholars seek to analyze the new types of conflicts of the post-Cold War era, (ethno)nationalism and new types of 'quasi'/unconventional states. While feminist analyses have generally been insightful to the study of political phenomena, as they have provided a more complete 'picture' by including gender in their examinations, gendered approaches which focus of identity/'construction', in particular, prove to be the most useful for analyzing: the unconventional state, its basis for legitimization/policy rationale - (ethno)nationalist discourse, and the consequences of unconventional state

policy - (ethno)nationalist/patriarchal war. By focusing on the nature of identity construction in (ethno)nationalist discourse, that gender and other identities are politically/militarily/strategically relevant to the study of war/international relations has been demonstrated. Ultimately, the importance of a gendered approach to the study of the unconventional Yugoslav state, its (ethno)nationalist ideas (ethnic space) and its war methods (ethnic cleansing) in internal conflict (ethnonationalist/patriarchal war) is that it can deconstruct the underlying identities of these phenomena in a way that traditional approaches are (structurally/theoretically) incapable of.

CHAPTER III
The FRY regime, the JNA, the paramilitaries, and unconventionally institutionalized
(ethno)gendered violence in the former Yugoslav internal conflicts

3.1   Introduction

In this chapter I will consider how violence operates in a situation of internal conflict in a specific case of an unconventional state - i.e., by whom violence is executed, the types of mechanisms used to implement violence, and the nature of the consequences for the human targets of violence. I will argue that the former Yugoslavia is an example of a context in which an unconventional state, the Federal Republic of Yugoslavia (FRY) - consisting of Serbia, Montenegro, Vojvodina, and Kosovo - has created and conducted war by utilizing covertly or irregularly institutionalized military organs. As was discussed earlier, the unconventional state is characterized by a triadic structure whose two conventional branches (the political power centre and the formal army) rely extensively on the irregular branch (the paramilitaries) to execute war policy. Thus, the objective of this examination is to establish the extent to which the violence is both institutionalized (not random) and (ethno)gendered. Establishing that the nature of violence in internal conflict is systematic is integral to understanding how and why such violence is (ethno)gendered and targeted at destroying the identities/physical lives of particular groups of non-combatants. How such violence is (ethno)gendered is directly derivative of the unconventional state structure and, therefore, necessitates the use of a perspective - as outlined in Chapter II - able to deconstruct the conventional notion of a state and war. Why such violence is ethno-gendered is a more complex question, but has much to do with the character of (ethno)nationalist discourse; (ethno)nationalist discourse and its political/military/paramilitary mobilization for political/military/strategic objectives will be examined in Chapter IV.

I will begin with an overview of the significant political/military events, such as wars, in twentieth- century Yugoslav history, focusing on the post-1945 period to the present. Thereafter, I will examine the key unconventional state groups - i.e., the political power centre (the Slobodan Milošević regime/Serbian Conservative party leadership), the 'formal' military/conventional army (the Yugoslav National Army, JNA), and the paramilitary organ (comprised of various individual units) - and their linkages to one another. Lastly, I will consider the systematically invoked (ethno)gendered outcomes of unconventional state warfare strategies/policies during the Bosnian war - with a particular focus on the Srebrenica operations and massacres (1993-1995) - in order to expose specific instances of unconventional state/(para)military execution of violence/ethnic cleansing policy. While the different types of strategies pursued by the unconventional state in the former Yugoslavia will be outlined in this chapter, further analysis of the (ethno)gendered nature of violence - i.e., how women and men of certain ethnic groups were treated in the context of internal warfare - will be continued in the following chapter. Rape, for example, has been a common occurrence in war efforts historically, both symbolically[117] and physically;[118] however, the former Yugoslav wars have prompted the need to recognize mass rape *as* genocide.[119]

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[117]   Cheris Kramarae and Paula A. Treichler, *A Feminist Dictionary*. (University of Illinois Press, 1991): 477-478. "[War] is an aggression waged as a violation of women. 'The primordial, universal object of attack in all phallocratic wars is the Self in every woman. . . . Indeed, the War State requires women for the recreation of its warriors. This is not true only in the obvious sense that mothers produce sons who will be soldiers. It is also true on a deep psychic level. . . .' The War State's identity is that of the 'State of Rapism, in which all invasions, occupations, destructions of 'enemy territory' are elaborations upon the theme of rape . . ."

[118]   The occurrence of rapes of women during World War II, for example, is widely noted. See: Askin, *War Crimes Against Women*, 49-95. See also: Stanley Chodorow et al., "The Totalitarian States," In *The Mainstream of Civilization Since 1500, 6th ed.* By Stanley Chodorow et al. (London: The Harcourt Press, 1994): 847.

[119]   Consie Larmour (Social Policy Group), *UN Fourth World Conference on Women* Planning, Setbacks and Achievements. (Australia: Department of Parliamentary Library, September 27, 1995 [Parliamentary Research Service, Current Issues Brief No. 5 1995-96]): i, 3. Systematic rape has been acknowledged as constituting the torture and killing of women and men at the United Nations Fourth World Conference on Women. "The United Nations Fourth World Conference on Women was held in Beijing from 4 - 15 September 1995." The Conference's "Draft Platform for Action identified 12 critical areas of concern" including: "violence against women", "the effects of armed or other kinds of conflict on

3.2 Moral Relativism in analyses of the Balkan conflicts

"[W]e cannot imagine that some of the most well-respected western intellectuals . . . would reproduce and agree with the views of leaders like Radovan Karadzić or Slobodan Milošević, whose actual and alleged deeds are so ignoble that any self-respecting thinkers should in their political decisions and in their writings immediately distance themselves from them. In addition to these outright supporters, many western intellectuals - despite their curdled indignation at the reported atrocities and genocide in Bosnia - have taken some variant of the ambivalent position that all sides are equally guilty (specifically, the Croats, Bosnian Muslims, and Serbs) and that peace at the price of ethnic partition or forgiving indicted war criminals is preferable to 'more fighting.' . . . It often seems that modern-day intellectuals . . . go out of their way to be 'balanced' in their discourse on the Balkan conflict, even if such attempts to balance cause confusion about the historical record of just who is killing whom and why, or how many people have been killed [and] . . . at the cost of confusing victims with aggressors, and the failure to recognize those who are the perpetrators of genocide and crimes against humanity."[120]

"Everything is relativized to the point where everyone becomes equally guilty. In consequence, the only 'rational' response seems, to the relativists, to be total indifference or studied 'evenhandedness.' "[121]

A brief comment should be made on the issue of moral relativism and the need to avoid this type of analytical bias in the examination of internal conflict. Uncritical and unfounded 'moral equivalency/relativism,'[122] especially as evidenced in the early 1990s, distorts the nature of the former Yugoslav conflicts and proves problematic for the quest of justice.[123] Therefore, it is necessary to state - as the evidence shows - that the Serbian conservative regime of Milošević is primarily responsible for the commencement of the former Yugoslav wars and for the gravest atrocities, which took place during the wars.

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women, including those living under foreign occupation" and the "lack of respect for and inadequate promotion and protection of the human rights of women".

[120]   Thomas Cushman and Stjepan G. Meštrović, "Introduction," In *This Time We Knew: Western Responses to Genocide in Bosnia*. Ed. by Thomas Cushman and Stjepan G. Meštrovic. (New York University Press, 1996): 4-5.

[121]   Sabrina Petra Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to Ethnic War, 2nd ed.* (Boulder: Westview Press, 1996): 259.

[122]   Roy Gutman, *A Witness to Genocide*. (New York: Macmillan Publishing Company, 1993): xxx.

[123]   Daniele Conversi, "Moral Relativism and Equidistance in British Attitudes to the War in the Former Yugoslavia," In *This Time We Knew: Western Responses to Genocide in Bosnia*. Ed. by Thomas Cushman and Stjepan G. Meštrović. (New York University Press, 1996): 245. "Moral relativism, as it emerged in western reactions to the Bosnian War, can be best identified as an underlying current of public opinion that, even at the peak of Serbian atrocities and ethnic cleansing, was determined to view all parties in the conflict as 'warring factions' engaged in 'civil war.' The basic attitude was one of 'equidistance,' which assured us that all the parties in the conflict were 'equally to blame.' Hence this became a war without victims and aggressors, as if the hundreds and thousands of Bosnians who were massacred as a consequence of the Serbian invasion were themselves to blame."

However, this assertion should *not* be understood as the vilification of the entire Serb nation/all Serbian peoples. Furthermore, asserting the culpability of the Milošević regime should not be understood to suggest that other parties did not, to some degree, engage in problematic activities during the former Yugoslav wars.

In order to avoid such stereotyping of any group of peoples, analysis must break down any collectivity/group and look at the particular subgroups/institutions that are responsible for the creation of war/policy. To understand the (ethno)national group as a homogeneous, ungendered entity leads to analytical confusion/assumptions that create a negative discourse that primarily involves the cyclical projection of stereotypes/biases - i.e., analytical discourse becomes like nationalist discourse, oversimplified and amenable to creating conflict.

No other regime, in the contemporary Balkan context, has attempted to do what the Milošević regime has - the implementation of genocidal war policy aimed at the extermination of Croatians (Croatian war 1991-1992 and Bosnian war 1992-1995), Muslims (Bosnian war 1992-1995), and Albanians (Kosovo war 1998-1999). Serb objectors to the regime (in the Croatian, Bosnian, and Kosovo wars) were also subjected to persecution. While the political agenda of getting rid of Serb objectors is not genocide *per se*, it constitutes a common element of strategy of an unconventional state regime. It has been widely noted that in the Bosnian conflict, which was more prolonged than the Croatian war, Muslim (women, children, and men) victims were particularly numerous. The slaughter of these various civilians (women, children, and men) should signal to the world community that failing to recognize the human dignity of the victims of the Yugoslav wars, by not bringing to justice those culpable for their deaths, can only mean that the concept of human dignity is nothing more than an empty shell; morality requires nothing less than seeing the lost value of all those lives sacrificed in war, irrespective of

the (ethno)gendered classifications that codified those people during their lives. However, that is not to argue that (ethno)gendered identity construction(s) should therefore merely be rendered irrelevant or to suggest that we are all the same. It is to understand that the rape and torture, for example, of any woman, child, or man is morally and ethically wrong and that - irrespective of one's own (ethno)gendered classification(s) - one will acknowledge such acts as so. The human dignity of all people should be acknowledged in conjunction with difference (as opposed to sameness). Therefore, the wrongful death of any person is problematic; however, the systematic persecution and execution of *certain* people by unconventional state actors should be seen as a unique circumstance.

3.3   The Path to Disintegration and the Yugoslav Wars

"Yugoslavia was not destroyed by vast pressures of discontent from below. It was killed by policies initiated by the political leadership . . ."[124]

"Nationalist and secessionist movements in Slovenia, Croatia, and Bosnia were . . . not the cause, . . . but the inevitable consequence of the pan-Serbian national socialist and racist movement that openly threatened to undermine all the federal . . . institutions . . ., forcibly prevented the emergence of a multiparty system and private ownership, and promoted the racist negation of all ethnic and cultural differences . . ."[125]

While memories in the Balkans are reportedly 'long' and while history is not a matter of solely 'objective' interpretation, a brief (and selective) review of important dates in the Yugoslav context can serve to temporally situate the discussion. This examination is focusing on the post - fragmentation 'Second Yugoslavia'; the 'First Yugoslavia,' established on 1 December 1918, after World War I (1914-1918), was called the Kingdom of Serbs, Croats, and Slovenes - Bosnia-Hercegovina was included.[126] After the royal

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[124]   Denitch, *Ethnic Nationalism: The Tragic Death of Yugoslavia*, 63.
[125]   Slaven Letica, "The West Side Story of the Collapse of Yugoslavia," In *This Time We Knew: Western Responses to Genocide in Bosnia*. Ed. by Thomas Cushman and Stjepan G. Meštrović. (New York University Press, 1996): 176.
[126]   Carole Rogel, *The Breakup of Yugoslavia and the War in Bosnia*. (London: Greenwood Press, 1998): xx.

dictatorship of the Serbian King Alexander was proclaimed on 6 January 1929, the Kingdom was renamed Yugoslavia ('land of the south Slavs').[127] King Alexander was assassinated in 1934;[128] the Second World War began five years later. The 'First Yugoslavia' was occupied and divided on 6 April 1941. An independent Croatia (with Bosnia-Hercegovina) was established on 10 April 1941; this was essentially a Nazi (and, to a lesser extent, Italian fascist) 'puppet' state.[129] Resistance movements also began to organize at this time. On 29 November 1943, a provisional government was established by Marshall Josip Broz's (Tito's) Communist Partisans.[130] Two years later, the Federal People's Republic of Yugoslavia (the 'Second Yugoslavia')[131] was proclaimed by Tito's Partisans; six republics comprised the 'Second Yugoslavia' (Slovenia, Croatia, Bosnia-Hercegovina, Serbia, Montenegro, and Macedonia - Vojvodina and Kosovo were designated as provinces/regions).[132] Yugoslavia, subsequently, split from the USSR Cominform in 1948[133] because Tito and Josip (Joseph) Stalin broke off relations with one another.

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[127]   Rogel, *The Breakup of Yugoslavia*, xx.
[128]   Tom Gallagher, "My Neighbour, My Enemy: The Manipulation of Ethnic Identity and the Origins and Conduct of War in Yugoslavia," In *War and Ethnicity: Global Connections and Local Violence*. Ed. by David Turton. (University of Rochester Press, 1997): 60-61. The 'First Yugoslavia' "had a Serb monarch, a Serbian-led army and a Serb-dominated political system. . . . Serbian politicians made the mistake of failing to appreciate the historic sensitivities of other national groups."
[129]   Rogel, *The Breakup of Yugoslavia*, xx.
[130]   Rogel, *The Breakup of Yugoslavia*, xx.
[131]   Gallagher, "My Neighbour, My Enemy...," 47. The State's "second incarnation" officially took place in 1945.
[132]   Gallagher, "My Neighbour, My Enemy...," 49-50. "The Austrian historian, Anton Bebler criticizes Tito for adopting as a political blueprint the Soviet constitutional model, one destined to be a failure in the USSR itself. . . . Bebler argues that, following the Soviet example a powerful central position was given to Serbian (similar to that of Russia in the USSR), no federal district being created. . . . The different republics were given fictional sovereignty fully complemented by cultural and political institutions; in return the ceded political power to Tito and the Communist Party. . . . The Party was the main pillar of state authority, the other two being the military and the political police. The last two were dominated by officers from Serbia which led to various degrees of resentment elsewhere. . ."
[133]   Rogel, *The Breakup of Yugoslavia*, xx.

Throughout the late 1960s and early 1970s, liberal reform movements (especially in Croatia and Slovenia) emerged and were suppressed.[134] Largely in response to both the attempted liberalization movements and Tito's advanced age and ill-health, a decentralization constitution was adopted in 1974; Tito died six years after the new constitution's adoption in May 1980. "The retention of an authoritarian system of government, along with a complex system of decentralized decision-making, created mounting disagreements. After Tito, regional elites competed for influence until an attempt to recentralize the political system by traditionally dominant Serbia plunged the whole federation into crisis . . ." The 1980s were marked by an extreme economic crisis and disturbances in Kosovo, accompanied by the persecution of the large Albanian majority by Serbian forces.

In 1986, the Serbian Academy of Science and Art issued a memorandum, which outlined the plight of Serbs in the 'Second Yugoslavia' as the most marginalized group.[135] Slobodan Milošević came on the scene in 1987 and took over the League of Communists of Yugoslavia (LCY) - the supposedly federal and representative supreme political body of the 'Second Yugoslavia' - in September of the same year.[136] Serbian conservatives began the process leading to Yugoslavia's disintegration,[137] which was a reaction to other republics' rejection of the idea of a unitarist Yugoslavia with a dominant Serbia at the center.[138] Major responsibility for the destruction of Yugoslavia can be fairly leveled at

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[134]   Rogel, *The Breakup of Yugoslavia*, xx.
[135]   Rogel, *The Breakup of Yugoslavia*, xx.
[136]   Rogel, *The Breakup of Yugoslavia*, xxi.
[137]   Denitch, *Ethnic Nationalism: The Tragic Death of Yugoslavia*, 106. "The Serbs clearly started the process of disintegration of a federal Yugoslavia in the early 1980s they began pushing for changes in the 1974 constitution to give them control over the autonomous provinces of Kosovo and Vojvodina. Meeting resistance from the more liberal Western republics of Slovenia and Croatia, the Serbs organized a huge media campaign that reached a frenzy when opposition in the other republics began to harden toward constitutional changes and the Serbian heavy-handed repression of Albanians in Kosovo."
[138]   Ramet, *Balkan Babel*, 26.

the (conservative) Communist leadership of Serbia,[139] which was backed by certain Serbian intellectuals.[140]

> By 28 June 1989, . . . Milošević had evolved into a populist nationalist who emphasized trust in his own personality rather than in political institutions. . . . By now severe measures were taken against the Albanians which placed their province, hitherto a relatively autonomous attached to Serbia, under direct rule from Belgrade. Pro-Serb leaderships had also been installed in Vojvodina and Montenegro. These changes gave Milošević effective control over four of the eight regional leaderships represented in the collective state presidency, the most important executive in the country. . . . [W]hen the new Serbian leadership chose to discuss their plans, their preference for a unitary state with no federal borders, and with a strong federal president who could control defense, security and foreign policy, struck fear in all the other republics outside Belgrade's orbit . . .[141]

The end of the 1980s displayed the collapse of communism in eastern and central Europe and the USSR. In 1990, the last LCY Congress met (January), multiparty elections were subsequently held in the republics (April-December), Bosnian nationalists won the election (November), and Milošević robbed the Bank of Yugoslavia taking over half of its reserves (December). On 15 May 1991 the federal presidential rotation was blocked by Serbia (a Croat had been scheduled to take the post) and, on 25 June, Slovenia and Croatia announced independence. Subsequently, on 27 June, JNA forces moved against Slovenia. From July to December 1991, JNA forces fought in Croatia, with major assaults taking place on Vukovar and Dubrovnik. On 25 September the UN banned all weapons shipments to Yugoslavia, disadvantaging the (at the time) poorly supplied Croatian defense forces. Bosnian Serbs proclaimed a separate republic on 24 October and

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[139]   Denitch, *Ethnic Nationalism: The Tragic Death of Yugoslavia*, 185.

[140]   P. J. Cohen, "The Complicity of Serbian Intellectuals in Genocide in the 1990s," 55. "Dobrica Ćosić, a principal ideologist of the 1986 [Serbian] memorandum, was not alone among politically active intellectuals who worked to advance Serbia's war agenda. For example, psychiatrist Jovan Rašković who advanced his racial theory of the superiority of Serbs over Croats and Muslims in *Luda Zemlja* ['A mad country'], also played an important behind-the-scenes role in forging the 1986 memorandum. . . . The coauthors of the memorandum included the internationally regarded Serbian philosophers Svetozar Stojanović and Mihailo Marković, both prominent in the Belgrade political establishment as defenders and promoters of Serbian war policy."

[141]   Gallagher, "My Neighbour, My Enemy...," 52-53.

voted to stay in Yugoslavia on 9-10 November of the same year. At the end of 1991, on 20 December, Yugoslav Prime Minister Ante Marković (a Croat) resigned.[142]

> After the ten-day war in Slovenia in June 1991, the JNA withdrew to Croatia. . . . By mid-July 1991, the JNA had moved an estimated 70,000 troops into Croatia. Together with some 12,000 irregular Serb forces, both local volunteers and . . . groups imported from Serbia proper experimented with strategies that were to be used in Bosnia-Hercegovina. After the ceasefire in Croatia, the JNA withdrew to Bosnia-Hercegovina . . . . In May 1992, the JNA formally withdrew from Bosnia-Hercegovina. In practice, only some 14,000 troops withdrew to Serbia and Montenegro; approximately 80,000 troops transferred to the Bosnian Serb Army.[143]

On 15 January 1992, the European Community (EC) recognized both Slovenia and Croatia to be independent states (after Germany's prompting). The Bosnian referendum on independence took place on 29 February to 1 March; on 27 March, Bosnian Serbs proclaimed an independent Serbian republic within Bosnia. War began in Bosnia-Hercegovina on 5 April; the EC recognized Bosnian independence on 6 April and the United States recognized Bosnia, Croatia, and Slovenia on 7 April. Serbia and Montenegro became the Federal Republic of Yugoslavia (FRY) on 27 April, while Bosnia, Croatia, and Slovenia joined the UN on 22 May; eight days later the UN imposed sanctions against FRY. In the summer of 1992 there were news of concentration camps and ethnic cleansing, prompting the North Atlantic Treaty Organization (NATO) to approve action in Yugoslavia in June; the FRY was expelled from the UN in August.

In January 1993, the (ultimately unsuccessful, as became evident in May 1993) Vance-Owen Peace Plan was announced and the war crimes Tribunal was established at the Hague. The Former Yugoslav Republic of Macedonia (FYROM - FYRO precedes Macedonia at Greece's insistence) became a UN member in April. Thus, as of April 1993 there were five new states on the territory of the former Yugoslavia (Slovenia, Croatia, Bosnia-Hercegovina, FRY, and FYROM).

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[142]   Rogel, *The Breakup of Yugoslavia*, xxi.
[143]   Kaldor, *New and Old Wars*, 45.

On 1 March 1994, NATO bombed for the first time during the Yugoslav wars; the Muslim-Croat Federation was set up in Bosnia-Hercegovina on 18 March. In February 1995, Milošević rejected the June 1994 Contact Group Peace Plan and, in the following May, the Croatian army responded to Serb action in the Croatian district of Slavonia. On 11 July 1995, the UN "safe-area" of Srebrenica was destroyed by the Serbs; 6,000 Muslim men were killed as part of FRY war policy, while women were raped.[144] Early on in the following month, Croatian forces defeated Serb separatists in the Croatian district of Krajina. Later the same month and in early September, NATO leveled air attacks at the Bosnian Serbs. On 8 September the warring parties in the (three-year-long) Bosnian war agreed to peace talks. In this same month, the war crimes Tribunal also issued its first indictments and the warring parties agreed on a framework for the Bosnian constitution.

> The war in Bosnia-Hercegovina lasted from 6 April 1992 until 12 October 1995, when a ceasefire agreement, brokered by the US Assistant Secretary of State Richard Holbrooke, came into effect. Some 260,000 people died and around two-thirds of the population were displaced from their homes. Violations of human rights took place on a massive scale, including forced detention, torture, rape and castration. Many historic monuments of incalculable value were destroyed.[145]

The peace talks took place in Dayton, Ohio between 1-21 November 1995; the Dayton Accord was signed in Paris on 14 December 1995. On 19 January 1996 NATO troops completed the separation of combatants and weapons. The UN ended the four-and-a-half year arms embargo on the former Yugoslavia on 19 June 1996. On 14 September federal elections took place with nationalist parties winning. The UN ended sanctions on FRY on 1 October 1996. On 17 November, municipal elections were held in FRY with the opposition to Milošević winning in fourteen cities; however, he did not accept the outcome. The following year (1997), was plagued with increasing tensions in Kosovo as Albanian repression by the FRY regime, military, and paramilitary organs

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144   Rogel, *The Breakup of Yugoslavia*, xxiii.
145   Kaldor, *New and Old Wars*, 31.

intensified. Richard H. Ullman summarizes the first four former Yugoslav wars, to which the Kosovar war (1998-1999) can now be added:

> First was the brief and successful struggle for independence waged against the Federal Army (the . . . YPA) by the republic of Slovenia. Next was Croatia's much more protracted but ultimately successful effort to achieve the same objective, which, like Slovenia's, began with a declaration of independence on June 25, 1991. Third was the attempt by the Serbs of the Croatian district known as Krajina . . . to join . . . Serbia [which failed.] . . . The fourth - and the largest and bloodiest - war ravaged the republic of Bosnia and Hercegovina. The complicated origins of that conflict might without undue distortion be said to lie in the insistence of the Bosnian Serbs . . . on breaking up the republic and attaching the districts in which they lived to Serbia.[146]

During the Yugoslav wars, crimes of the highest gravity - genocide or 'ethnic cleansing', genocidal systematic rape and other human rights violations[147] - have been perpetrated against civilians[148] and together constitute a complete disregard for virtually all principles of international humanitarian law. Holly Cartner, executive director of Human Rights Watch, has "stressed the differences in the degrees and types of guilt of the warring parties in Yugoslavia. . . . [O]nly Serbian forces in both Croatia and Bosnia [and, more recently, in Kosovo] have tried to eliminate 'in whole or in part' a people on the basis of their ethnicity."[149] "All sides may have committed atrocities and war crimes, but all sides have not committed genocide."[150] UN and US Central Intelligence Agency (CIA) reports confirm this finding.[151]

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[146]   Richard Ullman, Ed., *The World and Yugoslavia's Wars*. (New York: Council on Foreign Relations Inc., 1996): 1-2.

[147]   James J. Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, (London: Praeger, 1998): 174. "Amnesty International and Helsinki Watch detailed the war crimes in Croatia and Bosnia, and enough prima facie evidence existed to [show] . . . that Serbian forces had been guilty of aggression, genocide, and the bulk of war crimes committed."

[148]   Ramet, *Balkan Babel*, 267. "As of December 1994, between 200,000 and 400,000 people had died since June 1991 as a result of the war between Serbs and non-Serbs, and at least 2.7 million people had been reduced to refugees. An estimated 20,000 - 50,000 Bosnian Muslim women had been raped by Bosnian Serb soldiers in a systematic campaign of humiliation and psychological terror."

[149]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 235. "The CIA apparently had thirty months of photographic evidence to support [this] . . . assertion."

[150]   Cushman and Meštrović, "Introduction," 18. See also: P. J. Cohen, "The Complicity of Serbian Intellectuals in Genocide in the 1990s," 45. "In early 1993, Tadeusz Mazowiecki, the rapporteur for the UN Commission on Human Rights concluded, 'the collected evidence leaves no doubt as to who is responsible for the horror [in the former Yugoslavia]: the Serbian political and military leaders in Bosnia-Herzegovina, supported by the authorities of the Serbian Republic.' " See also: V. P. Gagnon, Jr. "Ethnic

Because the international community initially supported the maintenance of the territorial integrity of the former Yugoslavia - thereby, discouraging the independent claims for self-determination made, first, by Slovenia, Croatia and, then, Bosnia and Macedonia - Serbia and the Yugoslav Army repressed the independence claims of other republics through the instigation and conduct of violent war (which targeted non-combatants).

> [I]n a situation that demanded innovative and imaginative thought and action, the Western response to the disintegration of Yugoslavia was generally characterized by . . . paralysis. . . . Consequently, at the crucial moment early on in the conflict, in June 1991, when US Secretary of State James Baker was confronted by Croatian and Bosnian appeals for support in the struggles for self-determination, his rejection was framed in terms that invoked traditional notions of sovereignty, security, and order and emphasized the destabilizing effects of secession. At that vital moment in post-Cold War history, accordingly, the Western superpower effectively told Serbia and the Yugoslav Army that they could use any means to hold the country together - without fear of Western intervention.[152]

The thinking that underpinned such posturing by Western powers is the Realist understanding that state fragmentation is not conducive to the maintenance of international order.[153] Furthermore, international legal principles have been used to legitimize such thinking.[154] Therefore, true to its dichotomized conception of the tradeoff

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Nationalism and International Conflict: The Case of Serbia ," *International Security*, Vol. 19, No. 3 (Winter 1994-1995): 160-161. V. P. Gagnon, Jr. notes that "by far the most egregious human rights abuses were committed by the Serbian guerrillas and the Yugoslav Army, including indiscriminate use of violence to achieve their goals of terrorizing the Serbian population into submission and driving out the non-Serb population."

[151]   Cushman and Meštrović, "Introduction," 15-16.

[152]   George, *Discourses of Global Politics*, 7.

[153]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 166. "Caution regarding secession and custom regarding internal conflict predisposed the international community to try to maintain a unified Yugoslav state, even at the cost of giving Belgrade free reign and ignoring Belgrade's denial of basic civil and human rights to both Serbs and non-Serbs. By posing as the old Yugoslavia, the new Serbian-Montenegrin state [FRY] could ignore the human rights conditions that the successor states had to meet. Most states initially refused to recognize Croatia, Slovenia, and Bosnia, but tacitly accepted Serbia's revision of the 1974 constitution and its arming of [Serbian] separatists in Croatia and Bosnia both before and after they were recognized as sovereign entities."

[154]   Sadkovich, "The Former Yugoslavia, the End of the Nuremberg Era, and the New Barbarism," 285. "The right to secede appears to have been denied in the Helsinki Declaration; the United Nations has made defending the sovereignty and the territorial integrity of established states its highest priority; and since the early 1970s there has been a bias toward existing states, a turn away from the ideals imbedded in the concept of self-determination, and a general disinclination to apply or recall those treaties seen as

between order and justice, rather than assessing the particular situation in the former

Yugoslavia, Realism rejected self-determination outright for the greater good, order. Jim

George notes that traditional international relations thinking was behind the ineffective

Western response to the Yugoslav crisis:

> There is nothing clear or simple about the Balkan war circa 1992-1993, nor is there any
> singular, all-encompassing theory of strategic action that can be applied to it in 'practice.'
> Yet . . . integral to the problems, inadequacies, and silences in (particularly) US responses
> to the post-Cold War crisis is *precisely this commitment* to a simplistic grand theory of
> international relations, honed during the early years of the Cold War and not seriously
> reflected upon since then.[155]

3.4 The (Unconventional) Triad: the FRY regime (the Belgrade Leadership/Serbian political parties), the JNA and the paramilitaries

The patriarchal unconventional state has a triadic structure, with two vertical

components (the regime centre and the formal army) and one horizontal organ (the

paramilitaries). The regime centre is the core of unconventional state power, while the

formal army carries out the primary military strategic-planning. The paramilitary body,

comprised of various cells, is the primary executor of unconventional war policy (i.e.,

ethnic cleansing). The concerted action of all three unconventional state bodies was

evident in the Croatian, Bosnian, and Kosovo wars, respectively. In addition, the regime

centre and the formal army participated in the ten-day long conflict in Slovenia, which

preceded the other conflicts.

Kaldor, who refers to the Final Report of the Commission of Experts, notes that

while there seems to be an indication of the total quantity of paramilitary groups in the

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inconvenient or irrelevant. It was thus predictable that the initial response to the crisis in Yugoslavia
would be to try to salvage a Yugoslav state, even if that meant giving the Yugoslav National Army free
reign and abridging certain basic civil and human rights of Serbs and non-Serbs alike."
[155] George, *Discourses of Global Politics*, 8.

former Yugoslavia, group size estimates are speculative.[156] "The UN Commission of Experts identified eighty-three paramilitary groups on the territory of the former Yugoslavia - some 56 were Serbian, 13 were Croatian and 14 were Bosnian."[157]

The majority of actors in the vertical branches of the unconventional state are middle-aged, Serbian men. The horizontal branch of the unconventional state (the web of paramilitary bodies) is comprised mostly of young to relatively young men; some women may also be paramilitary soldiers, but this is not evident in the available literature consulted. Kaldor notes that "around 80 per cent of the paramilitaries were common criminals and 20 per cent were fanatical nationalists".[158] The proportion of men in both these categories has been significantly greater than that of women. The age differences in the paramilitary soldiers possibly indicate something about the specific character of a given paramilitary unit. For example, cells which have an equal number of young and relatively young men, or which are comprised of a greater number of relatively young men tend to be more based on traditionalist (Chetnik) nationalist movements; this observation is made

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[156] Kaldor, *New and Old Wars*, 47. For example, Serbian forces were estimated to be 20,000-40,000 strong, Croatian forces to number 12,000-20,000, and Bosnian Muslim forces to be 4,000-6,000 in number.

[157] *Ibid.*, 47. Thus, Serbian forces appear to out-number the others in both quantity of cells and soldier composition. The Muslim groups are the smallest in soldier composition. A description of all the 83 groups is not provided by Kaldor, nor is there an indication if the Report provides detailed classification and information on the 83 individual paramilitary units. Instead, Kaldor focuses on the most prominent paramilitaries - e.g., Arkan's Tigers and Šešelj's Četniks/White Eagles - in her analysis. See also: Askin, *War Crimes Against Women*. Askin cites the Final Report; however, she tends not to focus on individual paramilitary group categorization in her examination of war crimes directed at women. While I have not directly cited the Report for its documentation of paramilitaries, in part because I have been unsuccessful in obtaining the document, the reader may wish to follow up on Kaldor's (and Askin's) reference to the Report. See: UN Doc S/1994/674, 27 May 1994, *Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780* (1992) (Yugoslavia). For further information on the Commission of Experts please refer to the following sources: [1] M. Cherif Bassiouni, "The United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992)," *American Journal of International Law*, Vol. 88 (1994): 784-805. [2] Virginia Morris and Michael P. Scharf, *An Insider's Guide to The International Tribunal for the Former Yugoslavia: A Documentary History and Analysis*, Vol. 2. (New York: Transnational Publishers, Inc., 1995). [3] *United Nations International Criminal Tribunal for the Former Yugoslavia, Basic Documents, 1995.* [4] *United Nations Yearbook, 1994*, Appendix 2, page 248.

[158] Kaldor, *New and Old Wars*, 53.

evident by the 'uniforms' of the groups in question - i.e., traditional symbols are displayed and traditional colours are worn by older (movement) groups. The groups comprised of a greater proportion of younger men tend to be more 'modern'/track-suit/soccer club-fanatic versions of their traditionally-leaning counterparts. The 'look' of a given group has, perhaps, the most to do with the perspective and direction of its leader and the locale of paramilitary-soldier recruitment. The leader's perspective, in turn, may help one to gage where in the political spectrum this individual fits and, therefore, perhaps, to determine his political and/or army linkages. The leaders of these groups tend to be middle-aged men, with political, economic, and often illegal connections, as well as criminal backgrounds.

Table 1, on page 52, contains the unconventional state groups of the FRY. It describes: one, the 'Affiliation' of each group or its place within the state structure and its institutional character; two, the 'Composition' of each group (ethnic background and gender); and three, significant actions in any of the post-1990 wars on the territory of the former Yugoslavia. More research would be necessary in order to pin-point the specific instances of (para)military activity, which took place in each of the major conflicts in the former Yugoslavia. Therefore, the noted 'Significant Actions' are only general indicators of the extent to which (para)military activity occurred; this is also the case for Table 2. Table 2, on page 53, presents prominent paramilitary groups of the FRY, which are a part of the unconventional state's third body, and assesses both their *individual* gender composition and involvement in the post-1990 internal conflicts.

Table 1:   Groups of the (Triadic) Unconventional State of the FRY

GROUP	AFFILIATION (Place in Unconventional State Structure and Institution type)	COMPOSITION	SIGNIFICANT ACTIONS (Post-1990)
Political regime of President Slobodan Milošević (of the FRY)	State Body 1; formal political organ; centre of power; vertical; patriarchal	President is a (Serbian) middle-aged man; majority① of other appointments② are held by (Serbian) men	Slovenian War (1991); Croatian War (1991-1992); Bosnian War (1992-1995); Kosovo War (1998-1999)
Yugoslav National Army (JNA) / *Jugoslavenska Narodna Armija*	State Body 2; formal military organ; primary strategic-planner; vertical; patriarchal	Majority of high-ranking officers are men (mostly③ Serbian, middle-age to 60s); Soldiers are young④ or relatively young⑤ men (mostly Serbian)	Slovenian War; Croatian War; Bosnian War; Kosovo War
Paramilitary	State Body 3; informal/irregular military organ; primary executor of ethnic cleansing policy; horizontal (web-like, multi-cell); patriarchal	Majority of leadership positions are occupied by middle-aged (Serbian) men with political connections and criminal backgrounds; Soldiers are young or relatively young men (mostly Serbian)	Croatian War; Bosnian War; Kosovo War

①   Refers to more than 98% (speculative).[159]
②   Refers to appointments such as Prime Minister (PM), Deputy PM, or Head of a Ministry/Department, as well as Conservative party member status.
③   Refers to more than 90% (speculative).[160]
④   Late teens/early 20s to 30 years of age
⑤   30 to 40-45 years of age

[159]   Lenard J. Cohen, *Broken Bonds: Yugoslavia's Disintegration and Balkan Politics in Transition, 2nd ed.* (Boulder: Westview Press, 1995): 166.
[160]   Cohen, *Broken Bonds*, 182.

Table 2: Paramilitary Groups of the FRY[①]

GROUP[①]	AFFILIATION (Place in Unconventional State Structure and Institution type)	COMPOSITION[②]	SIGNIFICANT ACTIONS (Post-1990)
Army of the Serbian Republic of Bosnia-Hercegovina (B-H)[③]	State Body 3; irregular; cell type (informal) 'Army'	**y. men >= r.y. men**[④]	Bosnian War
Police Headquarters of:	State Body 3; irregular;	y. men >= r.y. men	
i. Kluč (B-H)	cell type 'Police Headquarters'		Bosnian War
ii. Prijedor (B-H)			Bosnian War
iii. so-called 'Republic of Serbian Krajina', in Bania, Kordun, Lika, and Slavonia (Cro.)			Croatian War; Bosnian War
iv. Sanski Most (B-H)			Bosnian War
Security Agencies, Banja Luka Center of (B-H)	State Body 3; irregular; cell type 'Security Agency'	y. men <= r.y. men	Bosnian War
Units of:	State Body 3; irregular;		
i. Arkan (*Arkanovci*) or Arkan's Tigers (*Arkanovi Tigrovi*)	cell type 'Unit'	**y.men > r.y. men**	Croatian War; Bosnian War; Kosovo War
ii. Martić (*Martićevci*)		**y.men > r.y. men**	Croatian War; Bosnian War
iii. Šešelj (*Šešeljevci*) or White Eagles (*Beli Orlovi*)		**y.men < r.y. men**	Croatian War; Bosnian War; Kosovo War
iv. Other 'Četnik' formations[⑤]		y.men <= r.y. men	Croatian War; Bosnian War; Kosovo War

[①] Entries are listed alphabetically by cell type - i.e., (informal) 'army', 'police headquarters', 'security agency', and 'unit'. The list is not exhaustive; information is lacking.
[②] Unbolded entries are speculative; information is not readily available.
[③] Name was changed in June 1992; originally the group was called the "Serbian Territorial Defense Army". Some would define this army as a "regular" force.[161]
[④] y. men = young men (Late teens/early 20s to 30 years of age); r.y. men = relatively young men (30 to 40-45 years of age)
[⑤] Names unavailable.

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161   Kaldor, *New and Old Wars*, 46.

3.41   the Milošević regime

Even before the onset of war the Serbian Communists had made preparations for warfare.[162] "In Serbian-controlled areas, non-Serbs were systematically subjected to discrimination and unequal treatment; Serbian authorities in Krajina, Bosnia, Kosovo, and Vojvodina failed to protect both individuals and groups from adverse distinctions and undue preference. Indeed, they encouraged discriminatory behavior."[163] However as warfare 'progressed', Dijkink Gertjan asserts that it became clear that genocide was the central Serbian war policy.[164]

Duško Doder has asserted that the Serbian government under president Slobodan Milošević "has shown no interest in a confederate Yugoslavia" and that the aim of a 'Greater Serbia'[165] "inevitably meant a military conflict with their former compatriots,

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[162]   P. J. Cohen, "The Complicity of Serbian Intellectuals in Genocide in the 1990s," 54. "For years before the onset of war, the Belgrade regime covertly supplied arms, funds, and personnel for the Serbian irregulars (Chetniks), who were trained to fight a guerrilla war in Croatia and Bosnia-Herzegovina. Six months before the war 'officially' began with the June 1991 invasion of Slovenia and Croatia, barbed wire and posts were already erected in some sites that would become Serbian concentration camps. When the war began, Chetnik militias initiated their campaign of massacres, terror, torture, and rape, proceeding systematically from village to village. The Chetniks' victims were consistently unarmed non-Serbian civilians, as well as the occasional antiterrorist Serbs who would have been made into a public example. . . . To ensure their success, the Serbian-dominated regular army actively assisted in the Chetnik attacks, when needed. In official posturing; however, the Chetniks maintained the thinly veiled pretext of operating independently of Belgrade, while the army maintained the pretext of neutrality. This well-established strategy of using Serbian irregulars, covertly supported by the state, to execute a state policy of genocide may be termed the 'Chetnik subterfuge.' "

[163]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 182.

[164]   Michael Libal, *Limits of Persuasion: Germany and the Yugoslav Crisis, 1991-1992*. (London: Praeger, 1997): 93-94. "[T]he ferocity of the Serb onslaught against the civilian population in the conquered areas was far from being a regrettable side-aspect of a de-humanizing 'civil war'; rather it was a cold-blooded, systematic effort on a Stalinist or Nazi model to physically eliminate the non-Serb . . . population . . ." See also: Dijkink Gretjan, *National Identity and Geopolitical Visions: Maps of Pride and Pain*. (London: Routledge, 1996): 116.

[165]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 169. "Belgrade was obviously not trying to bring all of Croatia's Serbs into a Greater Serbia, only the half who lived in those areas seized by the JNA. . . . Belgrade was most interested in securing areas with economic and strategic importance, especially eastern Slavonia, which bordered Vojvodina, annexed by Serbia in 1989 when it unilaterally abrogated the 1974 constitution."

which the Serbs, as the largest Yugoslav nation, assumed they would win."[166] Milošević's

endorsement of a 'Greater Serbia' has been made explicit by statements he has made about

Yugoslavia's disintegration:

> On 16 January 1991, six months before the Yugoslav war of dissolution began, Serbian
> President Slobodan Milošević . . . told [European Community country ambassadors] . . . that
> if Yugoslavia were allowed to break up, Serbia would seek to carve out a new Serbian state. . . .
> Milošević said he was prepared to let Slovenia go. Macedonia was still under discussion.
> But he wanted to be absolutely clear about the Serb-inhabited parts of Croatia and about
> Montenegro and Bosnia-Herzegovina: they would remain part of the Yugoslav Federation.[167]

Roy Gutman asserts that the explanation of the Bosnian conflict as that of boiled-over

ancient animosities reeking havoc constitutes Serbian propaganda, designed to conceal the

appropriation of the former Yugoslav state apparatus by Milošević's conservative regime

for the purpose of establishing a 'Greater Serbia.'[168]

The Serbian plan called 'RAM' ('the Frame') - allegedly supported by Milošević and

carried out by his forces - "provided for the arming and organizing of Serbs in Bosnia-

Herzegovina and Croatia in preparation for the eventual incorporation of those areas into

an enlarged Serbian state."[169] As is noted in the upcoming sub-section on the JNA, the

Army's Department of Psychological Operations was linked to the Plan. "In 1993 alone,

the FRY treasury spent 1.176 billion on arms, materiel, and other supplies for Serbian

militias in Bosnia and Croatia."[170]

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[166]   Duško Doder, "Yugoslavia: New War, Old Hatreds," *Foreign Policy*, Vol. 90-93, No. 91
(Summer 1993): 17. "They would rely on the former Yugoslav Army, dominated by Serb officers." See
also: Gagnon, Jr. "Ethnic Nationalism and International Conflict: The Case of Serbia," 155-156. Prior
to "the 1990 elections the Belgrade media had stepped up its campaign against Croatia . . . . to provoke
violent conflict in Serbian-populated areas [and] . . . . conciliatory moves by the Croatian regime were
rejected, [while] . . . moderate Serbs who disagreed with Belgrade's conflictual strategy were branded as
traitors."

[167]   Jan Willem Honig and Norbert Booth, *Srebrenica: Record of War Crime*. (London: Penguin
Books, 1996): 71.

[168]   Roy Gutman, *A Witness to Genocide*. (New York: Macmillan Publishing Company, 1993):
xviii.

[169]   Cohen, *Broken Bonds*, 231.

[170]   Ramet, *Balkan Babel*, 204.

Milošević has built up a well-armed police force (which rivals the Serbian army in size) composed of rural Serbs from Croatia, Bosnia, and Kosovo who have little love for Belgrade's anti-war intellectuals or patience with the opposition politics of the city. . . . He has licensed and rewarded irregular militias led and staffed by marginal social types, some of whom have criminal records, the best-known being Željko Raznjatović, known as 'Arkan' and wanted on serious charges in several European countries.[171]

Despite the existing evidence,[172] Milošević has consistently denied the linkage of the Serbian paramilitaries to the JNA, to his regime, and to himself.[173] "The major aggressors have been the Serb nationalists and their paramilitaries; they have committed massive well-documented atrocities and rape in order to drive Muslims and Croats from the parts of Bosnia they intend to annex."[174] In the case of Srebrenica, evidence demonstrating the connection between the Belgrade leadership, the JNA and the paramilitaries is scarcer; however, an indirect link between the three is still evident, while the linkage between the

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[171]   Gallagher, "My Neighbour, My Enemy...," 67.

[172]   Cohen, *Broken Bonds*, 247-248. "Despite considerable evidence to the contrary, Serbian officials in Belgrade consistently maintained that they had no control over the fighting in Bosnia and that Serb forces in the former Yugoslav republic were conducting their own struggle. . . . Extremely close connections continued, however, between Belgrade's top political and military circles, and Serbian leadership groups in Bosnia-Hercegovina. Moreover, several extreme ultranationalist paramilitary groups based in Serbia (some closely linked to Belgrade official circles) were directly engaged in the fighting in Bosnia. Many details confirming the activities of such groups, and also the support they received from the top echelons of the power structure, would later emerge when Milošević and his wife decided to distance themselves from various individuals they came to describe as 'primitive nationalists'. . . . One of the most notorious examples of such externally orchestrated Serbian paramilitary activity (that Milošević has yet to disavow), involved the Belgrade underworld figure and aspiring warlord Zeljko Raznjatović, widely known by his *nom de guerre*, Arkan."

[173]   Tanner, *Croatia: A Nation Forged in War*. (London: Yale University Press, 1997): 256. "The liberal Serbian weekly *Vreme* . . . published a stenograph of a telephone conversation between Milošević and the Bosnian Serb leader Karadzić. . . . Much of the conversation revolved around General Nikola Uzelac in Banja Luka who, according to the Serbian president, was ready to supply Karadzić with the arms he needed. . . . Karadzić then switched track to the Yugoslav Air Force bombing raids over Croatia. 'That's good, but what's going on with the bombing?' he asked. Milošević answered: 'Today's no good for aviation, there's a meeting with the European Community.' In public Milošević continued to claim he was not involved in the war." See also: Cynthia Cockburn, *The Space Between Us: Negotiating Gender and National Identities in Conflict*. (London: Zed Books, 1998): 32. "Concealing his role behind a front of Bosnian Serb paramilitary forces and bands of irregulars from Serbia [Milosevic] . . . backed a military campaign with the aim of taking control of large areas of Bosnia. . . . 'Ethnic cleansing' . . . - by means of military action, murder and imprisonment, rape, intimidation and propaganda - was a central part of the political project."

[174]   Denitch, *Ethnic Nationalism: The Tragic Death of Yugoslavia*, 182.

JNA and Serbian paramilitaries is direct.[175] And the use of various mechanisms (i.e., 'Bureaux for Population Exchange',[176] 'Crisis Headquarters'[177] and concentration camps[178]) to remove local elites[179] and exterminate civilians, respectively, further substantiates the fact that political, paramilitary, and military branches of the unconventional state are jointly responsible for the planning and execution of internal warfare policies.

> Serbian forces systematically maltreated POWs and civilians, and they denied international organizations access to their areas. They razed whole towns and systematically destroyed evidence of Croatian and Muslim culture in areas that they occupied. By August 1992, thousands had already died in Serb camps, but the Red Cross was able to visit only ten of ninety-four camps in Serb-controlled areas the UN later estimated that 50,000 people had been tortured and killed in 700 camps.[180]

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[175]   Honig and Booth, *Srebrenica,* 179. "The evidence for the involvement of the Belgrade leadership in the Srebrenica operation is more circumstantial. US intelligence sources insist that armoured units from the Yugoslav Army were involved in the attack on the enclave. The Tribunal in The Hague has accepted the fact of Yugoslav Army involvement as evidence in the indictment of Karadzić and Mladić. . . . The Yugoslav Army participated in all major Bosnian Serb offenses . . . Furthermore, the far-reaching integration of the Bosnian Serb Army into the Yugoslav Army and its total logistical reliance on the Yugoslav Army resources are well-documented. Thus, for example, General Djordje Djukić, the man responsible for logistics for the Bosnian Serb Army, carried regular Yugoslav Army identity papers when he was arrested by the Bosnians in January 1996. . . . Given the scale of the [Srebrenica] operation and its political repercussions, it is also more than likely that the top political leadership was aware of the operation and gave its stamp of approval."

[176]   Kumar, *Divide and Fall...?* 53. "By the beginning of May 1992, Serb forces had begun establishing a northern corridor by consolidating their hold on Brčko and Doboj. 'Bureaux for Population Exchange' began to be set up all over northern Bosnia, which functioned for the most part as extortion dens. Muslims and Croats not only had to pay hard currency to be allowed to leave, but had to sign over properties and assets."

[177]   Honig and Booth, *Srebrenica,* 76. "[L]ists with the prominent Muslims were drawn up prior to attack in many places, a parallel local government administration had also been set up some time before. A so-called *krizni štab,* or 'crisis headquarters', comprised of local Serb political leaders and police, would be ready to take over power and organize the removal of the Muslim and Croat local elites. The people on the lists were rounded up and either summarily executed or sent to detention centres."

[178]   Cohen, *Broken Bonds,* 246. The world learned through the media about "the network of Serbian detention camps for interning Moslems and Croats, as well as other vicious atrocities linked to ethnic cleansing." See also: Honig and Booth, *Srebrenica,* 76. " 'The main objective of the concentration camps, especially Omarska but also Keraterm, a UN report concluded, seems to have been to eliminate the non-Serbian leadership. Political leaders, officials from the courts and administration, academics and other intellectuals, religious leaders, key business people and artists - the backbone of the Muslim and Croatian communities - were removed . . .'"

[179]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995,* 182. "In 1992, as Roy Gutman documented the existence of death camps, David Rieff described the mechanics of ethnic cleansing. He reported that the Serbs would divide the Muslims into groups, then usually kill the professionals, local notables, and able-bodied young men. Those in 'intelligence camps' were killed or held for later release."

[180]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995,* 184.

Ultimately, the primary culpability for the ethnic cleansing that took place during the former Yugoslav wars rests with the unconventional FRY state.[181]

> In 1993, the ICJ [International Court of Justice] ruled that Yugoslavia's failure to comply with injunctions to stop aiding the Bosnian Serbs made it an accomplice of genocide. Judge Lauterpacht noted that the JNA was a Serb force and that territory could not be lawfully acquired by aggression. He censured Yugoslavia for supporting genocide by Bosnian Serbs against the Muslims, but he dismissed Serb complaints of genocide against them because Serb atrocities committed against the Muslims far exceeded any wrong done Bosnia's Serbs. Because the embargo operated unequally on both sides, he hinted that the West was an accomplice to war crimes and concluded that the embargo was not valid.[182]

The United Nations Commission on Human Rights condemned the 'ethnic cleansing' being carried out in Bosnia-Herzegovina and demanded that the " 'Serbian leadership in territories under their control in Bosnia and Herzegovina, the Yugoslav Army and the political leadership of the Republic of Serbia [Republika Srpska]' use its influence with 'the self-proclaimed Serbian authorities in Bosnia and Herzegovina and Croatia' " to stop the practice of 'ethnic cleansing' immediately.[183] This condemnation, by the UN Commission, demonstrates the international community's knowledge of the link between the FRY (unconventional state) triad organs. Fred Pelka sums up the unconventional state's operational structure: "More than a quarter of Croatia and three-quarters of Bosnia-Hercegovina have been occupied by the Serb militia together with Serbian troops armed and supplied by the Milošević government."[184]

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[181]   Honig and Booth, *Srebrenica,* xx. "[F]inal culpability . . . must rest squarely on the shoulders of the most senior Serbian politicians and officers. They authorized and organized the crime. . . . The crime's systematic nature, the indications of extensive planning and carefully followed procedures, all point to the direct responsibility of the Bosnian Serb leadership in Pale and the collusion . . . of the Serbian leadership in Belgrade."

[182]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995,* 178-179.

[183]   "Yugoslav Crisis," *UN Chronicle,* 8. "self-proclaimed" authorities refers to paramilitary groups.

[184]   Pelka, "Voices from a War Zone," 6.

3.42   the Yugoslav National Army

By the late 1980s Slovenes, Croats, and Albanians increasingly viewed the National Yugoslav Army (JNA)[185] to be a repressive instrument of the central government "which was manipulated by Jović and Milošević. By March 1991, . . . Serbian military and nationalist circles were collaborating, and the JNA's arming of Serbs in Croatia in mid-1990 left few doubts regarding the Army's sympathies and intentions."[186] The JNA increasingly became a Serb-dominated army.[187] "Even before the conflict erupted in the former Yugoslavia, in 1991, the officer corps had been dominated by Serbs. . . . The Autumn 1991 exercises were a cover for the redistribution of the weapons confiscated by the JNA to the Serb territorial defence forces."[188] Thus, even when the JNA was still 'technically' the national army of the former Yugoslavia it had a relationship with irregular forces.[189] The JNA ultimatum of 1 October 1991 officially indicated that the JNA now worked for Milošević.[190] Milošević staged a government coup two days later:

> On October 3 the Serbian bloc in the federal presidency [of the then Yugoslav Federation] (the representatives of Serbia, Montenegro, Vojvodina and Kosovo . . .) met alone, without the representatives of Croatia, Slovenia, Bosnia, or Macedonia . . . . The purpose of this coup was to provide purely Serbian decisions with the legitimacy of an allegedly still pan-Yugoslavian institution, yet one that was under exclusive Serbian control.[191]

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[185]   Jugoslavenska Narodna Armija

[186]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 152.

[187]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 179. "The JNA was a Serbian force, and it acted without the authorization of a federal presidency that was deadlocked because Milošević controlled four of its eight delegates. The JNA prepared Serb rebellions in Croatia and Bosnia, then used the rebellions as excuses to intervene in both republics. Once Croatia and Bosnia were recognized as states, actions by the JNA and Belgrade to aid Serbian forces in either republic constituted aggression, not civil war."

[188]   Honig and Booth, *Srebrenica*, 72-73.

[189]   Libal, *Limits of Persuasion*, 175.   Libal states: "the memoirs by General Kadijević make clear not only the basic paranoid, communist, anti-Western and anti-democratic outlook of the Army leadership, but also the admiration for Milošević".

[190]   Libal, *Limits of Persuasion*, 59.

[191]   Libal, *Limits of Persuasion*, 59.

Eventually, the JNA was completely transformed into a "Serbian-run and Serbian-manned military force, which became almost completely autonomous from civilian and federal control."[192]

Libal points out that the JNA never tried to "seriously restrain the Serb paramilitary forces" and instead helped to equip them.[193] Direct cooperation between the Army and paramilitary forces was also evident. Furthermore, the systematic organization of the Serbian regime's campaign suggests (unconventional) *institutionalization*/the enactment of war *policy*.

> First, the regular forces would shell the area and issue frightening propaganda so as
> to instill a mood of panic. . . . then the paramilitary forces would close in and terrorize
> the non-Serb residents with random killing, rape and looting. Control over local
> administration would then be established. . . . [N]on-Serb men were separated from
> the women and taken to detention centres. Women were robbed and/or raped and
> allowed to go or be taken to special rape detention centres.[194]

In mid-1991 there were clear examples of the collaborative relationship that had been forged between the JNA and Serbian paramilitaries. On 24 - 25 August 1991, the Yugoslav Army:

> without warning overran the fertile region of Baranja, North of Osijek, on the north-east
> border with Serbia. The offensive in Baranja was the clearest case yet of the Army and
> the Serb paramilitaries acting together to extend the frontiers of a putative Greater
> Serbia. . . . [T]he Army . . . handed the region over to the government of the Serbian
> Autonomous Province of Slavonia and Western Srem, and drove out the entire Croat and
> Hungarian population except for a few old people.[195]

The Croatian war had demonstrated the JNA's complicity with Serb paramilitaries.[196] While "[t]he Croatian war was clearly a war of Serbian conquest, even though Serbia

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[192]   Cohen, *Broken Bonds*, 230-231. "Although the top ranks of the military establishment had long been composed of a disproportionate number of Serbs and Montenegrins, the ethnic disintegration of the JNA removed one of the last and most important institutions that had maintained and symbolized Yugoslavia's multinational character."
[193]   Libal, *Limits of Persuasion*, 175.
[194]   Kaldor, *New and Old Wars*, 51-52.
[195]   Tanner, *Croatia*, 254-255.

fought it by proxy, using paramilitary forces and remnants of the Yugoslav Peoples Army", in the Bosnia and Krajina conflicts "[i]nstead of calming Serb populations . . . Serbian politicians incited them to rebellion" with propaganda stating "that Croats and Muslims were plotting . . . against them."[197]   Milošević's conservative Serbian coalition "purposefully provoked conflicts [that] were publicly characterized by Belgrade as 'ethnic conflicts,' the result of ethnic hatreds, and the Yugoslav Army was called in to separate the ethnic groups."[198]

Later on, the JNA and Serbian paramilitaries similarly worked together, under the command of the Milošević regime, in the Bosnian war.

> The JNA, under Belgrade's direction played the same double game as it had in Croatia: while pretending as an institution to remain apart from the violence it allowed the infiltration of paramilitaries from Serbia and encouraged and armed the military formations of the Bosnian Serbs . . . . When the JNA formally pulled out of Bosnia . . . the overwhelming bulk of its equipment was transferred to the Bosnian Serb Army. In operational terms this army continued to be led from Belgrade and was financially dependent on payments from the Serbian government. It was a war of Serbia against Bosnia-Herzegovina even if, in terms of manpower, it largely (but not exclusively) relied on rebellious Bosnian Serbs.[199]

Lori Fisler Damrosch also documents that the Bosnian Serbs engaged in 'ethnic cleansing' in Bosnia by working in concert with the JNA.[200]

> The UN Commission says that the JNA's Department of Psychological Operations was reported to 'have had several plans for local provocation by special forces controlled by the Ministry of the Interior and 'Ethnic Cleansing'.' . . . Along with the Plan 'RAM' (to arm the Serbs in Croatia and Bosnia-Hercegovina) the JNA had an additional plan for mass warfare: 'Analysis of the Muslims' behaviour showed their morale, desire for battle, and will could be crushed most easily by raping women, especially minors and even

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[196]   Kumar, *Divide and Fall...?* 40. See also: Tanner, *Croatia*, 248. By 1991, the other (former) Yugoslav republics were becoming increasingly alarmed. "The Bosnian President, Alija Izetbegović, was particularly worried by . . .Croatia's civil war. . . . Izetbegović blamed the [Yugoslav] Army, accusing it of siding with Serb paramilitaries against Croatia's elected government, and of using his own republic as a launch pad for operations in Croatia."

[197]   Doder, "Yugoslavia: New War, Old Hatreds," 17-18.

[198]   Gagnon, Jr. "Ethnic Nationalism and International Conflict . . .," 156.

[199]   Libal, *Limits of Persuasion*, 93.

[200]   Lori Fisler Damrosch, Ed., *Enforcing Restraint: Collective Intervention in Internal Conflicts.* (New York: Council on Foreign Relations Inc., 1993): 42.

children, and by killing members of the Muslim nationality inside their religious facilities.'[201]

The Bosnian Serb party was, therefore, able to rely on the JNA to achieve its territorial conquest objectives.[202] Radha Kumar explains that it was the recognition of Bosnia-Herzegovina, pushed through on US initiative, which 'officially' made the JNA a foreign force in Bosnia-Herzegovina. The JNA presence in Bosnia-Herzegovina increased with the withdrawal of JNA troops out of Croatia and, although there had been "initial trust in the JNA because of the record of its local commander, General Kukanjac", the joint attacks which were made by JNA troops and Arkan's Tigers subsequently destroyed this perception.[203] James J. Sadkovich notes, as well, that "[t]he JNA, acting for the Yugoslav government, attacked directly; both Belgrade and the JNA sent irregulars into other republics; and both armed, trained, and incited rebel forces on their territories."[204]

The JNA's alliance with paramilitaries outside of Serbia proper apparently "weakened its appeal as an institution, even in Serbia proper."[205] Libal asserts that the JNA adopted "the Serb nationalist rhetoric about the Ustasha character of the Zagreb regime" and "freed soldiers and officers from any moral restraint in dealing with the enemy" which resulted in the systematic rape and 'ethnic cleansing' first in Croatia and later, on a much larger scale, in Bosnia.[206]

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[201]   Kaldor, *New and Old Wars*, 55-56.
[202]   Tanner, *Croatia*, 285. "After the referendum in March Bosnia declared independence on 6 April [1992]. As in Croatia, the local Serbian party, the SDS, was able to draw on the services of the Yugoslav Army to carve out its own territory. But in Bosnia the results were more striking. Within a few weeks the Bosnian Serbs held almost 70 per cent of the republic's territory."
[203]   Kumar, *Divide and Fall...?*, 54.
[204]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 178.
[205]   Libal, *Limits of Persuasion*, 50.
[206]   Libal, *Limits of Persuasion*, 58.

3.43 (FRY) Paramilitaries

"Some of the Serbs chatted to the Dutch [peacekeepers in Srebrenica]. Johan Bos, a 31-year old Sergeant, was quoted in the Independent on Sunday on 23 July 1995: They bragged about how they murdered people and raped women. . . . They seemed pleased with themselves in a sort of professional, low-key way. I believed what they said, because they looked and behaved as if they were more than capable of doing what they claimed. Each had a Alsatian dog, a gun, handcuffs and a terrifying-looking knife with a blade about nine inches long."[207]

The role of paramilitaries in the former Yugoslav wars has been that of the prime executors of (unconventional-state-developed) ethnic cleansing policy. Groups, such as Arkan's Tigers, have engaged in various cycles of ethnic cleansing during the period of the former Yugoslav wars.[208] These groups, as was noted in Tables 1 and 2 (pages 52 and 53, respectively), are comprised mainly of men, who are young or relatively young. Some percentage of the men are criminals and/or poorly educated (often coming from a rural background) and/or unemployed.[209] Those who are successfully recruited into paramilitary groups are either predisposed to believing the hate propaganda of political/(para)military leaders and/or are in need of financial resources. Financial resources are particularly scarce in transitional economies, which have essentially

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[207] Honig and Booth, *Srebrenica*, 36-37.

[208] Kumar, *Divide and Fall...?* 39. "On 1 April [1992], one of Serbia's most infamous paramilitary groups, Arkan's Tigers, led by a former sweetshop owner who was also said to have been a hitman employed by the Ministry of the Interior, moved into Bijeljina. They had been in eastern Slavonia the previous year, where they have pioneered 'ethnic cleansing,' the term which was first used to describe the pattern of mass murder and forced expulsion which grew to characterize the war in Bosnia."

[209] Tanner, *Croatia*, 245. " 'Captain Dragan,' . . . who was reported to have been a pimp in the Sydney underworld, lent the services of his militia to Knin, where his militiamen were dubbed 'Knindjas', after the American TV comic-strip anti-heroes. Zeljko Raznjatović, *nom de guerre* Arkan, [is] . . . a psychopathic nationalist fanatic whose bloodlust would find fullest expression in the wretched Muslim towns of eastern Bosnia in 1992. A robber of banks throughout Europe in the 1970s, he was reportedly recruited into the Yugoslav secret police. . . . His superbly athletic killers, the 'Tigers,' were also active in eastern Slavonia in the summer of 1991. . . . More ramshackle than the Tigers were the Beli Orlovi (White Eagles) of Vojislav Šešelj, paramilitary leader of the extreme-right Radical Party, which was then closely allied to Milošević's Socialists. . . . The White Eagles more consciously based themselves on the old Chetnik movement of the 1940s. . . . Šešelj was a Bosnian Serb . . . who had been imprisoned as a Serb nationalist in 1984. He emerged from Zenica jail an impassioned believer in a Greater Serbia. . . . During his election campaign in 1991 in the Belgrade suburb of Rakovica he had promised publicly to 'butcher the Croats, not with knives, but with rusty spoons.' "

'bottomed-out' and (para)military posts guarantee some economic security in such a chaotic economic environment. Subsequently, these individuals are trained to kill through their exposure to activities whose purpose it is to desensitize the soldier.

> A journalist described how a factory-worker who had never nursed hatred of his fellow Muslims and Croats with whom he had grown up, changed upon getting caught up in the [Bosnian] war: 'once he had joined up with Serbian fighters, the exercises involved slitting pigs' throats as practice for killing Muslims. He was told that the 'Islamic' government would stigmatize the Serbs, as the Nazis did the Jews, that Serbian babies were being slaughtered and Serbian girls held in brothels, and that the Muslims had killed his father. They had not. After his father visited him in prison, he realized he had been lied to . . .[210]

The Serbian paramilitary arm was first noticeable when groups "like Arkan's Tigers had . . . begun to undermine police and army functions in Serbia and Croatia (starting with Kosova and Knin) in the late 1980s, and had begun to move into Bosnia in the early 1990s."[211] Such paramilitaries operated under the Serbian Interior Ministry umbrella, which is one concrete institutional link to the FRY state.[212] "Vojislav Šešelj, one of ethnic cleansings' boastful agents in Croatia and Bosnia, admitted that the policy [of genocide] was planned in Belgrade and suggested a connection with the Serbian Ministry of the Interior. The finger of responsibility pointed ominously to president Slobodan Milošević of Serbia."[213]

Radha Kumar describes the general attack strategy of Arkan's Tigers: the men were separated from the women and children and, thereafter, the women and children were expelled from the territory, while the men were detained and/or executed. This strategy was used on numerous occasions and by various paramilitary formations:

> The strategy of Arkan's Tigers, which was adopted by other Serb paramilitaries, was to

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[210]   Gallagher, "My Neighbour, My Enemy...," 62.
[211]   Kumar, *Divide and Fall...?* 41.
[212]   Tanner, *Croatia*, 245. "It was in the villages of Vera, Bobota, and Bijelo Brdo, dotted on the road between Osijek and Vukovar, that groups of paramilitaries based in Serbia found a secure foothold. These paramilitaries operated under the umbrella of the Serbian Interior Ministry."
[213]   Rogel, *The Breakup of Yugoslavia and the War in Bosnia*, 34.

surround a village or small town, enter it, block off the entrances and exits, go from house to house ordering people onto the main street, separate men from the women and children, and allow the latter to leave the village after robbing them. The houses would then be plundered and destroyed, generally by fire. Some of the men would be murdered, others put to forced labour or herded into makeshift prison camps. The paramilitaries would come equipped with a list of prominent local Muslim community leaders: they would be the first to be killed.[214]

Jan Willem Honig and Norbert Both also describe a similar pattern of paramilitary activity, noting that the paramilitaries cooperated with the JNA.[215] Thus the evidence demonstrates that the women and men were separated in a systematic and organized manner.[216] In Bosnia, fighting-age men were especially targeted for execution as part of the goal of (para)military forces to permanently conquer territory. Non-Serbian men "had their throats slit, their noses cut off and their genitals plucked out."[217] The association of fighting-age men with the role of soldier was, in part, an outgrowth of the socialist Yugoslav period - during which Marshall Josip Broz Tito was dictator - and, specifically, the (sexist) Titoist notion of 'people's war.'[218] The bulk of the men who were targeted by Serbian paramilitaries were non-combatants. The success of ethnic cleansing - defined as

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[214] Kumar, *Divide and Fall...?* 39.

[215] Honig and Booth, *Srebrenica,* 73-74. "The attacks on the border towns followed a standard pattern. A ring of roadblocks, generally manned by JNA troops, would appear around a town. Serb inhabitants then received a warning to evacuate. Once they had gone, heavy artillery and mortars opened fire at the Muslim and Croat inhabitants.... Such bombardments lasted from several hours to several days. . . . Once a town was judged to have been softened by the JNA's artillery, paramilitary groups would move in. The objective of such groups such as Arkan's Tigers [Arkanovi Tigrovi], Vojislav Šešelj's Četniks and Mirko Jović's White Eagles [Beli Orlovi] was to 'ethnically cleanse' the town. The fall of Visegrad offers an...example: on 13 April 1992, the city of Visegrad was occupied by the Uzice corps. This group consisted of JNA soldiers, reservists, Uzice territorial defense forces, and White Eagles....The JNA...blocked all roads leading out of Visegrad with help from the White Eagles and Uzice corps. Soldiers at the roadblocks would take away Muslims, whose names would appear on a master list.... [Then t]he killing and torturing of Muslims began. . . . Many Serbs were seen throwing bound Muslims into the [Drina] river to drown them. . . .[M]any girls were taken to the Hotel Vilina Vlas, interrogated, and raped."

[216] Honig and Booth, *Srebrenica,* 178. "The deportation of the women and children and the capture, detention and execution of the men were parts of an integrally planned operation. . . . [F]rom the beginning General Mladić had taken a personal interest in the Srebrenica operation. He negotiated directly with [Lieutenant-Colonel Ton] Karremans[, Commander of the Dutch Battalion (pp.7)] about the deportation of the women and children and the separation of the men."

[217] Gutman, *A Witness to Genocide,* 51.

[218] Honig and Booth, *Srebrenica,* 75-76. "To the Yugoslav military, steeped in the Titoist tradition of territorial defence and people's war, every man was a potential fighter. Thus, men of military age were singled out for particularly brutal treatment."

achieving both territorial conquest and ethnic 'purification' - was, ultimately, but not solely, dependent upon the execution of men "without whom the population's women and children would have no means of returning to their birthplaces. Both the requirements of people's war and the dictates of ethnic purity demanded that potential resistance . . . be minimized."[219]

Throughout the 1990s, the Serbian police and (para)military forces engaged in a consistent campaign to push Albanians out of Serb-populated areas. Human Rights Watch reports:

> Police brutality and abuse in detention has long been 'business as usual' in [Kosovo] . . . .
> Yet in 1993 the nature and scope of the abuse expanded markedly. Police raids on homes and marketplaces occur daily . . . . Heavily armed Serbian police and regular army forces patrol the streets in Kosovo, creating a state of terror.[220]

And since 1990, police and military forces in Kosovo have been nearly 100 percent Serbian. Leading up to the war in Kosovo there continued to be the presence of Serbian paramilitaries and war criminals in the province and regular Serbian police were known to be working with the paramilitaries:

> One of the most notorious of the accused war criminals in the wars in Croatia and Bosnia-Herzegovina, Zeljko Raznatović, also know as Arkan, has made Kosovo his strong hold . . . .
> Moreover, Vojislav Šešelj, the president of the Serbian Radical Party (Srpska Radikalna Stranka - SRS) and the leader of a paramilitary formation, is currently a member of the Yugoslav government . . . . Arkan is a member of the Serbian parliament and the head of the party of Serbian unity.[221]

The majority of Serbian (extremist, right-wing nationalist) paramilitary leaders have active political connections. For example, the paramilitary leader Arkan was also a political ally of Milošević.[222] Serbian paramilitary leaders and their organizations are

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[219]   Honig and Booth, *Srebrenica,* 177-178.

[220]   Human Rights Watch/Helsinki (Formerly Helsinki Watch), *Open Wounds: Human Rights Abuses in Kosovo.* (New York: Human Rights Watch, 1993): xi.

[221]   Human Rights Watch, *Human Rights Abuses in Kosovo,* 95-96.

[222]   Libal, *Limits of Persuasion,* 37.

directly allied to or integrated into Serbian political parties.[223] Thus, paramilitary formations were formally institutionalized into and supplied by the Yugoslav National Army[224] and the Milošević regime.[225]

3.5   'UN-safe' Srebrenica (women and children - 'the civilized hostage takers') and the concentration camps[226]

As has been discussed, the two defining characteristics of the Serbian war in Bosnia-Herzegovina were that "it was highly organized and that ethnic cleansing was part of a deliberate strategy."[227] The Srebrenica massacres,[228] for example, provide specific

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[223]   Honig and Booth, *Srebrenica,* 74. "Šešelj also led the Serbian Radical Party and Jović has his Serbian People's Renewal. Arkan openly acknowledged the organizational and financial support of the Serbian Orthodox Church and himself led the Serbian Unity Party."

[224]   Honig and Booth, *Srebrenica*, 75-76. Honig and Both document the direct institutionalized link between the JNA, Serbian paramilitaries and the FRY leadership. Paramilitaries were supplied by the FRY and laws, passed by the Milošević government, accorded the paramilitary groups with regular army status and benefits: "[T]he logistical requirements of the militias...dictated that they had to be supplied by the Yugoslav state and army....Moreover, according to two not widely advertised laws of July and December 1991, the framework was created to include the paramilitaries in the JNA and accord them regular status with all related benefits."

[225]   Honig and Booth, *Srebrenica*, 75-76. "None of the militias was directly linked to the Serbian government party of president Milošević, nor to the dominant Serb party in Bosnia, the SDS of Radovan Karadzić. None the less, it is clear that they operated under instructions. . . . The absence of overt links with Milošević's government made it possible for him to deny responsibility for the crimes the paramilitaries committed. Thus the image was reinforced that the cleansing was a by-product of aberrant behaviour by 'irregulars', who were operating outside government control. The conflict was depicted by Serb propagandists as one caused by age-old nationalist hatreds and its excesses restricted to deviant individuals."

[226]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 204. "The fall of Srebrenica in July 1995 led to sharp criticism of [U.S. President Bill] Clinton and the UN. Yet if Charles Gati advocated action, Boutros Boutros-Ghali warned that UN forces could not defend the other safe areas and Pomfret reported that NATO aircraft had missed their targets. Lest anyone miss the message, a picture showed the Serb commander, Mladić, toasting the Dutch commander of the UN forces that had supposedly been protecting Srebrenica. Diplomacy, A. K. A. muddling through, was clearly the West's preferred course of action."

[227]   Honig and Booth, *Srebrenica*, 77.

[228]   Kumar, *Divide and Fall...?* 100. "The November 1995 tripartite talks at Dayton took place . . . at a time when peace seemed at last to be knocking at the door, but it was not clear what kind of peace would be let in. The proposed negotiations had changed to 'proximity talks' even before they had begun; preceding weeks had seen evidence of gross UN dereliction and horrifying massacres by Serb forces at Srebrenica accompanied by continuing ethnic cleansing around Sanski Most . . ."

evidence that systematic execution methods[229] were employed by the FRY unconventional state. In this context, women and children civilians were used/mobilized/politicized. While the unconventional state triad, dominated by men/masculine actors, formally/informally conducted war, women and children - like other war 'tools' - 'participated' in the Yugoslav conflicts. For example, in Srebrenica, women and children were even organized to hold a UN General 'hostage' in order to halt Serb (para)military advances on the enclave.[230]

> During [UNPROFOR Commander for Bosnia-Herzegovina, French General Philippe[231]] Morillon's presence in Srebrenica the Serbs had not fired a single shell on the town itself. . . . People feared that if he left, the shelling would start again. . . . Morillon . . . was surrounded by a crowd of women and children who refused to let him leave. [Nazer] Orić [- the Bosnian Muslim Commander[232] -] had received a coded radio message from Srebrenica's exiled Mayor, Mural Efendić, who was now in Sarajevo. Efendić told Orić , 'whatever happens, prevent Morillon from leaving Srebrenica until he provides security for people there. Do it in a civilized way. Use women and children.' The women . . . were mobilized by Fatima Huseinović, the president of the Women's League, which had been founded in May 1992 to enable the women to do their part in Srebrenica's fight for survival. . . . Morillon was surrounded by a sea of women and children. Some women lay in front of his vehicle. He . . . negotiated with the women for hours until he finally accepted that he had been taken hostage.[233]

The primary witnesses[234] to Serbian atrocities around Srebrenica were also women (and peacekeepers), who "reported seeing large groups of captured Muslim men as well as hundreds of dead bodies."[235] The situation in Srebrenica was extreme as had been the

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[229]   Honig and Booth, *Srebrenica*, 176. "[A]lthough hatred for the Srebrenica Muslims must have played a part, the Serbs' actions were not characterized by wild rage. The killings were skillfully prepared for and organized. In addition the executions do not appear to have been carried out solely or even predominantly by local troops and militias. . . . [V]arious witnesses report the presence of paramilitary units, including Arkan's Tigers, and special police forces in the area."

[230]   Kumar, *Divide and Fall...?* 61-62. "In March 1993, in an attempt to draw international attention to the plight of Srebrenica, the Bosnian government announced it would accept no more aid for Sarajevo while Srebrenica starved. On 11 March the new [United Nations Protection Force] UNPROFOR chief, General Morillon, went to Srebrenica to negotiate the opening of aid routes. Nazer Orić, who had been told . . . to keep General Morillon in Srebrenica until he had provided some guarantees of security, had mobilized Srebrenica's women and children to surround Morillon and hold him hostage."

[231]   Honig and Booth, *Srebrenica*, 82.

[232]   Honig and Booth, *Srebrenica*, 77.

[233]   Honig and Booth, *Srebrenica*, 86.

[234]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 237. "[I]ntelligence, including pictures of mass graves at Srebrenica, was simply suppressed [by NATO]."

[235]   Honig and Booth, *Srebrenica*, 53.

case during the Croatian war, when the city of Vukovar was also completely destroyed in the fighting prompted by Serbian paramilitaries.[236] In Vukovar, "[i]n a bombing shelter, one of the hundreds built throughout Yugoslavia during the Tito era . . ., it became clear where all the people had gone - underground. They were all women, faces pale and strained from weeks spent without sunlight, who jumped when any man entered their sanctuary."[237] As happened in Srebrenica, during the later Bosnian war, women and men had been strategically separated in the Croatian war. In Bosnia, about 48,000 civilians were ultimately cleansed from UN-safe[238] areas:

> The . . . Bosnian Serbs attacked and overran two of the 3 UN-proclaimed 'safe areas' in eastern Bosnia, Srebrenica and Zepa [in July 1995]. The offensive encountered no resistance. On 6 July the bombardment of Srebrenica began. On 8 July the Serbs were in possession of the town. About 48,000 civilians were expelled from the enclaves. Between 4,000 to 8,000 were never accounted for . . .[239]

The massacre[240] that followed the Serb take-over of Srebrenica is the largest single war crime[241] in Europe since the Second World War; "[b]etween 6 and 16 July 1995 the

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[236]   Tanner, *Croatia*, 266-267. "A group of observers from the Red Cross had insisted on accompanying the Serbs into the hospital, and on 18 October [1991] 106 patients were evacuated to Croatia. But, the following day at 11am, the Red Cross were expelled on the orders of a Yugoslav Army Colonel, Veselin Sljivancanin. All but 60 of the 420 remaining patients were removed from the hospital, killed and bodies dumped in a mass grave in a sheep farm outside the town, later to become the subject of a UN war crimes investigation."

[237]   Tanner, *Croatia*, 264.

[238]   Sadkovich, *The U.S. Media and Yugoslavia, 1991-1995*, 205. "Holly Burkhalter of Human Rights Watch was outraged that the UN stood by as Serbs seized and cleansed safe areas. She wanted the other enclaves protected, and she chided Congress for worrying that American lives might be lost in Bosnia to stop genocide but being indifferent to the loss of life in operations against Grenada, Panama, and Iraq."

[239]   Tanner, *Croatia*, 295.

[240]   Honig and Booth, *Srebrenica*, 65. "The best indication of the number of people who were killed in combat and executed by the Serbs is provided by the Red Cross. At the time of writing, the Red Cross list of the missing from Srebrenica contains 6,546 names, virtually all men. The total number of registered missing for the war in Bosnia as a whole, including those from Srebrenica, is some 11,000 Muslims, Serbs, and Croats."

[241]   Honig and Booth, *Srebrenica*, 65-66. "Under international humanitarian law, the summary execution of prisoners of war and/or civilians constitutes a war crime. What is more, in that their actions in and around Srebrenica violated the 'elementary dictates of humanity', the Serbs were also guilty of crimes against humanity. There was a 'systematic process of victimization' of the Muslim population that included, as Article 5 of the Statute of the Tribunal in The Hague states, 'murder, extermination, . . . deportation, imprisonment, torture, rape, persecutions on political, racial, and religious grounds and other inhumane acts'. The Srebrenica massacre was 'committed with intent to destroy, in whole or in a part a national, ethnical, racial or religious group, as such'."

Serbs seized the Srebrenica safe area, expelled 23,000 Bosnian Muslim women and children and captured and executed thousands of Muslim men."[242] The international community has recognized the massacre of civilian Bosnian men in Srebrenica, Bosnia-Herzegovina as a war crime. While women were raped and cleansed, the majority of those executed and buried in mass graves were men. "[M]any were tortured before being killed, a small number were put in prisons and only very few managed to escape. . . . By 16 August 1996 the Red Cross had registered 6,546 tracing requests for people missing from Srebrenica, 6,513 of whom were men."[243] Separation of women and men was clearly evident in the Bosnian concentration camps,[244] as was the differentiated treatment of people on the basis of gender.[245]

> Prisoners were transported to camps in tightly packed buses and freight or cattle trains. . . . When prisoners were unloaded at their destination . . . . [m]en between the ages of sixteen (or younger) and sixty were separated from the older men, women, and children. These men, considered of military age, were transferred to larger, more heavily guarded camps. . . . The critical fact is that Serbian war crimes and atrocities were systematized and centrally orchestrated, and they served as an instrument of state policy. According to a former prison guard from a Serbian camp in Bosnia, where about three thousand Muslims were murdered (Vlasenica), the confinement of the town's Muslim population was initiated by a unit of the Yugoslav Federal Army. . . . Throughout the existence of this camp, the commander was an active-duty Yugoslav Federal Army Major, which suggests the extent to which Belgrade authorities and the Yugoslav Federal Army centrally coordinated the 'ethnic cleansing' campaigns in Bosnia-Herzegovina and, before that, in Croatia.[246]

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[242] Honig and Booth, *Srebrenica,* xix.

[243] Honig and Booth, *Srebrenica,* xvii-xviii.

[244] Rogel, *The Breakup of Yugoslavia and the War in Bosnia,* 32. "When the International Red Cross obtained access to the camps [in Bosnia, in 1992], its investigators concluded that the Serbs were most to blame for the human rights violations, including at least 2,000 rapes." See also: Gutman, *A Witness to Genocide,* 50. "After a six-week killing spree, from the beginning of May to early June [1992] at the Brčko concentration camp and surrounding areas, at least 3,000 people were dead, the highest death toll at any of the 94 camps listed by the [Bosnian State] Commission [on War Crimes]. . . . After slaughtering nine-tenths of the prisoners, the guards turned on townspeople who had not been captured. . . . Then instead of tossing those bodies into the Sava [river], they had prisoners drive them to an animal feed plant. . . . [T]hat day the air in Brčko would stink so badly you couldn't open the window [- 'the bodies were being cremated for animal feed.']"

[245] Gutman, *A Witness to Genocide,* 144. "In the gulag of Serb detention camps in Bosnia, Omarska was synonymous with massive atrocities. As many as 4,000 Muslim and Croatian men died there of beatings, torture or disease . . . . Several were castrated before fellow detainees, others forced at gunpoint to have oral sex with each other. . . . The 33 female captives at Omarska suffered . . . rapes [and] . . . beatings . . ."

[246] P. J. Cohen, "The Complicity of Serbian Intellectuals in Genocide in the 1990s," 53.

3.6   Conclusion

It is clear from the former Yugoslav conflicts that the FRY is an unconventional state, characterized by a triadic organizational structure. The regime of Serbian president Slobodan Milošević, the JNA and the various paramilitary organs are institutionally connected and, thus, together responsible for both the creation and execution of war policy, whose consequence is (ethno)gendered violence. The paramilitaries were the main mechanism for physically implementing ethnic cleansing, systematic rape, and sexual torture, while the JNA supported the paramilitaries and ensured they were adequately supplied. The Milošević regime ensured that both the JNA and the paramilitaries had access to resources and that they carried out the regime's political/military/strategic goals in the Yugoslav wars. The civilian targets of the FRY war policy were differentiated on the basis of ethnicity and gender; women and men were strategically separated and 'dealt' with. Men were detained and/or exterminated, whereas women were raped and then expelled from the territory in question. Violence in the former Yugoslav conflicts was both (unconventionally) institutionalized and (ethno)gendered; it was systematic and the consequence of unconventional state war *policy*, not the result of randomly-acting individuals and/or *ad hoc* groups. In order to pursue further analysis of the gendered nature of violence and how a feminist/identity-deconstruction perspective contributes to this objective, the following chapter will focus on the role of 'women' in (ethno)nationalist discourse.

CHAPTER IV
The role of 'women' in former Yugoslavia:
Exposing the External and Internal 'Other(s)'

4.1 Introduction

Nationalism and internal or ethnic conflict have been increasingly prevalent in the post-Cold War period. Due to the high incidence of ethnic conflict and its grave humanitarian and socio-economic consequences there is a continuing effort to understand the phenomenon. In international relations and in comparative politics, for example, there is considerable research which attempts to identify and examine variables that can explain nationalist movements and the relationship between nationalism and ethnic conflict.

Because of the changing nature of war, of which contemporary ethnic conflict is an example, the traditional frameworks for understanding conflict and their unproblematized assumptions have come even more into question. For instance, the lines drawn between combatant and civilian, between regular soldier and paramilitary, and between conventional and unconventional state war policy are blurred in internal conflict. As was just discussed, the structure of the unconventional state and the nature of internal conflict are linked. Furthermore, due to this changing nature of conflict and the growing awareness of gender as a variable, the gendered dimensions of actors, policy, and structures have become more apparent. Still, many prominent analytical frameworks do not factor such developments into their assumptions. For example, well-known theories of nationalism essentially ignore the significance of gender to the construction of nationalism. Consequently, such approaches prompt questions such as whether identity,

which is an integral component of nationalism,[247] can be adequately theorised if only ethnic components of identity are considered?

One reason for the exclusion of gender from the basket of variables deemed worthy of analysis in the study of nationalism is that there is a tendency to regard gender as solely being significant to women. In such an interpretation, gender equals 'woman' and, therefore is only seen to be of interest to 'feminists.' However, contrary to this understanding, gender is relevant to both women and men and refers to feminine and masculine traits, not to sex characteristics. Marysia Zalewski, consistent with most second wave feminist theorists, defines gender as: "socially and culturally constructed categories of masculinity and femininity."[248] Furthermore, feminists, unlike their unidimensional stereotype, are a diverse and evolving group. Increasingly, 'gender' rather than 'women' has become the unit of analysis.[249] However, critics have correctly argued - Adam Jones,[250] for example - that feminist analysis of gendered ethnic violence has tended to focus on women only. It follows that women as well as men (of various backgrounds and experiences) can be feminists who pursue the systematic investigation of gender. Zalewski provides a definition of feminism which reads: "[feminism refers to] numerous sets of practices, theories, philosophies, and perspectives which take gender as an important and often central category of analysis."[251] Zalewski, further, points out that "the driving force of feminism is its attention to gender and not simply to women."[252] As Kimberley

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[247] Nickie Charles and Helen Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " In *Gender, Ethnicity and Political Ideologies*. Ed. by Nickie Charles and Helen Hintjens. (London: Routledge, 1998): 3.

[248] Marysia Zalewski, " ' Well, what is the feminist perspective on Bosnia?' " *International Affairs*, Vol. 71, No. 2 (April 1995): 341.

[249] Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 41. "[G]ender is a structural feature of the terrain we call world politics, shaping what we study and how we study it. Mapping practices conventionally employed in international relations fail to 'see' and therefore do not analyze this pervasive ordering principle. As a consequence, our conventional maps are not simply limited but actually misleading."

[250] Jones, "Gender and Ethnic Conflict in ex-Yugoslavia".

[251] Zalewski, " ' Well, what is the feminist perspective on Bosnia?' " 341.

[252] *Ibid.*, 341.

Manning and Barbara Arneil point out, gender is more useful than "women" as an analytical category "because it not only takes the relationship between women and men into account but relationships among various groups of women or men as well."[253]

In this examination I intend to consider what a feminist theory/gendered approach would add to the study of nationalism in the former Yugoslavia. First, I will briefly comment on the choice of the former Yugoslavia as an investigative focus and then on the nature of the relationship between nationalism and feminism. Next, I aim to investigate the traditionally assumed 'neutral' (ungendered) character of actors (various women and men who are defined as 'women' by nationalists) in nationalistic discourse (ideas and myths) and in relation to the consequences of the political/military use of nationalistic symbolism (i.e. policy - such as rape and sexual torture - which aims at undermining and ultimately destroying perceived enemy (ethno)national groups). In examining these factors I intend to expose the different gendered roles on (and in reaction to) which (ethno)national identity has been constructed. The focus of the investigation will be on how constructed categories of 'women' are used in former Yugoslav nationalism and, in particular, in conservative contemporary Serbian nationalism. From this analysis it will become evident that (ethno)national and gender identities have a complex and interrelated relationship. I will conclude by emphasizing the potential contribution of an inclusive gendered approach both to the study/theorising of nationalism and to the 'real' world of ethnic conflict, in which international law aims to serve as a protector of the idea of human dignity.

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[253]   Kimberley Manning and Barbara Arneil, "Engendering Peace Building," *Canadian Foreign Policy* (Fall 1997): 8.

4.2 nationalism and feminism?

The emergence of both nationalism and first-wave feminism took place at the end of the nineteenth century.[254] "In the early 19th century nation-states self-consciously created symbols to represent the nation. . . . Images of women as chaste, modest mothers and preservers of tradition were central to the ideology of nationalism. Women who deviated from this role were despised as transgressing the bounds of respectable womanhood."[255] With the birth of new nation-states in this period, nation-building and national identity-creation came to the fore, but paralleling this national identity construction was "the growth of women's organizations and discussions of gendered identities".[256] Considering that the origin of modern nationalism and feminism took place in the same period it is even more surprising that most discussions of nationalism have not connected the two. While Ida Blom points out this intersection in her work, many important theorists of nationalism give the impression that nationalism and the role of women have no connection; or to put it more correctly, they largely ignore gender. Thus, in the traditional theoretical literature on nationalism gender, identity issues and evidence of the gendered character of nationalist 'politics' (violence) seem to be 'lost' or inadequately investigated. This avoidance of the gender dimension is unacceptable because "[a]s the identity people are willing to kill and to die for, nationalism demands our best mapping techniques. A gender-sensitive analysis improves our map of nationalism. It illuminates the processes of identity formation, cultural reproduction, and political allegiance that are key to understanding collective identities and their political effects."[257]

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[254]   Ida Blom, "International Trends - Feminism and Nationalism in the Early Twentieth Century: A Cross-Cultural Perspective," *Journal of Women's History*, Vol. 7, No. 4 (Winter 1995): 82.

[255]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 3.

[256]   Blom, "International Trends...," 82.

[257]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 47.

4.3   traditional approaches to studying nationalism

In order to briefly consider the main ideas of some prominent scholars of nationalism, I will categorize them into an appropriate school of nationalist thinking. Although each scholar associated with a particular school is different, this basic categorization will allow their main contributions to the understanding of nationalism to be acknowledged, while demonstrating that the primordialist, instrumentalist and ethnicist perspectives on nationalism cannot make room for a more inclusive examination of identity.[258]   Feminist scholars, such as Catherine Hall and Joane Nagel, who see nationalism to be gendered, consequently critique the traditional understandings of nationalism on the grounds that, whether the understanding be primordial, instrumentalist, or ethnicist, nationalism's symbolism is taken as a given (or 'explained away') rather than analyzed.

The primordialists, for example well-known scholars such as Edward Schills and Clifford Geertz, generally explain nationalism as having existed prior to the nineteenth century. The instrumentalists, on the other hand, argue that the nation and nationalism are modern phenomena. Benedict Anderson, Ernest Gellner, Eric Hobsbaum and Terrence Ranger, and Anthony Cohen are influential Instrumentalists. The ethnicists can broadly be classified as holding a middle-ground perspective; John Armstrong and Anthony D. Smith are two prominent ethnicist scholars. While primordialists and ethnicists argue that the nation makes the state (ethnicity is an independent variable), instrumentalists argue the converse (ethnicity is an instrument or a dependent variable of the state).

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[258]   Anthony D. Smith, *Nations and Nationalism in a Global Era*. (Cambridge: Polity Press, 1996). Smith did not necessarily coin these terms; the categories are generally used in discussions of nationalism among well-established scholars, such as Smith (and the others who are, subsequently, mentioned).

Ultimately, primordialists see nationalism to be embodied in human nature and history. However, they do not analyze the gendered construction of (the concept) nature or of history. The idea of 'primordial hatreds' and old rivalries stems from primordialist assumptions of nationalism as preceding the state. Accordingly, nations existed before the rise of the modern era and the French Revolution. Furthermore, blood ties and racial affiliation are seen to foster intense and comprehensive solidarity amongst people in a particular (ethno)national group. This deeply rooted collective identity, therefore, can be seen as depending on ancient social and psychological links. While some primordialists emphasize a biological basis as the source of this collective identity, others point to a foundation which is created through the socialization of successive generations and leads to the establishment of a "we versus they" dichotomy. Ultimately, the primordialists ignore to whom "we" and "they" are specifically referring and instead assume that both "we" and "they" are homogenous groups. Furthermore, like instrumentalists, they use a nature/state (feminine/masculine) dualism to explain the origin of nationalist sentiments - that nationalism is rooted in a 'natural' affiliation which predates states. On the other hand, the instrumentalist argument concerns "motivation" for action; it is not necessarily associated with a state apparatus, but it can be. Turton describes instrumentalists as being concerned with material aspects of ethnicity and primordialists as focused on its cultural aspects.[259]

Instrumentalists, who adopt modernist state-centric assumptions, present a rationalist position in which the modern bureaucratic state is seen to break down regional loyalties. As modern societies are categorized by high literacy rates, a substantial middle

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[259]   Turton, "Introduction: War and Ethnicity," 11. Turton notes, on page 19 of his chapter: "Whether 'Primordialism' and 'Instrumentalism' really do reflect empirically separable academic approaches to ethnicity is another matter. . . . [L]ike the drawing of other academic boundaries which have been the subject of continuous but unresolved debate, this is another example of 'the human need to belong, to identity and hence also exclude . . .'" While the latter is true, it is also the case that Turton seems to be leaning toward the Ethnicist camp - i.e., trying to achieve a 'balanced' perspective on ethnicity.

class and increasing degrees of economic integration the notion that nations have primordial origins is rejected by modernist-instrumentalists. Further, this (qualified) Instrumentalist perspective sees the role of national elites as being of primary importance to the creation of nations and nationalism. Ultimately, for such instrumentalists, nations are constructed or 'imaginary.' Hall's discussion of Benedict Anderson's influential book *Imagined Communities, Reflections on the Origin and Spread of Nationalism* (1983) points out how it "has done much to set the terms of debate on nations and nationalism".[260] Anderson's contributions, which Hall acknowledges, are his critique of Marxism's failure to deal with the 'national question,' the historical specificity of the meanings of nation and nationalism and, above all, the idea that a nation is a politically and culturally imagined political community.[261] Hence, the modernist-instrumentalist understanding of nationalism is functionalist and not essentialist - nationalism is a fabrication, a manipulation, and above all politically induced. Underpinning the rationalist assumptions of the modernist-instrumentalists is the notion of an individual actor, which is posited as a universalistic, neutral being. Nagel, in her discussion of state power, citizenship, nationalism, militarism, revolution, political violence, dictatorship, and democracy, as masculine projects into which women are 'scripted' as "supporting actors whose roles reflect masculinist notions of femininity and of women's proper 'place' ", argues that the work of Anderson as well as that of Ernest Gellner, Eric Hobsbaum and Terence Ranger, and Anthony Cohen, neglects to consider the role of gender in (ethno)national identity-construction.

While rejecting an absolutist primordial position, ethnicists accept that there are distinct characteristics of modern states such as citizenship. For example, Smith would argue that "all nations 'are formed out of 'civic' and 'ethnic' components' and that 'the

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[260]   Catherine Hall, "Gender, Nationalisms and National Identities," *Feminist Review*, No. 44 (Summer 1993): 97.
[261]   Hall, "Gender, Nationalisms and National Identities," 97.

modern nation, to become truly a 'nation' requires the unifying myths, symbols and memories of pre-modern *ethnie*.' "[262] Ethnicists also assert that the creation of a nation takes place over a long period of time, but that this process was accelerated by the French Revolution in the late eighteenth century. An ethno-cultural community, ethnicists argue, is not a civic identity because the 'ethnie', to use Smith's term, or ethnic group has sentiments (anything from xenophobia to religious feeling) which are thought to be pre-modern, although not primordial. Ethnic communities are characterized by resurgence and decline. And the role of state propaganda is recognized as being an influential mobilizer of people along ethnic lines. Ultimately, for ethnicists, ethnicity is an identity which is more powerful than others (class identity, for example), yet on its own it cannot explain nationalism. Thus, ethnicists conceive of identity as being hierarchically ordered, with ethnic identity at the top of the hierarchy. Yael Tamir, in evaluating Smith's claim that national identity "is more meaningful than other identities because it is stable", points out that "[g]ender identity is as entangled in our self-image as national membership" and that "class solidarity influences our self-perception no less than national fraternity".[263] Therefore, ethnicists do not consider, as Blom does, for example, the issue of whether identities are competing[264] on a contextual basis because, according to their perspective, ethnic identity is always primary and cannot be trumped (by 'lesser' identities such as class and gender, for instance).

Ultimately, the three dominant schools of nationalist thought, in different ways, leave no room for an adequate consideration of the role of gender in the construction of (ethno)nationalist discourse. Primordialist thought rests on an untheorised "we versus they" dichotomy and a nature/state dualism, whereas the modernist-instrumentalist argument hinges on a dualistic construction. As for the ethnicists, there is an inherent

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[262]   Turton, "Introduction: War and Ethnicity," 13.
[263]   Yael Tamir, "The Enigma of Nationalism," *World Politics*, Vol. 47 (April 1995): 431-432.
[264]   Blom, "International Trends...," 89.

hierarchy in their understanding of identity which assumes that ethnic identity will always be dominant and that, despite changes of context, other identities will always and uncontestedly remain subservient to (ethno)national identity. Although, all the schools should be seen to have advanced the study of nationalism, if not only for the fact that they have brought attention to it, they leave much uncharted territory. Ultimately, ethnic or (ethno)nationalism is generally defined, by traditional perspectives, as based on the "common ancestry, history and culture of all members of the group";[265] however, (ethno)nationalism appears to be even more complex than this definition suggests. Therefore, it is necessary to consider nationalistic symbolism and its concrete manifestations in the former Yugoslavia through a gendered lens.

4.4   thinking/theorising about gender and nationalism

How significant is the claim, made by Blom and others,[266] that gender is a part of (ethno)national identity construction? Or, in other words, is there a relationship between gender and (ethno)nationalism? My argument is that there is evidence to suggest so.

> Nationalism defines who belongs and who does not belong to the national collectivity, and prescribes appropriate gender and sexual identities by which genuine members of the nation may be recognized. National identity is also associated with specific forms of sexuality and particular ethnicities. . . . In a sense, if nationalism is ethnically based and defines ethnicity as something that runs in the blood then it necessarily involves a tight control of women's sexuality in order to define and maintain the boundaries of the ethnic community.[267]

Barbara Einhorn also asserts that this claim is indeed a significant one because gender relations are influenced by power relations both within and between (ethno)national

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[265]   Turton, "Introduction: War and Ethnicity," 12-13.

[266]   Blom, "International Trends...," 90. "No nation was constructed without utilizing gender differences in one way or another . . . . The very concept of citizen had given priority to one gender, male, and excluded the other, female."

[267]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 6.

groups.[268] Einhorn posits two questions which are useful guides to examining the connection between gender, nationalism, and ethnic conflict: How do women identify themselves or become identified, both individually and as a part of a (ethno)national group? And, what happens to women in ethnic conflict?[269] The first question relates to the issue of gender symbolism in nationalism and the second to the consequences of such symbolism upon its concrete application through nationalist politics. The answers to these questions have implications for both women and men (as will be explored in more detail shortly).

On the issue of symbolism, Cynthia Enloe, for example, "argues that women are relegated to minor, often symbolic, roles in nationalist movements and conflicts, either as icons of nationhood . . . or as the booty and spoils of war."[270]

> [W]omen . . . serve as symbolic markers of the nation and of the group's cultural identity
> . . . . In this context, the symbolic realm is elevated to strategic importance: symbols
> become what's worth fighting - even dying - for, and cultural metaphors become weapons
> in the war. The metaphors of nation-as-woman and woman-as-nation suggest how women
> - as bodies and cultural repositories - become the battleground of group struggles.[271]

Nagel also talks about how nationalists often liken the nation to a family: "women are thought by traditionalists to embody family and national honor; women's shame is the family's shame, the nation's shame, the man's shame."[272] V. Spike Peterson talks about the symbolic use of the terms nature, nation, and motherland to signify 'woman' in nationalist discourse. "The personification of nature-as-female transmutes easily to nation-as-woman, where the Motherland is a woman's body and as such is ever in danger of violation - by 'foreign' males. . . . [I]mplicit . . . is a tacit agreement that men who cannot defend their

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[268]   Barbara Einhorn, "Introduction: Links Across Difference - Gender, Ethnicity, and Nationalism," *Women's Studies International Forum*, Vol. 19, No.s 1-2 (1996): 1.
[269]   Einhorn, "Introduction...," 2.
[270]   Joane Nagel, "Masculinity and Nationalism: Gender and Sexuality in the Making of Nations," *Ethnic and Racial Studies*, Vol. 21, No. 2 (March 1998): 244.
[271]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 44-45.
[272]   Nagel, "Masculinity and Nationalism...," 254.

woman/nation against rape have lost their claim to that body, that land."[273] Nature is seen as female, nation is equated to 'woman' and motherland signifies 'spatial, embodied femaleness.' Peterson writes: "the land's fecundity, upon which the people depend, must be protected by defending the body/nation's boundaries against and violation by foreign males."[274] Thus, " '[w]omen's' use in symbolically marking the boundary of the group makes them particularly susceptible to control in strategies to maintain and defend the boundaries. Here women's movements and bodies are policed in terms of their sexuality, fertility, and relations with 'others,' especially with other men."[275] Furthermore, the "nation-as-woman" temporal metaphor reinforces this imagery: "the rape of the body/nation not only violates frontiers but disrupts - by planting alien seed or destroying reproductive viability . . ."[276] Katherine Verdery argues that (ethno)national symbols can be thought of in gendered terms. Like Peterson, Verdery asserts that nations can be 'feminized' and 'raped.'[277]

4.5   External and Internal Nationalist 'Other(s)'

Peterson argues that reproductive processes are politically significant to nationalism (although this has been traditionally ignored).[278] Nagel brings attention to five ways in which women tend to "participate in ethnic, national, and state processes and practices", namely: one, as biological producers of members of ethnic communities; two, as reproducers of the normative boundaries of (ethno)national groups; three, as participating in the ideological reproduction of the collectivity and transmitting its culture;

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[273]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 44.
[274]   Peterson, "The Politics of Identification...," 7.
[275]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 45.
[276]   Peterson, "The Politics of Identification...," 7.
[277]   Katherine Verdery, "From Parent-State to Family Patriarchs: Gender and Nation in Contemporary Eastern Europe," *East European Politics and Societies*, Vol. 8, No. 2 (Spring 1994): 228.
[278]   Peterson, "The Politics of Identification...," 7.

four, as signifiers of (ethno)national difference; and last, as participants in national, economic, political and military struggles.[279] As will become evident, all these manners of participation are determined and/or significantly influenced by the constructed role of 'women' in nationalist discourse.

The physical survival of an (ethno)national group depends on the roles of both women and men in reproduction, but in nationalist discourse it is the symbolic 'womb'/national body to which the survival of the (ethno)national group is attached. To destroy the 'national body', women's bodies are violated and mutilated in order to eliminate women's ability or will to reproduce, or for the purpose of impregnating the women with 'alien seed'; however, certain men, through sexual abuse, are 'demasculinized' or made into 'women' as well. Such treatment of women and men, in ethnic conflict fueled by nationalism, exposes the presence of different 'women' in nationalist discourse.[280] Accordingly, I agree with the idea that some groupings of people are interpreted differently by nationalists and nationalist projects. The different 'women' that I see as existing in nationalist discourse are: 'feminist/communist/non-traditional women' who are traitors to the nation, 'alien whore women/girls' who can be raped,[281] 'nationalist women/traditional mothers' who are the keepers of the culture and who maintain the honor of the nation, 'demasculinized/militarily conquered men' who can be sexually violated and mutilated and made to engage in forced homosexual acts (which are

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[279] Nagel, "Masculinity and Nationalism...," 252-253.

[280] Sheila Allen, "Identity: Feminist Perspectives on 'Race', Ethnicity and Nationality," In *Gender, Ethnicity and Political Ideologies*. Ed. by Nickie Charles and Helen Hintjens. (London: Routledge, 1998): 61. "I see no difficulty in accepting that some people, including myself, think of themselves simultaneously as an outsider and insider, a stranger and an in-group member in ethnic, national and class terms. How we are perceived is a different matter."

[281] Askin, *War Crimes Against Women*, 265-266. "Sexual violence routinely directed against women during periods of armed conflict is often gender based, although gender may intersect with other issues. . . . 'Rape in conflict is also used as a weapon to terrorize and degrade a particular community and to achieve a specific political end. In these situations, gender intersects with other aspects of a woman's identity such as ethnicity, religion, social class or political affiliation. The humiliation, pain and terror inflicted by the rapist is meant to degrade not just the individual woman but also strip the humanity from the larger group of which she is a part.' "

perceived, by the torturers/military personnel/paramilitaries directing warfare policy, to be deviant, immoral, and feminizing), and 'deviant homosexuals' who have no place in 'moral' nationalist discourse.

The 'alien whore women/girls' and 'demasculinized/militarily conquered men' are symbolic categories of 'women' that are used as *external* 'Others' in nationalist discourse, whereas the remaining categories function as *internal* 'Others.'

> [T]he gender hierarchy of masculine over feminine and the nationalist domination of insiders over outsiders are doubly linked. . . . [N]ationalism is gendered in terms of how the construction of group identity (allegiance to 'us' versus 'them') depends upon divisions of masculinity and femininity. . . . Nationalism is also gendered in terms of how the naturalization of domination ('us' at the expense of 'them') depends on the prior naturalization of men/masculinity over women/femininity.[282]

The gendered 'Other' is a concept which the articulators (usually elites) of nationalist sentiment employ in order to define the nation against an enemy or 'outside,' which the nation must conquer and violate and from which the nation must be 'protected'.

> Nationalisms which are based on essentialist notions of identity define those outside the collectivity as different. Within the collectivity there are also differences: differences between men and women and differences in sexual orientation and class positioning, some of which are allowable and some of which are not. Women's [ethnic] . . . . identity is shared with men of their collectivity and marks them off from 'other' women. However, other differences are not allowable and mark those who exhibit them as potential enemies within.[283]

All these gendered categories, except the 'nationalist woman/traditional mother' have an explicit negative connotation associated with them or are considered to be 'bad/antinationalistic'; however, *all* categories consist of marginalized groups. "Identity, when construed as uni-dimensional rather than as composed of shared attributes and part of social relations, leads to marginalization of those who do not fit the categories of 'X' and 'not-X' ",[284] but who 'need' to be made to fit. These 'women's' roles are, ultimately, representative of ideas about what constitutes ('good' and 'bad') femininity in and between

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[282]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 47.
[283]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 6.
[284]   Allen, "Identity: Feminist Perspectives on 'Race', Ethnicity and Nationality," 60.

(ethno)national groups. In a context where nationalist politics are extremely salient - i.e. especially during periods of ethnic conflict[285] - particular 'women's' roles are imposed on people, usually for the purpose of serving (political) power interests. I will examine each of these categories in turn.

4.6   'feminist/communist/non-traditional women'

Wendy Bracewell begins her examination of Serbian nationalism in the former Yugoslavia by, first, considering the role of women in the socialist period (1945-1991): "the role accorded to women in socialist Yugoslavia was to contribute to the building of socialism through the family, work, and political activity."[286] With the disintegration of the former Yugoslavia in the early 1990s, however, most of the former Yugoslav republics moved - in varying degrees - to post-communism.

> [B]oth nationalism and patriarchal sexist ideology have been a constant in the history of Yugoslavia, and . . . socialism, in spite of its official discourses concerning the national question and the position of women, did not bring about a notable and lasting change. . . .
> In the socialist system it was between, on the one hand, the official discourse of women's equality and, on the other, women's own reality in which patriarchal values prevailed. In the present nationalist 'new democracies' there is a contradiction between the symbolic importance of 'woman' for the nation, the official discourse which puts women on a 'pedestal', and their marginalization, exclusion from the political scene and increased violence against them.[287]

The reasons for transition to post-communism are complex, involving both political and socio-economic factors. While some might argue that the communist phase was indeed an

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[285]   Ramet, *Balkan Babel*, 283. " '[I]n times of general social dislocation' - such as is associated with a war - 'fears about change are often displaced onto women.' . . . Second, war feeds on nationalism . . . . '[G]lorifying the nation always ends up meaning that women's interests should be subordinated to men's and that women should accept, as their principal purpose in life, the 'duty' to bear children for the nation. Third, [the] . . . desire for 'simplification' leads directly to the marginalization of any dialogue directed to women's equality and to calls for focusing all national energies on war and survival."

[286]   Wendy Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," *Women's Studies International Forum*, Vol. 19, No.s 1-2 (1996): 25.

[287]   Mirjana Morokvasic, "The Logic of Exclusion: Nationalism, Sexism and the Yugoslav War," In *Gender, Ethnicity and Political Ideologies*. Ed. by Nickie Charles and Helen Hintjens. (London: Routledge, 1998): 68-69.

artificial one, or contrary to the 'true' nature of Balkan society, others would reject a primordially-leaning argument and point to the resistance of various people towards transition. I would argue that, to some extent, communism was 'artificial' in the 'Second Yugoslavia; however, I would also qualify absolutist primordialist explanations. Clearly, there is something to be said about the 'artificiality' of (ethno)nationalism as well as there is for communism; however, this is not to suggest that (ethno)nationalist sentiment is not deeply felt by many, nor to ignore that many feel resentment towards actual and perceived injustices suffered during the communist period. Unfortunately, the 'post-communist' period is fraught with many dilemmas; some of these problems suggest that 'transition' is a much longer process than originally thought.

Consequently, nationalist ideology and politics replaced socialist/communist ideology and politics as a guide for what society should look like and for how gender roles should be constructed within the context of that society, both in the public and the private spheres.

> What has become known as ethnic nationalism in the former state socialist societies is a response to the collapse of all-encompassing state control and the search for new or revived collective identities. The gender order imagined by [such] . . . nationalism is generally rooted in an idealized past . . . and women's role as mothers and guardians of cultural identity, symbolizing stability in the face of change. . . . Men are active in the public sphere, women are centered in the private domain where cultural continuity is guaranteed along with the identity of family, community and nation. Such movements . . . . require women to be mothers first and foremost and to produce sons who can defend the nation and daughters who can carry on its traditions. Women's sexuality is to be put to use for the cultural community - nation or ethnic group - to which they belong.[288]

"Over the last few years, nationalism - especially authoritarian, state sponsored nationalism - has become the dominant political ideology in the former Yugoslavia."[289] This development suggests that in the face of political and economic chaos (which was present prior to transition and communist collapse) people were moved by what they could

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[288]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 4-5.
[289]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 25.

identify with - i.e., something which, through its attachment to their actual/perceived identities, was 'theirs' (or trustworthy) and not 'others' ' (or suspicious/dangerous).

Verdery discusses how nationalism in Eastern Europe in general is anti-communist/socialist.

> Because communist parties all across Eastern Europe mostly toed the Soviet internationalist line in public [or their own variation of that line, in the case of Yugoslavia], nationalist sentiment became a form of anti-communism. This resistant aura to nationalism makes it an obvious means for reversing the damage communists did to the nation they suppressed.[290]

Furthermore, because feminism is seen to be communist/socialist, feminism is attacked (by nationalists) as a anti-national position.[291] Consequently, traditional roles for women can be legitimized on the basis of nationalist patriotism.[292]

> To the extent that women are seen as having benefited from socialism . . . . feminism becomes socialist and can be attacked as anti-national. . . . The nation's recovery from socialism requires, then, a new patriarchy, instituted through a new democratic politics that serves the national idea.[293]

Hilary Charlesworth, Christine Chinkin and Shelley Wright also point out that sometimes the emancipation of women is regarded as a communist tactic which must be resisted by a return to traditional values.[294] Therefore, 'feminist/communist/non-traditional women' are seen as symbols of communism, who are thereby regarded as a negative and oppressive force. Accordingly, 'feminist/communist/non-traditional women' are 'bad' women, or

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[290]   Verdery, "From Parent-State to Family Patriarchs...," 254-255.

[291]   Verdery, "From Parent-State to Family Patriarchs...," 254-255.

[292]   Ramet, *Balkan Babel*, 128. "In Milošević's Serbia, women find their voices stifled and their organizations marginalized and increasingly constrained . . . . Belgrade feminist Sonja Licht commented in 1990, 'conservative attitudes toward women are resurfacing throughout Eastern Europe, usually with strong ties to nationalism. I often call the newly emerging democracies *male democracies*.' Others have suggested the term *phallocracies*."

[293]   Verdery, "From Parent-State to Family Patriarchs...," 254-255.

[294]   Hilary Charlesworth, Christine Chinkin and Shelley Wright, "Feminist Approaches to International Law," *The American Journal of International Law*, Vol. 85, No. 4 (October 1991): 620-621.

(dangerous) traitors to the (idea of the) nation.[295] "Feminists also took advantage of the partial opening of the political system in 1990 [in the former Yugoslavia] to create their own political parties. . . . Although seeming to offer some promise, [feminist] . . . organizations proved unable to withstand the onslaught of rabid nationalism in the media and in public life and largely withered away."[296]

4.7   "War is a whore",[297] introducing the *'alien whore women/girls'*

"Some of the most notorious Serbian rape camps were located in the Serbian-controlled area of Foča. . . . Women have been raped with broken bottles and guns, forced to swallow the soldiers' urine, sliced with knives, burned with cigarettes, had their teeth knocked out, been branded with irons and smeared, disfigured with hot tar - the abuses are infinite. . . . Consider the following testimony, recounting only the first two days at a Serbian rape death camp, by a woman who survived constant rapings over a period of two months until her release was purchased by her brother in a prisoner exchange program: 'in the camp, there were about two hundred people. There were about forty women between the ages of 16 and 20. . . . At about 8pm, they came and took my four year old girl and at about 1:30am, they came for me. They took me to a room where there were about eight or nine drunk Chetniks. They began hitting and swearing at me. It lasted until about 3:30am. They told me to take my child. . . . I found her behind a curtain which was used to separate the room. I looked at my child who was nude. She was blue and frothing around the mouth. Blood was dripping from between her legs. I fainted. They began hitting me again. . . . I took my child . . . to a room. She was unconscious. She had bruises on her face and back. I washed her with a little water. She remained unconscious. In the room, I found my other girl who was two months of age at the time with her arm and leg broken. I asked what had happened to her. A lady told me that a Serb had come into the room and broke her arm and leg . . .' "[298]

"Dominating, humiliating, conquering and destroying the Other is being done via women. The hatred and violence are crystallized in rape, it becomes the instrument of war. . . . 'I was the twentieth [soldier to rape her], all I remember was that she was dirty, full of sperm and that I killed her'."[299]

Nationalism has been understood as a part of the public political sphere; however, while (private) women are formally excluded from nationalist discourse as independent

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[295]   Ramet, *Balkan Babel*, 283. "[T]he [Bosnian] war has so transformed politics in [the former Yugoslavia] . . . that antifeminist sentiments have been inflamed and feminists demonized - a result that has only been accentuated by feminists' embrace of pacifism as an integral element in their programs."
[296]   Ramet, *Balkan Babel*, 127.
[297]   Joan Skogan, "So Near and Yet So Far: Pondering the distance between past and present, Gabriola and Kosovo," *The Georgia Strait*. (August 27 - September 3, 1998): 15. "From here, there's no knowing the thoughts, or the whereabouts, of the Serbian man who gave me his Yilmaz Morgul tape when I got out of his car, or the off-duty railway engineer who, despite his comments about Albanians, found the English dictionary words to tell me 'War is a whore.' "
[298]   Askin, *War Crimes Against Women*, 278, 280-281.
[299]   Morokvasic, "The Logic of Exclusion...," 79.

actors (with agency), in the former Yugoslav context, certain 'women'[300] have paid the price for *their symbolic role* in that discourse with their lives.[301]

> In the west, the sexual atrocities have been discussed largely as rape *or* as genocide, not as what they are, which is rape as genocide, rape directed toward women because they are Muslim or Croatian. . . . [This] obscures the fact that these rapes are being done by some men against certain women for specific reasons. . . . The result is that these rapes are grasped in either their ethnic or religious particularity, as attacks on a culture, meaning men, or in their sex specificity, meaning attacks on women. But not as both at once. Attacks on women, it seems, cannot define attacks on people. If they are gendered attacks they are not ethnic; if they are ethnic attacks, they are not gendered. . . . But when a rape is a genocidal act, as it is here, it is an act to destroy a people.[302]

Women's reproductive role is specifically used as a tool against the nation - a means by which to 'contaminate' and eliminate the gene pool of a given (ethno)national group. The idea of 'polluting' enemy (ethno)nationalist groups by contaminating the (collective) 'womb' of this group and the idea of dissolving the group's identity are components of the nationalistic thinking which prompted the use of unconventional warfare techniques[303] in the former Yugoslavia:

> [I]n the aggression against Croatia and Bosnia-Herzegovina . . . mass rape and . . . sexual torture of women and girls are employed . . . as a strategy of destruction of culture and 'ethnic cleansing.' . . . [T]he idea of using rape as pollution of the enemy community . . . . is an outspoken strategy of the Serbs in Bosnia who claim to imprint their identity on the Bosnian population by producing 'little Chetniks [Četniks]' of Serbs . . . . Pollution . . . is a racist idea of contaminating the other community's blood and genes . . . . [and] also refers to dissolving a group's spirit and identity . . .[304]

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[300]   Darius M. Rejali, "After Feminist Analyses of Bosnian Violence," In *The Women and War Reader*. Ed. by Lois Ann Lorentzen and Jennifer Turpin. (New York University Press, 1998): 31. "[Silva] Meznaric argues that if one plots the location of camps and information about rapes against a map of the population distribution, 'one can notice that massive rapes occur in areas where Serbs are a minority and Muslims are in relative or absolute majority . . . or else in areas where Serbs are in the majority position but where there are significant Muslim and/or Croat minorities."

[301]   MacKinnon, "Rape, Genocide, and Women's Human Rights," 45. "[C]onsider one situation of the mass violation of women's rights now occurring in the heart of Europe. In this campaign of extermination, which began with the Serbian invasion of Croatia in 1991 and exploded in the Serbian aggression against Bosnia and Herzegovina in 1992, evidence documents that women are being sexually and reproductively violated on a mass scale, as a matter of conscious policy, in pursuit of genocide through war."

[302]   MacKinnon, "Rape, Genocide, and Women's Human Rights," 47-48.

[303]   Askin, *War Crimes Against Women*, 296.

[304]   Seifert, "The Second Front: The Logic of Sexual Violence in Wars," *Women's Studies International Forum*, Vol.19, No.s 1-2 (1996): 40.

There are various interpretations of the symbolic 'utility' of rape for nationalistic war objectives. Mirjana Morokvasic notes that in the former Yugoslavia rapes are condemned only when they are committed by 'other men' and can be interpreted as crimes against the nation.[305] Sarah Benton argues that mass rape in war is a way of impugning the honour of the nation and undermining the power of enemy men and observes that: "Rape in legend frequently symbolizes the destruction of male authority. . . . The repeated rape of women during the Yugoslav war was interpreted as an assault on national identity; it ensured that women gave birth to 'enemy' babies rather than babies of their own nation."[306]

It is evident that adolescent girls were particularly targeted in the systematic rape[307] initiatives. This was 'rationalized' on the premise that if a woman's first sexual experience is extremely violent and damaging either the woman will never want to reproduce again, or she will be so physically injured that she will not be able to do so.[308] Consequently, it has been asserted that, among other things, systematic rape was a method for "destroy[ing] Muslim and Croat society . . . -and [for using] women as incubators for 'Serb' babies."[309] The rationalization for rape 'as ethnic liquidation' is:

> for thousands of years, many Serbians have believed that their genes are the superior gene of the human race. Furthermore, they believe that the father's sperm carries all the genetic makeup. Thus, any pregnancy as a result of sexual intercourse between a Serbian male and a female of any race or ethnicity, will result in a purely Serbian offspring. As the story goes, in the end, a 'fifth column' will be created with Croatian and Muslim societies, and all children with Serbian seeds will rise up and join their fathers.[310]

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[305]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 11-12.

[306]   *Ibid.*, 11-12.

[307]   Askin, *War Crimes Against Women*, xvi. "[R]arely are women just raped. They are usually beaten and humiliated in the commission of rape; often women are abducted or forcibly displaced, then physically restrained so that the sexual assault can continue at will; reports indicate that women are frequently forces into domestic slavery by day and sexual slavery by night." ALSO:

Rejali, "After Feminist Analyses of Bosnian Violence," 30. "Rape is an ethnomarker in a massive social conflict . . . . This does not mean that rape is an ethnomarker solely in war situations, but rather that gender and ethnicity gain greater saliency in these situations. Rape in a war context is the means by which differentials of power and identity are defined."

[308]   Fred Pelka, "Voices from a War Zone," 8.

[309]   Fred Pelka, "Voices from a War Zone," 8.

[310]   Askin, *War Crimes Against Women*, 271.

Therefore, rape has been employed as a 'production' method of offspring for the rapist's nationality:

> The idea of rape as a method of ethnic cleansing, forcing women to bear the children of
> their enemies, derives from a deep patriarchal construction: that women are objects, 'dishes'
> that passively accept a male's seed and add nothing original to it. Therefore the child's
> identity depends only on the man who 'fathered' it, and thus women impregnated by their
> enemies give birth to children who belong to the enemy's ethnic group.[311]

It is by destroying women's capacity and/or desire to reproduce that this (pollution/destruction) objective is accomplished. Also, mutilation of the female body, which symbolizes the womb of the nation, has been pursued by paramilitary and military actors. In certain cases, where women died as a result of rape or where women were killed after rape, it was found that women's bodies were purposefully mutilated as well. For example, women's breasts were cut off, and/or their stomachs slashed open, and/or their vaginas torn apart with a weapon or military tool.[312] Askin notes that in former Yugoslav conflicts women are " 'sexually abused with foreign objects like broken glass bottles, guns and truncheons.' . . . 'Sexual abuse is . . . degrading and humiliating. These elements are most obvious when foreign objects are inserted in the victim's anus or vagina during a rape, or when the abuser soils his victim.' "[313] In addition to mutilation, women were subjected to 'aggression sex':

> When men are told to take the women away and not bring them back, first they rape
> them, then they kill them, and then sometimes rape them again and cut off their breasts
> and tear out their wombs. One woman was allowed to live as long as she kept her Serbian
> captor hard all night orally, night after night, from midnight to 5:00am. . . . The aggression
> was sex. This is rape as torture as well as rape as extermination. In the camps, it is at once
> mass rape and serial rape in a way that is indistinguishable from prostitution. . . . This is

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[311]   Vesna Nikolić-Ristanović, "War, Nationalism, and Mothers in the Former Yugoslavia," In *The Women and War Reader*. Ed. by Lois Ann Lorentzen and Jennifer Turpin. (New York University Press, 1998): 236.

[312]   Seifert, "The Second Front...," 37. ALSO:
      Seifert, *War and Rape: Analytical Approaches*, 12-13. "Apart from all the other motives, rape remains an extreme act of male violence against women which would not be possible without feelings of hostility towards women. Ines Sabalic . . . . drew attention to the quasi-ritualized atrocities which were aimed at the femininity of the body - like cutting women's breasts off or slashing their stomachs open after the rape."

[313]   Askin, *War Crimes Against Women*, 340.

> also rape as policy of ethnic uniformity and ethnic conquest, of annexation and expansion, of acquisition by one nation of other nations. . . . Most distinctively, this is rape as ethnic expansion through forced reproduction. . . . Because this is ethnic rape, lacking racial markers, the children are regarded by the aggressors . . . as 'cleansed' ethnically. The babies made with Muslim and Croatian women are regarded as Serbian babies.[314]

'Pornographic performance' was also an integral component of rape in the former Yugoslavia.[315]

The assault on and the destruction of the female body is more than a random act of aggression against women because it represents an assault on and the destruction of the particular nation to which the targeted women belong. Seifert connects such a warfare strategy to the goal of cultural destruction/genocide: "Sexual violence against women is likely to destroy a nation's culture."[316]

> 'In Bosnia, rape, far from being a side effect of war, has become one of the indispensable instruments of war. . . . And as a weapon of war, rape works - sometimes even better than killing does. . . . Rape . . . not only defiles and shatters the individual woman but, especially in traditional societies, also administers a grave, long-lasting wound to morale and identity. Rape penetrates the pride and cohesion of a people and corrodes its future.'[317]

If the female body is a symbolic representative of the national body then the (organized) rape of women has a significance in addition to being an act of hatred against women; namely the violation and destruction of the nation:

> [The] destruction of culture can be derived from the symbolic deconstruction of the female body: In many cultures it embodies the nation as a whole. . . . This . . . means that violence committed against women is directed against the physical and personal integrity of a group. The rape of women of a community, culture, or nation can be regarded - and is so regarded - as a symbolic rape of that community.[318]

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[314]   MacKinnon, "Rape, Genocide, and Women's Human Rights," 50-51.

[315]   Rejali, "After Feminist Analyses of Bosnian Violence," 26-27. "[R]apes in detention camps always involved performing for a male audience, just as in pornographic shows. Some rapes were not only publicly performed but also filmed with video technology. . . . [T]hese pornographic [rape] films were turned out for mass consumption much like news and entertainment, except that here they were used to whip up a popular frenzy for the Serbian war effort. . . . Serbs who directed the films used sophisticated staging, providing props and dubbing dialogue to implicate Croatian soldiers. This suggests the [Serbian] government's involvement."

[316]   Seifert, "The Second Front...," 39.

[317]   Askin, *War Crimes Against Women*, 264.

[318]   Seifert, "The Second Front...," 39.

Consequently, nationalist politics in the former Yugoslavia and the violation and mutilation of women's bodies would appear to be strongly connected. However, "[t]urning rape exclusively into a crime against an ethnic community obscures the fact that women are raped because they are both the 'female Other' and the 'ethnic Other'."[319]

Virginia Morris and Michael P. Scharf also comment on the issue of whether genocide should be understood as (ethno)gendered and note that:

> In the context of the Yugoslav conflict, most of the atrocities appear to have been committed by the members of one ethnic, national, or religious group against the members of another such group and, therefore, may constitute the commission of the prohibited acts targeted against members of a group referred to in the definition of the crime of genocide. . . . In addition, it was suggested that the definition of genocide should be extended to cover acts when committed against a group on the basis of gender. Although it may be argued that there are grounds for such an extension of the crime of genocide under existing international law which prohibits discrimination on the basis of gender, it is difficult to argue that such a rule is at the present time beyond doubt customary law. Furthermore, it is not clear that the reported attacks against women have been directed at women as a group rather than against women who are members of a particular religious or ethnic group.[320]

MacKinnon critiques the position evident in the latter point - i.e., the position that argues that genocide/genocidal rape can solely be looked at in terms of an ethnic dimension or a gender dimension and *not* both. The exclusive focus on ethnicity (or any one factor in exclusion to other relevant and interconnected factors), in attempting to define genocide, is problematic; it is a type of bias. I argue that it is inappropriate and misleading to dichotomize the understanding of systematic rape, for example, because it obscures the interrelationship between ethnic and gender identities. If it is acknowledged that genocide occurs when the identities of those in a given collectively are eradicated or extinguished in part, in the attempt to fully extinguish them, then it must also be acknowledged that genocide also occurs on gendered grounds. Hence, systematic rape should be seen as an attempt to commit genocide, defined in ethnic *and* gendered terms. The nature of

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[319] Morokvasic, "The Logic of Exclusion...," 82.
[320] Morris and Scharf, *An Insider's Guide to The International Criminal Tribunal, Vol. 1,* 87-88.

genocide in the former Yugoslavia attests to the role of gender *and* ethnicity in the destruction of different groups of people; therefore, genocide also has a gendered basis, irrespective of the current *status quo* in international law.

The genocide or 'ethnic cleansing', genocidal/systematic rape, and other human rights violations that have been perpetrated against civilians in the former Yugoslavia together constitute a complete disregard for virtually all principles of international humanitarian law. As previously mentioned, according to the European Commission there are 20,000 women survivors who have been systematically raped;[321] the Bosnian government contends that there are 50,000 for Bosnia-Herzegovina alone.[322] The *UN Chronicle* documents that there have been massive numbers of "organized, systematic rapes of women, particularly Muslim women, in Bosnia and Herzegovina."[323]

> Analysts have distinguished three kinds of rape in Bosnia: rapes that occurred when Serbs first occupied a village; rapes committed by prison guards in detention camps; and rape camps or houses temporarily commandeered by Serbs to keep women expressly for that purpose. Reports have also emphasized that rapes often took place publicly or with other witnesses; that rapes included acts designed to degrade the victim; and that often the victims knew the aggressors.[324]

The systematic nature of the rape of women in the former Yugoslavia and its use as part of the strategy[325] of ethnic cleansing suggests that it was/is being used to achieve the political goal of acquiring territory.[326] Adam Jones, for one, notes that: 'Incidents

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[321]   Ramet, *Balkan Babel*, 258. "A specific feature of the Bosnian war has been the incidence or organized systematic rape - . . . forced impregnation, since pregnancy was a conscious goal of the Serbs. An EC investigative mission produced a report in January 1993 estimating that some 20,000 Bosnian Muslim women had been raped by Bosnian Serb men in . . . 'rape camps.' . . . Dorothy Thomas and Regan Ralph noted that, in warfare, 'rape is neither incidental nor private. . . . [I]t routinely serves as a strategic function in war and acts as an integral tool for achieving particular military objects. In the former Yugoslavia, rape and other grave abuses committed by Serbian forces rid villages of the non-Serb population.' "

[322]   Pelka, "Voices from a War Zone," 6.

[323]   Author unknown, "Yugoslav Crisis," 8.

[324]   Rejali, "After Feminist Analyses of Bosnian Violence," 26.

[325]   Gutman, *A Witness to Genocide*, 68. "Serb conquerors of Bosnia have raped Muslim women, not as a by-product of war but as a principal tactic of war."

[326]   Ramet, *Balkan Babel*, 284. "Rape is . . . used to act out, in symbolic terms, the subjection of one nation by another, transmutated to the level of the subjection of one sex by another."

involving the sexual abuse of women appear to fit into a wider pattern of warfare, characterized by intimidation and abuses against Muslims and Croats which have led thousands to flee . . .'[327] Catharine MacKinnon asserts: "In this genocide through war, mass rape is a tool, a tactic, a policy, a plan, a strategy, as well as a practice. Muslim and Croatian women and girls are raped, then often killed, by Serbian military men, regulars and irregulars in a variety of formations, in their homes, on hillsides, in camps . . ."[328]

Many of these women have been "raped 100 to 300 times over the course of a month or more."[329] Moreover, the rape victims were kept at rape camps for at least one complete menstrual cycle in order to try to ensure impregnation.[330]

> Mass rape as a Serbian method of terror has received considerable attention. Abundant documented evidence demonstrates that Serbian forces engaged in the systematic rape of women, children, and men. State-sponsored rape was an integral part of 'ethnic cleansing' . . . . At the height of the aggression against Bosnia-Herzegovina, Serbian soldiers, as a routine practice, forcibly impregnated non-Serbian women held in rape camps, continued to gang-rape these pregnant women for months, and finally expelled them from Serbian-occupied territories when they were near term. . . . Forcibly impregnated rape victims have a tragically high incidence of suicide and infanticide. Mass rape, then, was an integral part of genocide. Serbian forces told their rape victims that they were under orders to do so.[331]

By mid-1993, "the policy of systematic rapes had reportedly resulted in thousands of pregnancies. Rape is such a formalized part of the policy of the Yugoslav conflict that soldiers may be castrated or killed for refusing to rape."[332] The intent to impregnate can be regarded as a new phenomenon of war.

> That rape is used as a weapon of war . . . is not new. But what is new, and extraordinarily horrifying, is that many of the rapes committed in the territory of the former Yugoslavia are also committed with the intent to impregnate, in an effort to destroy a particular ethnicity . . . . [S]ome women are sexually assaulted with the specific intent to commit ethnic genocide either by impregnating females with a different ethnic gene or by destroying the community group through such ethnic cleansing practices.[333]

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327   Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," page 3 of 17.
328   MacKinnon, "Rape, Genocide, and Women's Human Rights," 47.
329   Fred Pelka, "Voices from a War Zone," 8.
330   Fred Pelka, "Voices from a War Zone," 8.
331   P. J. Cohen, "The Complicity of Serbian Intellectuals in Genocide in the 1990s," 47.
332   Askin, *War Crimes Against Women*, 273.
333   Askin, *War Crimes Against Women*, 274.

Due to the fact that rape was used as part of the effort to ethnically cleanse certain (ethno)national groups from certain territory it can be (properly) called a war tool.[334] "The social stigmas, cultural or religious attitudes, emotional traumas, physical abuses, reproductive manipulations, and historical impunities have made sexual assault an extremely effective weapon of war and destruction."[335] That rape and/or the sexual torture of women in Bosnia-Herzegovina were ordered acts and an important element of Serb warfare strategy, under the leadership of Slobodan Milošević, was the conclusion reached in 1993 by the Investigation Committee of the European Community.[336] Ruth Seifert identifies the Serb warfare strategy, upon the invasion of a town or village, as threefold: first, the destruction of objects of cultural heritage is carried out; second, intellectuals are taken captive and killed; and third, rape camps for women are established.[337] Amnesty International has asserted that 'detention centres [exist] which appear to have been organized solely or mainly for the rape or sexual abuse of women.'[338] In addition, while women were sent to rape camps, men were sent to concentration camps, where they were tortured and forced to rape one another (as will be discussed).

Politicians and various military actors, with their monopoly of state power, have been instrumental in shaping Serbian nationalism by deploying gendered weapons of war.

> [Mass rapes and sexual torture] are by no means just acts of senseless brutality,
> but culture-destroying acts committed for strategic reasons in an ethnic conflict
> as well as political acts as far as the gender arrangement is concerned. . . . [T]he
> case of Yugoslavia is evidence that the nation-state principle will entail severe
> 'public' violence against women once that principle has been adopted as a principle
> of government.[339]

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[334] Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," pages 3-4 of 17.
[335] Askin, *War Crimes Against Women*, 296.
[336] Seifert, "The Second Front...," 35.
[337] Seifert, "The Second Front...," 39.
[338] Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," page 3 of 17.
[339] Seifert, "The Second Front...," 41.

The use of sexual violence against women and men has been government policy - policy legitimated on the grounds of the regime's use of Serbian nationalism (as interpreted by President Milošević and the ruling conservative Serbian regime of which he is leader).

> [I]t is precisely in 'macho' Serbia that patriarchy was strongest (among Yugoslav republics) in the late 1980s and early 1990s. The entire Milošević phenomenon is, in fact, rooted in *fear*: fear of Albanians, Croats, and even, . . . Slovenes; fear of new political movements; fear of randomness, freedom, chaos; and fear of women. . . . Milošević's support comes overwhelmingly from males - middle-aged peasant males being at the core and the largest part of his support - while his opposition draws women as well as men to its ranks and rallies. . . . Since his advent on the scene in 1987, feminist activity in Belgrade has been thrown on the defensive, men have been told that they deserve preferential hiring in times of economic duress, and women have been advised to return to their 'traditional duties' - kitchen, children, Church.[340]

While it is predominantly young men who are executing (ethno)gendered violence on behalf of the unconventional state, middle-aged peasant males are also significantly the core of nationalists' support systems.

According to Nagel, both willing and unwilling sexual encounters of national women and 'alien' men cause "a crisis of honor"[341] for nationalists, which prompts further violence.

> Male control of women's sexuality and reproductive capacities is often an integral part of nationalism. . . . [M]yths of origin often include stories about control brought to bear . . . over women's sexuality, and women's fecundity being assigned a proper place - a heterosexual relationship within the domestic sphere. . . . This place which is assigned to women means not only that women's sexual behaviour is circumscribed but also that 'other' men must not be allowed sexual access to them. . . . Control of women's sexuality is particularly significant for right-wing nationalist ideologies which define belonging in terms of essentialist notions of 'race' or ethnicity. . . . Thus women are central to reproducing the collectivity but they are also its weakest spot - sexual access to them by an 'outsider' destroys their value to the nation.[342]

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[340] Ramet, *Balkan Babel*, 122.

[341] Morokvasic, "The Logic of Exclusion...," 75. "Women often embody the nation, they are the bearers of its honour and love. In nationalist discourse woman is either the mother of the nation or the sex object. She is either a protector and regenerator of the collective or a possession of that collective." See also: Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 38. "The mass rapes of . . . Croatian and Muslim women by Serb soldiers in 1992-4, are but the most notorious examples of rape as an actual assault on women, on a nation's honour and on men's capacity to protect their women, as well as of a public response that the rapes prove the unfitness of the rapists' nation to exercise political power responsibility . . ."

[342] Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 9-10.

Consequently, the violation of national women is interpreted, by nationalists, as bringing shame to their collectivity and, thereby, undermining the nation's honour. Nagel also argues that in conservative, patriarchal nationalist thinking,[343] "enemy women are more uniformly characterized as sluts, whores, or legitimate targets of rape."[344] Seifert explains that rape constitutes torture, whose purpose it is to destroy a person, without necessarily causing physical death:

> Torture is an act of hatred and destruction of humankind . . . . The characteristics
> of rape fit with this script. For what happens in rape, that is, forcible entry into the
> body, is a characteristic of severe torture and constitutes the severest attack
> imaginable on the most intimate self and dignity of a person.[345]

Consequently, the use of rape as a strategy of identity destruction is perhaps even more powerful than exterminating people by using conventional military means. It not only scars or destroys people physically, but also passes the burden of suffering to the next generation.

4.8   'nationalist women/traditional mothers'

"[T]here are three main archetypes of mothers [:] . . . the mater dolorosa, the mater pieta, and terra mater. . . . Ruddick examines the mater dolorosa as an important figure in wartime - 'scrounging for food to keep her children alive, weeping over the body of her son. . . . The mater pieta . . . may . . . be considered as the peacetime equivalent of the mater dolorosa. . . . Besides stressing the sanctity, reverence and unsulliedness of the mother figure, [this stereotype] . . . encourages the passive role which fits in with the 'feminine' . . . traits - humility, deference, patience, quietude, duty - that are often seen as synonymous with peacefulness and peace. . . . The last archetype, the terra mater . . . has her symbiotic attachment to 'Mother Nature'. . . . The undertones of sexuality of the terra mater and of Mother Nature are in a mixed metaphor of passivity and power. . . . [W]e have the specters of raping and plundering both Mother Nature and terra mater in present-day environmental degradation and the connection between rape and warfare."[346]

I have to this point talked about the 'feminist/communist/non-traditional women' who are seen to be traitors to the nation and the 'alien women/girls' or 'other' who have

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[343]   Nagel, "Masculinity and Nationalism...," 254.
[344]   Nagel, "Masculinity and Nationalism...," 257.
[345]   Seifert, "The Second Front...," 41.
[346]   Eileen Sowerby, *On War: Men, War, and Women.* (Lantzville, B.C.: Wantok Press, 1997): 69-71.

been raped and whose reproductive capacity has been targeted as a means by which to destroy their (ethno)national group. The 'nationalist woman/traditional mother,' who in nationalist discourse is the opposing 'woman' identity role to the 'alien whore woman/girl' role, will now be examined.

> [A]cross all of [post-communist] Eastern Europe . . . '[w]omen's representation in the political and administrative spheres plunged . . . . An ideological climate is being created that is hostile to women's education and advancement, as female employment is being repeatedly portrayed as a 'danger' to the family. Even the rhetoric about the dignity and equality of women has vanished. It has been replaced by rhetoric about the dignity and importance of the *mother*. . . . In nationalist democracies [and . . . dictatorships . . .], women are reduced to instrumentalities for the reproduction of the nation.'[347]

As Charlesworth, Chinkin and Wright point out, national identity requires women to be " 'the guardians of national culture' " and that "despite the belief that the spread of nationalism and nationalist ideas is beneficial to women, 'nationalist movements subordinate women in a particular definition of their role and place in society, [and] enforce conformity to values that are often male-defined.' "[348]

Bracewell, specifically pin-points post-1987 as the period in which Yugoslav socialism was transformed into authoritarian state nationalism.[349] This development has coincided with Milošević's rise to power in Serbia[350] and his dominant role in mobilizing Serbian nationalism, in part, by drawing on the role of the idealized mother.

> As mothers, women are given special status in the ideology of nationalism throughout the former Yugoslavia: they are 'mothers of the nation,' 'protectors of offspring.' During wartime, women's bodies - as soldier reproduction units become sites of political contention . . . . Nationalism demands that women bear and care for sons who they will sacrifice for the 'defense' and 'self-determination' of their nation. . . . As usual, when nationalism and militarism

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[347]   Ramet, *Balkan Babel*, 128.

[348]   Charlesworth, Chinkin and Wright, "Feminist Approaches to International Law," 620.

[349]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 26.

[350]   Ramet, *Balkan Babel*. 120-121. "In pastoralist Serbia . . . the mother exerts an authority over her children that the father cannot rival. . . . Ironically, however, the pivotal role of the mother in the family fuels patriarchy and machismo. . . . [S]ocieties in which the maternal role is enhanced (as is Serbia and Montenegro) tend to be characterized by greater fear of women and hence a stronger assertion of the patriarchy and a more powerful tendency toward male chauvinism. . . . Machismo . . . should be seen as a violent backlash against maternal authority, inspired by fear of women, and seeking 'revenge' in the denigration and subordination of women."

escalated in the former Yugoslavia, the glorification of women as biological reproducers of the nation began.[351]

Serbian nationalism was also "stimulated . . . by the prospect of losing Kosovo (center of the medieval Serbian kingdom) to the Albanians."[352]

> The Yugoslav Constitution of 1974 had institutionalized Kosovo's autonomy within Serbia, giving the Albanian majority there wide rights. This was perceived by Serb nationalists as damaging to Serbia's integrity . . . . The high birthrate among Kosovo Albanians was described by Serbian nationalists as the product of a deliberately conceived plan to squeeze the Serbs out of Kosovo.[353]

In response to the perceived threat of Albanian population growth in Kosovo (formerly an autonomous region) Serbian intellectuals and politicians called for an increase in the Serbian birthrate as a means by which to preserve the Serbian nation. This call for "a national renaissance among the Serbs, understood in a very literal sense, as 'rebirth' " led to the proposal of legislation in Serbia that "sought to stimulate higher natality among Serbs (by taxing childless couples who were primarily Serbian) and to penalize it among Albanians (by taking benefits away from families with more than three children)".[354]

The post-communist Yugoslav nationalists "expected women to accomplish their 'duty' towards the nation and bear more children."[355] "From Sparta, where mother 'reared her sons to be sacrificed on the alter of civic necessity . . . to South Africa, where white women were exhorted to bear 'babies for Botha' . . ., women have been admonished to fulfill their 'duty' by bearing sons to fight for and daughters to care for the motherland."[356] A statement by a Serbian intellectual expresses the nationalist view that the state has the right to use a woman's body to meet nationalist objectives; therefore a 'woman' is a citizen

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[351]   Nikolić-Ristanović, "War, Nationalism, and Mothers in the Former Yugoslavia," 235.
[352]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 26.
[353]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 26.
[354]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 28.
[355]   Morokvasic, "The Logic of Exclusion...," 76.
[356]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 43.

because of her duty to reproduce and to be a mother for her nation, whereas a 'man' is a citizen because he is the nation's soldier:

> 'In order for the nation to survive, every [Serbian] woman must bear at least three children . . . . Those groups who praise free and planned parenthood, and the unchallengeable right of a woman to abortion, should not forget that in a state subjected to the rule of law no one is master of his [and her?] own body, whether male or female. A woman must bear herself a replacement, and a man must go to war when the state summons him.'[357]

The quoted Serbian intellectual, speaking about the Serbian 'nationalist woman/traditional mother,' also makes an implicit negative reference to the 'feminist/communist/non-traditional woman' who 'selfishly' undermines her own nation because she refuses her national citizenship role as 'baby-factory.' In this context, it is clear that citizenship applies differently to women and men, as Verdery argues.[358] And as Bracewell points out, while Serbian women are at the center of Serbian nationalist discourse, their individual interests must be subordinated to the collective interest of the nation.[359] In order for Serbian women to be 'nationalist women/traditional mothers' they must actively reclaim an idealized, traditional (as the category name suggests) mother role; that is, if they are *not* to be regarded as failures (at best) and traitors (at worst) to the Serbian nation.[360]

Another Serbian nationalist, Milan Vojnović, sees "women's roles as involving a moral revolution."[361] He states: "Serbian mothers 'must return to the morals of their mothers . . . [T]he traditional ornament of our women is sacrifice without limits for her family, her existence.' " And, Serbian women must also "sacrifice their children to national needs". In other words, the ideal role for a Serbian woman, according to the prevailing nationalist discourse is, first, that of baby-producer and, second, that of 'keeper' of both *the* (masculine) child, until the state is ready to use him to war for the nation, and the

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[357]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 28.
[358]   Verdery, "From Parent-State to Family Patriarchs...," 228.
[359]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 31.
[360]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 29.
[361]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 29.

'other' (feminine) child, until the state is ready for her to reproduce. The use of idealized motherhood images in nationalism - specifically, as an instrument of national policies - is not unique to Serbia, however.[362] In what Peterson and others refer to as the " 'battle of the cradle' "[363] in nationalist discourse, the idealized mother brings the "family/household" into the political sphere because it is this site where early identity-learning and construction is situated.[364] Consequently, the family/household is a significant part of nationalist politics as well and is accessible through the 'nationalist women/traditional mothers.'

4.9   'demasculinized/militarily conquered men'

Jones argues that, although feminist scholars view the task of working from women's experiences as primary, a more inclusive approach to gender is warranted.[365] He critiques the normative standpoint of some feminists who focus solely on women, arguing instead that male victims in the former Yugoslavia also need to be considered.[366] It is clear that 'gender' analysis must investigate both sides of the gender variable. Therefore the experience of 'demasculinized/militarily conquered men' in the former Yugoslavia must be considered. While both men and women are victims, it should be noted that the bulk of perpetrators in conflict situations continue to be men. In the former Yugoslavia, the institutional composition of the patriarchal unconventional state, as seen in the last chapter, attests to this.

Men's reproductive capacity has been and continues to be a target of war policy in the former Yugoslavia; certain men are strategically sexually tortured and raped. As the

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[362]   Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 32.
[363]   Peterson, "The Politics of Identification...," 6.
[364]   Peterson, "The Politics of Identification...," 9.
[365]   Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," page 2 of 17.
[366]   Jones, "Gender and Ethnic Conflict in ex-Yugoslavia," page 2 of 17.

men of a particular (ethno)national group have been violated and 'demasculinized' through such methods, the 'strength' of the nation is perceived to have been crushed. The deep sense of humiliation among men who have been raped and/or sexually tortured, in part, results from the feeling that they have been stripped of their 'maleness' or that they were 'made' into women. Such humiliation, in part, attests to the fact that these men have accepted homophobic and sexist ideas - on which the feminine/masculine dichotomy is based - that equate 'woman' with weakness (and other 'negative' characteristics). Their gender identity has been defined in opposition to 'women,' therefore by becoming 'women' these men perceive themselves to be losing their (masculine) identity. The objective of the implementation of such policy is in fact to defeat the (enemy) men through the process of 'feminization.' The following is an account of the sexual torture of (enemy) men at the hands of the FRY (Serbian) military and paramilitary soldiers:

> 'Ten or 50 men [will] be lined up and . . . beaten on the genitals, accompanied by Serbian [concentration camp] guards saying, 'You are never going to give birth to any more little Croats [or Muslims].' Another method is where they use the baton as a weapon of sexual torture, as a substitute penis shoved down the inmates' throats. Or they will line people up as a public spectacle, to make sure that all the inmates see this, and force two inmates to rape each other anally . . . . Or they force them to bite each other's testes off.'[367]

Alexandra Stiglmayer documents eye-witness reports of abuse that occurred at some of the concentration camps in the former Yugoslavia: "Omarška and Keraterm, both of them exclusively male camps, are considered death camps . . . . [O]n June 17, 1992, Serbian guards forced twenty-one year-old Muslim Emin J. to drink a liter of motor oil and then bite off and swallow the testicles of three fellow prisoners who had already been beaten half to death."[368] Eyewitness accounts report of the following abuses suffered by male concentration camp prisoners at the Serbian-run death camp *Keraterm*:

> A fourteen-year-old boy and his father were physically maltreated in such a manner that they will have scars on their heads for life; two brothers were

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[367] Fred Pelka, "Voices from a War Zone," 7.

[368] Andrea Stiglmayer, *MASS RAPE: The War against Women in Bosnia-Herzegovina*. (Lincoln and London: University of Nebraska Press, 1994): 87-88.

> forced to rape each other; Bahonjić, a storekeeper form Kozarac, was murdered;
> Jovo Radočaj, a Serb from the village of Lješkan, was murdered...as a 'traitor to
> the Serbian people' because he allegedly voted for Alija Izetbegović[369]....Scars
> inflicted by sixteen millimeter thick iron rods, heating pipes, police batons, boots
> and knives; beating peoples' heads against the wall; battering people...; sucking
> other prisoners' genitals, shoving police batons in anuses; and sitting on broken
> beer bottles were some of the abuses camp prisoners suffered nightly...[370]

Thus, while V. Spike Peterson and Anne Sisson Runyan state that "government[s] . . . reserve special forms of torture for women, such as rape and sexual abuse (especially when they are pregnant)",[371] in the former Yugoslavia the use of systematic rape/sexual torture has been a 'double-edged sword' cutting directly, although not identically, into both women and men. With respect to rape policy, women were raped by soldiers, whereas (civilian) men were forced to rape one another by military personnel and paramilitaries executing the war policy.

The former Yugoslavia demonstrates that it matters who defines 'masculine/man' and, consequently, which men are included in that definition. So the following statement by Nagel, of the relationship between masculinity and men, needs to be elaborated on:

> Given the close association between 19th century and 20th century ideologies
> of masculinity, colonialism, imperialism, and nationalism, given the fact that
> it was mainly men who adhered to and enacted them . . . it is not surprising
> that masculinity and nationalism seem stamped from the same mold . . . which
> has shaped important aspects of the structure and culture of the nations and
> states in the modern state system.[372]

As my categorization of 'women's' roles indicates, militarily conquered men and homosexual men are not seen to be 'men' in Serbian nationalist discourse. Rather, these men - whether they are 'Serbian traitors,' Muslims, Croats, or Albanians - are labeled similarly to (alien) 'women' (such as the 'alien whore women/girls') in a nationalist discourse which equates 'enemy' with deviant femininity.

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[369] Alija Izetbegovic is the Muslim political leader of Bosnia-Herzegovina.
[370] Ercegovac-Jambrovic, *Genocide,* 26.
[371] Peterson and Runyan, *Global Gender Issues,* 87.
[372] Nagel, "Masculinity and Nationalism...," 251.

4.10 'deviant homosexuals'

While Nagel concurs with the view that women's role in nationalism is often that of a mother,[373] she also posits that nationalism constructs and constrains women's sexuality and their role as wives and daughters ('nationalist women/traditional mothers') and "bearers of masculine honor" in nationalist discourse.[374] This observation, I think, in part explains why homosexuality (male and female)[375] is considered to be such a threat to nationalists in the former Yugoslavia. In her work, Bracewell discusses how it is often noted that national identity is defined by reference to an 'Other' outside of the (ethno)national group (the idea of the "we versus they" dichotomy) and she goes on to explain that homosexuals, women, and 'opponents' within the Serbian nation have been defined as "internal 'other[s]' ".

> Serbian nationalists have denounced both homosexuals and opponents of the regime as 'bad Serbs' . . ., implying that they [heterosexual men] alone are 'proper Serbs,' and laying claim to the right to define national authenticity in their own image . . . . In a context in which politics is largely a male preserve, women too can act as a convenient internal 'other' . . .[376]

While analyses of the persecution of homosexuals in the former Yugoslavia are lacking, it can be confidently asserted that homosexuality is equated with deviance and, therefore, 'non-belonging' in former Yugoslav (ethno)nationalism. Although also few in

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[373] Nagel, "Masculinity and Nationalism...," 256.

[374] Nagel, "Masculinity and Nationalism...," 256.

[375] Ramet, *Balkan Babel*, 127. With respect to lesbians: "In Serbia, Slobodan Milošević owed his success to his ability to manipulate ethnic chauvinism and swept other issues to the side. . . . [W]omen protested the shift from a policy promoting gender equality to one of upholding so-called traditional values. But they have had increasing difficulty even being heard. . . . In this context, lesbianism clearly figures . . . not merely as a matter of sexual preference but also as a political alternative. To be a lesbian is to opt out of patriarchal society . . ."

[376] Bracewell, "Women, Motherhood, and Contemporary Serbian Nationalism," 32

number, analyses of the persecution of homosexuals by the Nazi regime,[377] during World War II,[378] attest to the destruction of homosexuals[379] - mainly gay men[380] - based on the notion that the 'deviance of homosexuality'[381] is a 'threat to the nation.' In Nazi Germany ('real') women were baby-producers and (non-existent?) lesbians were not problematic insofar as they were not seen to obstruct the baby-production goal; however, gay men were an impediment to the nationalists' goal and, therefore, a direct threat.

> *Das Schwarze Korps* vehemently called for the total extermination of all homosexuals. . . .
> *Das Schwarze Korps* was the organ of the SS High Command, on whose every word
> Himmler ruled. . . . Besides his homophobia, he was fanatically concerned about Germany's
> declining birth rate. . . . Females counted for little in Nazi ideology except for their vital
> function as baby-producing machines and their role as kitchen-, hearth-, and children-
> tenders. Nazis were sexists and unconcerned about lesbians. Besides, lesbians could
> and did produce obligatory children for the Fatherland, while most male gays did not.[382]

Gay men were among the first victims to be marked for Nazi genocide, "a fact that has gone largely unnoted in history . . . because most seem not to care. . . . Homosexuals were remanded as 'enemies of the State' to prisoners and concentration camps, provided

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[377]   Richard Plant, *The Pink Triangle: The Nazi War Against Homosexuals*. (New York: Henry Holt and Company, 1986): 163. "[H]omosexuals and Jews were not only given the worst beatings, but their pubic hair was shorn; others lost only their head hair."

[378]   Frank Rector, *The Nazi Extermination of Homosexuals*. (New York: Stein and Day Publishers, 1981): 24-25. "Hitler's homophobia did not surface until 1933-1934, when gays had come to affect adversely his New Order designs - out of which grew the simple solution of murdering them en masse. . . . The persecution of homosexuals simply because they were homosexuals began *officially* when Hitler became Chancellor in 1933, but did not become a 'Final Solution' until the Röhm Purge."

[379]   Rector, *The Nazi Extermination of Homosexuals*, 111. "[T]ens, perhaps hundreds, of thousands of homosexuals were interned in Nazi concentration camps. They were consigned to the lowest position in the camp hierarchy and, subjected to abuse by both guards and fellow prisoners, most of them perished." See also: Plant, *The Pink Triangle*, 149. "Overall, we may reasonably estimate the number of males convicted of homosexuality from 1933 to 1944 at between 50,000 and 63,000, of which nearly 4,000 were juveniles. (Also recorded were the arrests of six lesbians - a bewildering statistic, since sex between women was not against the law)."

[380]   Plant, *The Pink Triangle*, 114, 116. "In 1975, Ina Kukuc published an account of how some SS officers had arrested and sentenced lesbians. . . . [However m]ost lesbians managed to survive. . . . Fortunately, they fell outside the universe of Himmler's sexual obsessions."

[381]   Rector, *The Nazi Extermination of Homosexuals*, 52, also see 130. "Reich Legal Director Hans Frank . . . . once said, 'particular attention should be addressed to homosexuality, which is clearly expressive of a disposition opposed to the normal national community. Homosexual activity means the negation of the community as it must be constituted if the race is not to perish. That is why homosexual behaviour, in particular, merits no mercy.' The International Military Tribunal on war crimes never specifically investigated the Nazi extermination of homosexuals."

[382]   Rector, *The Nazi Extermination of Homosexuals*, 115.

. . . they did not fall victim to summary executions and fatal beatings and torture beforehand, which were a frequent occurrence."[383]

While men in the former Yugoslavia were forced to rape one another by para/military actors, the Nazis raped and murdered 'beautiful boys' and 'handsome young men': "[A] film . . . was secretly made for the pornographic enjoyment of a select coterie of Nazis showing a wild drunken orgy of beautiful boys and handsome young men being whipped, raped, and murdered by the SS."[384] However, in both the former Yugoslavia and Nazi Germany, homosexuals - along with 'other' groups - were made into sexual deviants and nationalist traitors.[385] (Male) homosexuality has been seen as 'dangerous' to the nation-state because it is thought to render (male) citizens incapable of fulfilling their (masculine) duties for the purpose of the (masculine) state.[386] In both the former Yugoslav and the Second World War contexts, gay men were defined to be non-men. Nazis 'rationalized': " 'All homosexuals are cowards; they lie just like Jesuits. Homosexuality leads to a state of mind that doesn't know what it does.' In other words, homosexuals are soft and effeminate; they are not really men; they do not fight. Homosexuality is a crime against nature and must be stamped out."[387] Thus, homosexual men were referred to by the Nazis as 'menwomen' (mannweiber).[388] Homosexuals have historically been among the persecuted 'contragenics' (external and internal others). Nazis even subjected homosexual men to hormone testing.[389]

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[383]   Rector, *The Nazi Extermination of Homosexuals,* 123.
[384]   Rector, *The Nazi Extermination of Homosexuals,* 144.
[385]   Plant, *The Pink Triangle,* 185. "In the course of European history, a vast number . . . mandates, pamphlets and tracts lumped together Jews, homosexuals, and other heretics, and linked them to witches, sexual deviants, and traitors."
[386]   *Ibid.,* 30-31.
[387]   *Ibid.,* 89.
[388]   *Ibid.,* 171.
[389]   *Ibid.,* 175, 177

Furthermore, Nazis equated the 'masculinization of women with the 'conjuring' up of "the danger of homosexuality".[390] Other prominent figures in the Nazi leadership structure, correspondingly, viewed the appropriate role of women to be that of 'good-looking baby-factories'; certain analogies were used to express this idea - i.e., the woman-is-bird analogy, which states that the female bird keeps herself looking attractive for her male mate and hatches (breeds) 'his' (the state's) eggs.[391] Various Nazis also compared women to hens or mares in order to justify women's 'utility' to the Nazi state.[392]

Therefore, the categories I have labeled 'deviant homosexuals' and 'feminist/communist/non-traditional women' (traitors) constitute the internal 'other(s),' while 'alien whore women/girls' and 'demasculinized/militarily conquered feminine men' constitute the external 'other(s).' That leaves 'nationalist women/traditional mothers' (good women) and 'nationalist masculine men/soldier defenders' (good men) to comprise the nation. The internal and external 'other(s)' can be understood as a 'good (woman/man) nationalist versus bad (woman/man) nationalist' dualistic construction, where 'good' signifies nationalist and where 'bad' equals deviant femininity or antinationalist (both external and internal). Therefore, a gender dualism is situated within a (ethno)national-identity judgment dualism. And as the double-dualism suggests, even the 'good' woman, because of her reproductive role ('baby-maker'), remains subordinate to the 'good' man

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[390]   Plant, *The Pink Triangle,* 91. "Himmler . . . confessed certain worries about the dangers inherent in the SS project: an all-male commune, enforcing a strictly virile code, ran the risk of glorifying the male body and of wanting to 'masculinize' women. 'It would be a catastrophe if we foolish males wanted to make women into logically thinking instruments.' Women, by nature, could not think like men: 'if we try to masculinize them, well, there we conjure up the danger of homosexuality.' "

[391]   Jean Boisson, *Le Triangle Rose: La Déportation des Homosexuels (1933-1945).* (Paris: Editions Robert Laffont, 1988): 28. Goebbels "[e]n posant le principe que 'la femme a le devoir d'être belle et de faire des enfants,' il trouvera en effet très approprié de faire référence à 'la femelle de l'oiseau' qui 'se fait belle pour son mâle' et qui 'couve les oeufs pour lui.' "

[392]   Boisson, *Le Triangle Rose*, 28. "[C]ertains Nazis, dont Goering, ne craindront pas de comparer la femme à une 'poulinière' ou à une 'jument de trait,' ce qui voulait bien exprimer ce à quoi elle pouvait être utile!"

who is the nation's 'defender' (soldier). In other words, 'nationalist women/traditional mothers' are also 'internal other(s),' despite their perceived 'positive' role by nationalists.

4.11   the *'Invisibles,'* International Law and theorising

"[One] very visible and pressing issue in the 1990s has been the widespread, state-legitimated rape and killing of women in the former Yugoslavia, especially Bosnia-Hercegovina....[I]n June 1996, for the first time, the Hague-based international criminal tribunal for the former Yugoslavia began treating rape as a war crime."[393]

One reason for the need to examine the gendered dimensions of (ethno)nationalism is, as Charlesworth, Chinkin and Wright argue, that the consequences of war crimes, such as those in the former Yugoslavia, cannot be dealt with if the women and men who are its victims remain invisible in the eyes of international law (due to a misunderstanding of the nature of ethnic conflict and nationalism). "The point of gender-sensitive analyses is not that gender is always the primary or most salient dimension of a particular context. But it is consistently at work, making a difference and, in the context of nationalism and intergroup conflicts, may be the difference we most need to see - and move beyond."[394] International law differs from municipal (domestic) law in that its primary subjects are states that create the law for their interactions between each another. However, human rights are grounded in international law and human rights breaches during times of conflict specifically fall under international humanitarian law. On the whole, human rights are seen by some as important tools for obtaining compensation for victims of exploitation and dehumanization. But if there is a public/private dichotomy in modern international law, as Charlesworth, Chinkin and Wright argue, then human rights are in fact not universal, but rather defined according to a masculine norm.[395] Furthermore, this masculine norm is not a universally masculine norm, therefore 'human' rights are based on an even narrower

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[393]   Leslie Holmes, *Post-Communism: An Introduction*. (Cambridge: Polity Press, 1997): 282. (My bolding of "first time".)

[394]   Peterson, "Gendered Nationalism: Reproducing 'Us' Versus 'Them,' " 47.

[395]   Charlesworth, Chinkin and Wright, "Feminist Approaches to International Law," 625, 627, 628.

definition of humanity.   If 'feminist/communist/non-traditional women,' 'alien whore women/girls,' 'nationalist/traditional mothers,' 'demasculinized/militarily conquered men,' and 'deviant homosexuals' are 'invisible' actors in the context of international law, as they are in traditional theories of nationalism, their human dignity cannot be protected. However, these 'women' continue to remain the symbolic and physical targets of nationalist discourse and war policy, respectively.

How can these different 'women' (gendered people of different sorts) be recognized; what kind of gendered approach is necessary? Zalewski suggests asking: " 'What's happening to women?' "[396] I see this as an important question, but not the only one that should be asked. The idea of "questioning how beliefs and myths about gender play an important part in creating, maintaining and ending wars", which Zalewski also puts forth, is also a useful one for gender analysis. An inclusive approach to examining gender that does not homogenize women and men must avoid the pitfall of dehumanization by refusing to render invisible the different categories described in this chapter. 'Women' need "to be deconstructed as symbols of cultural identity and reconstructed as 'human beings'. . . . This is a task that feminism is uniquely fitted to accomplish."[397] I suspect that there may be more 'invisible women/gendered people' - *the external and internal 'other(s)'* - in nationalist discourse that need to be 'found' if the nature of nationalism and its consequences are to be explained and if the violation of human dignity that is motivated by certain nationalisms, which prevail in ethnic conflict, is to effectively addressed through international law. The United Nations Fourth[398] World Conference on Women denounced

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[396]   Zalewski, " ' Well, what is the feminist perspective on Bosnia?' " 342.
[397]   Charles and Hintjens, "Gender, Ethnicity and Cultural Identity: Women's 'Places,' " 23.
[398]   United Nations Fourth World Conference on Women, Beijing 4 - 25 September 1995. *Platform for Action: A Reference Guide for Development Cooperation*. (Canberra: AusAID, December 1996): 8. "The outcome of the Conference was the adoption of the Beijing Declaration and Platform for Action and a recommendation to the General Assembly of the United Nations that it endorse both the Declaration and the Platform for Action. The Beijing Declaration consists of a four-page statement by the Governments participating in the conference, regarding their commitment to implement the Platform for Action. The Platform for Action is a lengthy and complex document which focuses on critical areas of

"violence in all its forms," called "for a special rapporteur on violence to address the use of women in international prostitution and trafficking networks," and asked "for the recognition and condemnation of rape as a weapon of war".[399] "Identity, and the way identities are imposed on people, especially in potentially conflictual situations, is something that has to be investigated."[400]

The ability to do something pragmatically to stop the persecution of non-combatants in internal conflict, in the contemporary international context, is highly dependent on the interpretation(s) of international law that states/state leaders choose to advance. In this environment, the question of sovereign (state) rights versus human (individual) rights arises. In relation to the former Yugoslav wars, this question of sovereign rights versus human rights centers around the issue of ethno-gendered genocide. Consequently, whether non-intervention should be upheld in the case of genocide or whether intervention should be pursued needs to be addressed elsewhere.

CHAPTER V
Conclusion

"[T]o those who seek the merciful way, there is granted this sure knowledge: that the seeds of mercy are planted in the human condition, within each of us, between and among and towards us all, men, women, children . . ."[401]

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concern, strategic objectives and specific actions by various Actors. . . . It refers to and reaffirms numerous international conventions and declarations, most notably the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Convention on the Rights of the Child. Other conventions relating to human rights, race discrimination, biological diversity, war, refugees and trafficking in persons are also referenced. . ."

[399]   Larmour (Social Policy Group), *UN Fourth World Conference on Women* **Planning, Setbacks and Achievements**, 12, 9: "[T]he most contentious [Platform for Action] issues were . . . those of health (including reproductive rights), human rights, armed conflict and the rights of the girl child."

[400]   Allen, "Identity: Feminist Perspectives on 'Race', Ethnicity and Nationality," 52-53.

[401]   Joy Kogawa, *The Rain Ascends*. (Toronto: Knopf Canada, 1995): 216.

This examination began by considering the changing nature of war and the, corresponding, role of the unconventional state. Unconventional (internal/intra-state) conflict has been on the increase since the end of the Second World War. The triadic structure of the unconventional state, consisting of both conventional/regular/formal organs (the regime/power centre and the army) and unconventional/irregular/informal (paramilitary) organs, allows the unconventionally institutionalized (or conventionally "de-institutionalized") nature of internal warfare to be masked. In other words, the paramilitary arm can act on behalf of the unconventional state, while the state can deny any responsibility for the actions of the paramilitaries, thereby, effectively distancing itself from the employment and consequences of (ethno)gendered violence.

The former Yugoslavia shows that an unconventional state constructed (ethno)gendered war policy in order to achieve territorial/political/(para)military objectives; a traditional ('neutral') approach can only serve to mislead one about the nature of war, in such a context, because its theoretical assumptions (the state, anarchy/the public-private distinction and war/peace) create analytical boundaries which do not permit the necessary deconstruction of internal conflict variables (unconventional institutions, spheres, actors, and discourses[402]). For example, civilians/non-combatants (a group of unconventional war actors), who are differentiated on the basis of their (ethno)gendered identity (perceived and actual), are *the* targets in internal war; the primary target of contemporary war is not the opposing conventional army (of classical 'War'). Ultimately, the traditional assumptions - the classical/coherent state, international anarchy (the public/private dichotomy), and classic/conventional 'War' of formal army versus formal army - say that the former Yugoslav wars are not 'Wars'; they conversely suggest that these conflicts can even be defined as components of peace - i.e., a period in which inter-state conflict, rigidly defined, was absent.

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[402] Reference to gendered (ethno)nationalism.

An approach that allows for the deconstruction of the conventional state, anarchy, and war - i.e., a feminist/identity-deconstructivist perspective - has allowed for the unconventional state concept to emerge and, thus, challenge the notion of internal/'ethnic' conflict as the unleashing of primordial hatreds and the (consequent) battle of savage/'tribe' against randomly-acting (ungendered) individuals. Conversely, traditional international relations approaches have proven unhelpful in this regard. A gendered approach has also made possible the symbolic-deconstruction analysis of (ethno)nationalism.

In order to analyze international relations/changing warfare, feminist scholars (women and men of various stripes) rightly seek to examine the unconventional state and (ethno)nationalist discourse (which features 'women') with a critical bent. The tool of dichotomy deconstruction, of feminist/identity approaches, is analytically essential to theoretical development and unique to them. Gender and other identities play a significant role in war; they must be exposed.

Chapter III specifically established the unconventional triadic state structure of the FRY, which in the 1990s operated in the former Yugoslav wars. The Milošević regime, the JNA, and various paramilitary units are collectively responsible for both the creation and implementation of (ethno)gendered genocidal policy in these wars. However, it is the case that paramilitaries were the main mechanism used to execute ethnic cleansing, systematic rape, and sexual torture - i.e., (ethno)gendered (genocidal) violence/warfare. Yet, the JNA played a crucial role in supplying the paramilitaries, while the Milošević regime guaranteed that both the JNA and the paramilitaries had access to resources, so that they were able to implement the regime's political/strategic/military goals. It was evident that civilians were expressly targeted, on the basis of (ethno)gender, in the Yugoslav wars because of the systematic separation of women and men of particular

ethnic groups, by unconventional state forces. Women were systematically raped and/or expelled from the disputed territory or murdered; men were detained (sexually and/or otherwise tortured) and/or exterminated. Thus, violence in the former Yugoslav wars was the consequence of unconventional state war policy; it was (ethno)gendered and institutionalized. The institutionalization of violence in internal conflict is unconventional because it is derivative of the unconventional state structure.

It is essential to recall the last chapter, which explored how the gendered nature of (ethno)nationalism is evident in various 'women's' roles. The external and internal 'Others' ('women') in former Yugoslav (ethno)nationalist discourse (the ideas about social organization and various peoples' roles within that framework) have become the symbolic/physical focus of violence in contemporary warfare; violence is channeled through them by the unconventional state. Surveying the three dominant traditional perspectives on nationalism has demonstrated that they do not provide room, in their frameworks, for the role of gender/this insight. Therefore, what these theories are essentially saying, either explicitly or implicitly, is that the gendered consequences of nationalist politics are unimportant, or that the systematic rape and sexual torture of women and men, in the context of ethnic conflict, is not relevant to understanding nationalism. In other words, the traditional scholar of nationalism is not interested in explaining how nationalist politics can result in the attempted genocide of various groups of people via gendered warfare means because s/he does not ask if there is a relationship between such acts and the underlying gendered messages/symbolism of nationalism.

The political and military methods which have been and which continue to be used, by the Serbian-dominated conservative regime of the FRY, in an attempt to destroy certain (ethno)national groups (i.e. Bosnian Muslims, Croats, and Albanians) depend on the exploitation/dehumanization of both women and men. These methods/strategies are

not "merciful". And, as a result, "we no longer can subsume all women under the sprawling canopy of 'victims' nor all men under the category 'militia fighters.' "[403] However, it is the case that men comprise the vast majority of unconventional state political and (para)military actors and, therefore, these men are the ones responsible for the majority of (ethno)gendered war crimes. Therefore, while the consequence of war is that both women and men (non-combatants) are victimized (in an (ethno)gendered manner), war institutions (states) and war mechanisms (armies, paramilitaries) remain largely masculine (heterosexist and militarist) in character. The external and internal 'Others' may be 'invisible', but the patriarchal character of the unconventional state, war and (ethno)nationalism is not.

The 'external' war (War) versus 'internal' war (peace) dichotomy of traditional international relations theory has proven the greatest source of support for the argument against intervention. Ultimately, traditional definitions of 'public' war allow for the notion of intervention to be effectively avoided (pragmatically) in the case of genocidal internal conflict; various excuses[404] have been put forth to justify non-intervention in the former Yugoslav internal conflicts. What such posturing signifies is that there is little political will to deal with the humanitarian tragedy that is (ethno)gendered internal conflict/genocide. The question of intervention in genocidal internal conflicts requires careful attention and needs to be pursued elsewhere. In exploring further the issue of intervention, specifically in the case of genocide, the 'war versus peace guide' to non-intervention will need to be examined critically.

The traditional approaches of international relations have legitimized the protection of sovereign rights/the inviolability of established territorial boundaries in the face of

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[403]   Enloe, "All the Men Are in the Militias, All the Women Are Victims," 52.
[404]   Yves Beigbeder, *Judging War Criminals: The Politics of International Justice*. (London: Macmillan Press Ltd., 1999): 146.

(ethno)gendered human suffering (i.e., the violation of human rights, inclusively defined) caused by unconventional (sovereign) states. Such traditional thinking has also been adopted by many of the world's political leaders;[405] this perspective has often been a convenient excuse for unconventional state leaders to do as they please with their 'domestic problems.' The structure/institutionalized mechanisms of the unconventional state, as discussed in Chapter III, have permitted the unconventional state to abuse its sovereign rights covertly in this context - under the guise of detachment from its manipulation of sovereignty for certain objectives (i.e., for legitimizing its implementation of (ethno)gendered violence to achieve its territorial/genocidal/identity-destruction objectives).

When sovereignty is the backdrop for countless mutilated bodies lying in mass graves and the rape and torture of 'women' by organized actors utilizing their 'tools' (genitals, military hardware, etc.), it becomes: inhumane 'politics,' patriarchal subjugation of 'Others,' militaristic/sexist (ethno)nationalist discourse based on dehumanization and, above all, an excuse for immorality. In conclusion, the deconstruction of the unconventional state and (ethno)nationalist discourse still leads one to question, among other things, how unconventional state actors can be so merciless, how other states can tolerate and 'negotiate' that 'mercilessness,' and how some academics can remain 'neutral' and pretend that actors are 'neutral' or non-'actors'. In other words, more questions are raised and having a conclusion becomes a moot point; further analysis needs to be done.

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[405]   Beigbeder, *Judging War Criminals*, 163. "The elusive diplomatic search for a political settlement, accompanied by rare shows of limited force, continues to prevail over international justice, in spite of the recurrent pleadings of the Tribunal's President and Prosecutors."

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