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Killing the dead: The logic of cemetery destruction during genocidal campaigns

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Abstract

This paper contends that cultural destruction during genocidal campaigns is a dimension of genocide itself and is evidence of the intent to completely erase the targeted group from existence. It focuses on a powerful, yet under-examined, form of cultural violence, namely the destruction of cemeteries and graveyards. My argument will be demonstrated through the localised case study of the town of Zvornik, Bosnia–Herzegovina, and the destruction of two Muslim cemeteries that took place there during genocidal campaigns against the Muslim communities of Bosnia–Herzegovina in the 1992–1995 war.

KEYWORDS

cemeteries, cultural violence, ethnic conflict, genocide, nationhood/national identity

1 | INTRODUCTION

'The right to life and the right to cultural identity go together, they are ineluctably intermingled. Physical and biological destruction is interrelated with the destruction of a group's identity as part of its life, its living conditions'.

Judge Antônio Augusto Cançado Trindade (ICJ 2016: 345)

As the Bosnian War of 1992–1995 drew to a close, a local architect named Krešimir Sego lamented the enormous cultural destruction enacted upon his town, Mostar. Sego recalled, 'even the cemeteries were destroyed with

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the town' (in Bobic, 2019: 62). Mostar's cultural fabric was destroyed alongside the murderous campaigns launched against Muslim Bosnians ('Bosniaks'), driven by, among other phenomena, Croat and Serb ethno-nationalist ideals of a 'purified' ethnic land. So potent was this desire to rid Bosnia of Muslims that even the deceased members of the Bosniak community resting in Mostar's Muslim cemeteries were attacked. Those passed and the cemeteries themselves provided testimony of Muslim historical presence in the land, contradicting Serb (and Croat to a lesser extent) propaganda efforts to convey an imagined history of a pure ethnic territory.

The Bosnian War, one of the conflicts forming the break-up of the Social Federal Republic of Yugoslavia during the 1990s, was marked by massive, intentional destruction of cultural, religious and historical property (Bevan, 2016: 40; Riedlmayer, 2007: 107). Subsequently, the attention of policymakers and academics turned to protecting cultural heritage, particularly during conflict and genocidal campaigns. And still, despite initial developments, over two decades after the Bosnian War's culmination, there has yet to emerge any comprehensive overview or analysis of the destruction of Bosnian cultural heritage, its impact and its legacy (Walasek, 2015: 1). This is particularly true of cemetery destruction, which has generally remained an afterthought when classifying cultural violence and patterns of genocide, despite consensus on the prevalence of this form of destruction during the war (Balić, 1994: 270; Juvan & Prebalić 2014: 64; Pickard & Celiku, 2008: 27).

The neglect in policy and academia of cemetery destruction and cultural violence during genocidal conflict reveals an under-theorising of cemetery destruction as a distinct form of cultural violence. Cemetery destruction crucially straddles multiple dimensions of contemporary ethnic and cultural violence: destruction of the everyday, the historical, the collective and the deeply personal. Thus, an exploration of the logic, impact and legacy of cemetery destruction during genocidal campaigns will offer significant insight into the mechanisms of genocide itself and what genocide seeks to destroy. This research will ultimately contribute to the increasingly influential scholarly field at the nexus of cultural and epistemic violence and genocide studies.

Despite some inclusion of cultural destruction as evidence of genocide in legal practice in the International Criminal Tribunal for the former Yugoslavia (ICTY), it was not until 2015 that a specific conviction of the war crime 'destruction of historical and religious monuments' was secured by the International Criminal Court (ICC) against Ahmad al-Faqi al-Mahdi, a leading member of the Malian Islamic militia Ansar Dine (2015ICC-01/12-01). Although lauded for its precedential value in recognising the connection between an attack on a group and its culture, the judgement itself must be scrutinised. Despite the group's religiously motivated murders accompanying the destruction of cultural property, the crime of genocide was not invoked (Bilsky & Klagsburn 2018: 373–4). This absence exemplifies how genocide and cultural destruction remain functionally distinct in international legal practice. Hence, the implications of this research are highly consequential for the lived experiences and realities of innumerable communities subjected to attacks and violence today.

This paper therefore aims to establish a research agenda on the logic of cemetery destruction as a distinct form of genocidal violence through discourse analysis of ICTY case proceedings on cultural destruction and the theory-building case study of two Zvornik cemeteries.

To understand what makes cemetery destruction a distinct form of genocidal violence, the principal research questions are as follows:

- 1. Why do people destroy cemeteries during genocidal campaigns?
- 2. What are the impact and the legacy of this form of violence?

This paper will show that cultural destruction during genocidal campaigns is a dimension of genocide itself—it is evidence of the intent to completely erase the targeted group from existence. An attempt to dissociate biological genocide against individuals from the eradication of their culture is artificial because groups exist through cultural markers of their shared identities. Although this paper is by no means a comprehensive analysis of the phenomenon, it contributes to the theorising of cemetery destruction as a distinct and instructive form of genocidal violence.

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2 | THEORETICAL FRAMEWORK

It is worthwhile reviewing both the original conceptualisation of the crime of genocide and its subsequent development within the international legal framework. Cultural destruction—the obliteration of another people's cultural heritage—remains predominantly a conceptual framework that may be linked to or indicate the occurrence of, genocide, war crimes and crimes against humanity. This contradicts the original definition of genocide proposed by Raphael Lemkin, the lawyer who coined the term.

2.1 | Origins of the concept of genocide

The seemingly novel crime of genocide sought to address crimes perpetrated by a state against its own civilian populations. Although its roots rest in earlier conventions, namely the Hague Conventions of 1899 and 1907, it was not until 1948 and 1954 that the protection of cultural heritage during wartime was officially codified into international law, thanks largely to Raphael Lemkin.

Lemkin—profoundly shaped by the Armenian Genocide (Balakian, 2013: 60), atrocities committed within European colonialism (Schaller, 2005: 531) and the Holocaust—proposes that what distinguishes genocide is that people are not targeted as individuals but as representatives of their larger community. A genocide is the killing of an ethnic or national community, which also aims to destroy the cultural elements of a nation's collective identity (1946). This fundamentally involves the destruction of the group's physical, social and cultural existence.

Lemkin's original conception of genocide therefore contained two key elements: barbarity—attacks and violence against people—and vandalism—attacks on a people's culture, including monuments, archives, religious spaces, language and traditions (Frieze, 2013: 172). However, the entire article delineating 'vandalism' was removed from the 1948 United Nations' Convention on the Prevention and Punishment of the Crime of Genocide (UNCPPCG) at the United States of America's representatives' insistence, over concern that their own treatment of native peoples would be subsequently criminalised (United Nations, 1948; Churchill, 1998: 365). There is thus no mention of cultural destruction in the UNCPPCG. The metrics of genocide were listed in Article II to include mass killing, inflicting serious mental or bodily harm, expulsions and deportation and the transfer of children from the targeted group. These definitions reflect the destruction of the living bodies of the targeted group but negate the symbolism of cultural heritage. Since its adoption in international law, the concept of genocide has overlooked the destruction of the cultural and social foundations of the targeted group.

2.2 | The legal evolution of the concept of genocide

Tentative progress towards reconciling these two dimensions of genocide has been made. The 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (UNESCO 1954: Article 4) calls on warring parties to 'refrain from any act of hostility directed against such property'. The same article, however, retracts this obligation when 'military necessity imperatively requires such a waiver'. This loophole was narrowed somewhat with the 1977 Protocols I and II Additional to the Geneva Convention of 1949 (Protocol Additional to the Geneva Conventions, 1977: Article 53). However, the intertwined nature of genocide and cultural destruction is still yet to find its place in international law (Novic, 2016: 9).

This is evident in the relative lack of consensus regarding the relationship between cultural destruction and genocide at the ICTY, established to prosecute war crimes and crimes against humanity occurring during the 1990s Yugoslav Wars. Although under Article 3(D) of its Statute, the ICTY exercises jurisdiction to prosecute the 'destruction, or wilful damage to institutions dedicated to religion ... [and] historic monuments', the role of cultural destruction in ethno-nationalist campaigns remains ambiguous. In the ICTY Trial against Radislav Krstić in 2001, the

Chamber ruled that group destruction should be understood only in biological or physical terms (2001ICTY-98-33: 580). This provoked strong dissent from Judge Mohamed Shahabuddeen, who asserted that 'the destruction of culture may serve evidentially to confirm an intent ... to destroy the group as such. ... The intent to destroy the group as a group is capable of being proved by evidence of an intent to cause the non-physical destruction of the group' (2004ICTY-98-33: 53–54). However, Judge Shahabuddeen's dissenting opinion illustrates a principal critique of the ICTY's approach to cultural destruction. As Robert Bevan (2016: 12) argues, the ICTY has tentatively accepted the destruction of heritage as 'potential *evidence* of genocide, but not as an intrinsic method of achieving genocide even if they are an element of blatant attempts to erase an entire people's history and identity'.

This critique of the ICTY, whose approach is paralleled by the United Nation's International Court of Justice (ICJ), is shared with Judge Trindade, who expressed his dissent at The Hague in 2016 towards the verdict on a genocide case between Serbia and Croatia. Judge Trindade contested the court's insistence that cultural and religious destruction does not amount to acts of genocide:

'Whether one wishes to admit it or not, body and soul come together, and it is utterly superficial, clearly untenable, to attempt to dissociate one from the other' (ICJ 2016: 347).

Judge Trindade argued that the ICJ denies justice as it overlooks systematic patterns of cultural violence by establishing too onerous a level of evidence proving genocidal intent. He asserts that the consistent pattern of cultural destruction is itself evidence of a desire to annihilate a people. Trindade's view, which mirrors Lemkin's original perspective of genocide as comprising both barbarity and vandalism, is still yet to be adopted within the international legal framework. This, as discussed in the following section, not only has considerable implications for the reliable protection (or lack thereof) of cultural heritage across the globe but also obscures the *logic* of cultural destruction itself.

2.3 | Genocide and cultural violence

Genocide is not simply the destruction of the individual members of the targeted group. If it were, 'mass murder' would suffice (Bilsky & Klagsbrun, 2018: 374). Genocide is also distinct from the concept of 'ethnic cleansing' in that the underlying intent is not necessarily to destroy the group outright but rather to displace them in order to homogenise a territory (Schabas, 2009: 234)—although, in practice, clear differentiation between these two concepts remains elusive (Shaw, 2007: 49–54). Nevertheless, the term genocide refers to *something greater* than the murder of individuals: At its very essence, genocide *is* the holistic destruction of a national, ethnic or religious group. Cultural destruction matters because if a group's cultural heritage is eradicated, the result is similar to the physical eradication of that group: they cease to exist as a distinct cultural community (Bevan, 2016: 12). Thereby, we see that the motivations behind genocidal campaigns are often far more existential than mass murder—genocide is fundamentally concerned with collective identities and their expressions.

Culture serves as a 'multi-generational foundation for [the] continuing survival' of the group (Jacobs, 2005: 423). As Christopher Powell suggests as to why cultural destruction must be included in the examination of genocide:

'Genocide does not *reduce* to the killing of individuals because the life of a nation does not reduce to the physical survival of the individuals who make it up, any more than a person's life reduces to the cells that make up their body' (2007: 534. Author's emphasis).

I argue that this 'something greater', which is destroyed in genocide can be understood by examining the intentional destruction of the targeted group's cultural heritage (see Moshman, 2007; Powell, 2007). Cultural violence is

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not a side effect of genocidal campaigns; rather, it is fundamental to the logic and process of genocide itself. To be clear, the intention of this paper is not to arbitrarily broaden the scope of genocide, thus contributing to what Christian Axboe Nielsen (2013) calls the 'myopic' focus on the crime of genocide, which can entrench, rather than solve, historical disputes (Snyder, 2010: 405). Rather, it is to explore how the landscape of what genocide is understood to shift when we incorporate the 'vandalism' dimension of genocide which, as Hamza Karčić (2015: 205) suggests, reflects the 'letter and spirit' of the Genocide Convention itself. An examination of the logic and legacies of cultural destruction illuminates the attack on the 'something greater' that underpins genocidal campaigns. To understand the significance of cemetery destruction within the context of genocide, we must first explore what a cemetery represents and means to its community.

2.4 | The social role of cemeteries

Cemeteries, referred to by Carol Lilly (2019: 677) as 'communities of the dead', in fact, preserve communities of the living. They are simultaneously universal and culturally specific. Cemeteries hold strong discursive power, playing prominent roles in confirming land ownership and as markers of identity in a specific place (Scheele, 2006: 861). As Hallam, Hockey and Howarth (1999: 29–30) argue, dead bodies themselves embody the past; they are symbolic of historical continuity and ground the present in a shared past. Cemeteries are places where society remembers itself and are thus deeply symbolic. However, cemeteries are not mere cultural symbols; they are also fundamental aspects of local landscapes (Scheele, 2006: 860). By destroying local landscapes, ethno-nationalists attack what Martin Coward (2009: 14) calls the conditions that allow for the 'possibility of community'.

Cemetery destruction has been explored in scholarship relating to ethnic conflict, memorialisation and land ownership. Doron Bar (2020) examines the fate of Palestinian cemeteries during the establishment of the Israeli state and their contemporary treatment. Michael Meng (2011) explores how the ruins of Jewish cemeteries destroyed during the Holocaust have been incorporated into 'redemptive cosmopolitanism': the performance of tolerance without engaging with what the shattered spaces actually reflect. While these represent important advances in recognising the complex societal significance of cemeteries and their destruction, there remains a gap in scholarship theorising cemetery destruction in relation to genocidal violence in itself. This paper seeks to contribute to addressing this gap.

3 | METHODOLOGY

3.1 | Research design

To analyse the role of the destruction of cemeteries in cultural violence and identity mythmaking, I employ the methodological approach of a theory-building paradigmatic case study using thematic analysis. This is best suited for multiple reasons. Firstly, there is currently no completed or reliable quantitative dataset enumerating this phenomenon in the former Yugoslavia (Walasek, 2015: 43). Thus, a case study methodology will provide an important initial framework. Secondly, a case study ensures that a phenomenon is explored *within* its context (Baxter & Jack, 2008: 544); key to analysing the logic of cemetery destruction within the context of genocidal campaigns. Finally, a focus on the *logic* of a phenomenon requires the exploration of collective perceptions and interpretations, offering insight into the meaning of a phenomenon, thus suiting the research questions and motivations of this paper. A thematic analysis framework provides a technique for identifying explicit rationalisations and implicit signification across discourse (Attride-Stirling, 2001: 388); a form of 'pattern recognition' (Fereday & Muir-Cochrane, 2006: 82), which seeks to unearth themes indicative in the understanding of a phenomenon (Daly et al., 1997). The exploratory and • WILEY-

explanatory powers of thematic analysis make it appropriate for research into how social phenomena are understood and depicted.

The basis of my case study is the expert witness testimony given by András Riedlmayer at the ICJ and witness testimony featured in a Submission of Information to the United Nations Security Council. Riedlmayer was one of just two expert witnesses commissioned to produce reports and give testimonies, with Riedlmayer as the sole expert on the codification and understanding of the cultural destruction in Zvornik. Along with 'corroborative sources', the Court notes that Riedlmayer's findings constitute 'persuasive evidence' concerning the destruction of cultural and religious heritage in the region and its significance (ICJ 2006: 143, paragraph 343). The ICJ's confidence that Riedlmayer's expertise meets the required standard of legal proof justifies its usage as a source in political science research.

The use of expert witness legal testimony has long been used in the fields of social and political science (see Jones et al., 2013; Walasek, 2015). However, as Vladimir Petrović (2016: 1) comments, despite numerous precedents, the employment of historians as expert witnesses has never fully achieved legitimation in legal or political science arenas. Potential limitations of relying on expert witness testimony gathered as evidence in judicial processes include the fact that trials are primarily driven by prosecutions' choices over which violent incidents and perpetrators to pursue and which to ignore—a crucial component of what evidence is ultimately collected. Nevertheless, Iva Vukušić (2022: 20) contends that the value of witness testimonies resides in their function as primary sources, particularly regarding testimony given by expert witnesses. They are not ordinary witnesses (valuable in their own right) but have been specifically invited given their specialist knowledge to help the judges interpret evidence accurately (Vukušić, 2022: 19). Furthermore, expert witness testimony is particularly valuable in research pursuits offering limited quantitative datasets codifying a specific phenomenon, as is the case with cemetery destruction. Thus, expert witness testimony features as a key tenet of the evidence underpinning my case study.

Nevertheless, there remain certain limitations to relying too heavily on expert witness testimony, particularly when they are given by external actors. To overcome this, I have corroborated the expert witness testimony with that of Dr Colin Kaiser, whose expertise has been employed by the Council of Europe and ICTY, as well as with other resources, such as thematic analysis of perpetrator narratives of the destruction. Much of this discourse comes from wartime interviews with key local Serb leaders, including the contemporary mayor of Zvornik Branko Grujić, given to foreign journalists writing for the *New York Times*, the *Los Angeles Times* and *The Times of London*. Engaging with journalist interviews from the conflict era captures how key local figures rationalised and justified the destruction and sought to communicate their logic to a wider audience. This data triangulation allows me to develop a paradigmatic case study offering convincing findings and transferable analysis.

My case study examines the fate of two cemeteries in the Zvornik municipality, in Bosnia–Herzegovina. The north-eastern region, situated on the Bosnian–Serb border in Republika Srpska, saw mass violence against its Bosniak–Muslim population, including mass murders, torture, physical and psychological abuse, rape, destruction of mosques and homes and mass expulsions (Gratz, 2011: 415). Its pre-war demographics, wartime patterns of violence and post-conflict legacies render this case study highly informative for analysis of the logic and impact of cemetery destruction during genocidal campaigns. Selecting a single case study also reflects the war's lived reality, developing as a series of localised conflicts with their own regional dynamics and post-war legacy (Dahlman & Ó Tuathail 2005a: 646). Trends and experiences can be extrapolated across Bosnian and Yugoslav regions but are holistically understood in their own context. Thus, the paradigmatic case study of Zvornik is useful as it embodies much of the violence marking this period.

So far, quantitative research on cemetery destruction during the Bosnian conflict demonstrates the phenomenon's prevalence. Chapman (1994: 121) finds that in the first year of the Serb-led assault on Islamic heritage in Bosnia, 33 Muslim cemeteries were destroyed, with two more severely damaged. Riedlmayer's (2002b) documentation of destroyed Islamic heritage in the Bosnian conflict reveals that over half of the 90 Islamic mausolea and shrines, often located in cemeteries, were destroyed or damaged during the conflict. Riedlmayer (2002b: 2) also documents the mosques destroyed or damaged: Of 1706 mosques identified before the war, 1186 were destroyed or

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damaged, constituting 69.52%. This statistic regarding mosques is central to the exploration of cemetery destruction because many Muslim cemeteries were attached to mosques, suggesting that a high number of Muslim cemeteries will have been destroyed along with their connected mosques, although precise numbers are unknown (Lilly, 2019: 700). Thus, prior efforts to document cultural heritage destruction confirm the phenomenon of cemetery destruction, providing a stable foundation for this paper.

3.2 | Case study

3.2.1 | Yugoslav context

Amidst the violent breakup of Yugoslavia in the 1990s, ethno-nationalist campaigns emerged, predominantly among Serb but also Croat nationalists, aiming to 'cleanse' captured territories of ethno-religious minorities, with particular suffering inflicted on Bosnia–Herzegovina's Muslim community. The extensive destruction of cultural heritage included libraries, national archives, religious buildings, public monuments, universities and of course cemeteries (Walasek, 2015: 43). As the war ensued, it became evident that the intent was not simply to create an ethnically homogeneous 'pure' state but also to eradicate any indications of a multicultural past. Across the former Yugoslavia, the heritage of all local religions—Catholic, Orthodox, Muslim and Jewish—suffered significant damage. However, Smail Balić (1994: 268) suggests that attacks on Croat/Catholic and Serb/Orthodox cultural heritage were generally individual incidents, unlike the systematic pattern of destruction inflicted upon the region's Ottoman Islamic heritage. Caught between the advancing Croat and Serb forces, by the official end of the Bosnian conflict in 1995, the region's Muslim heritage was shattered.

This paradigm of more and less targeted communities tracks onto patterns of cemetery destruction during the breakup of Yugoslavia. There are instances of the 'striking' destruction of Croat 'heritage treasure' cemeteries by Serb forces in Primorje, Dubrovnik (Kaiser, 1993: 85), and of Croat forces dynamiting a Serb-Orthodox Monastery in Žitomislić, Bosnia–Herzegovina (Kaiser, 1993: 120). Jewish cemeteries were also widely targeted across the region: During the 1992–1995 Serb siege of the Bosnian capital, Sarajevo, the famous Jewish cemetery founded in 1630 was obliterated, with 95% of headstones destroyed or damaged (Gruber, 2011: 25). The cemetery was then filled with landmines (Walasek, 2015: 43)-a fate shared by most Jewish cemeteries in Serb-occupied Bosnia. It was not only ethnic or religious cemeteries that were targeted; in February 1992, the Partisan Memorial Cemetery in Mostar, which commemorated Partisan fighters from diverse ethnic backgrounds who died defending the city during WWII, was bombed by the Croatian HVO Army (Ilić & Alempijević, 2017: 75). The cemetery, testifying to a history of interethnic community and a shared Yugoslav identity, was 'the first thing fired upon in Mostar', recalled local historian Dragan Markovina (in Milekić, 2017). The targeted destruction of cemeteries across ethnic groups and at the hands of distinct actors-namely Croat and Serb forces-demonstrates a wider pattern of cultural violence that merits examination. Such a comprehensive study falls beyond this paper's remit, which focuses primarily on the Serb destruction of two Muslim cemeteries in Zvornik, Bosnia-Herzegovina, as Muslim and Ottoman heritage and cemeteries formed were principally targeted (Walasek, 2015: 43).

3.2.2 | Zvornik

Located at the Bosnian-Serb border on the River Drina, Zvornik was regarded by Serb nationalists as a historically Serb 'fortress on the Drina'—the river was not considered a border but the 'backbone of the Serb homeland' (Dahlman & Ó Tuathail 2005a: 647). According to the 1991 census, the county of Zvornik had a population of 81,295. Muslims—*Muslimani*—comprised 59.16% of the population, while Serb nationals constituted 37.9%. In the town of Zvornik itself, of a total population of 14,660 people, 61% were Muslim, 29.2% were Serb and 0.5% were

Croat. Surveys from the immediate pre-war period reveal a generalisable sense of coexistence among Zvornik's residents: In 1990, just 5% of Bosnian Muslims and Serbs strongly agreed that 'each nation should have its own state' (Vratusa-Zunić, 1997). Nevertheless, 3 years later, Zvornik's population was 100% Serbian (Riedlmayer, 2002b: 27). This was principally the result of the Yugoslav People's Army's campaign between April to June 1992, where an estimated 2500 people were murdered, with many more tortured, imprisoned and/or raped before being expelled from Zvornik (Riedlmayer, 2002b: 27). As Carl Dahlman and Gearóid Ó Tuathail assert, 'what was once a Muslim majority town is no longer recognisable' as such (2005b: 593).

Accompanying the physical violence against Zvornik's Muslims was the considerable destruction of cultural and religious heritage, including Zvornik's tekija (house of meditation) and numerous mosques. Practically all religious buildings for mourning and housing the dead were damaged or destroyed. Multiple local turbes (mausolea) were demolished, including the turbe of Hasan Sheikh Kaimi-baba in Zvornik town (Pickard & Celiku, 2008: 27). Zvornik is also emblematic of the far-reaching extent of the destruction of Islamic heritage: In February 1993, Bosnian-Serb forces demolished the tiny mosque of Sultan Mehmed the Conqueror in Kušlat, Zvornik, which, given its location at the top of a steep crag, required a 2 h climb up a dirt road. The mosque was obliterated, with its rubble then removed after the signing of the Dayton Peace Agreement (Walasek, 2015: 44). This brings us to the destruction of the Muslim cemetery in Zvornik, the testimony of which was featured in a Submission of Information to the United Nations Security Council (USA Department of State, 1992). A Bosniak witness reported that in mid-April 1992, Serb forces completely bulldozed the Muslim cemetery southwest of Zvornik-proper. He saw buses and trucks loaded with bodies taken to Zvornik's stone quarry. The centuries-old cemetery, the bodies and tombstones, were all removed. The Muslim cemetery in the village of Divič, 3 km from Zvornik town, was subjected to a similar fate. Divič was home to 1388 Bosnian Muslims and four Serb residents according to the 1991 census; however, on 26 April 1992, Serb-nationalist forces entered the village and ordered the surrender of all weapons, before destroying or damaging buildings and property belonging to the Muslim community (Riedlmayer, 2006: 32). Riedlmayer's, 2006 testimony in the ICTY's case concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide shows that the Muslim cemetery, along with Divič's mosque, was completely razed before a Serb Orthodox church was erected on the site. As RiedImayer argued to the court, 'The aim, clearly, was to eliminate both the [Muslim] community in Divič and its historical, cultural and religious identity and even the very memory of its existence' (2006: 32, paragraph 64).

3.2.3 | Controversies with 'genocide' in the case of Bosnia-Herzegovina

Courts have found that genocide has occurred in different Bosnian localities. As well as the ICTY and ICJ rulings of genocide in the case of the Srebrenica massacre (2010), the ICTY also convicted Ratko Mladić's top lieutenant Zdravko Tolimir of genocide in Žepa (2012IT-05-88/2-T: 324, paragraph 730), and the Düsseldorf Higher Regional Court convicted Nikola Jorgić of genocide in Doboj (Oberlandesgericht 1997), a decision upheld at European Court of Human Rights in 2007. Nevertheless, confirming the extent of genocide during the Bosnian war has been the subject of much controversy. Although scholars including Nielsen (2013) and Timothy Snyder (2010) have warned against attempts to over-broaden the scope of the legal concept of genocide, Karčić (2015: 205) suggests that establishing historical truth 'requires more than sole reliance on judicial verdicts'.

Many scholars have indeed sought to demonstrate that the genocidal campaign genocide against Bosniaks in fact spanned from 1992 until its culmination in Srebrenica in July 1995 (Hoare, 2014; Power, 2002). Bećirević (2010: 485) has analysed discourses in Radovan Karadžić's strategic goals proclaimed in the Bosnian–Serb parliament in May 1992, tracing genocidal intent in the political leader's rhetoric from the conflict's advent. Regarding Zvornik specifically, Sead Omerbegović, Midhat Čaušević and Fatija Hasanović (2018) argue that statistics on death tolls and forced expulsion, as well as the extreme and systematic violence, confirm that genocide occurred in the Zvornik municipality between 1992 and 1995. Furthermore, Emir Suljagić (2022: 12) shows that after purging Zvornik of its

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Muslim population, the Drina Corps of the Bosnian Serb Army would assume a pivotal role in the Srebrenica genocide 3 years later, claiming to have 'liberated the territory from the Turks', replacing them with an 'ethnically pure Serb population' (ICTY 2016 IT-95-5/18-T: 555, paragraph 1365). In fact, in June 2010, Drago Nikolić, Chief of Security in the Zvornik Brigade, was found guilty of crimes including aiding and abetting of genocide Srebrenica (ICTY 2010). The fluidity and movement of both perpetrators and victims in Bosnia-Herzegovina does raise the question of whether it is truly possible to draw clear lines between where genocide occurred and where it did not, once genocidal intent has been identified in the same perpetrators.

The break-up of former Yugoslavia contained complex intersecting patterns of genocide, ethnic cleansing and cultural violence. Of course, the evidence presented in this paper is undoubtedly insufficient for comprehensive and definitive legal findings of genocide in its own right. Nevertheless, I contend that examining cultural destruction— and particularly cemetery destruction—in a context where mass physical and cultural violence has occurred and where actors subsequently found guilty of the crime of genocide held huge political influence will illuminate the phenomenon of genocide itself.

4 | ANALYSIS

4.1 | Why destroy a cemetery?

Regarding the first research question, three overarching findings have been identified: (i) strengthening the myth of historical national purity, (ii) taking back what belongs to 'us' and (iii) erasing all visible evidence of 'the other'.

4.1.1 | Strengthening the myth of national purity

Cemeteries, through their very existence, are proof that the 'others' had historical roots there lasting generations. Thus, as they refute the premise of the nationalist call to war itself, cemeteries were systematically targeted for destruction. This motivation was epitomised in a comment made by the Serb wartime mayor of Zvornik, Branko Grujić, in an interview with the *Los Angeles Times* journalist Carol Williams—he declared that after the cemetery and the town's mosques had been eradicated, 'There were never any mosques in Zvornik' (Williams, 1993). Crucially, Williams points out that Grujić knew that the visitors hearing this assertion had seen otherwise. Nevertheless, Zvornik's mayor exudes confidence that, by removing the evidence of Zvornik's Muslim community, the constructed myth of Serb territorial purity could be consolidated. To render this narrative convincing, any contradicting relics or heritage had to be removed.

Eric Hobsbawm and Terence Ranger assert that processes of mythmaking based on a specific interpretation of history will likely intensify 'when a rapid transformation of society weakens or destroys the social patterns for which "old" traditions had been designed' (1983: 4). This was certainly the case for the Serb-nationalist forces in Zvornik, amidst the breakdown of the former Yugoslavia. The Bosnian conflict was justified by an interpretation of the past, subsequently manipulated by political elites, that perceived each area of the West Balkans as having once been ethnically homogeneous—thus capable of being again (Chapman, 1994: 5). This was precisely the *raison d'etre* of the Serb ethno-nationalist forces: to create an ethnically and religiously 'pure' future, founded on the premise that coexistence is—and always was—impossible (RiedImayer, 2002b: 114).

The historical existence of the 'other' embodied by cemeteries is identifiable in other items of cultural heritage including archives, which were similarly targeted for destruction during the war. The Oriental Institute in Sarajevo, containing Bosnia's largest collection of Islamic manuscripts and Ottoman documents, was shelled in May 1992, destroying almost all of its contents. One of the most significant losses of the Institute's destruction was the Ottoman Provincial Archive, containing over 200,000 documents and primary source material for 500 years of Bosnia's history

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(Riedlmayer, 2007: 112). The aim of consolidating the Serbian myth of historical purity manifested not just in cemetery destruction but also in targeting other artefacts that articulate the other's longstanding regional presence.

However, the destruction of cemeteries holds a deeper significance for members of the targeted community, as they experience a closer personal affinity and connection to the local graves of deceased relatives than archival material in the country's capital. Cemetery destruction was thus key to the 'formalisation and ritualisation', to use Hobsbawm and Ranger's terminology (1983: 4), of the guiding ideology that denied a past of coexistence, cultural pluralism and tolerance. As Hobsbawm (1993) suggests, 'If there is no suitable past it can always be invented. The past legitimises'. The eradication of cemeteries was thus a crucial method through which Serb ethno-nationalists transmitted their ideology, justifying their calls for genocidal campaigns against impure elements of Bosnia-Herzegovina. The destruction of cemeteries was not an independent endeavour but was an element of the genocidal campaigns against the Bosniak community.

4.1.2 Taking back what is ours

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Another finding is that the cemetery in Zvornik was destroyed as part of a Serb campaign to 'take back' the territory that they held as rightfully theirs by destroying non-conforming parts of the landscape. Again, Zvornik's mayor, Branko Grujić, expressed such sentiments, justifying the destruction of the town's cemetery and the mosque through a discourse that conflated time into what Dahlman and Ó Tuathail (2005a: 649) call a 'mythic symmetry'. In a 1994 tour given to the New York Times' Roger Cohen, Grujić pauses to kiss a wooden cross before declaring: 'The Turks destroyed the Serbian church that was here when they arrived in Zvornik in 1463. Now we are rebuilding the church and reclaiming this as Serbian land forever and ever ... We are liberating our beautiful land' (Cohen, 1994). Again, this discourse provides insight into the logic of cultural destruction articulated by one of the most influential officials in the Republika Srpska: The destruction of the cemetery was justified because our attacks are defensive and are acts of recuperating what historically belongs to us.

Stuart Kaufman (2001: 37) offers an enlightening explanation regarding this logic of cultural violence. He argues that even atrocities require a normative basis—a mythical belief that the opponent has already engaged in atrocities, thus retaliatory atrocities are morally acceptable. This is why ethnic violence and cultural destruction are often framed defensively by the perpetrators; atrocities are necessary to defend what is rightfully ours. Indeed, as cemeteries bear the memory of the past, they embody the historical continuum in the connection between territory and ethnic groups. As Čolović (2002: 27) argues in his work on Serbian perceptions and symbolisms: 'Wherever there are Serbian graves, there is Serbia. Graves mark the boundaries of Serbian land'. It follows that the same notions would apply to Muslim graves for Serb nationalists-wherever there are Muslim graves, there is Islam, therefore the enemy. Muslim cemeteries in Zvornik and Divič were thus explicitly targeted for destruction in order to demonstrate the territorial domination of what was deemed a fundamentally Serb space. Further comments from Zvornik's mayor Grujić substantiate this; in ICTY proceedings against Momčilo Krajišnik, a high-level wartime Bosnian-Serb leader, Grujić was quoted as saying in the final stages of the conflict: 'Return to Zvornik ... the Muslims must be joking. This was a Serbian town before Islam existed in the Balkans' (ICTY IT-00-39-T 2006). Muslim cemeteries and Bosniak culture were deemed illegitimate, along with the human presence of the community, and were therefore eradicated in line with ethno-nationalist aims.

4.1.3 Erase all visible evidence of 'the other'

The final finding relates to the logic of cemetery destruction involving the erasure of all visible markers of 'the other': creating a blank slate on which to build a future reflecting ethno-nationalist values. The eradication of a cemetery and other cultural heritage frequently amounts to the claim that 'the other' never existed here. Cemeteries and other

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communal spaces were systematically and deliberately targeted, demonstrated by the fact that areas around them were often left unaffected (Sells, 1996: 2). The cultural destruction was not just a history-facing endeavour to 'right the historical record' and leave an absence in landscape or historical narrative but embodied the first step in realising a new vision. The historical slate was wiped clean upon which the ethno-nationalist ideology could be written.

In an ICTY report, Kaiser (2002 IT-00-39: 4), contended that erasing symbols of Muslim heritage, including cemeteries and minarets, was the 'architectural equivalent to the removal of the population'. In Zvornik's Mayor Grujić's interview with Roger Cohen, he gestured to the formally Muslim village of Divič and announced that he had renamed it Sveti Stefan after the Christian Saint Stephen (Cohen, 1994). To cleanse the area of Muslim individuals was insufficient; the communal markers of their culture also posed a threat to an ethnically pure future (Walasek, 2015: 58). Anything displaying the community's local roots was removed—cementing the ethno-nationalist campaigns by ensuring that 'the other' would find nothing with which they identified if they returned. The practical implications of this in Zvornik were considerable: Following the 1992 attacks, which left it almost entirely depopulated of its pre-war residents, Zvornik quickly became a resettlement site for approximately 31,000 Serbs leaving the Federation of Bosnia–Herzegovina and resettling in Republika Srpska (Dahlman & Ó Tuathail, 2005a: 648).

This process of repopulation—creating a new Serb majority in the previously Bosniak area of Zvornik—in fact represented the creation of a new Serb collective identity. Testifying at the ICTY, Kaiser (1998: IT-1995-14-T) noted that cultural destruction was not only aimed at cleansing society from 'the other' but also symbolised an attempt to reshape the identity of one's own people. He argued that by destroying all remnants of the expelled community, you create a new identity for your own people—one who 'has not the memory and the experience of having lived with somebody else' (1998: IT-1995-14-T). Thus, although the othered group is subjected to violent collective obliteration, the nature of the perpetrators' collective identity is also intrinsically affected. Cemetery destruction in Zvornik was a critical element in the Serb ethno-nationalist genocidal campaign to erase Zvornik's Bosnia past and crucially to create a new Serb identity itself cleansed of any Muslim influence. Roger Boyes, reporting from the former Yugoslavia during its break-up, succinctly expresses the impact of cultural violence:

"Why else ... trample on ancient cemeteries? They are moving to make their occupation permanent. Soon, when there are no more mosques left in Bosnia, they will even be able to rewrite history and declare that the natural religion of the country is the Orthodox faith. Welcome to Greater Serbia" (1992).

We can see that the destruction of cemeteries represents a dimension of genocide itself and forms a crucial mechanism through which Serb ethno-nationalist genocidal campaigns were entrenched.

4.2 | The legacy of cemetery destruction

The legacy of cemetery destruction further illuminates the logic underpinning cultural violence and its intrinsic connection to genocidal campaigns. Broadening our attention, the following section contextualises the targeting of cemeteries and its role in the genocidal campaigns to which the community was subjected within the following findings: (i) the cementing of cultural separation and mistrust and (ii) the platform for continued violence on the part of the 'winners'.

4.2.1 | The cementing of cultural separation and mistrust

In 2000, the *Islamic Community of Bosnia and Herzegovina* brought a case against the Republika Srpska to the Human Rights Chamber for Bosnia and Herzegovina, petitioning to reconstruct the cemetery and mosque in Divič destroyed during the war. The Court found that the Republika Srpska 'violated the Islamic Community's right to freedom of religion ... and right to the peaceful enjoyment of its possessions' by destroying the cemetery and constructing an Orthodox Church on the same land (2000CH/98/1066: 2, paragraph 1). However, it refused to enforce the Orthodox Church's removal, instead ordering the Zvornik municipality to identify a suitable building site for the construction of a replacement mosque and cemetery in Divič. The Islamic community appealed this decision to no avail, ultimately rebuilding the former mosque on a different site at its own expense. The legacy of loss inflicted by cemetery destruction on the Bosniak community was an explicit wartime tactic of Serb local leadership in the Republika Srpska. In his expert testimony at the ICTY, RiedImayer quoted Simo Drljača, wartime Civil and Secret Police Chief for Prijedor, who called for the destruction of Islamic cultural heritage in the following way in 1992:

'You've got to shake up the foundations [of the community] because that means they cannot build another. Do that, and they'll want to go. They'll just leave by themselves' (2002a: 12).

This demonstrates a consciousness of the significance of cultural destruction on the part of the perpetrators and how it formed an element of the genocidal campaigns they pursued. The destruction of the Muslim cemetery at Divič left in its wake a symbol of cultural separation and resentment in the local landscape, contributing to an atmosphere of inter-ethnic mistrust.

Evidently, the Bosnian conflict has deeply affected the psyche of Zvornik's residents, particularly in terms of perceptions around coexistence and security in the future, as was the aim of Serb ethno-nationalists in reconfiguring social lines towards ethnic homogeneity. Despite Zvornik surveys exhibiting general pre-war support for intercommunal coexistence, surveys conducted in the Zvornik post-war period indicate a societal shift: 42% of Bosnian Croats became 'most interested in gaining their own entity within Bosnia', whereas 65% of Bosnian Serbs declared that 'their most important interest is independence for Republika Srpska or its annexation by Serbia' (UNDP, 2002: 46). Bosniaks diverge from tendencies of ethnic separation, with about one third expressing a longing to return to pre-war Bosnia, and 52% supporting a Bosnia in which 'its peoples are equal citizens' (UNDP, 2002: 46). Nevertheless, as evidenced by the Croat and Serb contributions, the messaging of the violent ethno-nationalist campaigns did permeate through wider Zvornik, creating an atmosphere of inter-communal distrust and a desire for separation.

Key to this shift, Bette Denich (1994: 368–9) argues, was the physical reconfiguration of the community, regaring both Zvornik's ethnic make-up and its cultural and spatial landscape. Van der Hoorn (2009: 68) agrees, suggesting that the cultural destruction, including of Muslim cemeteries, acted as the 'main catalyst' for defining cleavages between 'us' and 'them'. This is because the act of transmitting these ideologies from the intellectual realm to that of mass politics necessitates the manipulation of the physical landscape, principally items of cultural heritage (Denich, 1994: 368). The destruction of cemeteries is a particularly potent mechanism for effecting such social change, from general tolerance to widespread intolerance, because of its finality. Unlike other items of built cultural heritage, cemeteries cannot be rebuilt. Once the bodies are removed and disposed of or dynamited, they cannot be restored. For the Divič cemetery, the specific land could not even be reinstated as the final resting place of its Muslim residents because of the erection of the Serb Orthodox church, further inflicting symbolic violence on the historical legacy of the space. Therefore, given that cultural destruction serves to cement the communal separation that ethno-nationalism calls desire, nothing is more unequivocal than destroying a cemetery. For this reason, focusing on the destruction of cemeteries and their legacies elucidates the logic behind cultural violence as a fundamental part of consolidating the goals of separation and mistrust that ethno-nationalism seek.

4.2.2 | Continued violence by winners

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Thus far, we have seen that this violence serves to uphold and consolidate the war-time genocidal campaigns by promulgating that different Balkan ethnic communities cannot coexist and by entrenching and enforcing division and mistrust. Ultimately, we observe a clear element of the legacy of this phenomenon as a form of continued and perpetuating violence by the winners of the conflict in Zvornik; namely the newly dominant Serb population, particularly within the Republika Srpska.

As evidenced, destroying a cemetery clears the historical record permanently, allowing victors to recreate a more desirable past, as was the case with the erection of the Orthodox Church in Divič. It also highlights that the local victorious Serb leaders of Republika Srpska were rightfully confident that they could act with impunity, dismissing official challenges to their actions. However, destroyed cemeteries and mosques were not only replaced with Serb Orthodox churches but were often cleared so that the local wartime leadership could profit commercially from the empty space. As Dahlman and Ó Tuathail (2005b: 593) report, an apartment complex was constructed where Zvornik's oldest mosque and cemetery once stood. This apartment complex is owned by a founding member of the Serb Democratic Party, who served as the area's Chief of Police during the attack on the town's Muslim population by Serb militias. This demonstrates the direct linkages between the perpetrators of genocidal campaigns and those who stand to gain personally from the spoils of war. RiedImayer contends that through the burning of documents and the bulldozing of graveyards and mosques, the victorious nationalist forces have been able to 'insure themselves against any future claims by the people they have driven out and dispossessed' (1996: 38). The goal was not simply to eradicate Muslim cultural heritage but to destroy its foundations and subsequently reappropriate the void for their own political, cultural or personal gain.

The cultural destruction and its legacy of power networks in localities such as Zvornik demonstrate the continued violence embodied by the eradication of Muslim cemeteries and other heritage assets. Even after the conflict culminated officially with the Dayton Peace Accords in 1995, genocidal campaigns were conducted and cemented by other means—the grounds of which had been laid by the destruction of Muslim cemeteries and cultural heritage. The destruction of cemeteries and other symbols of cultural heritage featured significantly in genocidal campaigns, guaranteeing the ethno-nationalist enduring victory in these spaces.

5 | CONCLUSION

This paper has examined the logic of cemetery destruction, demonstrating the intrinsic connection between attacks on communities and the visible markers of their collective cultures. Where genocide is concerned, the target is the collective. Therefore, genocide is an attack on something greater than mass murder: It is an attack on the communal structures—tangible and intangible—that hold groups together as a collective. This understanding of genocide, identified in Lemkin's original conception, thus holds diverse types of destruction as elements of a single, multidimensional process, rather than distinct phenomena. The motivations and legacies of the destroyed cemeteries of Zvornik and Divič attest to this.

Three motivations behind the destruction of cemeteries during genocidal campaigns emerged, namely the strengthening of the myth of national purity, the reclaiming of land that is 'ours' and the attempt to erase all visible evidence of 'the other'—all of which can express genocidal intentions. The second section of the analysis, addressing the impact and the legacy of cemetery destruction, reinforces these findings: namely the reinforcement of cultural separation and mistrust that genocidal campaigns foster and the continued violence on the part of the conflict's winners. It is clear that any attempt to examine a genocide without considering the dimension of cultural destruction will fundamentally ignore crucial aspects of the nature and legacy of genocidal campaigns themselves.

In Bosnia-Herzegovina, cemeteries continue to be targeted even during peacetime, denoting their enduring communicative power. Brett Dakin (2002: 254) maintains that even after the Dayton Peace Agreement was consolidated, Islamic cemeteries in Banja Luka have been destroyed and cleared, including exhumed remains of Muslim dead. The 2005 Annual Report on International Religious Freedom submitted to the Committee on International Relations in the United States House of Representatives (2006: 292) also revealed that in 2005,

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twenty-six graves in the historic Muslim cemetery in Prnjavor were desecrated, as well as numerous Muslim graves in the Brezičani cemetery near Prijedor, both in Republika Srpska. This continuing phenomenon clearly warrants future examination through quantitative and further qualitative methodological approaches to fully enumerate its occurrence.

Furthermore, examples of cemetery destruction during genocidal campaigns are not unique to Bosnia–Herzegovina and the former Yugoslavia. Multiple studies explore the significance and messaging of cemetery destruction in the cases of Native American communities (Cameron, 1994), Iraq (Isakhan, 2011), Mali (Martinez, 2015), Jewish cemeteries in Greece by Nazis (Saltiel, 2014) and destruction of African American cemeteries (Rainville, 2009) and multiple other contexts where genocidal processes have been identified or are suspected. This suggests the transferability of an examination of the nature of a genocide that centres on the destruction of cemeteries as its metric.

This paper has presented one significant dimension of the logic of cultural violence in one case but suggests that more analysis is required. The stakes are high for this research: our policy and academic misidentification of the nature of genocide and how the logic of cultural destruction fundamentally reinforces it means that our ability to resolve attacks of this type will be impeded.

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