



Nationalities Papers

The Journal of Nationalism and Ethnicity

ISSN: 0090-5992 (Print) 1465-3923 (Online) Journal homepage: <http://www.tandfonline.com/loi/cnap20>

The production of the war criminal cult: Radovan Karadžić and Vojislav Šešelj at The Hague

Izabela Steflja

To cite this article: Izabela Steflja (2017): The production of the war criminal cult: Radovan Karadžić and Vojislav Šešelj at The Hague, Nationalities Papers, DOI: [10.1080/00905992.2017.1354365](https://doi.org/10.1080/00905992.2017.1354365)

To link to this article: <http://dx.doi.org/10.1080/00905992.2017.1354365>



Published online: 06 Nov 2017.



Submit your article to this journal [↗](#)



View related articles [↗](#)



View Crossmark data [↗](#)

The production of the war criminal cult: Radovan Karadžić and Vojislav Šešelj at The Hague

Izabela Steflja*

International Development Studies & Payson Graduate Program in Global Development, Tulane University, New Orleans, LA, USA

(Received 1 February 2017; accepted 21 May 2017)

This article examines how defendants on trial at the International Criminal Tribunal for the former Yugoslavia (ICTY) appropriate the tribunal as a platform for national myth and group making. Specifically, the article analyzes Radovan Karadžić and Vojislav Šešelj's "performances" at The Hague in order to highlight the particular ways in which the defendants craft and mobilize the nationalist narrative. The article introduces the phenomenon of "the war criminal cult" and traces three stages of its production, including the defendants' collectivization of guilt, epitomization of The Hague as the ultimate enemy of the nation, and construction of "Serbs" as the biggest victims of international justice and of themselves as martyrs befallen with the task of defending the dignity of the nation. The "war criminal cult" is thus "made" in conversation with the "imperial West" in a collective narrative that contests the legitimacy and the intention of The Hague while disguising individual responsibility.

Keywords: war criminals; nationalism; Bosnia; Serbia; ICTY

On 21 March 2016, three days before the International Criminal Tribunal for the former Yugoslavia (ICTY) found Radovan Karadžić guilty of 10 counts of genocide, crimes against humanity and violations of the laws of war, Bosnian Serb authorities unveiled a plaque naming a student dorm at the University of East Sarajevo in Karadžić's name. "We dedicated this place to the man who undoubtedly set the foundation of Republika Srpska – Radovan Karadžić, the first president of this republic," said Milorad Dodik, the current president of the Serbian Republic in Bosnia ("Student dorm" 2016). In stark contrast to this domestic commemoration of Karadžić, international media unanimously referred to Karadžić's trial and guilty verdict as Europe's biggest accomplishment since Nuremberg (Borger 2016).

The literature on international criminal justice tells us that we should celebrate the accomplishments of international trials, especially in the political sphere. Bass (2003) argues that "success will be measured by how much the [international justice] enterprise helps sideline dangerous leaders, shame perpetrators and bystanders, and soothe victims" (84). According to Bass, "the ultimate objective ... is less to create some dazzling supranational legal precedent than to demonstrate that administering justice can contribute to reconciliation and moderation, in the Balkans, and by extension, elsewhere as well"

*Email: isteflja@tulane.edu

(Bass 2003). The argument suggests that, even if trials turn out to be “minor train wrecks,” the key contribution is the prosecution’s removal of “bad apples” from political influence (Bass 2003, 85; May 2005; Lu 2006). This paper problematizes this interpretation and argues that, in fact, the evidence illustrates the opposite effect: dangerous war criminals can be politically empowered rather than sidelined by international trials.

The paper theorizes that we should not discount the ability of accused war criminals to adapt to international trials and become creative political entrepreneurs of powerful and lasting political constructions that are detrimental to reconciliation and moderation. To explain this effect, the paper introduces the phenomenon of the “war criminal cult” and applies it to the ICTY cases of Radovan Karadžić and Vojislav Šešelj. By “war criminal cult,” I mean the process through which a national leader, in this case an alleged war criminal, solidifies himself as a cult leader who enjoys the public’s support to not only act outside of international law, but also outside of basic moral standards. I identify three steps in this process. First, the defendants on trial diffuse their individual guilt by collectivizing their crimes. Second, they epitomize The Hague as the ultimate enemy by associating the court with NATO forces and their operations. The defendants simultaneously embark on what they present as a mission to recover the dignity of the nation in the face of undeserved violence and shame through mockery and ridicule of the Tribunal. Third, they construct Serbs as the biggest victims of international justice, presenting themselves as the sacrificial lambs – martyrs who embody the victimhood of the Serbian nation. Through this process, Karadžić and Šešelj construct themselves as more trustworthy than an international court of law, and obtain amnesty and forgiveness for the most horrendous of crimes from their supporters.¹

Therefore, the puzzle that this paper tackles is: how do alleged war criminals appropriate the Tribunal as a platform for national myth and group making? Understanding how the nation and the “war criminal cult” are created helps us to understand why significant factions of the Serbian community participate in the heroization of war criminals² rather than actively distancing themselves from horrendous crimes, an outcome which the Tribunal is desperately trying to avoid. While the production of Serbian nationalism in the 1980s and 1990s and its role in the wars and elections in the region have been studied extensively, there is little material examining international trials as moments of nationalist mobilization. This paper argues that accused war criminals not only use international trials to create continuation of the nationalist narrative from previous decades but also to reinterpret and tailor this narrative to their needs. These leaders are more interested in complex and well thought out appropriation of the institution than legal self-defense.

I apply Roger Brubaker’s conceptual work on groupism to explain the ways in which and the conditions under which “powerful crystallization of group feeling” takes place in the “war criminal cult.” Brubaker’s “Ethnicity Without Groups” is extremely helpful in understanding Karadžić and Šešelj’s tendency to group guilt at the Tribunal. In *From Voting to Violence: Democratization and Nationalist Conflict*, Jack Snyder explains top-down nationalist mythmaking and the role of media in validating rather than limiting this process during elections. I apply Snyder’s theoretical framework to explain nationalist mythmaking and the failure of free media to dilute and hinder the construction of the “war criminal cult” during a different, yet still key, political event – international trials of leaders. The paper’s analysis of what the defendants say on the international stage during their speeches at The Hague is complemented by data collected during extensive fieldwork in Serbia and Bosnia from 2010 to 2013, drawn from semi-structured interviews with university professors and students, community leaders, top echelon and lower rank

staff in international organizations and institutions, civil society members, government officials, and members of the opposition.

The array of war criminals

While Slobodan Milošević's trial has been studied in depth by a number of scholars,³ the cases of Karadžić and Šešelj have surprisingly received little attention among academics.⁴ Unlike Karadžić and Šešelj, Slobodan Milošević was delivered to The Hague by the Serbian authorities in 2001, specifically by Zoran Djindjić who delivered Milošević as soon as he became Prime Minister of Serbia, fulfilling the key requirement for Western aid necessary for Serbia's economic recovery (Pešić 2009). Academics who examine the circumstances surrounding Milošević's trial argue that Milošević constructed a defense which was "brilliantly cunning, designed to play on Serbia's psychological vulnerabilities" by implicating the Serbian population in his crimes (Doder 2002, 25). An interviewee argued that, rather than being discredited by the broadcasts of the trial, Milošević, the first head of state to face trial before an international criminal tribunal, exploited the platform, using it to challenge the legitimacy and impartiality of the ICTY (Dragoljub Žarković, Interview, August 31, 2011). USAID's decision to fund the broadcasting of Milošević's trial led to the doubling of his approval ratings and contributed to an upsurge in defensive nationalism (Lelyveld 2002). Indeed, after Milošević's presentation of the destruction caused by NATO in Serbia, even the *New Yorker* concluded that "Horror for horror, [Geoffrey Nice, the lead prosecution attorney] was outdone by Milošević" (Lelyveld 2002, 82). Milošević died in custody before his judgment, resulting in overwhelming international frustration that he managed to escape justice while prompting a surge in nationalism and defensiveness by collectivizing guilt.

This paper extends the analysis of how war criminals perform at the ICTY to Karadžić and Šešelj's cases. Second only to Milošević, Karadžić was the most powerful political figure on trial at the ICTY. As Marko Milanović explains,

Karadžić was not a mere cog in the machine, nor even a military figure, but a politician at the very top of the pyramid ... he is the best substitute for Milošević that the Tribunal will ever have. (2009, 216–7)

My interviewees considered Šešelj to be the most intelligent individual at The Hague. Šešelj's skillful maneuvering of his ICTY case was part of his quest for fame. Over the past 12 years, he made media headlines for his vulgar insults and expletives aimed at ICTY officials, and for his claims that the ICTY is an illegal court constructed by Western intelligence agencies. One interviewee described Šešelj as "hyper-educated, hyper-intelligent, and hyper-crazy" (Nebojša Randjelković, Interview, June 22, 2011). Nationalist and many moderate Serbs found Šešelj's performances at the ICTY very entertaining.⁵

Karadžić and Šešelj had very different reactions to their Hague indictments – while Karadžić went into hiding in plain sight, Šešelj voluntarily surrendered. Most recently, they received very different ICTY verdicts – while Karadžić was found guilty on 10 counts and given a 40-year sentence, the trial chamber acquitted Šešelj on all nine counts in his indictment and the final verdict is pending appeal of the prosecution (Karadžić IT-95-5/18, Judgment Summary, ICTY Transcript, 24 March 2016; Šešelj IT-03-67, Judgment Summary, ICTY Transcript, 31 March 2016a).⁶ Despite the different circumstances surrounding the two trials, both Karadžić and Šešelj saw the international stage as a key opportunity to invoke memories of the brutal wars and key debates that have occupied the Serbian

consciousness in their aftermath. Once they grabbed the attention of their audience by “grouping” guilt, the stage was set for further construction of the “war criminal cult.” This paper will illustrate that despite the very different circumstances surrounding the trials of Milošević, Karadžić, and Šešelj – for example, the way in which the three individuals came into ICTY custody and the outcomes of their trials – the end result in each case was the collectivization of guilt and the production of the “war criminal cult.” The outcome of a trial – death in custody, guilt, or innocence – did not have an effect on the defendant’s ability to successfully group guilt and produce himself into a national hero.

Politically powerful and intellectually superior

The ICTY issued the initial indictment and arrest warrant for Radovan Karadžić on 25 July 1995 (Karadžić IT-95-5/18, ICTY press release, Milan Martić, Radovan Karadžić, and Ratko Mladić indicted along 21 other accused, 25 July 1995). During the decade that followed, neither the authorities in the Federal Republic of Yugoslavia nor those in Republika Srpska were willing to carry out their obligation to execute the warrants for the arrest. This situation led the trial chamber and the president of the ICTY to conclude that the failure of the indictment was “wholly due to” the Serbian governments’ “refusal to cooperate,” which was reinforced by harsh words from the president of the UN Security Council, who not only condemned the actions of the Serbian governments, but threatened the introduction of economic sanctions (“International” 1997). The main reason for continuing inaction by the Serbs was the position of authority Karadžić occupied among Serbian ruling elites in post-war times and the general support he enjoyed as a national hero of the war in Bosnia. That said, international forces contributed to Karadžić’s ability to stay on the run, in particular in the first years after the indictment was issued. The Dayton Peace Agreement did not require the Implementation Force of NATO and non-NATO peacekeepers (IFOR), later renamed the Stabilization Force (SFOR), to transfer indictees to the ICTY, resulting in a policy of aggressive avoidance on the part of IFOR/SFOR, the purpose of which was to minimize exposure of NATO soldiers and peacekeepers to retaliation and to minimize casualties. The policy suggested that IFOR/SFOR would arrest indictees only while seeking to cross IFOR/SFOR checkpoints; however, this policy was publicized throughout Bosnia, intentionally conveying ways that Karadžić and other indictees could use to avoid encounters and arrest.⁷

At last, on 21 July 2008, (13 years after his indictment and arrest warrant were issued), the Serbian authorities arrested Karadžić in the Serbian capital, Belgrade. Karadžić was one of the most sought-after fugitives, and both international and Serb authorities claimed that he was hiding quite successfully. It was thus surprising that not only was Karadžić found in Belgrade, rather than some remote and inaccessible location, but he had been residing and working in the Serbian capital as Dr. Dragan David Dabić, a practitioner of alternative medicine, who sported a long white beard tied in a top-knot (Milanović 2009, 213). Karadžić, a psychiatrist by training, wrote articles for a journal *A Healthy Life*, ran his own website, gave public lectures, and even guest-appeared on television shows promoting his teachings in new age medicine as Dr. Dabić (“Footage” 2008; Lippman 2008; Karadžić 2008; Donia 2014; Petrović 2015). The peculiarities of this case continued as the accused boycotted the first day of his trial – 29 October 2009, with the trial finally resuming on 1 March 2010. The affair began with two days, and in total six hours, of opening statements by Karadžić. Six years later, in March of 2016, Karadžić was found guilty of 10 counts of genocide, crimes against humanity and violations of the laws of war, and sentenced to 40 years in prison.

Unlike Karadžić, Vojislav Šešelj voluntarily surrendered to the ICTY in late February 2003 after an indictment of 15 counts of crimes against humanity and violations of the laws of war (Šešelj IT-03-67, Initial indictment, ICTY transcript, 15 January 2003b). Among other crimes, Šešelj was accused of inflammatory speech and participation in joint criminal enterprise including numerous crimes committed by his paramilitary militia called Šešelj's Men. Šešelj's Men are accused of acts of looting, killing, rape, illegal imprisonment, forced deportation, torture, and persecution against Croats, Muslims, and other non-Serbs. Šešelj voluntarily surrendered to the ICTY because, in his own words, he "relish[ed] the prospect of an international audience for his denunciations of Western policy in the Balkans" (Simpson 2003, A6). Realizing how well the ICTY trials could be manipulated for propaganda purposes, Šešelj and his supporters insisted that Šešelj's trial be broadcast on national television like Milošević's trial. They threatened that if the government did not agree to broadcast Šešelj's trial, they would urge supporters of the Serbian Radical Party to organize protest rallies and to refuse to pay the monthly license fee for the national television network (Predrag Marković, Interview, 26 July 2011). In 2006, Šešelj went on a hunger strike demanding that he be granted the right to self-representation, which was granted to him by the ICTY.

Seeing as Šešelj's political party, Srpska Radikalna Stranka [the Serbian Radical Party], performed well in parliamentary and presidential elections since the establishment of the party in 1991, Šešelj continued to be politically active from The Hague and continued running in the general elections.⁸ In 2011, Šešelj argued that his case should be dropped based on the violation of his right to be tried in a reasonable amount of time, but the ICTY refused his bid. However, in 2014, the ICTY granted Šešelj a provisional release based on deteriorating health and a cancer diagnosis, a release which required that he stay out of public life (Šešelj IT-03-67, Order on the provisional release of the accused *proprio motu*, ICTY transcript, 6 November 2014). Šešelj violated the condition and vowed not to return to The Hague voluntarily ("Radikali" 2016). The ICTY responded by summoning Šešelj to return but then dropped the summons, averting a standoff between the Serbian government and the European Union, which would have included EU sanctions on Serbia. Finally, the ICTY issued a statement accepting the Serbian government's claim that Šešelj's treatment could not be continued at The Hague ("Hague" 2016). Šešelj was acquitted by the trial chamber in a first-instance judgment on 31 March 2016 in what international media branded a very controversial and unusual outcome, which is "a victory for advocates of ethnic cleansing" (Biddle 2016; "Vojislav" 2016).⁹ The prosecution appealed asking for the overturn of Šešelj's acquittal or a retrial. The final verdict pending appeal of the prosecution is expected by the end of 2017.

It may be easy and even desirable to dismiss the two individuals and the peculiar circumstances surrounding their cases as affairs of two narcissists. The problem in doing so is that the sensationalism that these individuals employ and the narratives that these narcissists preach do not remain in the courtroom but are transmitted through the media and resonate among members of their nation. Weaver (2006) gives us some insight into how national narcissists, a category in which we can certainly place Karadžić and Šešelj, function in groups. Weaver maintains that:

The individual national narcissist finds proof of his own nation's superiority in his co-nationals' successes, and proof of the injustice of his own failures in the knowledge of his own nation's superiority ... Collective superiority is "true," as is the "fact" of other nations' comparative collective inferiority. (2006, 64)

Similarly, Benjamin Peterson argues that narcissists attempt to transfer their own beliefs and goals to group identities and may use group identity to “assist in defensive self-regulation of important aspects of the personal self, especially when threatened” (2009, 7).¹⁰ I find that Karadžić and Šešelj collectivize their guilt as the guilt imposed on their nation, consequently claiming victimhood status for themselves via their nation. In the process, they “embody” the Serbian nation, which gives them enormous symbolic power. They thus live “off” and “for” nationalism and have what Peirre Bourdieu and Roger Brubaker refer to as a “performative” character (Brubaker 2002, 166).

The war criminal cult

*Collectivizing guilt*¹¹

The objective of the ICTY – retributive justice in the form of punishment of particular individuals¹² – has most often been interpreted by scholars and policy-makers as the removal of “bad apples” in order to distance the rest of the group from moral responsibility for atrocities, and pave the way for inter-group reconciliation (May 2005; Lu 2006). Carla Del Ponte, chief prosecutor in Slobodan Milošević’s trial, clarified the legal logic of individual criminal responsibility by explaining that “No state or organization is on trial here today. The indictments do not accuse an entire people of being collectively guilty of the crimes, even the crime of genocide” (Del Ponte 2004, 4). Similar to ICTY’s handling of Milošević’s case, the relevant indictments against Karadžić and Šešelj were based on the concept of individual criminal responsibility and, in particular, Karadžić and Šešelj’s participation in armed conflicts in the territory of the former Yugoslavia. However, despite ICTY’s efforts, Karadžić and Šešelj completely disregarded this legal criterion of individual responsibility in their narratives and interactions at The Hague.

In his defense statements Karadžić only spoke in collective terms – in defense of the nation, rather than himself: “All the time we defended ourselves. We never embarked on trying to conquer Muslim territories.” Karadžić ended his own legal defense with a statement that is a defense of the Serbian nation. He even spoke directly to the Serbian audience rather than court officials: “Gentlemen, the truth is on our side and it will only go stronger. We did everything in our power to avoid the war and to minimize the consequences and damages” (Karadžić IT-95-5/18, Defence Rule 84 bis Statement, ICTY transcript, 16 October 2012, 28881). Karadžić was also very clear about intending to prioritize the Serbian audience at home over Tribunal staff present at his trial. At a closed session in 2009, he stated: “I will present all my views in a public hearing. The public at large is, as I said, one of the rare allies that I have” (Karadžić IT-95-5/18, Closed session, ICTY transcript, 15 June 2009, 51).

Šešelj’s self-defense was also rooted in a narrative that defended wartime actions of Serbs as a group:

And what kind of people would we Serbs be if we had not stood up for our own rights? ... How could we Serbs be expected to stand by and watch if somebody’s putting in jeopardy our brothers and sisters in Croatia? We could not sit on our hands. We had to fight and protect them. (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17344)

Through this process, Šešelj and Karadžić appropriated trials to produce “Serbs” as a distinct and unified group and constructed themselves as personifications of that collective. They appealed to their audience’s emotions by evoking ideals of truth, honor, national unity, and loyalty. Šešelj and Karadžić are ideal examples of Brubaker’s “ethnopolitical entrepreneurs” who invoke groups in order to “*evoke* them, summon them, call them into being” (2002, 166). Brubaker further explains how the reification of a group “can be

momentarily yet powerfully realized in practice” (2002, 167). I argue that the defendants succeeded at making the political fiction of the unified (and collectively guilty) Serbian nation “real” at the Tribunal. In their actions, the defendants were also able to construct The Hague as the ultimate enemy of that nation and unify their extremist supporters.

Constructing The Hague as the ultimate enemy

During their “performances,” Karadžić and Šešelj turned the tables and presented “the West” as the guilty party. Šešelj continuously argued that the charges against him were rooted in the West’s hostility for Serbia and that the Tribunal functioned under the instruction of “Western intelligence services” replacing “the American Cavalry, the American Sixth Fleet” (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17330). He emphasized that the ICTY was a biased, illegal court, and the political arm of NATO military campaign against Serbia. “You are my enemies because you come from countries which are members of NATO and which are hostile to my motherland, Serbia,” said Šešelj (Šešelj IT-03-67, Prosecution closing arguments, ICTY video, 14, 15, 20 March 2012b; “Dr. Šešelj” 2013). Speaking directly to the judges, Šešelj continued:

Gentlemen, if you were objective and unbiased you would have never agreed to be judges of this illegal court, and since you accepted this calling you also accepted to deliver its task. All of you come from countries that are members of NATO, which bombed Serbia ruthlessly. For three months you killed Serbian children, and you are trying to convince me that you are unbiased? (Šešelj IT-03-67, Prosecution closing arguments, ICTY video, 14, 15, 20 March 2012b; ‘Dr. Šešelj’ 2013)

At certain points in his closing statement, Šešelj identified specific “enemies” of Serbia, such as “pro-Western forces in England, Germany, the United States, the entire European Union, the Vatican” (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012b, 17331–17332).

Karadžić also made a link between the Tribunal and NATO, accusing the Tribunal of being implicated in what he said was a NATO raid of his family’s home. This resulted in Judge Bonomy asking Karadžić to “call NATO headquarters in Brussels” instead of making such accusations against The Hague (Karadžić IT-95-5/18, Status conference, ICTY transcript, 19 January 2009, 99). Karadžić was undoubtedly aware that the ICTY, which is a body of the United Nations, and NATO are two different intergovernmental organizations. In making the link between the two, Karadžić appropriated the Tribunal to imply that the same Western forces rule the ICTY and NATO in order to “unify” the image of the West. According to Karadžić, “NATO is really the great problem of the world” and his goal was to associate the Tribunal with that great problem (Karadžić IT-95-5/18, Status conference, ICTY transcript, 19 January 2009, 101). In the hands of such political entrepreneurs, dry events like legal trials became moments of emotionally charged appeals.

The goal here was to characterize the Tribunal as an element of what the accused explained as the violent Western campaign against the entire Serbian nation. Tying painful memories of the 1999 NATO bombing of Serbia to the present day work of the Tribunal was Šešelj’s powerful tool in deflecting responsibility from his own actions during the wars. There is no better “defense” than an offense that suggests that the Tribunal is part of a Western alliance that killed Serbian children for three months. Karadžić and Šešelj’s appropriation of the Tribunal to invent this new ultimate threat to the nation resulted in the “crystallization of group feeling” and continued the reification of the fictional, one, and unified, Serbian nation at The Hague (Brubaker 2002, 167).

Karadžić and Šešelj's choice of weapon against the Western "aggressor" was mockery, ridicule, and a grand display of superiority. From his very first appearance at the ICTY, Šešelj used his trial as an opportunity to display his mastery of mockery:

In my country it is customary for the judges, the prosecutors and civil employees to wear normal, decent, civil clothing. I am frustrated when I see the judges wear strange clothing ... this associates me with the inquisition of the Roman Catholic church and psychologically I find this unacceptable and I insist that everyone should wear normal civilian clothing. (Šešelj IT-03-67, First initial appearance, ICTY video, 26 February 2003a)

Through this statement, Šešelj did not only intend to ridicule formal robes in the Western legal tradition but also to paint Serbs as "civilized" and secular, and the Tribunal as a backward imperial institution conducting witch-trials. Here, Šešelj is responding to and reversing derogatory characterizations of the "Balkan man" in Western media since the mid-1980s as "lazy, indifferent, and violent," which was contrasted with "diligent, hard-working, honest, civilized *non-Balkan* man." Šešelj is also responding to Western racist cultural prejudices based on west-east and north-south boundaries being reinforced on the Yugoslav territory which resulted in the identification of Slovenia and Croatia as more "civilized" while Serbia and Bosnia were more "backward" (Jalušić 2007, 155). Šešelj regularly disrespected employees of the Tribunal through his claims that, for example, "there are a lot of illiterate and uneducated people among the Judges, among the Prosecutors" (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17353). He emphasized his intellectual and moral superiority by suggesting that he is "not afraid of the lawyers whose main concern is not to be in the good book of the Registry because they are expecting favors from them" (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17353). Šešelj also boasted about touring the Serbian front lines during the war and firing from automatic rifles towards the Croatian positions (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17374). The goal of such "performances" was a display of his heroism and superiority for the Serbian audiences watching the televised proceedings at home.

Mockery, ridicule, and the superiority complex were also evident in Karadžić's mission to recover the dignity of the Serbian nation in the face of, what he perceived as, undeserved shaming by Western aggressors. Karadžić's favorite tool for ridiculing the trial process involved the use of his double identity as Dragan Dabić. During his initial appearance at The Hague, Karadžić declared: "I have an invisible advisor but I've decided to represent myself [he then laughed]" (Karadžić IT-95-5/18, Initial appearance, ICTY transcript, 31 July 2008, 2). He stated that his team of advisers at The Hague included at least two "invisible" consultants because his zodiac sign is Gemini, which apparently provided proof that his Dabić persona is to some degree genuine and not a complete act of a fugitive (Milanović 2009, 218). When Karadžić was confronted about Dabić, he declared that "Dabić did not do anything that Karadžić would not do," and refused to acknowledge any inconsistency in his character:

While Radovan Karadžić was a physician in scientific medicine, Dabić practiced traditional medicine, which has been around for thousands of years. I believe that the two types of medicine are valuable and should be integrated ... In that sense, doctor Dabić was Radovan Karadžić and the other way around. ("Sudenje" 2010)

Karadžić's Dabić was a way of illustrating his intellectual superiority over Western forces. This was a sly act that allowed him to avoid his capture and delay his trial while living publicly in the capital of Serbia and he was obviously proud of it.

Unlike Karadžić, whose main concern was setting a historical record and his place in it, Šešelj had goals for the present and the future. While Karadžić's political career ended with the end of the war, Šešelj was still the leader of the Serbian Radical Party and sought to win votes in national elections. This meant that during his trial, he painted his political opponents in Serbia as Western sympathizers and referred to the Serbian authorities as "criminal" and "pro-Western traitor regime in Belgrade" (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17331). He argued that the key reason why he was on trial was because The Hague made a political deal with the Serbian authorities to remove him from politics, because he was a threat to the Western-backed factions in the elections. Šešelj actively tried to build a cult for himself as the only true Serbian patriot and consistently emphasized his agency and unwillingness to be subjected to any authority. In this process, he reinforced the idea of a single honest man in a battle against a machine. "I am going into election victory, not The Hague," said Šešelj when ICTY ordered him to return to The Hague (Rovčanin 2016). The goal here was to disrespect the entire process, to turn the court into one big joke while emphasizing his heroism and superiority for the Serbian audiences at home.

The Hague Tribunal, instead of being the basis of new international law and international justice, it will actually become a mockery of international judiciary system. And nobody will be glad to refer to the precedents that were established here and the judgments that were issued and passed here,

said Šešelj in his closing statement (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17399).

Producing the Serbs as the ultimate victims

Once the accused produced the new "offender" – The Hague – they could construct the Serbs (as a group) into the new victim. Šešelj emphasized ICTY's "injustice" against the Serbs who "are tried to life at the drop of a hat, and the Muslims, for example, you engage in very heated discussions as to whether a Muslim general is going to get two years' or three years' sentence" (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17334). Karadžić argued that the Tribunal was mistaken in its targeting of the Serbs because "it is a terrible misconception and a great injustice, this portrayal of the Serbs as those who started the war in B[osnia] [and] H[erzegovina]" (Karadžić IT-95-5/18, Defence Rule 84 bis Statement, ICTY transcript, 16 October 2012, 28859). He wished to correct the storyline by explaining how Serbs in Bosnia were victimized:

Then came a period of underhand dealings and blockages in establishing the authorities. The Serbs could not get the posts they were promised, a Serb could not become head of MUP, marginalization started ... What the Serbs had lived through in areas where they were less than 50 percent ... for an entire year not a single community in Europe would put up with that, with the humiliation, even rapes and murders ... (Karadžić IT-95-5/18, Defence Rule 84 bis Statement, ICTY transcript, 16 October 2012, 28855)

The purpose of such descriptive statements of Serbian victimhood during the war in Bosnia was to recycle the view that, had it not been for Karadžić's creation and defense of Republika Srpska, Serbs would have been ethnically cleansed from Bosnia, or included as an oppressed minority in a Croat-Bosniak Federation. Because Karadžić was the wartime president of the Serbian separatist portion of BiH, he wished to portray himself as the savior of the Serbian nation in Bosnia.

Despite ICTY's numerous efforts to emphasize that its trials are about individual responsibility, Karadžić and Šešelj suggested that the trials are about writing group

history. Both defendants made it their mission to “write” the Serbs as the victims in the historical tale. The ICTY was, to use Brubaker’s terms, the “dramatic event” that provided the opportunity for these political entrepreneurs to “galvanize and crystallize” that narrative and also to “ratchet up pre-existing levels of groupness” (Brubaker 2002, 171). Karadžić went through detailed explanations of how the conflict unraveled and “corrected” the prosecutor in his understanding of the events. He gave context as well as detailed accounts of political and military events, and his place in them (Karadžić IT-95-5/18, Defence Rule 84 bis Statement, ICTY transcript, 16 October 2012). His entire defense was an extremely long history lecture with Karadžić as the key author, making his place in history and suggesting how he wished to be remembered. Šešelj also had the intention to rewrite the prosecutor’s version of history. He explained that “What will remain behind me here are the transcripts from the trial. These are not going to be your personal perceptions of the proceedings.” He then continued to suggest that his account is the true one while making a mockery of the court and the prosecutor’s version: “Someday people will probably laugh at your judgment and they will laugh even more at the indictment and the closing argument of the prosecutor” (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17330).

In addition to producing the Serbs as the ultimate victim group, the defendants portrayed themselves as the representatives of Serbian victimhood at The Hague. Karadžić and Šešelj presented themselves as martyrs who embodied the nation. Both Karadžić and Šešelj emphasized that the court violated their human rights. During his first appearance at The Hague, Šešelj cunningly portrayed procedures taken for his own protection, such as the fact that he was asked to wear a flat jacket rather than provided an armored vehicle, as mistreatment, “torture,” and disrespect (Šešelj IT-03-67, First initial appearance, ICTY video, 26 February 2003a). He also emphasized that the trial chamber denied him “the right to finance [his] defense” and offered assistance that was “very limited and very restricted.” Šešelj went as far as to accuse the ICTY of a conspiracy to “kill” him. It is not entirely clear that his accusation was purely figurative and that he was speaking about ICTY’s intention to remove him politically rather than literally:

They designed to kill me sometime between the closing argument and the rendering of the judgment. This was one of their attempts, and I’m sure that they will not give up so easily, particularly now when there is an election campaign underway and the results are showing in the polls that the Serbian Radical Party is in a good position and that it will achieve good election results. (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17342)

Conflating his political and literal “death” is not only a strategy of mythmaking but also one that monopolizes on the Serbian audience’s bad memories of Milošević’s death while in ICTY custody. It was Šešelj’s way of ensuring that the ICTY grants him a medical release.

Karadžić also claimed that the Tribunal was acting against his rights in a statement where he suggested that his family’s residence was searched by NATO forces under the order of or in connection to the Tribunal and with the aim to obstruct his defense:

[NATO] tried to requisition documents that I found difficult to amass, relating to my assets ... and with respect to the registry’s decision to provide financial resources to me. ... [NATO] referred to this Tribunal, because they were searching for two men, two fugitives, and within the frameworks of their searches, they found it necessary to attack my family. (Karadžić IT-95-5/18, Status conference, ICTY transcript, 19 January 2009, 98)

In this statement, Karadžić once again conflated the Tribunal with NATO, and tried to link the Tribunal to violent acts and the violation of his and his family’s rights. As an ICTY defense attorney told me, the defendants benefited from the fact that the Serbian audience did not realize that in each case the defense team goes to The Hague to see whether they can defend and minimize the sentence but, if they feel that the possibility is small, “they play

politics and do not play by the rules, they discredit and insult the court and its laws” (Toma Višnjić, Interview, August 4, 2012).

Not only did the defendants want to portray themselves as the embodiment of Serbian victimhood but they also wanted to produce themselves as the “saviors” of the nation. The previous section illustrated how the defendants manipulated the historical dialogue to draw continuity between the idea that the Serbian nation needed “saving” in the past – during the 1990s wars, and today – at The Hague. This narrative allowed the defendants to embody the “suffering” and the pain of the nation. “Every shell that fell on Sarajevo hurt me personally ... I proposed that Sarajevo be demilitarized. That was rejected. I proposed that it be placed under UN administration. That was rejected,” explained Karadžić in a statement meant to reaffirm his internalization of national pain and his attempt to “save” Sarajevo (Karadžić IT-95-5/18, Defence Rule 84 bis Statement, ICTY transcript, 16 October 2012, 28872). The most-cited quotation in the Serbian press after Karadžić’s opening statement was his declaration: “I will not defend my triviality but the grandness of the Serbian nation” (Karadžić IT-95-5/18, Defence Opening Statement, ICTY transcript, 1 March 2010, 808; “Holandani” 2008; “Branim” 2010; “Karadžić” 2010; “Sudjenje” 2010). The quotation was undeniably cunning because its paradoxical tone served a double purpose. Karadžić was able to claim the status of a representative of a “grand” nation, while his characterization of himself as “trivial,” “insignificant,” and, in direct translation, “small” averted the negative consequences resulting from the arrogance and pompousness of assuming that post for himself. Moreover, the quote cleverly implied that Karadžić was willing to sacrifice his personal trial for the honor of the nation, making it seem disingenuous. His legal right to self-representation was for Karadžić a perfect political moment to construct and unify the Serbian audiences into “a grand nation.”

Martyrdom elements were also evident in Šešelj’s speeches. Šešelj went out of his way to point out his lifetime commitment to the Serbian nation, including prison sentences:

God forbid that you should praise me or have a good opinion of me ... As early as 1984 I was convicted to eight years in prison ... I wanted the artificial Muslim nation abolished. I wanted the artificial Montenegrin nation abolished. I wanted the number of federal units in Yugoslavia reduced. And I demanded that the personality cult of the communist dictator Tito be toppled ... The prison in Zenica was much harder than this one in Scheveningen and it still could not shake my views and beliefs. (Šešelj IT-03-67, Defense closing statement, ICTY transcript, 14 March 2012a, 17365)

From this statement, it became evident that Šešelj sought to embody the “struggle” for the Serbian nation. He portrayed his life as a “battle” against all the threats to the Serbian nation – the Muslims, the Montenegrins, the federalists, the communists, and, today, the Tribunal. Indeed, if the Tribunal praised or had a good opinion of Šešelj, this would have created a problem for him as he built his persona in opposition to what he identified as the ultimate enemy of the Serbian nation – The Hague. In this process, Šešelj sought to identify himself as the one, true Serbian martyr. It is ironic that he commented on trying to break the personality cult of the Communist leader Tito, when he was simultaneously building a cult of the nationalist/war criminal leader for himself.

Political impact and policy implications of the war criminal cult

The Serbian media assisted the defendants on trial in their quest to collectivize guilt and embody Serbian victimhood. The tendency of the media was to transmit and reproduce the war criminal cult without provoking debate or offering a critique of the defendants’ speeches (Božović 2009; Stefija 2015).¹³ A popular newspaper in Serbia bluntly chose

Karadžić's statement "I defend the people, not myself" as its headline ("Branim" 2010). In a setting where current and past "enemy" nations and the constant threat of imperialism and subjugation to foreign powers were prominent themes, the discourse that Karadžić and Šešelj produced at The Hague was welcomed in the media. This meant that the ICTY was robbed of any attempt to attain internal validity with the Serbian population.

Snyder cautions that in infant democracies the newly freed press can become "a vehicle for nationalist appeals" rather than an antidote to manipulative political actors (2000, 41). The defendants on trial were from the same caliber of actors who during the elections in the 1990s exploited the newly free press and hijacked the public debate for illiberal ends (Snyder 2000, 19). These political entrepreneurs understood the power of monumental events, such as elections and trials, and had experience working the media channels.

Understanding why the war criminal cult resonated among the Serbian populace and its political impact is another question that scholars need to shed light on.¹⁴ Many of my interviewees who supported the establishment of the Tribunal and full cooperation with the institution, and called for their societies to admit their guilt and face the past, also bought into the war criminal cult produced by Karadžić and Šešelj. These interviewees believed that the defendants were guilty of war crimes and crimes against humanity. The problem was that they also believed that there were many equally guilty individuals among Croats, Bosnian Muslims, and international actors involved in the conflict who were not brought to trial.¹⁵ In this context, people often made the judgment that supporting their own leaders was better than supporting foreign leaders. They believed their own politicians to be more consistent and trustworthy even if such individuals displayed dual and highly narcissist personas. This narrative involved an extremely negative opinion of all of the principal actors in the conflict and in this narrative, the ICTY was an extension of that conflict, rather than a righteous institution correcting the moral wrongs of the past.¹⁶

This leaves us with the question of implications for policy-making in international criminal justice. Conventional wisdom in the literature is that international trials are positive for political reasons, but this paper calls for proceeding with caution.¹⁷ Supporters of the Tribunal argued that televising trial proceedings encouraged the general public to accept that the acts of their former leaders were criminal and inhumane, therefore convincing the public to distance itself from these actors. For example, Bass argues that "[f]or public attitudes to shift, criminal leaders must be tried – their aura of mystery shattered by showing their weaknesses and stupidities" (2000, 288). This paper has disagreed with the suggestion that international criminal trials show the "weaknesses and stupidities" of criminal leaders. Instead, the evidence suggests that Karadžić and Šešelj became mythologized rather than delegitimized through the ICTY process.¹⁸

This paper traced the process through which an international court became a podium that granted the accused a chance to "perform" and remain relevant in public narratives. Despite ICTY's emphasis of individual guilt, Karadžić and Šešelj collectivized their guilt and constituted their trials as *national* rather than individual. They mobilized nationalism by taking advantage of existing coding biases and national frames, but also by revitalizing and modifying *the nation* for their interest. As Brubaker (2002) explains, "groupness does not remain there out of inertia" and Karadžić and Šešelj carried out the active social and cognitive work to nourish and sustain it (177). The Serbian press did little to hamper Karadžić and Šešelj's ploys to delegitimize and ridicule the court, and instead offered coverage of their spectacles and reified their constructions. Through this process, war criminals effectively won themselves blanket amnesty and political support at home.

The findings provide important insights into key non-legal elements emerging from criminal proceedings at the ICTY and several other international war crimes courts and

tribunals, which have been apparent but unintended and least understood effects of international criminal law. The influence of alleged war criminals, in terms of politicization and mythologization of international criminal trials, was grossly underestimated by the supporters of the ICTY. Karadžić and Šešelj constructed and performed powerful narratives primarily directed at their home-country populations, but also the international legal community, and the global public opinion. The findings imply that we cannot assume or expect international institutions to contribute to de-grouping and deconstruction of the nationalist frame.¹⁹ Snyder's hypothesis that the international community needs to be able to distinguish circumstances that appear to support important goals in transitional societies, such as democratization or justice, but can actually result in "a lengthy antidemocratic detour" was proven true in the case of the ICTY (2000, 20). Karadžić and Šešelj successfully used their utterances at The Hague to revitalize nationalist sentiment, produce, and demonize the nation's adversaries, and influence their most important audience – the domestic population in Serbia and Bosnia and Herzegovina. Once the domestic populace perceived global politics as the realm of disingenuous narcissists and The Hague as an extension of these global conflicts, familiar criminals were preferable over foreign criminals.

Acknowledgements

The author is especially grateful to Lee Ann Fujii and Edward Schatz for their thoughtful comments on the earliest versions of this article. The author thanks the journal's anonymous reviewers, and participants in Tulane University's Political Science Workshop, including Patrick Egan, Christopher J. Fettweis, Mirya Holman, Christina Kiel, Celeste J. Lay, Anna Mahoney, Menaka M. Philips, Michael Pomante, and Mark I. Vail, for their useful feedback on the previous draft. Participants in two conferences contributed thoughtful comments in the writing process: the Association for the Study of Nationalities (ASN) 2016 World Convention Panel *The Past as a Productive Political Resource in (Post-)Transition Societies*, including Muriel Blaive, Kate Korycki, and Melissa Levin, and the Central and Eastern European International Studies Association and International Studies Association (CEEISA-ISA) 2016 Joint International Conference Panel *International Courts and Tribunals*, including Victor Peskin, as well as Tom Buitelaar, Evan Bruning, Jane Rudy, Jeremia Whall, and Mara Scallon.

Funding

The author gratefully acknowledges the funding support of the 2016 Carol Lavin Bernick Faculty Grant Program and the School of Liberal Arts at Tulane University.

Notes

1. The paper does not make a judgment in regard to the official, legal verdicts in the two cases. In that sense, the paper does not evaluate the effectiveness of the ICTY. Moreover, the paper is not interested in the possible causal link between speech, such as revenge and dehumanizing language, and criminal action (see Lillie et al. 2015). Instead, it explains how the defendants use speech during trials for the purpose of group and myth making.
2. There are numerous examples of this phenomenon. Onasa News Agency (2004) reported that almost two-thirds of Bosnian Serbs regarded Karadžić a hero rather than a war criminal because of his commitment to defending the Serbian nation. Similarly, Bosnian Serb General Ratko Mladić, who is currently on trial facing 11 charges, including crimes against humanity, violations of the laws and customs of war, and two counts of genocide, continuously polled as the

second most popular figure among Bosnian Serbs, who referred to him as “our savior” (Mladić IT-09-92, Fourth amended indictment, ICTY transcript, 16 December 2011; Block 1995, 7). Šešelj’s popularity is not only evident in public opinion polls but has also translated into electoral votes. Following Šešelj’s acquittal in 2016, his nationalist, anti-EU party won 13% of the vote and is the leading opposition in parliament today. Šešelj’s party performed significantly better than mainstream, liberal, Western-friendly parties who governed Serbia in the post-Milošević decade but barely received 5% of the parliamentary threshold in 2016 (NDI 2016).

3. See Scharf (2002-2003), Scharf and Schabas (2002), Bass (2003), Rubin (2006), and Tromp (2016).
4. With the exception of Wilson (2017).
5. On Šešelj’s adaptability and creativity at The Hague as well as his mastery of self-representation, see Wilson (2017). Wilson illustrates Šešelj’s talent in “defense de rupture,” which was coined by French criminal defense attorney Jacques Verges and refers to the anarchic style of self-representation that upends the conventions of the criminal courtroom.
6. For an in-depth explanation of why Šešelj was acquitted by the trial chamber, see Wilson (2017).
7. The author is grateful to the second anonymous reviewer for this insightful comment.
8. With the exception of the presidential election in 2012 and parliamentary elections in 2012 and 2014, the Serbian Radical Party has consistently been in the top three political parties in the presidential and parliamentary elections since 1991 (See the Centre for Free Elections and Democracy’s election reports “Okolo Izboru” at www.cesid.rs; NDI 2016).
9. The acquittal was based on the decision of two judges while the third judge expressed strong dissent (See Šešelj IT-03-67, Partially dissenting opinion of Judge Flavia Lattanzi, ICTY transcript, 31 March 2016b; Bowcott 2016).
10. See also Morf and Rhodewalt (2001).
11. The author acknowledges that the accused denied any guilt and instead spoke of a collective responsibility among the Serbs to defend themselves. I am grateful to the second anonymous reviewer for this clarification point. For the purpose of my argument, I refer to the notion of “collectivizing guilt,” rather than the notion of “collectivizing responsibility,” because the majority of my Serbian interviewees, who were also Karadžić and Šešelj’s intended audience, believed that the accused were guilty of the alleged crimes. For an insightful discussion on the use of “collective responsibility” vs. “collective guilt,” see Clark (2008).
12. The Statute of the Tribunal in full and all of the United Nations Resolutions relevant to the Statute can be found on the ICTY website: <http://www.icty.org/en/documents/statute-tribunal>.
13. To what degree the war criminal cult is reinforced by the Serbian media, internalized by the Serbian public, and the various reasons why the war criminal cult resonates at home are larger questions that I address in my manuscript entitled *(In)Humanity on Trial: On the Ground Perceptions of International Criminal Tribunals*. In the manuscript, I argue that the media acted as a “transmission belt” for the war criminal cult, while also acknowledging that the media is just one among many factors that contribute to domestic support for criminal leaders.
14. See for example, Gustafson (1998) and Steflja (2010).
15. See also Peskin (2008).
16. See also Graubart and Varadarajan (2013).
17. See also Bloxham (2008).
18. See also Stahn (2009).
19. For an argument that also makes a case for the “deprogramming” of the Serbian people and nation and the desirability of this goal, see Ramet (2004, 775).

References

- Bass, Gary J. 2000. *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*. Princeton: Princeton University Press.
- Bass, Gary J. 2003. “Milošević in The Hague.” *Foreign Affairs* 82 (3): 82–96.
- Biddle, Jo. 2016. “Outrage at the UN Court’s ‘Rewriting’ of Balkans Wars.” *AFP*, April 1.
- Block, Robert. 1995. “The Madness of General Mladić.” *New York Review of Books*, October 5.
- Bloxham, Donald. 2008. “Milestones and Mythologies: The Impact of Nuremberg.” In *Atrocities on Trial: Historical Perspectives on the Politics of Prosecuting War Crimes*, edited by Patricia Heberer and Jurgen Matthaus, 263–282. Lincoln: University of Nebraska Press.

- Borger, Julian. 2016. "The Radovan Karadžić War Crimes Trial Is Europe's Biggest Since Nuremberg." *The Guardian*, March 23.
- Bowcott, Owen. 2016. "Serb Nationalist Vojislav Šešelj Acquitted of War Crimes at The Hague." *The Guardian*, March 31.
- Božović, Ratko. 2009. "Ground Zero of Politics – Blockade, Stagnation and Regression." In *Between Authoritarianism and Democracy Vol. III: Serbia at the Political Crossroads*, edited by Dragica Vujadinović and Vladimir Goati, 157–178. Belgrade: Friedrich Ebert Stiftung and CEDET.
- "Branim narod, a ne sebe". 2010. *Večernje Novosti (Srbija)*, March 1.
- Brubaker, Roger. 2002. "Ethnicity Without Groups." *Archives Européennes de Sociologie* 43 (2): 163–189.
- Clark, Janine Natalya. 2008. "Collective Guilt, Collective Responsibility and the Serbs." *East European Politics and Societies* 22 (3): 668–692.
- Del Ponte, Carla. 2004. "Prosecutor v. Slobodan Milošević." University of Toronto Library Transcript. May 3.
- Doder, Duško. 2002. "'Book Review' of *Slobodan Milosevic and the Destruction of Yugoslavia* by Louis Sell." *The Nation*, May 27.
- Donia, Robert. 2014. *Radovan Karadžić: Architect of the Bosnian Genocide*. Cambridge: Cambridge University Press.
- "Dr. Šešelj's Historical Statement at the ICTY, Hague, Netherlands". 2013. Anti-Censura. Video. July 14.
- "Footage of Karadžić in Disguise". 2008. *BBC News. EuroNews*. Video. July 22.
- Graubart, Jonathan, and Latha Varadarajan. 2013. "Taking Milošević Seriously: Imperialism, Law, and the Politics of Global Justice." *International Relations* 27 (4): 439–460.
- Gustafson, Carri. 1998. "International Criminal Courts: Some Dissident Views on the Continuation of War by Penal Means." *Houston Journal of International Law* 21: 52–82.
- "Hague Drops Summons for Serb Suspect, Averting Stand-Off". 2016. *Reuters*, March 16.
- "Holandani da brane Karadžića". 2008. *Večernje Novosti (Republika Srbija)*, August 21.
- "International Tribunal for the Former Yugoslavia: International Arrest Warrants and Orders for Surrender for Radovan Karadžić and Ratko Mladić". 1997. *I. L. M.* 36: 92–5.
- Jalušić, Vlasta. 2007. "Post-Totalitarian Elements and Eichmann's Mentality in the Yugoslav War and Mass Killings." In *Hannah Arendt and the Uses of History: Imperialism, Nation, Race, and Genocide*, edited by Richard H. King and Dan Stone, 147–170. New York: Berghahn Books.
- Karadžić IT-95-5/18. 1995. "ICTY Press Release. Milan Martić, Radovan Karadžić and Ratko Mladić Indicted Along 21 Other Accused." Accessed July 25. <http://www.icty.org/case/karadzic/4>.
- Karadžić IT-95-5/18. 2008. "Initial Appearance." *ICTY Transcript*. Accessed July 31. <http://www.icty.org/case/karadzic/4>.
- Karadžić IT-95-5/18. 2009. "Status Conference." *ICTY Transcript*. Accessed January 19. <http://www.icty.org/case/karadzic/4>.
- Karadžić IT-95-5/18. 2010. "Defence Opening Statement." *ICTY Transcript*. Accessed March 1. <http://www.icty.org/case/karadzic/4>.
- Karadžić IT-95-5/18. 2012. "Defence Rule 84 bis Statement." *ICTY Transcript*. Accessed October 16. <http://www.icty.org/case/karadzic/4>.
- Karadžić IT-95-5/18. 2016. "Judgment Summary." *ICTY Transcript*. Accessed March 24. <http://www.icty.org/case/karadzic/4>.
- "Karadžić – Dragan Dabić i njegov dvostručan život". 2008. *Glas Amerike*. Video. July 24.
- "Karadžić: Mene je abortirao Alija Izetbegović". 2010. *Press (Srbija)*, March 2.
- Lelyveld, Joseph. 2002. "The Defendant: Slobodan Milošević's Trail, and the Debate Surrounding International Courts." *The New Yorker*, May 27.
- Lillie, Christine, Brock Knapp, Lasana Harris, and Richard Wilson. 2015. "This Is The Hour of Revenge: The Psychology of Propaganda and Mass Atrocities." *Social Science Research Network*. Accessed March 18. <https://ssrn.com/abstract=2580521> or <http://dx.doi.org/10.2139/ssrn.2580521>.
- Lippman, Peter. 2008. "Radovan Karadžić Captured After Serbs Vote Out Hard-Line Nationalist Government." *The Washington Report on Middle East Affairs* 27 (7): 38–39.

- Lu, Catherine. 2006. "The International Criminal Court as an Institution of Moral Regeneration: Problems and Prospects." In *Bringing Power to Justice? The Prospects of the International Criminal Court*, edited by Joanna Harrington, Michael Milde, and Richard Vernon, 191–209. Montreal: McGill-Queen's University Press.
- May, Larry. 2005. *Crimes Against Humanity: A Normative Account*. Cambridge: Cambridge University Press.
- Milanović, Marko. 2009. "The Arrest and Impending Trial of Radovan Karadžić." *International and Comparative Law Quarterly* 58 (Jan): 212–219.
- Mladić IT-09-92. 2011. "Fourth Amended Indictment." *ICTY Transcript*. Accessed December 16. <http://www.icty.org/case/mladic/4>.
- Morf, C. C., and F. Rhodewalt. 2001. "Unraveling the Paradoxes of Narcissism: A Dynamic Self-regulatory Processing Model." *Psychological Inquiry* 12 (4): 177–196.
- National Democratic Institute for International Affairs. 2016. "Serbia: The 2016 Parliamentary Elections and Beyond". Accessed September 21. <https://www.ndi.org/sites/default/files/SB2016report.pdf>; <https://www.ndi.org/Serbia-2016-Elections-Report>.
- Onasa News Agency. 2004. "Two Thirds of Bosnian Serbs See Karadzic' as Hero – Opinion Poll." *Access World News*.
- Pešić, Vesna. 2009. "Nationalism of an Impossible State: A Framework for Understanding the Unsuccessful Transition to Legitimacy in Serbia." In *Between Authoritarianism and Democracy Vol. III: Serbia at the Political Crossroads*, edited by Dragica Vujadinović and Vladimir Goati, 71–87. Belgrade: Friedrich Ebert Stiftung and CEDET.
- Peskin, Victor. 2008. *International Justice in Rwanda and the Balkans: Virtual Trials and the Struggle for State Cooperation*. Cambridge: Cambridge University Press.
- Peterson, Benjamin. 2009. "Goals and Groups: Testing a Functional (Defensive) Self-regulatory Model of Group Identity." *ProQuest Dissertation and Theses*.
- Petrović, Vladimir. 2015. "Review of Radovan Karadžić: Architect of the Bosnian Genocide by Robert Donia." *Nationalities Papers: The Journal of Nationalism and Ethnicity* 43 (2): 365–367.
- "Radikali održali Meeting u Beogradu: Šešelj tvrdi da je Hag lažni sud, Karadžić osuđen Same zato što je Srbin?". 2016. *Telegraf*, March 24.
- Ramet, Sabrina. 2004. "'Explaining the Yugoslav Meltdown, 2: A Theory About the Causes of the Yugoslav Meltdown: The Serbian National Awakening as a 'Revitalization Movement'." *Nationalities Papers: The Journal of Nationalism and Ethnicity* 32 (4): 765–779.
- Rovčanin, S. S. 2016. "Šešelj: Idem u izbornu pobjedu, a ne u Hag." *Večernje Novosti*, February 17.
- Rubin, Alfred P. 2006. "Milošević on Trial." *International Journal for the Semiotics of Law* 19 (4): 347–354.
- Scharf, Michael P. 2002–2003. "The Legacy of the Milošević Trial." *New England Law Review* 37 (4): 915–933.
- Scharf, Michael P., and William A. Schabas. 2002. *Slobodan Milosevic on Trial: A Companion*. Scholarly Commons. Case Western Reserve University Faculty of Law. Faculty Publications. 1299.
- Šešelj IT-03-67. 2003a. "First Initial Appearance." *ICTY video*. Accessed February 26. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2003b. "Initial Indictment." *ICTY Transcript*. Accessed January 15. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2012a. "Defense Closing Statement." *ICTY Transcript*. Accessed March 14. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2012b. "Prosecution Closing Arguments." *ICTY video*. Accessed March 14–20. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2014. "Order on the Provisional Release of the Accused *Proprio Motu*." *ICTY Transcript*. Accessed November 6. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2016a. "Judgment Summary." *ICTY Transcript*. Accessed March 31. <http://www.icty.org/case/seselj/4>.
- Šešelj IT-03-67. 2016b. "Partially Dissenting Opinion of Judge Flavia Lattanzi." *ICTY Transcript*. Accessed March 31. <http://www.icty.org/case/seselj/4>.
- Simpson, Daniel. 2003. "Defendant in Hague to Aim Defense at Serbs of the Future." *The New York Times*. February 20.

- Snyder, Jack. 2000. *From Voting to Violence: Democratization and Nationalist Conflict*. New York: W.W. Norton and Company.
- Stahn, Carsten. 2009. "The Future of International Criminal Justice." *The Hague Justice Portal*, October 9.
- Steflja, Izabela. 2010. "Identity Crisis in Post-Conflict Societies: The ICTY's Role in Defensive Nationalism among the Serbs." *Global Change, Peace & Security* 22 (2): 231–248.
- Steflja, Izabela. 2015. "[In]Humanity on Trial: On the Ground Perceptions of International Criminal Tribunals." *ProQuest Dissertation and Theses*.
- "Student Dorm Named after War Crimes Suspect Radovan Karadžić". 2016. *The Guardian*, March 20.
- "Suđenje bivšem lideru RS". 2010. *Blic (Srbija)*, March 1.
- Tromp, Nevenka. 2016. *Prosecuting Slobodan Milošević: The Unfinished Trial*. New York: Routledge.
- "Vojislav Šešelj's Acquittal is a Victory for Advocates of Ethnic Cleansing". 2016. *The Economist*, March 31.
- Weaver, G. R. 2006. "Virtue in Organizations: Moral Identity as a Foundation for Moral Agency." *Organization Studies* 27 (3): 341–368.
- Wilson, Richard Ashby. 2017. "Propaganda on Trial: Structural Fragility and the Epistemology of International Legal Institutions." In *Palaces of Hope: The Anthropology of Global Organizations*, edited by Ronald Niezen and Maria Sapignoli, 266–293. Cambridge: Cambridge University Press.