

Who killed Josip Reihl-Kir

Part 1

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This is a first Draft. This is still going to change lot. But I want to take in account remarks of readers. They can sent them at danielverhoeven@deds.nl

Introduction.....	4
On the road from Osijek to Tenja	5
Interview with the widow Jadranka Reichl-Kir	14
Second trial against Antun Gudelj	18
From "Brotherhood and Unity"	24
... to "diversity and conflict".....	28
1990 free elections.....	34
The Log Revolution	38

Introduction

"My name is Miro Bajramovic and I am directly responsible for the death of 86 people. I go to bed with this thought, and - if I sleep at all - I wake up with the same thought. I killed 72 people with my own hands, among them nine were women. We made no distinction, asked no questions; they were "Chetniks" [Serbs] and our enemies. The most difficult thing is to ignite a house or kill a man for the first time; but afterwards, everything becomes routine. I know the names and surnames of those I killed."

(...)

"Before going to Pakracke Poljane, somewhere in the autumn of 1991, we were in Gospic. We conquered the military base, headed towards Lovinac, but were ordered to return. It was enough to be a Serb in Gospic to mean that you did not exist anymore. Our unit liquidated some 90 to 100 people in less than a month there. Therefore, it is not true what Vekic said - in an interview published in your newspapers - that 170 people were killed in Gospic; nobody was there at that time performing the liquidation except us."

(...)

"The role of Tihomir Oreskovic; I think he is a good man and it was good working with him. Due to our friendship I'd rather not talk about him. The order for Gospic was to perform "ethnic cleansing", so we killed directors of post offices and hospitals, a restaurant owner and many other Serbs. Executions were performed by shooting at point blank range since we did not have much time. I repeat, orders from the headquarters were to reduce the percentage of Serbs in Gospic.

(...)

"We kept prisoners in the school cellar; and when we had more prisoners, we would put them in classrooms. Nights were the worst for them, since it was then that we "interrogated them" ...; this consisted of finding the best way to inflict the greatest pain in order to make them confess the most amount of information.

Do you know which is the best way? Burning prisoner with a flame, pour vinegar over their wounds, mostly on genitalia and on the eyes. Then there is that little inductor, field phone, you plug a Serb onto that; it is a direct current which cannot kill, but it is very irritating. You ask him where he comes from, he says from Dvor, and you then dial a number in that place. Or, a five-wire cable would be stuck into a prisoner's rectum and was left there for hours so that they couldn't sit.

Wounds were opened and salt or vinegar scattered over them; we did not let the bleeding stop. The prison commander Mijo Jolic forced them to learn on the same day the Croatian anthem; today he possess- just like Suljic-restaurants all over Croatia. Why don't I have anything?

When I recall all that torturing, I wonder they managed to think of all of those methods. For example, the most painful is to stick little pins under the nails and to connect it to the three-phase current; nothing remains of a man but ashes. I would never think of that, although I do know of the Lenz law. I was doing the interrogation of prisoners, but I never harassed them nor did I enjoy that; but some did, as Munib Suljic for example. We only cared about the results he would get, we did not bother with the means he used. After all, we knew that they would all be killed, so it did not matter if we hurt him more today or tomorrow. During the torture, people would confess all they knew, or what they were asked for. We did play some kind of a democratic police at the beginning and would give papers to Serbs to write all they knew, for instance names or locations.”

(...)

Thus starts the confession in 1997 of Miro Bajramovic, a Croatian war criminal. When I read about this my stomach turned over. When Miro makes his confessions in front of the journalists of the 'Feral Tribune'¹, this story is almost ending. More war criminals will confess finally, but not all of them. Why do I give away the end of this story? Isn't it a thrilling crime story? Yes, it is a crime story, but first of all I want that the facts speak for themselves, they inflict enough stress already. Artificial excitement meant to knock you out, served with some threatening background music, is to cheap a dish. Don't blame me because I've put those dreadful sentences at the beginning of this story. I was shocked too when I read it. I'm not a sadist. I just want to pass the reality the way I could track it down. And it made me angry. I'm white-heat angry because these stories remain concealed.

Don't reckon on the complete truth, I do not have it. Nobody has it. For instance not all war criminals started to confess. Some of them will carry along their terrible secrets to their graves. So I must contradict the quote of the evangelist Luke (Luke 8,17) who wrote about 2000 years ago that the truth always comes to light. It doesn't. Why should it? There is no such natural law that dictates that all secrets are revealed. It's mere gospel. If we are lucky, we find out something, but most of the time that's more than enough. It often defies any imagination. Reality is often worse than imagination. How is that possible? Well, because the acts of men arise from their imagination. A split second before we act, we simulate the act in our brain. This is confirmed by neurological research. Imagination, that's the material we will have to work with. But we shall have to imagine another world than these cruelties. That's why I want to talk about those who had another kind of imagination, people that could imagine peace and wanted to defend it, and sometimes did give their lives for it. They are the real heroes of every war. Forget Miro Bajramovic, he is only an extra. A poor sucker.

On the road from Osijek to Tenja

¹ To Whom It May Concern, Feral Tribune, Split, Croatia, September 1, 1997, <http://www.ex-yupress.com/feral/feral45.html>

As to the witness of Mirko Tubic, the only survivor of the assault on the 1st of July 1991 on the road from Osijek to Tenja, it took only a few seconds to cause a real bloodshed in the car heading Tenja. Someone emptied his Kalasjnikov at Josip Reihl-Kir, chief of the police of Osijek-Baranja, Goran Zobundzija, vice president of the local government, and Milan Knezevic, a local government representative in Osijek and Mayor Mirko Tubic of Tenja. Josip Reihl-Kir, Milan Knezevic and Goran Zobundzija were killed instantly.

Mirko Tubic and Milan Knezevic were two moderated Serbs, the other two were Croats.

Tenja is a municipality about 15 kilometres at the south-east of Osijek, in the direction of Vukovar. Osijek and Vukovar are the two largest cities of Eastern Slavonia a region in in the North East of Croatia. The distance between both cities is about 50 kilometres Osijek is the largest. The town has a university since 1975 and a regional airport. Osijek is located on the right bank of the river Drava, 25 kilometres upstream of its confluence with the Danube. In 2001 it counted 114.616 inhabitants. It is administrative centre of Osijek-Baranja county. Osijek is a town with a lot of green and open spaces and the oldest parts at the right bank of the Drava are very cozy.

Vukovar is situated at the border with Serbia, at the confluence of the Vuka river and the Danube. It's the the center of the Vukovar-Srijem county. Vuka means wolf in Slavic. It's the largest Croatian harbour at the Danube. It had 31.000 inhabitants in 2000. Vukovar was completely destroyed beyond recognition during the Croatian War of Independence, the 'Domovinski rat'. But the war is still to come. The 87 days during siege of Vukovar by the JNA, the Yugoslavian People's Army only began in August 1991.

Slavonia is a fertile agricultural and forested lowland bounded, in part, by the Drava river in the north, the Sava river in the south, and the Danube river in the east. Slavonia is a multi-ethnic region. During World War II, it was part of the Nazi puppet state Independent State of Croatia. When the Yugoslav federation was formed after the war, Slavonia became part of the Socialist Republic of Croatia. But let's put things straight, after the Croatian elections of 1990 that brought the right wing HDZ into power, that reduced the Serbs in Croatia to a minority, there was NO separatist activity of the Serbs in Eastern Slavonia like there was in the Krajina.

In August 1990, a referendum was held in the Krajina on the question of Serb "sovereignty and autonomy" in Croatia. The resolution was confined exclusively to Serbs so it passed by a majority of 99.7%. As expected, it was declared illegal and invalid by the Croatian government, who stated that Serbs had no constitutional right to break away from Croatian legal territory. Milan Babić, a dentist from the southern town of Knin, was elected its president. The rebel Croatian Serbs established a number of paramilitary militias under the leadership of Milan Martić, the police chief in Knin. Babić's administration announced the creation of a Serbian Autonomous Oblast of Krajina, 'Srpska autonomna oblast Kninska krajina', on December 21, 1990. In the Krajina 67% of the population was Serb, In Slavonia only 20% to 30%.

There was not such a thing in Slavonia. This is not to say that nothing came about. There were a lot of incidents in the region, roadblocks in some villages, shooting at night, monuments of partisans painted over... Chaos was rising. Was the killing a shooting of desperados knocked loose in the Balkan War? One of those incidents? That's the way the European press might put it. We can rule out this last hypothesis, because the Balkan War hadn't even started yet. Croatia had not yet declared its independency. Was it then, one of those incidents that made the war unavoidable? A provocation? Well some say that the murder on Reihl-Kir preluded the war between Croats and Serbs. It rang the bell.

Who was the? Who were the killers in Tenja? Reihl-Kir was appointed as Police Chief of Osijek-Baranja by the new Croatian Government (44 municipalities, 330.506 inhabitants in 2001). At first sight not a 'petit chef', not an insignificant character. Was he the main target? His name is not often mentioned in the media afterwards. Did the media forget about him or did they prefer not talk about him. Was Zobundzija the target man? And his three companions? Where they three men on the wrong place at the wrong time? Was the highest police authority of Osijek killed by accident?

Josip Reihl-Kir was a Croat, though there was running also some Hungarian blood through his veins. Was he killed by a Serbian militia? A lot of things were happening simultaneously that length of time. But this is only an impression from a certain distance. Even in turbulent epochs one second follows the other, time never hiccoughs, only people make a mess of it afterwards. Let's put some data one after another.

May, 1990, the first free elections were held. A people's movement called the Croatian Democratic Union (HDZ) won out by a relatively slim margin against the reformed communist Party of Democratic Change (SDP), led by Franjo Tuđman (former general in Tito's Partisan movement) and Ivica Račan (former president of Croatia's League of Communists, the SKH) respectively.

In the summer of 1990, Serbs from the mountainous areas where they constituted a majority rebelled and formed a new entity, the so-called Autonomous Region of the Serb Krajina (later the Republic of Serbian Krajina); neither were recognised by a single country outside of their proposed borders. Any intervention by the Croatian police was obstructed by the Yugoslav People's Army (JNA), now containing a significantly larger percentage of Serbs. The conflict culminated with the log revolution, in which the Krajina Serbs blocked the roads to the tourist destinations in Dalmatia.

May 19, 1991: A referendum was held in Croatia in order to choose for the Independence of Croatia. This possibility of Independence was guaranteed by the Yugoslavian Constitution of 1974. 94% was in favour of Independence. This referendum however was boycotted by the Serbs living in Croatia. They and wished to stay within Yugoslavia.

July 25, 1991: Both Slovenia and Croatia declare their Independence unilaterally.

A short period of violence occurred in Slovenia, which ended with Yugoslavia accepting Slovenia's independence.

In terms of International Law, Croatia was a part of Yugoslavia on July 1, 1991. It was a Republic of the Yugoslavian Federation. It didn't have exlaimed yet its independence.

When in 1997 – reading a report of the Balkan Monitor² on the witness of Stipe Mesic at the ICTY in The Hague the name Reihl-Kir flashed past on my computer screen – I talked with a Croatian refugee from Eastern Slavonia about the murder on Reihl-Kir. He told me that a Serbian militia had committed the murder to provoke war. His comment was in line with what was written by the Western media about the war in Former Yugoslavia. The Serbs had done it once again. He sounded believable. On that very moment I knew that Josip Reihl-Kir was killed on the very moment that he was negotiating with Serbian citizens. I couldn't believe that he was killed by Serbs. The explanation of the Croat refugee was an overdone attempt to mix with local habits or it was a plain lie. I wanted to know more about it.

Though, some of the facts had been revealed in a documentary series of the BBC: 'The Death of Yugoslavia', broadcasted at the end of 1995 beginning 1996. I hadn't paid attention to it. I didn't see it. Looking television, I almost never did. TV-stations manipulated the news. I knew about that. I didn't trust the medium any longer. I talked to some TV-reporters and they explained me the routine. During the day all stations received one to two hours or more video gootage covering one single subject from only a few agencies. They received footages about several subjects. At eight o'clock all those video images was reduced to 2 minutes coverage per subject. Only a small selection of the subjects was covered and out of that selection they selected about 1% of the available images. Since we had read 'Managing Consent' of Noam Chomsky we distrusted the 'mainstream media'. The news was biased and manipulated or even fabricated. The so called mass graves of Timisuara appeared to be the garbage of a hospital; refugees were paid to weep in front of the cameras, rebels were required to shoot when the cameras arrived and so on. Before authorities manipulated and censured the news, now the journalists did the same thing, hunting down sensation. A good scope was cash.

Television had turned into spectacle, the way Guy Debord predicted it in 1970. In 1996 Pierre Bourdieu published his famous essay 'Sur La Télévision'. He talked about "invisible censorship applied on the small screen" and "the artefacts being images" like they were living their own lives. Dissatisfied with the actual situation and following the example of APS in Amsterdam we started with a few like-minded friends an alternative Press Agency called 'KnoopPunt' meaning Cross Point in 1991. From 1992 on we spread alternative news at first using 'Fido'

² <http://balkan.monitor.xs2.net/Monitor/Mon.53-54/Mon.53-54.Arkzin.html>

technology via a 'Bulletin Boars System, a BBS, from 1993 via Internet. In 1993 KnoopPunt joined also the Association of Progressive Communication. We had exchanging news with APC before. This news was brought digitally to us by phone lines from London by Greenet, from Amsterdam by APS and from Nijmegen by Antenna. Antenna and Greenet received news from all over the world from other APC offices and NGO's.

I tried to catch up the news from Yugoslavia ravaged by war. I tried to read the conference yugo.antiwar. But, you know it's like a bartender who drinks beer him self, he would better not to. Though the postings on yugo.antiwar came from people that worked and lived on the spot, local people that lived through the war, people like Radovan Mistic, Vesna Bozic, Marina Skrabalo, Martina Bilic, Eric Bachman of IGC, Wam Kat of the European Youth for Action staying in Zagreb, Ernst Gülcher of IPIS who travelled to the occupied Sarajevo in 1993, people of War Resisters International, of ZamirNet, of the Marko Hren Peace Institute in Ljubljana, Anti Ratne Kampanje in Zagreb, the International Peace Forum in Sarajevo, Vreme Magazine and the independent radio B92 in Belgrado. With the support of APC they had set up at first a fax network crossing the borders, afterwards an electronic communication network: Zamir Transnational Network. The message beneath is the first call to start that network, it is also the first posting on yugo.antiwar.

Path: antenna.nl!cdp!gn!nn.apc.org!not-for-mail
From: nmilivojevic@nn.apc.org
Newsgroups: yugo.antiwar
Subject: MEDIACONFERENCE IN AMSTERDAM
Message-ID: <APC&4'0'2fb82fc6'd09@nn.apc.org>
Date: 25 Nov 1991 18:52:09 +0100 (SVT)
X-Gateway: notes@igc.apc.org
Lines: 21
Xref: antenna.nl yugo.antiwar:1

CONFERENCE IN AMSTERDAM, HOLLAND

A conference on the role of media in Yugoslavia is held in Amsterdam between 29th November to 2nd December 1991. The purpose of this conference is to prepare a proposal for the creation of an independent media structure in Balkan. Participants in the conference are journalists, politicians, and peace-organisations from many countries in Europe.

Because of the current "media war" in Yugoslavia, this initiative is very important. The conference needs all kinds of support, also economically. If you wish to support the conference or want further information please contact:

Radovan Mistic

Fahrenheitstraat 105
NL-1097 PP AMSTERDAM

The structure of the network looked like this³:

```
##### Z T N #####
#
# The email systems in the Zamir Transnational Net #
#
# ZAMIR-BG is in Belgrade at tel: +381 11 632 566. #
# Voice support at tel: +381 11 635 813. #
#
# ZAMIR-LJ is in Ljubljana at tel: +386 61 126 3281 #
# Voice support at tel: +386 61 302 912 #
# (Di and Do 12:00-14:00) #
#
# ZANA-PR is in Pristina at tel: +381 38 31276 #
# Voice support at tel: +381 38 31031/31036 #
#
# ZAMIR-SA is in Sarajevo at tel: +387 71 444-200 #
# Voice support at tel: +387 71 444-337 #
#
# ZAMIR-ZG is in Zagreb at tel: +385 41 271 927. #
# +385 41 423 044 #
# Voice support at tel: +385 41 422 495. #
#
##### ZAMIR means "for peace" :) #####
```

Routing of the ZAMIR conferences:

```

++
+>|ZANA-PR |
| 4 ++
|
+-----+ +-----+ ++
| M|>|ZAMIR-BG |>| LINK-ATU |
| | +-----+ 1 ++
| | ++
| 4|>| ZAMIR-LJ |
Internet | BIONIC | ++
connection | | +-----+ ++
```

³ http://mediafilter.org/MFF/ZTN_idx.html

```
|          M|>| ZAMIR-ZG |>| ZAMIR-SA |
|          |          +-----+ 4  ++
|          |
|          |
+-----+
```

The reporters of yugo.antiwar reached places where journalists from abroad could not go or didn't dare to go. On some crucial moments they were the only source of information for the outside world. I was a bit disappointed when I didn't find any texts about Reihl-Kir at the conference yugo.antiwar. Not surprisingly, since the conference only started in November 1991. I found more information on Reihl-Kir at AIMPress, 'Alternativna Informativna Mreza'. Maybe Josip Reihl-Kir would not have called himself a pacifist, but he was one. He just did his job as a moderate police chief. But he did it consciously and consequently. He did not round the sharp edges. He was also a man in the field, not a bureaucrat that shouted orders from behind his desk. He went himself on the spot to negotiate. In an effort to defuse the situation, he agreed that the Croatian police would not try to enter Serb villages, with a Serb majority, without the explicit permission of the local Serb authorities; in return, the Serbs agreed to dismantle barricades. However, as he later complained, his efforts were seriously undermined by the actions of Croatian nationalists who stoked the tension. His integrity stroked me.

I wanted to see that BBC-documentary! What the hell, Guy Debord. I managed to log into a server where I could download it. We had a 128 Kilobits line. I thought if I downloaded it at night, I wouldn't bother anyone. The next morning, after I had brought the children to school, I noticed that the downloading had taken about 7 hours. But I had the file in AVI format, about 320 Meg. I pumped it to a Unix computer with a Matrox videocard. I was a little surprised when I saw Jadranka and Josip. What I saw was not what I had in mind. I thought Josip would be an amiable man in his fifties or forties, a bit fat, but I saw a fairly young man, at most 35. He is thin, his eyes deep in their orbits, not that tall, 1,75 m. With his black moustache he looks a bit like Charlie Chaplin, but he has a sharp nose. He is wearing a white shirt, his sleeves stripped up, the topmost button is opened and his tie is hanging loose. He reads a text from a paper he holds in his left hand. I do not understand a word of it then the camera zooms in for a close-up. No more sound.

In the following scene the Journalist Milos Vasic tells how Josip Reihl-Kir went to negotiate, always opening his coat to show he was unarmed, how he always succeeded to remove the roadblocks... Milos Vasic, isn't that? Yes it's him, the man of Vreme, that has posted dozens of messages on yugo.antiwar. The postings of the 'Vreme News Digest Agency', that reached us via accounts like mvasic@merkur.bits.net, malenovi@plains.NoDak.edu, ivo@reporters.net or warreport@gn.apc.org, were written and signed by Milos Vasic: 'President Independent Journalists' Association of Serbia'. He always reached us, reaching him was a another problem.

Then again a short take of Josip Kir in civilian clothes, talking to someone along the road. His coat is really to big, he does resemble Chaplin. The last images

show Jadranka Reihl-Kir, his wife. She bends a bit to the left. She has a small pit in her chin, a bob hairstyle, black sleek hair hanging down covering her forehead completely. Modern clothing, a brownish mantle coat with a big collar. She looks a bit tired but not hopeless. Her phrasing is a little hesitating but passionate. Jiggling her head she narrates about an incident in Borovo Selo. Some members of the leading party that went to fire three grenades with a hand held rocket launcher. I cannot elucidate the incident on that moment. Why does she talk about that? The reporter says that it was a provocation by one of Tudjman's close collaborators, but no name. Then we see the minister of Internal Affairs Josip Boljkovac. He says that Goyko Susak and his own vice-minister were the men who launched rockets to the Borovo Selo roadblock. This we must clear out.

Very soon after the murder in Tenja a lot of people in Croatia knew who was the killer. There were several witnesses: policemen like the 'wild shooter'. His name was Antun Gudelj. He is a Croat, born in Tenja. In the seventies he migrated to Australia? After 20 years he returned to the place where he was born. He started a small car painting business with the money he earned abroad. On the moment of the shooting Antun Gudelj was a reserve policeman. Josip Reihl-Kir was his boss. Gudelj had received the weapon he used to shoot Kir a few days earlier from Kir himself, says Jadranka. It is almost impossible that Antun Gudelj had not recognised his chief. It was at noon, in July, in broad daylight. Anyway he tried to stop his chief to check the car. His chief was heading for Tenja to negotiate and he shot him. He killed him, by accident?

The Osijek justice needed almost four and a half years to catch up with Anton Gudelj, the man who murdered Josip Reihl-Kir, head of the Osijek Police Department, Goran Zobundzija, vice president of the local government, and Milan Knezevic, a local government representative in Osijek. During all that time, Gudelj has been known, both at home and abroad, as the Kir's murderer. All facts indicate that Kir was Gudelj's target and that the others perished because they unfortunately happened to be in the same car with Kir. In Osijek, however, the authorities have commemorated the third anniversary of the murder as the murder of Zobundzija. Only on his grave they had laid a wreath. Due to the exceptional support of the president of the local government in Osijek, Branimir Glavas a township has been named after Zobundzija; the township used to bear the name of Prokopije Uzelac, a great Osijek benefactor and a physician who had saved thousands of lives of his fellow citizens. Although the inhabitants of the township were unhappy because of such removal of a memory of a man who had obliged the city, this didn't affect Glavas. As to Glavas Prokopije was, after all, only a Serb, Zobundzija was a Croatian hero.

Finally on June 27, 1997 Antun Gudelj was convicted in absentia for the murders by the Court of Osijek. In absentia for immediately after the murders he returned, or rather fled to Australia. Since he had an Australian passport he could stay there without being disturbed. Although because of the public pressure Croatia had in the meantime issued a warrant for his arrest through Interpol. However, Gudelj was obviously in no danger of being arrested and it seemed that all that happened on July 1, 1991 on the Osijek-Tenja road would soon be enveloped by a thick veil of oblivion. But after the documentary series of the BBC, that was broadcasted all over the World, Gudelj's shoes were put on fire all at one. Maybe the authorities that contracted him got scared? If he was

arrested in Australia they risked that he would talk to save the furniture. It is suggested that he was asked to return, that they promised him to take care of him. In the Spring of 1996 he returned. Before he could reach Croatia, he was arrested in Frankfurt at the airport and extradited to Croatia. The judicial authorities booked him for the district-jail of Osijek.

But for no distinct reason I dropped the Reihl-Kir case. As I said before, a bartender should not drink the beer himself. KnoopPunt as a press-agency, it shouldn't make the news. Though I was craving for investigative journalism, I lacked time. Our agency was based on Internet technology. Our income was guaranteed because we were also the Internet provider of the NGO's but that source was soon drying. So we added Web-design and Network services to our package, but this meant a lot of work. But even then we hardly could pay the bills of our own upstream provider. All of a sudden Internet was a hype. Venture capitalists pumped enormous quantities of money in all kind of new e-businesses that popped out of the soil like mushrooms. This was later called the Internet-bubble. The services we offered at low prices were offered for free by those new enterprises. It looked like the fundamental laws of capitalism were put upside down. Instead of making as much profit possible the rule seemed to be to lose money as long as possible. They could lose money, because they had a lot of it. We could not. After we had promoted digital communication for more than six years, nobody wanted it, now everybody wanted it to have it, but as cheap as could be and for free if possible. We worked day and night. We tried to keep our head above water. But we drowned anyway. My ambition to uncover the Croatian Gravid Princip floated softly to the bottom of my memory.

The life of a 'sysop' is not a joke. 24 hours on 24, 7 days on 7 he is responsible for a network of Internet servers. It's worse than working in shifts. Most of my colleagues of those pioneering times had become rich, I wasn't. In 1999 I had a first burnout. Pneumonia and complete exhaustion! We closed the press-agency and transferred our hard disks to the International Institute of Social History in Amsterdam. After a few weeks of recovery I started to work as a system-engineer until 2002 when I got my second burn-out. I realised that a 3th burnout would be fatal so I decided to slow down. I stopped working as an IT'er. I had had it. My revenue almost sank to zero. Né pauvre on reste pauvre. After a year or so also the last computer I had crashed. I uncoupled the hard disk and putted the carcass outside to be collected by the garbage service. I really didn't care about computers any longer. I could live without computers.

During the period of my recovery I started to write using only a pen and paper. All at once I felt an enormous urge, a drive to write about the devilish inferno I had lived through. Little by little I advanced, I threw away more pages than I wrote but I liked it. It was fun. I started to do some research about the influence of Internet on society, about information inequality which had not disappeared through Internet... Inequality in society continued or was even aggravated on the net. The fact that the cost of the equipment required to set up and access computer networks created "haves" and "have nots", advantaged certain groups of Internet users over others. Of course I was pessimistic but not hopeless. I turned to another question that seemed more important to me than

before: communication pollution. The Balkan War seemed to be the perfect case to study un-communication. War is the 'summum' of un-communication. I started to interview refugees from Former Yugoslavia.

So I met Josip Reihl-Kir again for the second time, by incident. One of my friends, a Frenchman, who knew that I was investigating the Yugoslavian War introduced me to K. S. He had been a prisoner of war, tortured in Belgrade by the Serbs, he was traumatised... but we talked without a precise target... and he said that he had known Josip Reihl-Kir. Kir was his boss. He had been a policeman himself. Kir was shot by a Serbian militia. No people from the region but from over the border. They knew who, but they were never caught... and Borovo Selo. He was also at Borovo Selo, he said...

That I had to listen to such a bunch of lies after ten years made me indignant. It was a crying shame but I swallowed my words. I was not allowed to show my furiousity because I risked that he would be silent for ever after, I nodded empathically. When I came home I wrote everything down. Also the way he reacted intrigued me. As a system analyst I had learned some interview techniques. Seemingly naïve I started to ask more difficult questions. But he was flexible. He blocked me again and again. He also started to put difficult questions. He used the same techniques I did. I had no idea what to think about it. Again and again I bumped against a thick wall he had constructed around him. For sure he was experienced as to interrogations; of course that was his story.

He was a friend of a friend, that was a problem. I'm Belgian but I didn't feel like playing Hercules Poirot, Agatha Christie's detective. Like in Serbia, there are links between the former militias and the mafia. And the Mafioso do not like people to be curious. Investigation OK, but I do not want to die because I knew too much. Lately in Zagreb the journalist Ivo Pukanic, investigating into criminal organisations, was killed in broad daylight, a director of a construction firm was beaten, the daughter of a lawyer was shot. The Croatian government cannot withhold the mafia. So I dropped the case K. S. and concentrated on the Reihl-Kir murder, because 17 years of lies, it's too much. I wanted to know more about it. Why?

Interview with the widow Jadranka Reichl-Kir

Interview with the widow Jadranka Reichl-Kir on november 27, 1996 by Goran Flauder, Feral Tribune, november 27, 1996, Split⁴.

Goran Flauder: How did you receive the news about the arrest of Anton Gudelj at the airport in Frankfurt [in Germany]?

⁴ Goran Flauder, Gudelj Fired, But the Others Aimed!, Feral Tribune, 11/27/95, Split, Croatia <http://www.ex-yupress.com/feral/feral16.html> vertaald uit het Kroatisch naar het Engles op 2 december 1996 door <http://www.ex-yupress.org>

Jadranka Reihl-Kir: I was rather disturbed, because the moment I've been waiting for all this years has finally come. I've forced myself to quit smoking, eat only healthy food and drink fruit juices, just to live long enough to see the justice done. Gudelj is not that interesting in this case. I don't expect a lot from him. But there is always a hope that his conscience will wake up, if he has it, and that he will say something new about the case during the trial. It won't be easy to face him, but that's what the sedatives are for.

I had a chance recently to see Mirko Tubic on TV Beli Manastir [a town on the territory occupied by Serbs] and hear from a witness how it all happened; he was the only survivor in the car. I was looking for a channel with a movie, because I had had enough of politics, when I saw a man, talking. It seemed like it might have been interesting, so I kept watching. At one point he started talking about it [the murder]: "Someone said - this one's going to shoot; he had started to shoot at us before we managed to stop the car. I hid behind Kir's seat." At that point I realized that that was Tubic. He was wounded and, when the door on his side opened, he fell out of the car. Then, he was approached by others and they started to kick him and hit him with rifle butts, swearing at him because he was the only survivor. Later, he was driven to a hospital in Osijek, escorted by two policemen who were supposed to guard him 24 hours a day, but he managed to escape. Supposedly he was helped by a nurse who invited the guards to a cup of coffee, so that he managed to get out of the hospital and escape in a car which had been sent for him from a nearby army barracks. Doesn't this also indicate that everything was organized?

When Tubic's wife saw him, she said that she couldn't have recognized him. Later, he was treated at the Military Clinical Center in Belgrade, but his kidneys were permanently damaged during that beating so he has to go to a dialysis twice a day.

Goran Flauder: Gudelj has been sentenced to 20 years in jail in absentia. Are you satisfied with the performance of the court so far?

Jadranka Reihl-Kir: I am disappointed! I haven't even received invitations to all hearings and the judge Ruzica Samota refused to summon several witnesses who might have been able to throw more light on the events. I was especially disappointed by the attitude of Josip's former policemen who appeared as witnesses. First, they all looked as their chief was murdered and none of them reacted, tried to prevent the murder or catch the murderer. He [the murderer] was undisturbed while he reloaded his rifle and walked away to a village. None of them was reprimanded after that. They were very rude at the trial, as if they were forced to appear. One of them was in a hurry, so he came in in the middle of a hearing and demanded to give a statement, without any respect, as if the trial didn't have to do anything with his chief. Commander of the road block [at which

the murder occurred] "was on a coffee break" and didn't see what was going on; when he was summoned back he checked Josip's pulse and, he said, couldn't believe it. Who were they guarding there after all? So much negligence and no one was punished...

Goran Flauder: Why do you think that Gudelj only fired the shots, and that someone else "aimed for him"?

Jadranka Reihl-Kir: If the whole thing wasn't set up and planned in advance, how could it happen that the murdered simply strolled away, took care of his family and left the village in the presence of so many policemen? How could he have hidden afterwards for three days at his brother's place in Osijek, then traveled to Zagreb and finally left Croatia without any problems? I want that cleared up and that is the justice I am waiting for and which is my goal.

Goran Flauder: Your late husband...

Jadranka Reihl-Kir: Please, don't say that in front of me. He is still alive for me and I consider myself to be a married woman.

Goran Flauder: I am Sorry. Your husband, had been saying for weeks before his last mission that he was in danger of being assassinated; he told that to minister [of Internal Affairs], Josip Boljkovac. What was the source of danger, according to him?

Jadranka Reihl-Kir: I don't want to accuse anyone before the facts are established at the trial. But it is a fact that Josip had a lot of problems with armed HDZ [ruling nationalist party in Croatia] members; because of them he was unable to disarm Serb villages in the surrounding area. They [Serbs] promised to disarm as soon as police disarmed HDZ members. Unfortunately this chance for peace wasn't taken advantage of; instead Josip became a target of suspicions because Serbs trusted him. And why shouldn't they trust him when he always went to negotiations alone with his driver Miljenko and he always unbuttoned his jacket to show that he was unarmed. Even Serbian papers reported about this; they found this unbelievable. On one occasion, Josip told Miljenko that he wasn't sure if they would come back alive; Miljenko asked him to sign his retirement certificate, because he didn't want to drive anyone after Josip. And those negotiations were almost always successful and the peace held; unfortunately whatever Josip would build during the day, others would destroy during the following night, by attacking [Serb] village guards. Now those others, who were never peacemakers, would like to continue where Josip stopped.

Goran Flauder: Minister Boljkovac took account of Josip's warning and transferred him to a new position in Zagreb. Why hasn't he left as soon as possible?

Jadranka Reihl-Kir: He wanted to help solve the problems around Tenja [a village near Osijek]. I hardly saw him those days. On Wednesday, he placed police protection around our house, since he was concerned for our safety. He even switched official cars on the way home, in order to confuse potential assassins. Since Wednesday, until Monday, when the murder happened I saw him only once, on Sunday morning, asleep in the living room. Immediately, a phone rang and he had to go to negotiate in Bijelo Brdo. He said that he would resolve that quickly and come back. He resolved the problem but he didn't come back. He phoned me for the last time on Monday, July 1, in the morning and told me not to worry, because, "starting today everything will be different." He was probably thinking that we would finally leave for Zagreb, where he was supposed to start working as a head of a police academy; but the events were completely different. Indeed, since that day everything has been different. He didn't even tell me about Zagreb. He only said that to Barbara, our daughter, because he knew that it would be hard for me to leave Dakovo.

Mr. Glavas places responsibility on former Minister Boljkovac, because he didn't give a public statement about the threats and start an investigation against those whom Kir had pointed out.

Until that [the murder] happened, there was no evidence that an assassination was being prepared. Immediately afterwards, the following day, Boljkovac was dismissed and couldn't do anything.

Goran Flauder: During an interview for the BBC documentary "The Death of Yugoslavia" you spoke about events surrounding an attack on the barricades in Borovo Naselje in which your husband was also involved. How did that happen?

Jadranka Reihl-Kir: As a man who fought for peace with all his strength, Josip was especially shaken when on one occasion Glavas, Vukojevic and Susak [Croatian Minister of Defense] came to him and demanded that he drive them to the entrance to Borovo Selo; they wanted to see the barricades. There, they saw a tractor trailer placed in the middle of the road; they stopped the car, and then the three of them came out of the car, took armbrusts [hand held rocket launcher] out of the trunk and fired three grenades. One grenade hit the barricade, the second one a house and the third one fell in a field. Myself and Mr. Boljkovac told about that event in front of the BBC cameras for the documentary "The Death of Yugoslavia", which has been aired around the world. You can draw your own conclusion about how this might have affected Josip's standing with all those people who wanted peace.

Goran Flauder: Gudelj's attorney, Nediljko Resetar, said that he would base his defense on the fact that his client didn't know that Kir and Zobundzija were also in the car. Do you think that he might succeed with this approach?

Jadranka Reihl-Kir: Mr. Resetar at first wanted to prove that Gudelj was mentally incompetent at that moment, but that didn't work. Now, supposedly, he didn't know who was in the car?! And only a few minutes earlier, the four of them passed in that car towards Osijek, and stopped at that road block and talked to Gudelj... There was no other traffic on that road, neither at the time of the murder or later.

Goran Flauder: You keep his things on several locations in the house...

Jadranka Reihl-Kir: When they sent his personal belongings, that was a great shock for me. Namely, the things arrived in a plastic bag and everything was bloody. A watch that I had given him, his check book, wallet, key chain, all bloody. They told me that they hadn't wanted to touch his things and that's why they hadn't washed them.

Second trial against Antun Gudelj

In 1996 Antun Gudelj was trialed for the second time⁵. This time he was present in the court. It is a pity that the sessions were not filmed, because the trial did not at all resemble the séances of trials we used to see on TV. The whole trial had something unreal. In fact the trial was a big joke, a scarcely rehearsed cabaret. The attitude of Presiding Judge, Ruzica Samota was an interesting case for psychologists. The judge seemed to enjoy the outbursts of rage of some witnesses. He had called the witnesses and that was it for him. He let the witnesses cease raging and then called another witness. He seemed reluctant to use his hammer to restore the order. Seemingly he liked the chaos in the court.

The state prosecutor, Miroslav Jukic on the other hand meddled all the time with the witnesses and their statements. When Jadranka Reihl-Kir's lawyer called witnesses on the stand who could explain the real circumstances of the murder he interfered, stood up from his seat and declared with a lot of clamour that those witnesses were superfluous. He didn't allow the witnesses and that was it.

⁵ Most of this report is based on the statements of Jadranka Reihl-Kir in several interviews: Goran Flauder, Political Activism of the Widow of Josip Reihl-Kir, Nacional, Zagreb, September 12 1999, <http://www.ex-yupress.com/nacional/nacional4.html>;

Drago Hedl, JUST A SMALL MURDER, AIM, ZAGREB, June 13, 1997, <http://www.aimpress.ch/dyn/trae/archive/data/199706/70621-005-trae-zag.htm>

The persecutor of the first trial, Mihajlo Marusic, had proposed to call exactly the same witnesses in the second trial. The court refused. When Jadranka's lawyer, Slobodan Budak asked for an explanation, Miroslav Jukic nearly got a psychotic attack. It looked like Josip Reihl-Kir was sitting on the prisoner's seat in a courtroom and not Antun Gudelj. Regularly Jukic would burst in rage when a statement of some witness did not fit his preconceived opinion on the happenings. Miroslav Jukic simply sat on the wrong side of the aisle. His place should have been next to Antun Gudelj's attorney.

Some witnesses contradicted their earlier statements. The Judge didn't interfere. Did he know his file? One of these witnesses, a policeman, a subordinate of Reihl-Kir before his death, told the judge not to call him to testify in the future because he would refuse the summons, and demanded that the court pay for a tram ticket he had allegedly used to come to the hearing. The witnesses felt more powerful than the court and were not concerned for consequences of arrogant behaviour or false testimony. Their inflated faces and disapproving grins spoke for themselves.

The behaviour of the state persecutor was, the least one can say, ambiguous. He tried to schmooze Jadranka Reihl-Kir. Also when the press was around he acted like he was a friend of the family. He never was as to Jadranka. After every hearing, during the trial, he spoke to her and invited her for a coffee. On these occasions he conducted her to her car, saying that he feared an attempt. He always warned her to be careful. Well some car bombs did explode at the time. Jadranka thought he wanted to scare her. She didn't let him to win her over. He must have felt her mistrust and asked her once: "Why don't you trust me?" She answered she didn't trust him indeed because he refused all her witnesses. He proposed her then to collect written statements of all the witnesses she wanted to call, to give these statements to him to let him decide if he would let them call either not. So she had to do his work and the work of the police.

Mirko Tubic also witnessed on the new trial. The Court could not reject his witness, though he was a Serb. He explained that although the HDZ authorities appointed Reihl-Kir Chief of the Osijek Police Department, he was not much liked by the ruling party. The most influential man of the Osijek HDZ, Branimir Glavas nursed a grudge against him because Kir brought criminal charges against him for disarming two patrolmen while on a night patrol and, thus unarmed, took them to the Osijek Police Station. Branimir Glavas was the chief of the 'Teritorijalna obrana', the Territorial Defence, but this force had no police authority in times of peace. In the heads of the HDZ-members the war had started already. Kir thought that the police came before the party, be it the ruling one, and behaved accordingly. He didn't feel for a dirty war of polices. He tried to put an end to the already blazing revolt of a part of the Serbs in the villages around Osijek by means of negotiations and not by force, the HDZ strategy.

On that fatal first day of July, together with a delegation of the Osijek Executive Council, Kir went to Tenja, a village near Osijek, in order to negotiate the "normalisation of relations" with the local Serbs. The agreement on the removal of barricades and re-establishment of local inter-town traffic, was allegedly in sight, when a messenger came from Osijek with news that Osijek policemen were about to mount an attack on the village. Kir hurriedly jumped into Mirko

Knezevic's white "Stojadin" and together with Tubic and Zobundzija started towards Osijek to see what was going on. On their way to Osijek, near Novo Tenja, they were stopped by a police patrol in which Gudelj was on duty as a reserve policeman. A bizarre confrontation took place. A few policemen cursed and scolded their Chief. They accused him of howling with the enemy, the Chetniks.

Gudelj inquired about his mother and father, as he had heard rumours that morning that his father had been hanged on the church-tower and mother had been raped in the old part of Tenja. Their house would be set on fire. As it turned out later on, none of this was true and maybe they only invented that hoax, because these facts could be checked easily. The phones were still working at the time and the checkpoint was only 500 meters away from his parents' house. And what kind of a person stays at his post when his parents are killed? The war wasn't started yet. Gudelj confirmed his verbal attack during the first confrontation and he maintained the story about the rumours. He confirmed that he had shot during the second confrontation because he was in rage about the killing of his parents.

Let me quote Tubic's witness on what happened next:

"When we finally managed to pass through the Croatian MUP control point and drove on towards the nearby Osijek, we soon found out that information on the MUP attack was untrue. Knezevic turned his car and together with Kir, Zobundzija and Tubic started towards Tenje where negotiations were to be continued. On our way back, at the Croatian MUP control point we saw Gudelj standing by the road. He held a machine gun by a strap, just like "Krauts"⁶ used to do. Someone in the car said: "This one is going to shoot!" I still do not know who said that: Milan, Goran or Kir. Then we heard a barrage-fire. I threw myself behind Kir's seat and after a couple of seconds, when the firing stopped, I raised my head. At the same place where he sat just some minutes earlier Zobundzija was lying, blood still gushing from his body. I turned my eyes to the front - Milan lay curled in Kir's lap. And Kir was leaning on Milan's shoulder. They were both soaked with blood. You know how it looks like when the heart is still beating. It all happened in a second."

The killing happened at noon, and according to Gudelj's statement at the trial, he spent the following night in the nearby cornfields. This is how he explained what happened afterwards:

"Somewhere around six o'clock I came to that same point. One of the policeman called out to the other two: 'Do not shoot, it is Gudelj!' I approached them and asked for a glass of water. They took me into a house and gave me water. After that they let me phone my brother Zivko from another house. He came for me with his car and took me to Osijek. Nobody stopped us at the police point near the Agricultural Faculty."

Although the whole of Croatia (at that time still a part of Yugoslavia) knew that he had killed the chief of an important police department, Gudelj spent several

⁶ Krauts is a nickname used for German soldiers in World War II

days in Osijek after which his cousin took him to Zadar by car. From Zadar he crossed the Yugoslav-Austrian border, again without any problems, and engaged in "moonlighting" in Austria in order to save enough money for a plane ticket to Australia. The judge Ruzica Samota did not show particular interest in the fact that this new detail, as well as other parts of Gudelj's story smelled of the possibility that after the murder someone was at all times "covering" for Gudelj. But the Court could not ignore Gudelj's part in the murderous attack. Once again he was condemned, now 'in presentiae'.

But he was acquitted soon after the trial, on the basis of the Law on General Pardon. The well-known Zagreb attorney-at-law, Slobodan Budak, who represented the wife of Josip Reihl-Kir in court, called the court ruling on setting Gudelj free "scandalous" stating that the decision to apply the Law on Amnesty on Gudelj was totally ungrounded. "Did not President Tudjman say in Vukovar that everyone can be forgiven, except for those whose hands were stained with blood", stated Budak for the Osijek paper "Bumerang". "It doesn't matter whose hands we are talking about - which was not the case with the Supreme Court. They are stained and the person in question has to answer for his actions. Be it a Croat, a Serb or a Bosniac, be it a person on the side of the attacker or on the side of the attacked. That should not be of any relevance".

Budak appealed against the acquitting of Gudelj to the Supreme Court of the Republic of Croatia, and Kir's widow, Jadranka, submitted a proposal to the International Tribunal for War Crimes in the Hague to investigate the Gudelj case, hoping to get justice abroad when she was unable to do that in her country. The Tribunal in the Hague put the case aside. It did not reject the case, but neither did it take it into consideration. We will see later on how the Supreme Court reacted.

On June 3, 1997 – he had been detained during one year of the 20 years imprisonment, he was convicted to - Gudelj was a free man. He received the status of a media-hero. Ever since he was released from the District Prison in Osijek where he was detained he found it hard to answer numerous requests for interviews. The national weekly "Globus" (Globe) dedicated to him over four pages of an issue. We quote a passage out of Gudelj's interview:

"The evening before, on June 30, my brother, son and I were in Tenje. In the town centre we saw a sniper on a roof. After we visited my parents who live in the house next to mine, we did not go back the same way, but went around. However, along the way we came upon a barricade. At that moment I put a cartridge into the chamber in case we had to defend ourselves. Luckily, there was no one there, so we went around that barricade and got to our control point, on the road to Osijek. That is why I had a round in my gun when "Stojadin" with late Kir and others, came from the direction of Osijek. Since I was on duty there, I went out to stop it. The investigation revealed that the car was in third gear. In other words, it did not stop. I stepped aside so that they would not run me down, and as I jumped my finger accidentally pulled the trigger and, the rest you know".

Gudelj's story is plenty of arrogance. It's the kind of understatement of a macho saying: "I pretend it to be an accident, but I sound that unbelievable... you all know what happened... I've slammed them down without mercy, but nobody can

do me a thing." He felt protected by his powerful commissioners. Jadranka Reihl-Kir puts it this way: "Antun Gudelj pulled the trigger, but it was somebody else that aimed." She explained also why.

In the period before the attack Kir realised his life was in danger. During the last few months of his life, Josip spent most of his time in Osijek, and towards the end he spent all the time at work, even slept in his office. As early as the Spring of 1991 he worried so much about them that he left a gun for Jadranka at home, and taught her how to use it. He was mostly concerned about extremists and criminals, so that he showed her how to approach a door if someone knocks at night, how to shoot. He told her to move along the walls and to first shoot in the air if someone attacked her. During the last few months, he had a sentry in front of the door and a few days before his death he ordered a few policemen from Djakovo to look after Barbara, their daughter, and Jadranka.

He had begged the Minister of Internal Affairs, Josip Boljkovac, to transfer him to Zagreb because he knew he was in danger. Finally Boljkovac offered him a job as head of the police academy in Zagreb. Jadranka gave him a deadline until July 1. That morning she called him and told him that it was July 1 and he responded that he knew and that starting with that day everything was going to be different. Jadranka had no idea how right he was and how everything was going to turn out. That morning Josip had a phone call from Slavko Degoricija, at the time the deputy Minister of Internal Affairs. Degoricija told him that he was supposed to be in Zagreb that morning and wanted to know why he was still in Osijek. Josip explained that he planned to go to Tenja to reduce tension and that he was going to travel to Zagreb the next day.

He had located the danger. He said that he was in danger from HDZ, and not from Serbs from the surrounding villages. That, of course, referred to the presidents of various local communes with whom he had contacts, rather than extremists among them. While he was alive, there were no casualties in any of the six police stations he covered. He was the first victim! He believed that he had to use the trust of well-meaning Serbs and that, if he left, there would be no one else to negotiate with them and a war would break out. A day before he was killed, he had been driven by his driver to the village of Bijelo Brdo to remove the barricade set up by the local Serbs. The next day, once the Serbs heard what had happened, they put the barricade back and there were no more negotiations. There was no one left to negotiate.

So, let us review a few points: (1) Even the Minister of Police knew that Josip Reihl-Kir was threatened. (2) The murder was committed while a group policemen, stood looking, they did nothing to prevent the killing, they did not think about arrest him on the spot though they had witnessed a flagrant delict. (3) The murderer was left alone during several days. They let him say farewell to his family. (4) The murderer could leave abroad unhindered. He could transgress a border that was severely watched (5) The second process against Antun Gudelj was a farce. (6) Convicted, Gudelj was released using a law that could not be applied to heavy misdemeanours. (7) And then there is that bizarre story at Borovo Selo. A lot of things do not fit a fair trial. The hypothesis of a political murder seems more and more likely. If that's so, we will have to analyse the political situation that preceded and followed the killing.

From “Brotherhood and Unity” ...

Yugoslavia was the most heterogeneous state of Europe. Its device was “Bratsvo i Jedinstvo” which means “Brotherhood and Unity”, but it became rather meaningless at the end of the eighties and might have been replaced by the quote “raznolikost i sukob”, diversity and conflict. Yugoslavia was a mosaic of different ethnic nations with overlapping borders. As a consequence the Socialist Federal Republic of Yugoslavia was a high-tech political system trying to accommodate these differences. The Yugoslav Constitution of 1974 was the largest of the world; it comprised 403 articles and was 158 pages long. Self-management was a central issue. This cannot be explained in a few sentences but I will notify the most relevant parts for the problems that rose in 1989-90. The intention of this chapter is not to explain the national question in Yugoslavia, neither to point to the causes of the national wars; it's just a frame that let us understand one of the stories of this national wars.

There was a clear distinction between States and Nations/Nationalities since the Ethnic borders and the State borders did not coincide. States had a civilian, geopolitical base; Nations/Nationalities had an ethnic, cultural base. Ethnic borders and the State borders did not coincide. The difference between the definitions of State and Nation was rather vague and purely pragmatic. **It is this ambiguity that would kill Yugoslavia in the long run.**

States had a civilian, geopolitical base; Nations/Nationalities had an ethnic, cultural base. The States, or geographical units, matched the 6 Republics: Slovenia, Croatia, Serbia, Bosnia and Hercegovina, Montenegro and Macedonia. The difference between the Nations and Nationalities was clear cut: Nations had their own state within the borders of Yugoslavia they were also called ‘constituent Nations’, Nationalities had a state outside the borders of Yugoslavia, but both had the same rights. Nationalities were the Albanian in Kosovo and the Hungarian in Vojvodina, but also the Yugoslav Nationality was an option, chosen by some 4% of the population. The Nations/Nationalities were scattered all over the surface of Yugoslavia. The Serbian Nation had its representatives in Serbia of course, but also in Croatia and Macedonia. The Croat Nation had representatives in Croatia and Bosnia Hercegovina. Also the ‘Bosniaks’ had their Nation, the Slovene, the Macedonian and the Montenegrin. As Yugoslavian citizens all Yugoslavs what Nation or Nationality they belonged to, had the same rights as well inside as outside the borders of their respective Republic⁷. The Yugoslav Constitution was organic, which means it changed all the time, when the situation demanded such.

To complicate things a little: after the adventure of the ‘Croat Spring’ the constitution was amended to create two autonomous provinces in Serbia: Vojvodina and Kosovo. The right of self determination of a Nation, not of a Republic, was also inscribed in the constitution. This means that the Croat Nation could separate from the Socialist Republic of Yugoslavia, but the Croatian

⁷ Detrez, Raymond, 2000, De Sloop van Joegoslavië, Relas van een Boedelscheiding, Gadewijch Antwerpen-Baarn, BRTN-VAR, pp.339, p. 122-127

Republic could not⁸. So if Croatia or Serbia wanted to separate they first ought to address the Bosnian problem because Bosnia contained large quantities of Serbs and Croats. Of all groups, Serbs were most widely spread through the federation; of all republics, Serbia had the largest number of different national minorities. The 1974 constitution also established a rotating federal presidency among the republics, to take effect after Tito's death.

Fiction mongers will claim that Tito instituted that complicated structure to weaken the power of the republics and to preserve the centralised power of the Socialist Republic, this might be true but one could assert also that it was the expression of a multi-ethnic reality as it emerged from the past history. Cultural influences of former Empires, the Austrian-Hungarian Empire, The Ottoman Empire and the Byzantine Empire, had fought many wars on the territory of Yugoslavia and had made it the patchwork of peoples and religions it was and still is today. By the Fourth Century, the declining Roman Empire was divided in two for reasons of administrative expediency. The Western branch of the Empire remained based in Rome, while the Eastern branch was based in Constantinople (today Istanbul), and became the Byzantine Empire. While the Western branch continued to crumble, the Byzantines became more powerful. The border between the two empires was drawn right through the Balkans—setting the stage for centuries of future conflict.

Between the acts of the great empires also local kingdoms played a important role. The Kingdom Croatia existed as an independent state from 925 until 1102. It contained also Bosnia and Hercegovina. Later it became part of the Austrian-Hungarian Empire, but even then it was considered as a separated kingdom.

The Serbian Empire was a medieval empire in the Balkans that emerged from the medieval Serbian kingdom in the 14th century. The Serbian Empire existed from 1346 to 1371 and was one of the larger states in Europe.⁹ This is a period marked by the rise of a new threat: the Ottoman Turk sultanate gradually spreading from Asia to Europe and conquering Byzantium first, and then the other Balkans states. When the battle of Kosovo took place in 1389 where the Serbs were beaten definitively by the Turks, the Serbian Empire was greatly fragmented yet¹⁰. Following the decisive Battle of Kosovo in 1389, Serbia lost most of its territory to the Ottomans. Beginning in the Sixteenth Century, the Balkans were the scene of a great struggle between the Ottoman Empire and the Hapsburg regime in Austria. As the Austrian and Hungarian empires merged, Croatia and Slovenia came under the control of Vienna, while Serbia, Bosnia and Macedonia remained under Turkish control. The original Krajina was carved out of parts of the crown lands of Croatia and Slavonia by Austria in 1553/1578 in order to form a "Military Frontier" with the Ottoman Empire as a means of defending the border. Many Serbs immigrated into the region and participated in the fight against the Ottomans.

The Kingdom Serbia was an independent state from 1882 until 1918, it survived the first and the second Balkan war. The Kingdom's territorial peak in 1918, was covering all of present-day Serbia, Macedonia and Montenegro; parts of Croatia, Romania and Hungary. The Kingdom of Serbia was the legal predecessor of

⁸ Detrez, Raymond, Op. Cit. p. 127.

⁹ See http://en.wikipedia.org/wiki/Serbian_Empire

¹⁰ See http://en.wikipedia.org/wiki/Battle_of_Kosovo

Yugoslavia which was formed after World War I at the Versailles Peace Conference, 1919. Thus next to a multi-ethnic region it was also a region where the borders had shifted more than once. An overview of the wars that have been fought there during the last 100 years: the Serb-Bulgarian War in 1885, the first Balkan war in 1912–13, the second Balkan war in 1913, World war I in 1914-18, World war II in 1940-45.

After the First World war the South Slavic patchwork was united and got the name 'Kingdom of Yugoslavia'. It contained Bosnia and Hercegovina, Serbia, Montenegro, Macedonia and the largest parts of today Croatia and Slovenia. It would remain united until April 17, 1941, but it never really succeeded to solve the problems that remained between the constituent nations. Serb domination was pronounced, especially after parliament was suspended in 1929. Then again Hitler and Mussolini started to shift the borders once again. Still during the conquering of the Yugoslavian Kingdom by the Axis forces, the Ustaše, a pro-nazi movement in Croatia declared the independent state 'Nezavisna Država Hrvatska', NDH¹¹. Ante Pavelić¹¹ was its new leader and it contained also Bosnia and Hercegovina but not Istria and Dalmatia which was rendered to Mussolini. The other parts of the Kingdom of Yugoslavia were put under the military command of the German Empire.

During the war the Ustaše, backed by the Germans, tried to exterminate Serbs, Jews, Gypsies, and basically all others that opposed them (including some Communist Croats). They founded several concentration camps, most notorious of which was the Jasenovac complex, the largest concentration camp outside the German Empire. Exact numbers of victims are not known, only estimates exist, however it is certain that hundreds of thousands of innocent people were rounded up and killed in concentration camps and outside of them. According to the Simon Wiesenthal Center:

"Ustaša terrorists killed 500,000 Serbs, expelled 250,000 and forced 250,000 to convert to Catholicism. They murdered thousands of Jews and Gypsies."

The United States Holocaust Memorial Museum says:

"Due to differing views and lack of documentation, estimates for the number of Serbian victims in Croatia range widely, from 25,000 to more than one million. The estimated number of Serbs killed in Jasenovac ranges from 25,000 to 700,000. The most reliable figures place the number of Serbs killed by the Ustaša between 330,000 and 390,000, with 45,000 to 52,000 Serbs murdered in Jasenovac."¹²

The Catholic church also supported and blessed the Ustaše regime¹³. The Ustaša gangs ravaged villages across the Dinaric Alps to the extent that the Italians and the Germans started expressing their horror. By 1942, general Edmund Glaise von Horstenau had written several reports to his Wehrmacht commanders in which he expressed his dismay at the extent of the Ustaša atrocities¹⁴.

¹¹ See http://en.wikipedia.org/wiki/Independent_State_of_Croatia

¹² See <http://www.knowledgerush.com/kr/encyclopedia/Ustase/> and <http://www.knowledgerush.com/kr/encyclopedia/Ustase/>

¹³ See <http://www.knowledgerush.com/kr/encyclopedia/Ustase/> and <http://ustasa.blogspot.com/2004/10/from-us-army-file-on-ante-pavelics.html>

Serbs were the largest nationality among the Partisans, who were organised throughout Yugoslavia and on a multi-ethnic basis. The other main resistance force was a Serbian royalist organisation, the Chetniks; the name was taken from a military corps active before the First World War in the conquest of the province of Kosovo, who were noted for their savagery towards the area's Albanian population. The Chetniks withdrew from anti-Nazi operations after a reprisals order was issued by Hitler; instead they concentrated their efforts on non-Serbian groups, whom they accused of betraying Serbia. Their targets included the Partisans, against whom they co-operated with the collaborationist State of Serbia and even, in 1942, the Ustasha. The war left a legacy of ethnic bitterness which has never dissipated.

Unlike the other new communist states in east-central Europe, Yugoslavia liberated itself from Axis domination, without any direct support from the Red Army as the others. Tito's leading role in liberating Yugoslavia not only greatly strengthened his position in his party and among the Yugoslav people, but also caused him to be more insistent that Yugoslavia got more room to follow its own interests. The Yugoslavian Communist League followed its own direction and it soon split from the Cominform headed by the USSR. Tito used the estrangement from the USSR to attain US aid via the Marshall Plan, as well as to involve Yugoslavia in the Non-Aligned Movement¹⁵, in which he assured a leading position for Yugoslavia. The first meeting of the Non-Aligned States took place in Belgrade and the Yugoslav prestige in the Third World was huge.

On 26 June 1950, the National Assembly supported a crucial bill written by Milovan Đilas and Tito about "samoupravljanje" "self-management": a type of independent socialism that experimented with profit sharing with workers in state-run enterprises. On 13 January 1953, they established that the law on self-management was the basis of the entire social order in Yugoslavia. Yugoslavian self-management was a social as well as a national laboratory. In a social sense, it was an experiment in which many groups of ideas were influential: the legacy of the Paris Commune, the legacy of Serbian social democracy at the end of the nineteenth century, the legacy of anarchism, which was later very important for the critique of Stalinism.

Yugoslavia embarked on a program of reconstruction and industrialization. The creation of a multi-ethnic Bosnian republic was part of Tito's plan to solidify the anti-nationalist character of the new Yugoslavia. But Serbs retained predominance in the Communist Party apparatus, political police and leadership of the Yugoslav People's Army (JNA). Fearing invasion from both NATO and the USSR, Tito gave the JNA a central role in the new Yugoslavia, and it became among the largest of Europe's armies. Using the Partisan model, the government also built an extensive territorial defence network of local militias. The Yugoslav defence industry became one of the world's largest, with Bosnia—seen as the strategic centre from which to defend in the event of war—home to some of the most important arms plants. Trade and investment for the Yugoslav arms industry poured in from both the East and West. US defense giants like Lockheed won contracts in Yugoslavia.¹⁶

¹⁴ See <http://samvak.tripod.com/pp55.html>

¹⁵ See http://en.wikipedia.org/wiki/Non-aligned_countries

Nevertheless Tito and the Communist League had a strong ideological influence on society which was rather based on Tito's charisma and the authority of the Communist League than on Gulags and persecution. Only the Stalinists have been systematically persecuted after the split with Stalin. On 7 April 1963, the country changed its official name to the Socialist Federal Republic of Yugoslavia. Reforms encouraged private enterprise and greatly relaxed restrictions on freedom of speech and religious expression. In the same year Tito declared that Communists must henceforth chart Yugoslavia's course by the force of their arguments (implying a granting of freedom of discussion and an abandonment of dictatorship). The state security agency (UDBA) saw its power scaled back and its staff reduced to 5000. On 1 January 1967, Yugoslavia was the first communist country to open its borders to all foreign visitors and abolish visa requirements. Also Yugoslavs themselves could travel freely abroad.

In Yugoslavia there was a relatively strict cadre administration, a party cadre administration, on the one hand, but on the other, direct democracy, especially in factories: on the one hand, party control - on the other, workers control. This is where there was actually a democracy, where everyone participated in decision making. But like all other communist countries, there wasn't much democracy at the upper levels. It was a hard cadre party that controlled this direct democracy down below¹⁷

... to “diversity and conflict”

Though the Ustaše collaborators had been persecuted and punished severely after the war, the public discourse on the Ustaše crimes and the study of the history of the Second World war was to be avoided. Tito wanted all Yugoslavs to forget about the terrifying past Serbs and Croats shared in order to unify the country. Tito's principal strategy in maintaining national peace sought to curb the power of the largest republic, Serbia, and prevent the separation of the others from the federation. The Communist League limited the discourse about the war by glorifying the struggle of the Partisans during the war. The official party device was 'Unity and Brotherhood'. That motto emerged again and again in all speeches and propaganda. But neither the suffering of the Serbs, Jews and Gypsies, neither the revanchist tendencies of the nationalist Croats as well as in Serbia were subject for public debate or historical research. They remained part of private oral history. After Tito's death in 1980 they would soon reappear in the public sphere. The Croats blamed the Serbs that they exaggerated the number of victims fallen under the Ustaše government, the Serbs argued the other way around. Nationalist discourse submerged from this debate. Many future HDZ politicians, including Tudjman, made several trips abroad in the late 1980s and early 1990s in order to garner support from emigrants for the Croatian

¹⁶ See <http://shmajser.wordpress.com/2007/11/08/short-introduction-to-balkan-history-and-balkan-wars/>

¹⁷ Todor Kuljic, 2008, Yugoslavia's Workers Self-Management, <http://titoism.wordpress.com/2008/08/17/yugoslavias-workers-self-management/>

nationalist cause¹⁸. However, these early contacts with the Croatian Diaspora had already been seen by some Serbian unitarists as separatist. 1981 again saw angry protests in Kosovo by Albanian students demanding greater autonomy. Thousands were arrested and eleven killed by the police. New grassroots movements against militarism and nuclear power, especially in Croatia and Slovenia, where an atomic plant was built, were among those calling for a looser Yugoslav confederation. But such initiatives were blocked by the JNA.

Western analysts¹⁹ often claim that nationalism was suppressed in Former Yugoslavia and that it surfaced once democracy came to Yugoslavia. This is a cliché and it isn't true either. National aspirations were not suppressed, Tito drowned them using his charisma and they were institutionalised and balanced again and again by amending the Constitution. Nationalism was only refrained as far as it threatened the power and existence of the Federal State which was judged to be the case in 1971 during the 'Croat Spring'.

Although it is true that only after Tito's death nationalist issues appeared in public debate, one might also find other reasons for this change. 1980 was also the start of neo-liberal politics and the breakdown of the Keynesian economies outside Yugoslavia. The Thatcher and Reagan economics. The policy of the IMF and the World bank altered too. They required neo-liberal reforms as a condition to furnish loans. Yugoslavia already had a huge foreign debt and the load of this debt weighted on the economy. From the eighties on the economic situation of Yugoslavia worsened substantially every year. In the late 1970s, the IMF started to call in its loans. Yugoslavia fell into dramatic economic decline as IMF payment plans imposed harsh austerity. To keep up with their debt, the Yugoslavian government printed more money and so inflation grew faster and faster:

"While Yugoslavia's \$21 billion debt worries Western bankers, its citizens have watched their standard of living decline steadily. Heating bills often consume half an average monthly income of less than \$100, while housewives must stand in line for hours to buy bread."²⁰

There were big differences between the wealth of the North and the South in Yugoslavia. Tough there was the "Fond Federacije Kreditiranja", it should have put an end to the economic and social inequalities in Yugoslavia. Each republic contributed 2 % , 1,97 to be exact, from its BNP to that that fund. Poor regions like Kosovo, Montenegro, Bosnia, Macedonia could receive very cheap loans from that fund. Croatia and Slovenia contributed about 45 % to it, though they were only about 26 % of the Yugoslav population. But it didn't seem to work. The gap was growing, not diminishing.

¹⁸ See War in Croatia a brief history, How Bosnian and Balkan wars started facts timeline history crimes, <http://thebosnianwarfactstimelinehistorygenocidecriminals.wordpress.com/2006/11/24/war-in-croatia-a-brief-history/>

¹⁹ e.g. Chip Gagnon, November 15, 1996, "Collapse or Destruction? The Construction of the Yugoslav Wars", Paper presented at National Convention of AAASS, Boston, Mass., <http://www.ithaca.edu/gagnon/articles/aaass96/aaass03.htm>

²⁰ William E. Smith, Kenneth W. Banta, Yugoslavia Talk, Talk -- Fight, Fight, Belgrade, Oct. 31, 1988, Time Magazine, <http://www.time.com/time/magazine/article/0,9171,968835,00.html>

In 1947 the BNP per head in Slovenia was 3000 Dinar, in Kosovo it was 1000 Dinar, ratio 3/1. In 1974 the ratio had become 5 to 1. But this did not reflect the differences in personal income. The differences in personal income were less outspoken. Some figures of 1986. When 100 was the mean BNP per head for Yugoslavia, then it was in Kosovo 36, in Bosnia 80, in Croatia 117, in Serbia 94 and in Slovenia 179. On the other hand, when 100 was the mean personal income, then it was in Kosovo 89, Bosnia 96, Croatia 102, in Serbia 93 and in Slovenia 124. There were some serious transfers from North to South²¹. On the other hand the international debt was originated from loans from the IMF for the heavy industry in Croatia and Slovenia in the 1960s²². The leaders of each Republic blamed the other Republics for the economic problems. That rise of nationalist ideology developed as a consequence of the economic crisis, phenomena known in the Capitalist world too.

To counter the protests of the workers against low wages and unemployment Milosevic diverted the attention away from real causes of the economic problems, the international debt, to put the focus on national problems and bureaucracy. Soon this rhetoric changed in a nationalist propaganda²³. The Serb nationalist campaign started in 1987 in Kosovo, historically regarded as the "cradle" of the Serbs. An open letter issued in 1986 accused Kosovar Albanians of deliberately outbreeding Serbs and alleged "genocide" of Serbs within Kosovo, a claim for which no evidence existed. The letter was signed by members of the Belgrade dissident milieu. According to the 1974 Constitution of Yugoslavia, the autonomous provinces of Serbia, Vojvodina and Kosovo, had very little dependence from the central Serbian government, and both of them had a seat in the [federal Presidency](#), along with 6 constituent republics. In effect, their status was almost equivalent with the one of republics, and provincial leaderships have led practically independent policies. Nationalists saw this as a threat to the sovereignty of Serbia and wanted to finish with this arrangement. In 1986, word surfaced of a secret "memorandum" written by the Serbian Academy of Arts and Sciences, delineating a plan for a Greater Serbia within Yugoslavia. The text, revealed in the press years later, called for revoking Kosovo's autonomy and charged the Albanians with "war" against the province's Serbs. In fact, Kosovo's mines were a source of much wealth for the federal regime, yet the region was Yugoslavia's poorest.²⁴

Milosevic was sent to Kosovo Polje to address a mass of discontent Serbs on April 24, 1987. While Milosevic was speaking inside the room protesters outside started to throw stones to the Kosovar-Albanian police, that reacted of course by charging. There was some beating and hurling outside that could be heard in the room. This seemed to be a spontaneous protest but in fact it was a setup by Kosovar Serb nationalists who wanted Milosevic to react. Milosevic was sent

²¹ Detrez, Raymond, 2000, *De Sloop van Joegoslavië, Relas van een Boedelscheiding*, Gadewijch Antwerpen-Baarn, BRTN-VAR, pp.339, p. 135-158

²² See <http://shmajser.wordpress.com/2007/11/08/short-introduction-to-balkan-history-and-balkan-wars/>

²³ Bogdanovic, Mira, *De val van de muur en de nationaliteitenkwesie - de Balkan als casus*, 2000, in '10 jaar na de val van de muur', red. André Mommens, IMAVO Brussel

²⁴ Short introduction to Balkan history and Balkan wars, Četvrtak, Nov 8 2007, <http://shmajser.wordpress.com/2007/11/08/short-introduction-to-balkan-history-and-balkan-wars/>

outside to calm the people. The whole scenery was videotaped and afterwards all Yugoslavs would see Milosevic say against the lamenting Serbs: "Nobody will ever beat you again. The relatively liberal faction led by Ivan Stambolić was scandalised and proposed to expel Milosevic because of his nationalistic attitude. In 1988, the League of Communists of Yugoslavia tried to curtail the growing powers of Milosevic and his nationalist faction on the government structures in Belgrade.

During 1988 and 1989 the so-called "[anti-bureaucratic revolution](#)" managed mass protests against governments of Yugoslavian republics and autonomous provinces took place, which led to resignation of leaderships of Kosovo, Vojvodina and Montenegro, and capture of power of politicians close to Slobodan Milošević. While the "revolution" was supposedly a grassroots movement, it was backed up by propaganda and [astroturfing](#) in Serbian media. Astroturfing is a form of propaganda whose techniques usually consist of a few people attempting to give the impression that mass numbers of enthusiasts advocate some specific cause. On the 600th birthday of the Battle of Kosovo of 1389, the nationalist propaganda was extended to reach areas outside Serbia, like Krajina and Slavonia. The "revolution" was condemned by communist governments of western Yugoslavian republics, especially Slovenia and Croatia. The Serbian treatment of Albanians evoked disgust in Slovenia and Croatia.

In March 1989, the crisis in Yugoslavia deepened after adoption of amendments to the Serbian constitution. This allowed the Serbian republic's government to re-assert effective power over the autonomous provinces of Kosovo and Vojvodina. Until this point, their decision making was independent. Each also had a vote on the Yugoslav federal presidency level: 6 members from republics + 2 members from autonomous provinces. Serbia, under president Slobodan Milošević, thus gained control over three out of eight votes in the Yugoslav presidency. With additional votes from Montenegro and, occasionally, Bosnia and Herzegovina, Serbia was thus able to heavily influence decisions of the federal government. This situation led to objections in other republics and calls for reform of the Yugoslav Federation²⁵.

In Croatia nationalist propaganda started only in 1990 because all nationalist leaders were expelled by the Croatian Communist League in 1971 after the debacle of the '[Croatian Spring](#)'. In 1974, a new federal constitution was ratified that gave more autonomy to the individual republics, thereby basically fulfilling the main goals of the 1971 movement and also frustrating Serbia²⁶. So the Croatian nationalism needed a new program which was elaborated by Tuđman in the second half of the eighties. The primary goal was the establishment of the Croatian nation-state. Even though Tuđman's final goal was an independent Croatia, he was well aware of the realities of internal and foreign policy. So, his chief initial proposal was not a fully independent Croatia, but a confederal Yugoslavia with growing decentralization and democratization. As far as Bosnia and Herzegovina was concerned, Tuđman was more ambivalent: initially, he

²⁵ A Country Study: Yugoslavia (Former), Library of Congress Call Number DR1214 .Y83 1992, [http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+yu0132\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+yu0132))

²⁶ See Serbian Nationalism and the Origins of the Yugoslav Crisis, Petak, Apr 18 2008, <http://shmajser.wordpress.com/tag/serbian-nationalism-and-the-origins-of-the-yugoslav-crisis/>

thought that Bosnian Muslims or Bosniaks were, essentially, Croats of Muslim faith and would, declare themselves ethnically as Croats, therefore making Bosnia a predominantly Croatian country (with 44% Bosniaks, 17% Croats and 33% Serbs). But, these illusions were soon dispelled.

In Tudjman's future Serbs didn't seem to exist. During the year prior to elections, 1989, a number of political parties had been founded, among them the Croatian Democratic Union (HDZ - Hrvatska Demokratska Zajednica), led by Croatian nationalist Franjo Tudman.²⁷ The German magazine Der Spiegel had noted in 1990 how Tudjman's HDZ party sought to create a Greater Croatia that would also include large parts of neighboring Bosnia-Herzegovina. Croats spoke of "pure blood" and a "pure race", "ciste rase", and "pure Croatian blood", "cisto krvni Hrvat"²⁸. In Erich Schmidt Eenboom's book on Kinkel evidence has been given for the fact that from the early 1980s under the leadership of Klaus Kinkel, the German Secret Service, BND, had been infiltrating agents into Yugoslavia seeking the break up that country and in particular the re-establishment of its fascist war time ally Croatia. This is also confirmed in an interview with Antun Duhacek who adds that the BND transferred huge funds to Tudjman and the HDZ²⁹.

Also new myths were created and revived old ones. One was the glorious Medieval past, another was the Serb expansionism. Some of those myths were the subject of oral history, like the [Bleiburg Massacre](#), that was passed from generation to generation, others were the result of revelations like the top secret Yugoslav [prison camp of Goli Otok](#). Also half of the later members the new Croat government were 'émigrés' that had a grudge or were a victim in Tito's cleaning the party after the 'Croat Spring'. Ex-cons that now saw an opportunity to take revenge. On the other hand almost every Serb family in Croatia had its own cruel memory of the Ustaše-regime. Throughout the 1980s Serbian national anxiety mounted. The feeling of insecurity, the fear for one another was aggravated and the media reinforced that feeling instead of comforting people.

This feeling of distrust and anxiety was aggravated by the media. Only regional media were left. For a population of 23 million there were only five papers with an impression of more than 100.000 ex. At the end of the eighties. At the same time there were more than 200 radio- and television-stations. Most papers and magazines were linked to a well defined region, religious tradition or ethnic minority and served only a small public³⁰.

"The strong local orientation of the media was paralleled by a one-sided style of reporting, sounding small city like. When in the eighties the nationalist ideologists made more rumour and the process of political

²⁷ See http://en.wikipedia.org/wiki/Tudjman#Formation_of_the_national_program

²⁸ Quoted in Krepruner, Kurt, Reisen in das Land der Kriege: Erlebnisse eines Fremden in Jugoslawien, Prometej, Novi Sad, 2003, <http://www.koepruner.info/>

²⁹ See Interview with Antun Duhacek, '800 Millionen Mark für einen Bürgerkrieg', <http://netzwerk-regenbogen.de/duhaelsass030819.html>, research Schmidt-Eenboom, Erich, 1995, 'Der Schattenkrieger. Klaus Kinkel und der BND', DüsseldorfQuelle: www.jungewelt.de, p. 211 and <http://www.freenations.freeuk.com/gc-53.html>

³⁰ Allcock J., M. Milivojevic & J. Horton (red), 1998, Conflict in the former Yugoslavia. An encyclopedia. Denver: ABC-CLIO, p. 170-171

decentralisation advanced the media drew apart in the same proportion. In the beginning the television-stations of the eight capitals exchanged news items and programs, but this was put to an end when TV Zagreb withdrew. In 1989 only three pan-Yugoslavian media institutions remained: Berba [the newspaper of the Communist League], the press agency Tanjug and the new television-station Jutel that had a large audience but would disappear soon³¹”

Reporting was frankly one-sided, often false or fake and they were only meant to arouse the nationalist feelings. Everywhere in Yugoslavia, in Zagreb, in Split... but also in Banja Luka, or Tuzla, Knin, Dubrovnik or Belgrade, everywhere propaganda ran at full speed and it was based on a mixture of historical facts, actual incidents, delusion and clever chosen fiction³².

Dragan: “The governments of Croatia and Serbia spread used the media to spread nationalism in the early nineties. After the democratic elections, when the nationalist parties took power, they used television stations, radio stations and papers for their propaganda. Again and again they would tell people that the other nationalities would do something to them. They used comments, they used montages, everything. Always lies, lies, lies...”³³

The weakening of the communist regime allowed nationalism to spread its political presence, even within the League of Communists of Yugoslavia. In January 1990, the League of Communists broke up on the lines of the individual Republics. At the 14th Extraordinary Congress of the League of Communists of Yugoslavia, on 20 January 1990, the delegations of the republics could not agree on the main issues in the Yugoslav federation. The Republic’s leaders were unable to either re-imagine Yugoslavia as a democratic and minimal state or break away peacefully by creating new, separate states because the strategy of the two largest Nations the Serb and the Croat, clashed³⁴. Croatia wanted to express its national aspirations by separating; Serbia on the other hand wanted to reform the federal state as to be an expression of its national sovereignty. Bosnia-Herzegovina posed the greatest challenge to the peaceful dissolution of Yugoslavia because both Serbs and Croats lived there in large numbers, and because both Serbia and Croatia had historical pretensions to the republic’s territory.

The Croatian delegation demanded a looser federation, while the Serbian delegation, headed by Milošević, opposed this. As a result, the Slovenian and Croatian delegates left the Congress and started to deploy their own agenda. The first free elections were then scheduled a few months later in Croatia and Slovenia. In 1990 a new deal with the IMF imposed economic “shock therapy,” freezing wages and dramatically cutting back such basic services as energy and transportation. That same year, the US cut off economic aid to Yugoslavia.

³¹ Faber, Mare, Op. Cit. p. 23

³² Faber, Mare, Op. Cit., p. 25

³³ Faber, Mare, Novi dani, nieuwe dagen : oorlog en biografie in Banja Luka, Bosnië-Herzegovina, Aksant Amsterdam, 2001, 90-5260-006-6, 218 p., p. 24

³⁴ Vesna Pesic, 1996, Serbian Nationalism and the Origins of the Yugoslav Crisis, United States Institute of Peace, p. 30,
<http://www.usip.org/pubs/specialreports/early/pesic/pesic2.html>

Pending the upcoming separate elections in each of the six republics this was the worst moment to strangle a country economically. The 1990 elections were marked by populist campaigns which highlighted ethnic grievances in each republic.

The differences between both nationalist movements will characterize the enrolment of the ongoing and derailing conflict. Serb nationalism had grown inside the Communist League since 1987 the Croatian nationalism developed outside the Communist League though it had a longer history. Serbian Nationalists wanted to preserve the Yugoslavian Federation while Croatian Nationalists wanted to leave the Federation. As a consequence Milosevic's preparations and manipulations were ahead with 3 years. The more he had the opportunity to conquer strategic positions within the Federal Presidency and since one can imagine a state without an army but no army without a state, the JNA, who also wanted to preserve Yugoslavia, was his closest ally. Some may suggest that Milosevic was not elected in free elections while Tudjman was, they err. In 1990, after other republics abandoned the League of Communists of Yugoslavia and adopted democratic multiparty systems, Milošević's government quickly followed suit and the 1990 Serbian Constitution was created. The 1990 Constitution officially renamed the Socialist Republic of Serbia to the Republic of Serbia and abandoned the one-party communist system and created a democratic multiparty system. After the adoption of the new Constitution of Serbia on 28 September 1990, Slobodan Milosevic was elected President of Serbia in multi-party elections held on 9 and 26 December 1990; he was re-elected on 20 December 1992 as was quoted by The International Criminal Tribunal For The Former Yugoslavia³⁵. All plots took place and will take place in a "plain" democratic system.

1990 free elections

The first multi-party elections were called by the Communist government of Croatia early in the year 1990. They would take place in April and May 1990. The new electoral law, modelled on French electoral legislation, introduced a runoff voting system. A candidate getting more than 50% would win the first round outright but failing that, all candidates winning at least 7% of the votes could enter the second round. Elections for Parliament were also held in conjunction with elections for municipal assemblies, with an identical runoff voting system. Unlike the proportional election system, the runoff system advantages the largest party. The winner gets it all.

Next to a coalition of smaller (moderated) nationalist parties two major blocks emerged, the social democrats: SPD and the radical nationalists: HDZ. The SPD dominated by the former Croatian Communist Party, rebranded as the Party for Democratic Change, campaigned in an old fashioned way having only a small budget. Since the Yugoslavian Federation and the Communist Party had gone bankrupt, the SPD had no money either. They had the contacts, the numerous relations, they controlled the administration, but their balance sheet wasn't a positive one. The Communist system had plunged Yugoslavia in a deep economic

³⁵ See <http://www.un.org/icty/indictment/english/mil-ii990524e.htm>

crisis in the eighties. Hyperinflation and rising unemployment. They warned against the nationalist adventure of the HDZ, but this threat wasn't convincing enough. HDZ, the Croatian Democratic Union, the party of Franjo Tudjman, warned for the Communist danger. And people had a bad experience with communism. People wanted to change things. They didn't vote for nationalism but against communism, Dubravka Ugresic would say.

HDZ had a lot of money and a professional organisation to campaign. The second generation of the Croat Diaspora had collected tons of money abroad. Ferdinand Jukic was such a right wing émigré, who collected money. He possessed a gas station in Germany; he would become an important co-worker of Tudjman's Secret Services. Gojko Šušak, living in Canada since 1971, collected funds in North America. He met Tudjman as early as 1980 when he visited the Croat migrants in Canada. They soon became close friends. Gojko Šušak was at first an important advisor of Tudjman. In 1991 he was appointed Minister of Defence. While the Serbian nationalism had developed in Serbia itself after Milosevic took over in 1987, the Croatian nationalism was breaded abroad in the circles of the Croatian Diaspora.

There were two waves of refugees from Croatia. The first wave had fled the homeland when Tito and his Partisans had beaten the Fascist Ustase in 1945. All escaped Europe and a certain death for war crimes in Yugoslavia. Within the Diaspora emerged the 'Croatian Revolutionary Brotherhood'. The organisation carried out several violent actions in Europe and Australia. Yet, the fact that they were never to gain a foothold within Yugoslavia would diminish their effectiveness. But since the League of Communists of Croatia (LCC) was formed along a populist leftist national liberation movement it provided itself a vehicle for nationalist aspirations to be explored within the structures of state power. This allowed for the development of the Croatian Spring Movement from 1967 to 1971 under the direct auspices of a wing of government.³⁶ The Croatian Spring was a reformist movement that was actually set in motion by Tito and Croatian party chief Bakarić in the climate of growing liberalism in the late 60s. It was initially a tepid and ideologically controlled party liberalism, but it soon grew into mass manifestation of dissatisfaction with the position of the Croatian people in Yugoslavia, and it began to threaten the party's political monopoly. The result was a brutal suppression by Tito, who used the military and the police to crush what he saw as the threat to his undivided power - Bakarić quickly distanced himself from the Croatian Communist leadership that he himself helped gain power earlier, and sided with the Yugoslav ruler.

When this movement was suppressed by Tito and the Communist League, the second generation of nationalists fled abroad. Some participants of the movement like Franjo Tudjman and Stipe Mesic were put in jail. After the fall of the Berlin Wall these nationalists met again in Croatia. So nationalism was at least partly imported into Croatia.

³⁶ Peter Anthony Ercegovac, March 1999. 'Competing National Ideologies, Cyclical Responses: The Mobilisation of the Irish, Basque and Croat National Movements to Rebellion Against the State', A thesis submitted in fulfillment of the requirements for the degree Doctor of Philosophy, Department of Government and Public Administration, University of Sydney, <http://nationalismproject.org/articles/Pero/title.html>, 431 pp., p. 9

Though there are no official documents about this, it is widely accepted that as well the Vatican and Opus Dei³⁷ as the Federal Republic of Germany³⁸ supported the HDZ campaign. So, the first democratic elections were not that democratic as it seemed. Like Orwell wrote before: all parties were equal, but some were more equal than others. The campaign got very heated, but was surprisingly non-violent. Thanks to the electoral law and superior organisational possibilities HDZ won 58% of the seats. SDP became the second largest party in Parliament. The difference in votes did not mirror the difference in seats. HDZ had 42,39% of the votes SPD 33,86% and the moderated nationalist KNS 9,56%. But the election system gave HDZ 58% of the seats, SPD 30% and KNS only 6%. HDZ had an absolute majority the Sabor, the Croat Parliament, a mandate to push its nationalist, legislative and constitutional agenda

Tudjman became President and Stipe Mesic Prime Minister. Stipe Mesic was a member of the collective Presidency³⁹ of Yugoslavia and he became the last rotating President of the Yugoslav Federation in 1991. Milosevic opposed Mesic' Presidency, that way the government of Yugoslavia was immobilised. Thus the only direction that was left over was nationalism. Nevertheless Stipe Mesic was a clever politician. He had a lot of experience. He wasn't theatrical like Franjo Tudjman, but rather astute and cunning. During his time at the university, Mesic was a student leader. He took part in the 'Croat Spring'. Therefore he was put in jail for a year. But he still succeeded in making a career in Tito's Yugoslavia while Tudjman was put aside. Mesic was a nationalist but also a liberal. Already in 1994 he would step out of the HDZ because Tudjman started to follow a policy of ethnic cleansing.

Tudjman on the contrary was a conservative, nationalist hardliner. He was very charismatic also, a dangerous cocktail that caused difficulties in history before. At his inauguration in Zagreb Tudjman was announced being 'Jesus Christ' entering Jerusalem. As an historian Tudjman had written long texts about the heroic past of Croatia in the Middle Ages. Croatia seemed heaven on earth. Now he was the leader of this heaven that soon would change into hell during the war. Though a historian his expertise on recent history was rather limited. In 1989 Tudjman published his most famous work, *The Horrors of War* in which he questioned the number of victims during World War II in Yugoslavia. He estimated the number of victims of the Fascist Ustase regime in the Jasenovac concentration camp to be 30.000, while historic sources estimate the number to be about 100.000. The total number of Anti-Fascists, Serbs, Roma and Jews that perished in during 'the Nezavisna Država Hrvatska', the NDH puppet regime in Croatia during the Second World War is estimated on 600.000. More than 10% of the Serb population was killed in WW II by the Ustase. There is no people in Europe except for the Jews and the Roma that underwent such a loss during that war.

³⁷ See John M. Swomley, *Clash of the Religious Titans - Catholics and Muslims*, Humanist, May, 2000, http://findarticles.com/p/articles/mi_m1374/is_/_ai_62111883

³⁸ See Interview met Antun Duhacek, '800 Millionen Mark für einen Bürgerkrieg', <http://netzwerk-regenbogen.de/duhaelsass030819.html> and research Schmidt-Eenboom, Erich, 1995, 'Der Schattenkrieger. Klaus Kinkel und der BND', DüsseldorfQuelle: www.jungewelt.de, p. 211

³⁹ After Tito's death Yugoslavia was managed by the Collective Presidency. Each year another republic provided the President, that literally presided the Presidency. But important decisions were taken collectively, based on a simple majority.

Nevertheless Tudjman fought at the side of Tito as a partisan. He was one of the youngest generals in the Yugoslavian Republic. But because of his nationalist writings having a racist undertone, among others a book titled: 'Great Idea and Small Nations', he was expelled from the Communist League. In 1971 he was sentenced to 2 years imprisonment for alleged subversive activities during the 'Croat Spring'. His sentence was commuted and Tudjman was released after nine months. In the eighties he wrote a 'Croat National Program' for an independent Croatia. Tudjman was tried again in 1981 for the "crime" of giving an interview to the Swedish TV on the position of Croats in Yugoslavia and got three years of prison, but again he only served a portion, this time eleven months. About the Ustase regime he said: "It was not only a collaborating organisation and a fascist crime, but it was also the expression of the historical desire of the Croat Nation for an independent homeland." But what about 600.000 Serbs in his homeland?

The HDZ soon got into problems imposing authority in areas with a large Serbian population like the Krajina – more about this later – like Western and Eastern Slavonia. The HDZ had an absolute majority in the Sabor in Zagreb in some regions it had no influence at all. The radical Croat nationalists obtained only 23 of the 115 seats in the Council of the Vukovar County (Vukovarsko-srijemska županija: 34 communities, 204.768 inhabitants in 2001). SPD obtained two thirds of the votes. HDZ didn't even succeed to send one of the five elected for the Vukovar region to the Sabor in Zagreb. This we call a situation of dual power.

But democracy isn't just free elections. It doesn't emerge automatically either by organising elections. It's a complex interplay of free press, independent media, independent justice and police, education with an open mind, organisation of public life and public discourse, contradictable debate, respecting the rights of minorities... It's curious but when one observes well he will see that all these aspects were only taken care of by the old dying regime of the Socialist Republic of Yugoslavia. The new elected leaders urged in limiting democracy. Ante Marcovic, the federal Prime Minister initiated a series of reforms in 1990 to establish democracy:

"In 1990 a new law on the press was established, a section of the reform program of Marcovic. New independent magazines came to light: Vreme (Belgrade) Globus (Zagreb). At the same time the influence of the nationalist political parties on the media grew. In Serbia Slobodan Milosevic, who was elected for president in 1989, replaced the editors of different papers by adherents of his party. In Croatia a new press agency was established to serve the interests of President Franjo Tudjman and to supersede the activities of Tanjug."⁴⁰

The separation of powers, a principle of the Enlightenment, seems rather abstract but it is crucial in the political reality. Nobody can be at the same time judge and party in a trial, this is absolutism. This is also the fundamental difference between personal informal relations and public formal relations. On Gudelj's trial the state persecutor, Miroslav Jukic took place next to the accused; the judge

⁴⁰ Faber, Mare, Novi dani, nieuwe dagen : oorlog en biografie in Banja Luka, Bosnië-Herzegovina, Aksant Amsterdam, 2001, 90-5260-006-6, 218 p., p. 24

Ruzica Samota felt asleep, metaphorical speaking. "Us knows us", said the arrogance of Gudelj after the trial.

Branimir Glavas cursed Reihl-Kir because Kir brought criminal charges against him for disarming two patrolmen while on a night patrol. The Police Chief of Osijek stated that the Territorial Defence, in fact a paramilitary force, had no business with police work. But let's call the TO a military organisation. A struggle for power between army and police then? A country fighting for its independency has the right to form its own army? Slovenia did the same. Though this doesn't fit International Law⁴¹, I will not deny this for now because on the other hand International Law doesn't have procedures neither regulation for the case a ethnic community in a multi-ethnic state wants to exert its self-determination. But there is more at hand. Collusion between police and army is the basis of every authoritarian system. It is fundamentally anti-democratic. That's obvious.

Though I am an antimilitarist I can understand that an army is organised along hierarchical lines. When the bullets of the enemy are flying around you aren't going to have a debate with the colonel. The soldier is expected to obey the orders then. He does not have to think, he must act. When working with the police, it should be the other way around. A policeman that executes the orders of his superiors without thinking is dangerous for society. Police corpses with a military structure like the 'Guardia Civil' of Franco have been supporting many fascist regimes. The conflict between Glavas and Reihl-Kir is the conflict between a fascist and a democrat.

The Log Revolution

If you take a car to go from Osijek in Eastern Slavonia to Knin in the Krajina of Northern Dalmatia then it takes about 583 kilometres. In bird's eye view – if you can fly over the Dinaric Alps – it's still more then 250 kilometres. All the same people are constantly amalgamating both regions. In the Northern Dalmatian Krajina 67% of the population is Serb, in Slavonia only 20% to 30% of the population is Serb. Initially the Serbs in Slavonia kept quiet the Serbs in Krajina didn't. They declared their independency long before Croatia itself did. Though the happenings in Krajina didn't influence directly what happened in Slavonia, they were the primary motive for the armament and the establishment of an autonomous army in Croatia and of course to a certain degree also the Serb nationalism linked Slavonia to Krajina but one needs to understand the complex Yugoslavian situation as sketched above and not exaggerate its importance. After all the Serbs in Bosnia Hercegovina didn't move either before January 1992. While Croats and Serbs fought a violent war in Vukovar in the autumn of 1991, at 50 kilometres distance a surreal quietness reigned in in Banja Luka, a town with a predominantly Serb population.

⁴¹ This question isn't solved in International Law. See Vesna Pestic, 1996, Serbian Nationalism and the Origins of the Yugoslav Crisis, United States Institute of Peace, p. V, <http://www.usip.org/pubs/specialreports/early/pestic/pestic2.html>

In Krajina two thirds of the populations was Serb in 1990. If the memory of the Ustaše killings was not vivid, the Serbian Television warmed it up regularly by broadcasting documentary films on de Second World war. You can understand their distrust when they heard about the Manifesto of Tudjman's party, which intended to abolish the Nations⁴². The Serb Nation was reduced to an ethnic Minority. To them it sounded like they were abolished all together, though when later in the new Croatian Constitution the rights of the Minorities where established, they didn't seem to differ much those of the former Nations. But before voting new laws – a time consuming process - when Tudjman came into power he immediately re-established some of the symbols of the former Ustaše state like the flag with the checkers board and the currency the 'kuna'. He also introduced new uniforms for the police and obliged all policemen to wear them. One of the badges on the uniform was the capital U, of Ustase. The policemen of Knin refused. The Police Chief of Knin protested:

"We should wear the same uniforms and the same badges as the fascists during the war..."⁴³

The complete police force headed by its Chief Milan Martić refused to wear the new uniforms. On July 5, 1990 the Croat government sent Perica Juric, a depute of Internal Affairs to Knin, to stop the rebellion. He met with the officials in a conference room, but outside the room thousands of civilians protested and supported their policemen. He almost got lynched and needed the protection of the local authorities to leave the premises without any affirmation promise.

In August 1990, an unrecognised referendum was held in regions with a substantial Serb population on the question of Serb "sovereignty and autonomy" in Croatia. This was to counter the changes of constitution. The Croatian government tried to block the referendum by sending police forces to rebelling police stations in Serb populated areas to seize their weapons. As a reaction the Serbs of Krahina, headed by Milan Babić, the Mayor of Knin, a dentist and the Police Chief Milan Martić started to block the roads with logs. That way started the 'Balvan revolucija', the Revolution of the Logs. They declared the 'Srpska autonomna oblast Kninska krajina', the Serb autonomous Region 'Kninska Krajina'. The central government of Croatia lost all authority in the area which became a no-go-area for the Croats. Of course being a nationalist government, this did hurt deeply.

But not only the national pride of Zagreb was eaten away also their income was in danger. Though the Krajina was a poor agrarian area its geographical location was of great strategic value. It was located on the road to the Dalmatian coast, the most valuable tourist region of Croatia where foreign currencies flow into Croatia. And now these roads were blocked. This was something Tudjman could not let happen. He had to control that area again, 'coûte que coûte'. He still had his own police, so he sent three police helicopters full of armed men to disarm the Police of Knin. But the Mig aeroplanes of the JNA intercepted the helicopters and they had to return to their base before they could even land. Of course this was a public humiliation for Tudjman but still more frustrating was the fact that

⁴² One could plea that the 'Blut und Bodem' ideology was the basis for such a decision, it was, but it wasn't said in so many words.

⁴³ BBC documentry, 'The death of Yugoslavia', part 2

he had no means to pay them back. That's why he and his ministers decided to construct a full blown army. Though they might have wanted to build an army before, now they had a perfect opportunity to sell this plan to the Croat people and also abroad, they hoped.

The retired Croat general Spegelj, Minister of Defence in the new government, asked for weapons to the US-ambassador in Yugoslavia, Warren Zimmerman. Spegelj suggested that the weaponry was to modernize the police force. That was also the explanation presented to the media. The US refused categorically to deliver arms to Croatia to suppress the Serbs, what was Zimmerman told to the BBC. So they decided to procure weapons illegally. They were bought in Budapest and smuggled across the border over night in civilian trucks. The first load left on October 11, 1990. But the 'Kontraobaveštajna Služba', KOS, the counter-espionage had been alarmed. From a hideout at the border they had watched the trucks passing by. They suspected arms were being smuggled but they couldn't prove it because the Croats denied it. So they decided to set up a trap. They filmed a conversation between Spegelj and two alleged friends, but one of them was a undercover agent of the KOS. He had hidden a camera in his TV-set. He must have read George Orwell. The Direction of the Presidency showed the video at the prime time TV-news. Everybody in Yugoslavia could watch the unmasking of the Croatian government that claimed not to procure itself with illegal weapons from abroad.

During the broadcast Spegelj said wordly:

"In this military district the JNA has 9000 officers and 18000 soldiers; they have to cover Slovenia, Croatia and a part of Bosnia. We have 80.000 men with Kalashnikovs. Do you understand? We are at war. With whom? With the JNA!"

"We are going to resort to all resources. We're even going to use weapons. Knin we're going to resolve in the same way. We are going to slaughter everyone. We have international recognition for that that we're going to slaughter them now that this whore won in Serbia. Now the Americans, on the second day when he won, offered us all assistance, and until then everyone was speculating, they would, they wouldn't, this way, that way, 1,000 combat vehicles."⁴⁴

Spegelj talked about attacking the army barracks of the JNA about the separation of Croatia from Yugoslavia and about starting a civil war. Big offence scandal. The JNA demanded Spegelj to be arrested and persecuted for high treason. Tudjman dismissed his Minister of Defence and Spegelj escaped to Austria. A lot of negotiating and threatening started about the illegal weapons. Arresting a democratically elected government was not possible of course, the JNA had to proceed carefully. The JNA claimed that all illegal weapons should be handed in within ten days, if not it would start collect the arms. Stipe Mesic, the Prime Minister defended the Croat action in the Sabor by saying:

⁴⁴ See http://en.wikipedia.org/wiki/Spegelj_Tapes and BBC documentary, 'The death of Yugoslavia', part 3

"What are we to do? A part of Croatia is in rebellion. Should we import two lorryloads of pens? Then we could write: Please do not attack us! I have a message for the Serbs: The Croat Flag will soon fly over Knin." ⁴⁵

After the meeting of the Parliament Stipe Mesic phoned to the presidency in Belgrade with the message that if the army would use violence against the Croats they would do the following:

"One, Croatia would secede. Two, they would ask the United Nations to intervene. Third, they would walk out of all the organs of the Federation." ⁴⁶

The devils were released. The 'Nema problema' had become 'Ima problema'. Tudjman took the risk of a war but didn't seem to worry about it. The US intervened by telling Borisav Jovic not to intervene in Croatia. Jovic objected that the US also wouldn't stand to have two armies within its borders and he went to Moscow to ask for support for the case the US would attack Yugoslavia when it intervened in Croatia. The Russian Secret Services told Jovic they hadn't to fear the US. So Milosevic and Jovic asked the army to invade Croatia. Although General Kardelj had threatened Mesic five days earlier he now doubted. He feared that the invasion would be depicted as a coup in the West and that this would worsen the situation. He had trouble in silencing his conscious. That way a war was avoided for a while. Tudjman himself had less problems with a bad conscience. Within a few weeks he showed his new weaponry openly during a military parade.

Then on 30 September, 1990, the Serbian National Council declared

"the autonomy of the Serbian people on ethnic and historic territories on which they live and which are within the current boundaries of the Republic of Croatia as a federal unit of the Socialist Federal Republic of Yugoslavia".

All ingredients for a war were there again, unless they wanted to negotiate.

⁴⁵ BBC documentary, 'The death of Yugoslavia', part 2

⁴⁶ BBC documentary, 'The death of Yugoslavia', part 2