

Evil and the Ritual of Shame: A Crime Against Humanity in Bosnia-Herzegovina

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This study examines the ritualized character of crimes against humanity in Bosnia-Herzegovina. Encompassing a victim, a victimizer, and a witness, degradation ceremonies structured the activity of what is euphemistically called ethnic cleansing. The observing world played the role of witness, which became a perpetuating component of the ritual. The discussion leads to the formulation of evil as the degradation of not only an individual human being but also humanity itself.

Metaphysical guilt: There exists a solidarity among men as human beings that makes each co-responsible for every wrong and every injustice in the world, especially for crimes committed in his presence or with his knowledge. If I fail to do whatever I can to prevent them, I too am guilty. If I was present at the murder of others without risking my life to prevent it, I feel guilty in a way not adequately conceivable either legally, politically, or morally. That I live after such a thing has happened weighs upon me as indelible guilt.

— Karl Jaspers, *The Question of German Guilt*

Citizens of the world watched as nationalist politicians and intellectuals in the Belgrade regime planned and used violence to establish an apartheid state. The dignity of not thousands but millions of human beings was assaulted; many in Bosnia-Herzegovina lost their right to work, worship, own property, and live.

There is much documentation of these events, and the documentation touches upon issues that sociologists examine. From a sociological point of view, ethnic cleansing makes little sense. While it is easy to identify the political motive (to create a Greater Serbia), it is more difficult to identify the sociological motive. The costs were too high not only for the victims, but also for the victimizers. The victimizers destroyed not only the homes, the communities, and the lives of people who had been their neighbors, but also the social fabric upon which the victimizers themselves depended.¹ To what logic then did ethnic cleansing conform? Can sociology account for the significance of these activities, and, after doing so, critique the conduct?

Just One Example

In his book, *Love Thy Neighbor: A Story of War*, Peter Maass reports a painful event, one that is representative of the way in which ethnic cleansing was carried out in Bosnia-Herzegovina.

You can, for example, barge into a house and put a gun to a father's head and tell him that you will pull the trigger unless he rapes his daughter or at least simulates rape. (I heard of such things in Bosnia.) The father will refuse and say, I will die before doing that. You shrug your shoulders and reply, Okay, old man, I won't shoot you, but I will shoot your daughter. What does the father do now, dear reader? He pleads, he begs, but then you, the man with the gun, put the gun to the daughter's head, you pull back the hammer, and you shout, Now! Do it! Or I shoot! The father starts weeping, yet slowly he unties his belt, moving like a dazed zombie, he can't believe what he must do. You laugh and say, That's right, old man, pull down those pants, pull up your daughter's dress, and do it! (51-52)

In narrating this event, Maass employs the second person pronoun, "you." To narrate the gunman's pathos and win the reader's indignation, Maass puts the reader in the place of the gunman. Maass' assumption is that, by putting the reader in the role of the gunman, the reader will be repulsed and seek distance from the activity of the gunman. Yes, the reader will seek distance from the activity of the gunman, but, by default, the reader will also seek distance from the gunman's victims. To counter this possibility, the following discussion uses the second person pronoun to put the reader in the place of the father. The purpose is to encourage the reader to identify with the victims of this event and draw closer to the father and daughter.

If the gunman tells you that your daughter will be killed unless you have intercourse with her and if you know that the gunman is capable of murdering a human being, how can you not comply? You state first that you will die before you do what the gunman asks. The gunman responds that, unless you do what he asks, he will kill your daughter. For the sake of your dignity, you are willing to sacrifice your life, but it is not your life that the gunman wants. It is your dignity that the gunman wants.

You comply, but what is the nature of your compliance? You comply because you are a father. The gunman's conduct, in other words, does not

transform you into a nonfather. Your dignity, that is, the first principle of what it is to be a father, is left untouched because the ultimate grounds for your conduct are clear. You cherish the life of your daughter. Since you cherish the life of your daughter, you cannot bear to watch her being murdered. While, for the sake of your dignity, you are willing to sacrifice your life, you are not, for the sake of your dignity, willing to sacrifice your daughter's life. Your daughter's life is more important. If you had sacrificed your daughter's life for the sake of your dignity, you would have lost not only your daughter but also your dignity. You would have ceased to be a father.

The gunman has power over you not because of his gun. The gun alone signifies no power at all. Wherein then lies the gunman's power over you? One aspect of the gunman's power is the absence of any normative constraint regarding his use of force. Another and more important aspect of his power is your need not to see your daughter murdered. The gunman has power over you because you cherish your daughter. Your need makes you dependent upon the gunman. The gunman has power over you because he recognizes your need and the dependence upon him it creates. Neither the gun nor the gunman's anomic use of the gun explains his power over you. It is your normative need not to see your daughter murdered and your steadfast relation to this need (Blau 118-25). The gunman wants to degrade you. But is your degradation more important to the gunman than your life?

Just One Theory

In 1956 Harold Garfinkel published a short essay in *American Journal of Sociology* entitled "Conditions of Successful Degradation Ceremonies." Degradation ceremonies, Garfinkel says, are "any communicative work between persons, whereby the public identity of an actor is transformed into something looked on as lower in the local scheme of social types" (420).²

Ethnic cleansing was a degradation ceremony. With sadistic violence and unconscionable aggression, ethnic cleansers attempted to transform the public identities of individuals and a community. Nationalist Serbs sought to transform the public identities of Bosniaks into something looked on as lower in the local scheme of social types. First, this activity occurred in the state media and intellectual circles of former Yugoslavia. Then, militia from Serbia and Montenegro, with the support of the Yugoslav Peoples Army, entered Bosnia and methodically engaged in horrendous activities. Several

years later the same activity repeated itself in Kosovo.

The motive of the gunman is to attempt a degradation ceremony. He seeks to degrade you as a father. Here is the aim that governs the gunman's behavior, and here in general is the pathos of ethnic cleansing. The better we understand the pathos, the better we are able to understand the activity of ethnic cleansing. The better we understand the activity of ethnic cleansing, the better we are able to redress its consequences.

In the example above, the gunman wants to debase you. Does the activity, however, say anything substantive about you, what we hold to be the ultimate grounds or reasons for your conduct? Does the event, orchestrated by the gunman, touch upon either your or your daughter's "total identity"? Does the gunman really perform what Garfinkel calls status degradation ceremonies?

For a status degradation ceremony to be successful, "the identities referred to," Garfinkel says, "must be 'total' identities. That is, these identities must refer to persons as 'motivational' types rather than as 'behavioral' types, not to what a person may be expected to have done or to do . . . but to what the group holds to be the ultimate 'grounds' or 'reasons' for his performance." In other words, "the transformation of identities," Garfinkel continues, "is the destruction of one social object and the constitution of another It is not that the old object has been overhauled; rather it is replaced by another. One declares, 'Now, it was otherwise in the first place'" (421-22).³

Notice the assumptions that the gunman must make to gain whatever perverse pleasure he does from his activity. First, the gunman must assume that you are willing to do whatever you can to save your daughter's life. Second, the gunman must assume that you abhor the idea of raping your daughter. The gunman must recognize you as a father. Without these assumptions with respect to your values, the gunman's conduct is unintelligible.

The gunman knows you, not in a particular way, but in an abstract way. He knows that you are a father, and he knows what it means to be a father. In other words, there is a "We-relation" between the gunman and you. If there were not this "We-relation," the possibility of an attempted degradation ceremony would not be present. The phenomenologist Alfred Schutz writes:

He and I, we share, while the process lasts, a common vivid present, our vivid present, which enables him and me to say: We experi-

enced this occurrence together. By the We-relation, thus established, we both—he, addressing himself to me, and I, listening to him—are living in our mutual vivid present, directed toward the thought to be realized in and by the communicating process. (543)

However, it is painful to acknowledge this We-relation between the gunman and you because the substance of the We-relation is nothing except the gunman's negation of the We-relation. Through the gunman's mere denial of its existence, the We-relation perpetuates itself.

To understand the significance of the gunman's action as an attempted degradation ceremony, we need to identify the motive with which the gunman acts. To assess the motive of the gunman, we need to formulate the motive as oriented toward some normative expectation. What normative expectation exists that provides the background, negative or positive, for the gunman's conduct in this interaction?⁴

The character of evil is not its unintelligibility. Innocence imagines that evil is unintelligible. For the innocent, evil makes no sense. From the viewpoint of innocence, if evil makes no sense, it does not exist. If it does not exist, it does not have to be dealt with. Innocence, whether of an adult or a child, believes that evil is grounded in nothingness. In contrast, a sociological formulation of evil focuses on evil's parasitic relation to what does make sense, what is intelligible, and what is. The gunman's motive is to violate the inviolable.

"It is proposed," Garfinkel writes, "that only in societies that are completely demoralized, will an observer be unable to find such ceremonies, since only in total anomie are the conditions of degradation ceremonies lacking" (420). An opinion frequently stated by journalists was that the situation in Bosnia was one of total anomie, a place where self-interest and self-interest alone ruled, a reification of the Hobbesian jungle. Hobbes, though, argues that this presocial state of nature never existed in history and never will. For Hobbes, the presocial state is an ideal type. Hobbes reasons that the Hobbesian jungle is too painful—too nasty and utterly brutish—to last for any period at all. He uses the notion of a presocial state, for heuristic purposes, to explain the origins of society (187).

The Hobbesian account of what happened in Bosnia, while popular, is an innocent one; the existence of evil is not taken into account. While descriptively the Hobbesian account seems accurate, if it were true, the conditions for degradation ceremonies would be lacking and observers would be

unable to witness them. Degradation ceremonies, however, were witnessed in Bosnia and Kosovo; in the global media they were witnessed clearly and repeatedly. These degradation ceremonies occurred at every level, between civilians, soldiers, political leaders, and diplomats. Although each incident was distinct, each shared a common thread. The world was gripped by the thread of these stories and bound to the ritual they dramatized.

Rather than stipulate, as many pundits do, that the situation in Bosnia was one of total anomie, a better tactic for sociologists is to ask what conditions were present that allowed observers to witness ethnic cleansing as an attempted degradation ceremony? What features in the organization of the society prevailed such that degradation ceremonies were attempted? The more ethnic cleaning persisted, the more of a ritual it became. The more of a ritual it became, the more ethnic cleansing persisted. The substance of the ritual, moreover, was neither political nor psychological. Here is why politicians found it difficult to stop the conduct. Here is why psychologists found it difficult to treat the consequences of ethnic cleansing. The substance of the ritual was sociological; it pre-supposed the existence of a social structure. Ethnic cleansing fueled itself independently of political and psychological motives.

Let us return to the example from *Love Thy Neighbor*, again putting readers in the place of the father. Recall the two conditions present for the gunman to attempt a degradation ceremony. The gunman sees two things. One, you are willing to do whatever you can to save your daughter's life. Two, you abhor the idea of intercourse with your daughter. Without these dual assumptions, the gunman lacks the resources with which to shame you. Because you are a father, you must do what he tells you. Because you are a father, you must not do what he tells you. The assumptions are contradictory but interrelated. Here is the perverse logic, grounded in bad faith, that guides the gunman's activity.

Notice that, if your normative expectations were not real, if the ultimate principles that ground your conduct were not authentic, the conditions for a status degradation ceremony would be absent. Moreover, if the gunman did not himself recognize your normative orientations, if he did not himself see that your normative orientations were real, not only to you, but also to the world, he would lack the resources with which to attempt a degradation ceremony.

The mere presence of these social conditions, however, does not guarantee the success of a degradation ceremony. "Indeed, the question is: Starting

from any state of a society's organization, what program of communicative tactics will get the work of status degradation done?" (Garfinkel 421) Certain strategies and communicative tactics must be followed to ensure a successful degradation ceremony. A degradation ceremony is a construction. If the criteria are not adequately met, the degradation ceremony fails. At this point, Garfinkel introduces the role of the witness in the status degradation ceremony and the relation of the witnesses to both the denouncer and the denounced. Degradation ceremonies occur only if there are witnesses.⁵ The denouncer and the denounced do not alone constitute a degradation ceremony (unless viewed from a strict psychological viewpoint). To induce shame, a denouncer needs to convince witnesses to view the event in a special way. "The paradigm of moral indignation," Garfinkel says, "is 'public' denunciation. We publicly deliver the curse: 'I call upon all men to bear witness that he is not as he appears but is otherwise and in essence of a lower species'" (421). Here is the task of the denouncer, and it involves considerable work.

Garfinkel accounts for the methodology that must be followed. First, the denouncer needs to demonstrate to witnesses that the denouncer and witnesses share values. Moreover, the values that are shared need to be fundamental. Second, the denouncer needs to demonstrate that the denounced does not share these values. The denouncer needs to show that the reason the denounced does not share these values is based on choice rather than conditions. Moreover, while the denounced may seem to hold the shared values of the community, the denounced, the denouncer needs to show, does not and never really did. "The work of the denunciation," Garfinkel asserts, "effects the recasting of the objective character of the perceived other: The other person becomes in the eyes of his condemners literally a different and new person. It is not that the new attributes are added to the old 'nucleus.' He is not changed, he is reconstituted" (421). To return to the example from *Love Thy Neighbor*, the gunman's motive is to depict you as a nonfather, to depict you as not being who you are, and as never having been who you seem to be, namely, a father.

In a detached and ironic manner, Garfinkel accounts for the ritualized communicative steps that must be followed for a degradation ceremony to be successful. Let us finish reviewing this complicated blueprint. The denouncer must show as well that he or she is a legitimate and objective spokesperson for those values that the denouncer and witnesses share and from which the denouncer claims that the denounced is estranged. If the

degradation ceremony is to be successful, the denouncer must show that the denounced chose to be estranged from the values that the denouncer and witnesses share, not because of unfavorable conditions or unfortunate circumstances, but because it is the choice of the denounced. Degradation ceremonies, Garfinkel insists, can only be successful if they meet all these criteria. If the denouncer fails to meet any, the degradation ceremony misses its mark and at best achieves partial success.

It is critical to address the reasons why the gunman's degradation ceremonies fail. First, the gunman fails in his attempt to debase you because the gunman cannot be a legitimate spokesperson for the values he claims to share with his witnesses when he himself flagrantly violates these values from which he claims, you, the denounced, are estranged. This event is the gunman's idea, and you, the father, are the object of the gunman's projection and transference. Your selection is arbitrary; it has no relation to you as a particular person. Your motive—your intention as a social actor—is, from the viewpoint of the gunman, irrelevant.

To construct a degradation ceremony, the denouncer must expose the denounced's motive clearly. The denouncer must unmistakably show that the denounced's motive is the only thing that is relevant in his or her behavior. To demonstrate that the character of the denounced is the reason for the action of denounced, the denouncer must expose the denounced's motive so that it can be clearly known.⁶ The gunman cannot denounce you if the conduct for which you are being denounced is coerced by him with the threat of violence. These factors short-circuit the gunman's attempted degradation ceremony.

It is critical as well to address why, from the viewpoint of the gunman, his activity seems at least partially successful. If the gunman sees himself as successfully constructing a degradation ceremony, what conditions exist that allow him to think this way? In Bosnia and Kosovo, the world passively watched. The world played the role of witness to ethnic cleansing. The UN forces in particular played this role.⁷ In this manner, the gazing world became a sustaining component of the system that perpetuated ethnic cleansing. Nationalist Serbs played the role of denouncers; the others, whether Bosnians, Bosnian Muslims, or Kosovar Albanians, were the ones denounced; and the world was the witness to the ritual. As long as nationalist Serbs sustained this triadic structure and as long as witnesses allowed nationalist Serbs to sustain this triadic structure, ethnic cleansing persisted and grew. By insisting on their "simulated" privilege to assume the role

of denouncer, nationalist Serbs blocked those whom they degraded from denouncing them for planning and executing genocide. Nationalist Serbs cloaked their acts of genocide behind a “reaction formation.”⁸ That is, to avoid becoming the subject of a renunciation, nationalist Serbs simulated their privilege to engage in renunciation.

For the gazing world, the role of witness to the ritual of ethnic cleansing became problematic. Serving as witness to evil was untenable. The role of witness creates dissonance. With whom do the witnesses identify—the denouncers, who confess the Christian faith as Orthodox Serbs, or the denounced, who follow the Islamic faith? Nationalist Serbs exploited this variable, which gave them status in the Western press and so an advantage in the American and European media, whose viewers were predominately Christian.

As time passed and ethnic cleansing persisted, it became more and more unclear who were the objects of the degradation ceremony called ethnic cleansing. It was no accident that during their activity ethnic cleansers would select to be present from their victims the weakest individuals. Ethnic cleansers then released these individuals assuming they would be too degraded to tell the world what happened and what they observed. Ethnic cleansers designated the role of witness because it was an essential component of their activity. Consider the following account from a survivor:

One of the Serb soldiers came into the room and turned to me and started to beat me, especially on my head and spine, and I fainted. Two days later, I had my first epileptic seizure. When the Serbs from the camp heard about this, they took me to watch them torture others. They were sure I was going to die. I was very weak; my weight was down to 36 kilos, and I could only walk with difficulty. One night, two soldiers came in and took me to an area where they hung people. I saw one man hung through his back on the hook of the lift for a lorry. He was still alive and screaming. And yet the Serbs went on beating him. On the floor was another man whose skin was split; he was dead Throughout the night they ordered me to watch the torture, while they laughed. When I returned to the room, I had another epileptic seizure. (Mesinovic 6)

The world itself does not volunteer for the role of witness. Indeed, whenever the world tried to disassociate itself from this relationship, ethnic

cleansers increased their brutality and violence so as to make it impossible for the gazing world to remove itself. The more the world became implicated in the process of ethnic cleansing, the more nationalist Serbs co-opted the world into its project. Eventually, the world became not only a witness to but also an object of this degradation ceremony.

The gunman, for instance, is not just trying to shame you; he is trying to shame your relation to the world. The fact is that you and the world share values, values such as fatherhood, love, and compassion, from which the gunman himself is estranged. The more estranged the gunman is from the world, the more the gunman wants to estrange you from the world and the world from itself. The more estranged the gunman is from the world, the more the gunman estranges himself from himself.

Only in this way can the gunman presume to be a legitimate spokesperson for the world. As long as the world stands for nothing, the gunman becomes the legitimate spokesperson for the world. The gunman comes to represent the world. If the postmodern integrity of the world is to stand for nothing, the gunman speaks for this world and this world's relation to you, that is, this world's nonrelation to you and itself. As Garfinkel says, "The denouncer must make the dignity of the supra-personal values of the tribe salient and accessible to view, and his denunciation must be delivered in their name" (423).

Soon you begin to see that the world, even more than you, is being denounced. Your role at this point changes. You become not the one being denounced, but the witness to the denunciation of the world. You become the witness to the denunciation of the witnesses to your denunciation. You pity the world. You become, as it were, the immediate witness to the defilement of humanity. When the world gazes upon Bosnia, it sees itself as the object of denunciation, which is why the world became riveted to the conduct of ethnic cleansing. Bosnia became the center of the world because in Bosnia the world witnessed its denunciation.

At first, the logic that fueled ethnic cleansing was to bind wavering and ambivalent Bosnian Serbs together within a band of collective guilt. As ethnic cleansing became more sadistic and after it became next to impossible for most Bosnian Serbs to disassociate themselves from the activities of extreme nationalists, this logic consumed itself. New fuel was needed. The more the world watched, the more the world became included in the band of collective guilt originally meant to bind together Serbs.

What fuels the ego of nationalist Serbs is their ability to bully the

world's conscience. What fuels the ego of nationalist Serbs is their ability to submit the world's conscience to their will, their ability to force the world to repress its conscience, its superego, to the same degree and in the same manner that nationalist Serbs repress their conscience, their superego. As ethnic cleansing persists, the ways in which the gunman and the world are alike become more and more important, and the ways in which the gunman and the world are not alike become less and less important. At the same time, the ways in which you and the world are alike become less and less important, and the ways in which you and the world are not alike become more and more important.

Consider the refusal of NATO and SFOR forces to arrest the indicted war criminals most responsible for so many war crimes and crimes against humanity in Bosnia-Herzegovina. The longer and longer Radovan Karadzic and Ratko Mladic remain free, the more and more the world and these two individuals are alike. The longer and longer Radovan Karadzic and Ratko Mladic remain free, the less and less the world and you are alike.

The purpose of evil is to destroy our species-being.

Perhaps what is behind it all is only that individual human beings did not kill other individual human beings for human reasons, but that an organized attempt was made to eradicate the concept of the human being. (Arendt in Bernstein, 149)

Evil seeks to achieve this purpose by claiming, not just that an individual is not a human being, but that in reality the concept of the human being does not exist. Evil destroys not just an individual life but our species-being. If successful, evil makes it impossible for humanity to preserve itself; our species-being is no longer capable of making ourselves whole and human in relation to one another.

This disassociation from the concept of the human being that evil seeks can never be fully achieved; it can never be fully achieved because our species-being is an empirical as well as a metaphysical phenomenon. "And in all the seriousness of truth, hear this: without *It* man cannot live. But he who lives with *It* alone is not a man" (Buber, 34). The knowledge of a person that one gains from a degradation ceremony is situational; it lacks an understanding of what is essential to persons per se.

Notes

¹ In the documentary *Killing Memory: Bosnia's Cultural Heritage and Its Destruction*, we see that ethnic cleansing was an assault not just against people and their lives, but against historical buildings and cultural monuments. Andras Reidlmayer says, "When a person dies, it is that person's life, that person's family that's affected. When a culture is killed, it forecloses the future and it destroys the memory of the past. Even if the people to whom those monuments and documents belong survive, they've lost their anchor, their connection to who they are, of how they belong to a particular place . . . I think that you cannot separate the sufferings of people from the destruction of monuments of culture. The killing of memory is as great a tragedy as the killing of people" (Andras Riedlmayer, *Killing Memory: Bosnia's Cultural Heritage and Its Destruction* [Haverford, PA: Community of Bosnia Foundation, 1994]).

² Think of negative campaigning during political elections as an example of status degradation ceremonies. In campaign ads, politicians attempt to denounce and shame their opponents as successfully as possible in order to win the election.

³ This formulation of a "total identity" is central to Garfinkel's analysis. The formulation draws upon the metaphysical realm and represents Garfinkel's distinct contribution to social inquiry as an empirical scientist. "The man at whose hands a neighbor suffered death becomes a 'murderer.' The person who passes on information to enemies is really, i.e., 'in essence,' 'in the first place,' 'all along,' 'in the final analysis,' 'originally,' an informer."

⁴ Although some of the individuals who engaged in ethnic cleansing sometimes went to great lengths to shun the role of denouncer and sought surreptitiously to help the victims and their former friends, for many the role of denouncer guided the activity.

⁵ This point is as empirical as it is theoretical. Consider this horrific example: "The rape victim, age twenty-nine, reported to Human Rights Watch that the police took her away from the house where she was being held and brought her to another house. There she was placed in a room and forced to strip naked. One after the other, five members of the Serb forces entered the room to look at her body, but it was only the last man who raped her, she said. While he was assaulting her, the other four entered the room and watched. The woman also stated that someone had placed a walkie-talkie under the bed in the room, and that throughout the ordeal the Serbian forces shouted at her via the walkie-talkie to scare her. In all, she was held in the room for about half an hour" ("Rape of Ethnic Albanian Women").

⁶ Here is why, in postmodern times, it is so difficult to achieve a successful degradation ceremony. From a postmodern perspective, motives and the social schemata for judging motives are the least relevant aspects of social life. Even if all members of a group simultaneously attempt to perform a degradation ceremony, these efforts would be futile without the necessary social organization. Imagine a world in which everyone acted like Jay Leno; there would be no laughter. Leno needs both his audience and the normative expectations they represent to construct his derogatory jokes qua status degradation ceremony. The schemata for judging motives, for making a laugh, involve a dichotomy and a tension within this dichotomy, although the dichotomy itself can be conditioned and historical. "The features of the mad-dog murderer reverse the features of the peaceful citizen. The confessions of the Red can be read to teach the meanings of patriotism. There are many contrasts available, and any aggregate of witnesses this side of a complete war of each against all will have a plethora of such schemata for affecting a 'familiar,' 'natural,' 'proper,' ordering of motives, qualities, and other events" (Garfinkel 423). Postmodernism argues that we are no longer on this side of a complete war of each against all. Instead, we are on that side of a complete

war of each against all. That is, this plethora of schemata no longer carries significance, intellectually or morally.

⁷ Here is why, after the grotesque spasm of sadistic and murderous ethnic cleansing in Kosova, which Milosevic initiated and led, Milosevic wanted the UN rather than NATO troops to police Kosova. In Bosnia, UN troops played the role of witness well. In Kosova NATO troops might do more than play the role of witness. They might become denouncers of genocide.

⁸ "They 'stand it on its head'; they exact its opposition; they engage in malicious, spiteful, 'ornery' behavior of all sorts to demonstrate not only to others, but to themselves as well, their contempt for the game they have rejected" (Albert K. Cohen 205).

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