

Cultural heritage and memory after ethnic cleansing in post-conflict Bosnia-Herzegovina

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Abstract

*This article draws on my book *Bosnia and the Destruction of Cultural Heritage*,¹ which incorporates ground-breaking fieldwork in Bosnia-Herzegovina and extensive research, and on my subsequent research and fieldwork in the post-conflict country. In the article, I explore the meaning that restoration and reconstruction of cultural heritage intentionally destroyed during conflict can have, particularly to the forcibly displaced. With the protection of cultural heritage increasingly being treated as an important human right and with the impact that forcible displacement during armed conflict has on cultural identity now in the spotlight, the importance of cultural heritage for those ethnically cleansed in Bosnia-Herzegovina during the 1992–95 war (both those who returned and those who did not) has relevance for considerations of contemporary post-conflict populations.*

Keywords: cultural heritage, memory, identity, conflict, post-conflict, ethnic cleansing, forcible displacement, human rights.



“And what will happen if the Aladža Mosque ... is not rebuilt? They’ll say it never existed ...”²

“... it is our duty not to forget ...”³

Introduction

This article looks at cultural heritage and memory in the aftermath of a conflict that was driven by ethnic exclusivism and where cultural and religious property was systematically destroyed in pursuit of creating visibly mono-ethnic spaces – a conflict which attempted to destroy the historic pluralism of a European country. But it was also a conflict where there was an enormous international military and humanitarian intervention, both during and after the conflict, and where the final peace settlement not only guaranteed the right of return to the victims of ethnic cleansing to rebuild their communities, but also gave legal protection to cultural heritage.⁴ It was a war where the atrocities committed were so numerous and so severe that they were considered war crimes and crimes against humanity, leading the United Nations to create an international criminal tribunal to hold to account the perpetrators and those who allowed such crimes to be committed and bring justice to their victims. Yet despite all this, and despite the presence of a post-conflict international civilian–military protectorate with sweeping powers, the restoration and rebuilding of cultural and religious property intentionally destroyed during the war was for the most part a difficult, long-drawn-out, often violently contested process. This article examines how, when cultural heritage has been instrumentalized during wars and conflicts, it has then been instrumentalized after the fighting has stopped. As some argue in favour of forgetfulness, I enquire – if attacks on culture during conflict are crimes against memory and identity, is there a duty *not* to forget?

With the intentional destruction of cultural heritage during contemporary conflicts seemingly now the norm, the obliteration of cultural and religious property as the visible symbols of an unwanted ethnic or religious group – or even of a reviled narrative of national identity – shocks, but no longer surprises, when we witness it

- 1 See Helen Walasek, *Bosnia and the Destruction of Cultural Heritage*, Routledge, London, 2015, for further information on the subjects discussed in this article.
- 2 Nihad Čengić, art conservator and then staff member of the Office for the Protection of Cultural Property, Sarajevo, quoted in Bill Schiller, “Bosnian Artists Save Heritage Treasures”, *Toronto Star*, 15 May 1993, p. A10.
- 3 Enis Tanović, speaking at Gacko, 7 May 2014, quoted in “Dan džamija: U Gacko su od Dejtona do danas dvije džamije dva puta obnovljane”, *Klix*, 7 May 2014, available at: <https://tinyurl.com/y4zfs5xj> (all internet references were accessed in July 2019).
- 4 General Framework Agreement for Peace in Bosnia and Herzegovina, also known as the Dayton Peace Agreement (DPA) or Dayton Accords, available at <https://peacemaker.un.org/bosniadaytonagreement95>.

on our television screens or social media feeds. The assaults on cultural and religious property during the first decades of the twenty-first century, particularly on world-famous archaeological sites in Syria and Iraq like Palmyra and Nineveh, loom largest in the Western imagination, especially the malign destructive events performed and publicized by ISIS/Daesh – though they were far from being the only perpetrators, and these were far from the only types of cultural and religious monuments destroyed. Heritage professionals such as UNESCO have taken to proposing that this type of premeditated destruction is a new phenomenon.⁵

Yet one does not have to go far back in the post-Cold War era to find an earlier conflict in which the widespread intentional destruction of cultural property had the power to shock the world. These were the wars of the 1990s that accompanied the dissolution of Yugoslavia with violent conflicts taking place in Croatia, Bosnia-Herzegovina and, lastly, Kosovo. What have become known as the Wars of Yugoslav Succession were the culmination of years of nationalist rhetoric and propaganda pouring out of Slobodan Milošević's Serbia, rhetoric that mobilized the past and emphasized perceived ethnonational and ethnoreligious differences, binding cultural identity tightly to religion. Fears of an existential threat to Serbs who lived outside Serbia in other parts of Yugoslavia, particularly from Muslims and Islam, and the need to live separately were forcefully promoted and, when the time came, were backed up by the might of the Yugoslav People's Army (Jugoslovenska narodna armija, JNA) and vicious paramilitary units.⁶

It was during the war in Croatia that cultural heritage first became a target. Universal outrage followed the JNA and Montenegrin bombardment of the UNESCO World Heritage Site of Dubrovnik in 1991 – but worse was to come. The 1992–95 Bosnian War stood apart in its ferocity and violent campaigns of ethnic cleansing, and the purposeful destruction of cultural and religious property were among the defining (and most publicized) aspects of that conflict.⁷

The devastation wreaked on cultural and religious property during the Bosnian War, as symbols both of ethnoreligious affiliation and of a historically diverse Bosnian identity, was the greatest destruction of cultural heritage in Europe since the Second World War. But, as with Syria and Iraq, we should beware of seeing the destruction in isolation – as a phenomenon somehow distinct from other atrocities. Rather, the destruction was an inextricable part of the ethnic cleansing of the Bosnian War and one of the central objectives of those who drove the conflict. This was not collateral damage, a side effect of military action and a byproduct of war, but a premeditated and systematic destruction that took place, for the most part, far from the front lines.⁸ It has been

5 See for instance, UNESCO heritage expert Édouard Planché quoted in James Reinle, “UN Unable to Stop IS Relic-Smuggling from Iraq and Syria”, *Middle East Eye*, 4 June 2015, available at: www.middleeasteye.net/news/un-unable-stop-relic-smuggling-iraq-and-syria.

6 For a fuller account of the trajectory of the war in Bosnia-Herzegovina, see Marko Attila Hoare, *The History of Bosnia: From the Middle Ages to the Present Day*, Saqi, London, 2007.

7 For a fuller account, see H. Walasek, above note 1.

8 For more information, see Helen Walasek, “Destruction of the Cultural Heritage in Bosnia-Herzegovina: An Overview”, in *ibid.*

convincingly demonstrated that the obliteration of structures from the landscape which marked the long historic presence of the groups targeted for elimination (most often Bosnia's Muslims) went hand in hand with forced expulsion, imprisonment in concentration camps, torture, mass rape, the sexual enslavement of women and mass murder.⁹

The enormous devastation of the Bosnian War was to become a critical marker in discussions on cultural heritage, as heritage experts and the wider public debated how (and if) cultural property could be protected in times of conflict – a debate resurrected twenty years later following the destruction in Syria and Iraq. In the years following the end of the war in 1995, Bosnia became the paradigm of human rights abuses, intentional heritage destruction and the failure of the international community, as sectors from the military to the human rights and humanitarian aid professions struggled with the question of how the horrors of ethnic cleansing, with its accompanying destruction of cultural and religious property, could have been prevented, and where their representatives on the ground were frequently left as passive onlookers or unwitting participants.¹⁰ The 1992–95 Bosnian War has had a long afterlife that continues to influence and preoccupy policy-makers today. The questions raised over how to prevent ethnic cleansing and the accompanying cultural destruction remain unanswered.

Before we can assess cultural heritage and memory in the aftermath of violent conflict, ethnic cleansing and the destruction of cultural and religious property, we need first to look at the trajectory of the conflict and in what circumstances the destruction took place. The focus of this article will be on the wartime destruction and post-war reconstruction and restoration of the cultural heritage of Bosnia-Herzegovina's Muslim communities, which by all evidence suffered most during the conflict. Analysis of the types of built heritage destroyed or badly damaged during the 1992–95 Bosnian War shows that they were overwhelmingly religious, and overwhelmingly Ottoman, or associated with Muslims or Islam. Out of a pre-war total of 1,144 mosques and other Islamic religious structures, almost 1,000 were destroyed or damaged during the conflict.¹¹

The Bosnian War, 1992–95: The erasing of memory

The Bosnian War began in earnest after first Slovenia and then Croatia declared independence from federal Yugoslavia in 1991, and Bosnia-Herzegovina followed

9 See H. Walasek, above note 1.

10 Kirsten Young, "UNHCR and ICRC in the Former Yugoslavia: Bosnia-Herzegovina", *International Review of the Red Cross*, Vol. 83, No. 843, 2001, pp. 784–786; Maria Teresa Dutli, *Protection of Cultural Property in the Event of Armed Conflict: Report on the Meeting of Experts (Geneva, 5–6 October 2000)*, International Committee of the Red Cross (ICRC), Advisory Service on International Humanitarian Law, Geneva, 2002.

11 According to the figures of the Islamic Community of Bosnia-Herzegovina. See "Dan dzamija", 6 May 2015, available at: www.islamskazajednica.ba/vijesti/aktuelno/22237-dan-dzamija. Of course, many religious structures with no architectural or historic values were also destroyed as part of the same processes. In contrast, around 233 Catholic and seventy Orthodox churches (including monasteries) were destroyed or badly damaged during the conflict.

suit in March 1992. Fighting began as separatist Bosnian Serbs, led by Radovan Karadžić, who had long been working towards the ethnic division of the country, and aided by the JNA and Serbian and Montenegrin paramilitaries which moved into Bosnia from Serbia, aggressively occupied territory and embarked on the removal or elimination of the now unwanted populations. Karadžić and his supporters began implementing their long-held plan to create a separate statelet of Republika Srpska, which would be a place where Serbs and their cultural identity (inextricably linked with the Serbian Orthodox Church) would dominate and which would hopefully would eventually unite with Serbia.

But Bosnia was home to three principal ethnonational groups (Bosnian Muslims/Bosniaks, Bosnian Serbs and Bosnian Croats) living in a demographic patchwork that would be impossible to separate without violence. Bosnia-Herzegovina's capital of Sarajevo – to the separatists, the hated symbol of a cosmopolitan pluralism – was now a target, and artillery entrenched on the mountains overlooking the city under the command of Bosnian Serb general Ratko Mladić began what became the longest siege of a city in modern times.

While the conflict pitted first separatist Bosnian Serbs against the newly formed army of the internationally recognized government of Bosnia-Herzegovina (labelled by many with the ethnically determined category of “Muslim”), the latter fought in alliance with the forces of the Croatian Defence Council (Hrvatsko vijeće obrane, HVO). It did not take long, however, for secessionist Bosnian Croats, encouraged and supported by Croatia, to turn on their former allies after the terms of the Vance-Owen Plan of January 1993, with its proposals for ethnically segregated provinces, became known and the HVO moved to claim territory for an ethnically homogenous Croat para-State of Herceg-Bosna, with Mostar as its capital.¹² Once again, widespread ethnic cleansing was accompanied by the destruction of the religious and cultural heritage of non-Croat/Catholic communities, and the removal of Bosnian Muslim populations from Croat-held lands was a key aim.¹³ This “war within a war” ended with the Washington Agreement in March 1994 and the creation of the Federation of Bosnia-Herzegovina (the so-called Muslim–Croat Federation).

Global condemnation followed the attacks on iconic monuments such as the burning of Sarajevo's Austro-Hungarian era National Library (Vijećnica) in August 1992 by Bosnian Serb forces, and the destruction of Mostar's graceful sixteenth-century Ottoman Old Bridge (Stari Most) in November 1993 by Bosnian Croat forces.¹⁴ The two cities were home to many important archives, libraries, museums, and institutions and structures that symbolized a historically diverse pan-Bosnian identity – the architectural expressions of the country's

12 Herceg-Bosnia ceased to exist upon the signing of the Washington Agreement in March 1994, which ended the fighting. The Agreement created the Federation of Bosnia-Herzegovina, the so-called Muslim-Croat Federation. During the conflict, however, the separatists received substantial support from Croatia and the Croatian Army. The HVO was the military force of Herceg-Bosna.

13 Few Bosnian Serb residents remained by that time, as most had either fled or been expelled.

14 See H. Walasek, above note 1, for a fuller account of the destruction in Bosnia-Herzegovina and its aftermath.

pluralism and the holders of its cultural memory – which were now targeted by separatist troops. In Sarajevo, like the National Library, the renowned Oriental Institute, with its rich collections of Islamic and Jewish manuscripts and important Ottoman documents, was deliberately targeted with incendiary shells and its collections destroyed.¹⁵

Yet the most extensive destruction took place far from the gaze of the international media, based as they were largely in Sarajevo. It was in small towns and villages and isolated rural settings, where secessionist forces waged violent campaigns of ethnic cleansing across huge swathes of territory, that the destruction of religious and cultural property was carried out, along with multiple atrocities and human rights abuses. Here was a determined assault on the material evidence of a long-lived heterogeneity, transforming a visibly diverse cultural landscape into an apparently historically mono-ethnic domain. These were the first steps towards the creation of a mono-ethnic realm with a fictitious past, a rewriting of history in which the mayor of Bosnian Serb-held Zvornik could confidently tell journalists in 1993 of the once Muslim-majority town: “There were never any mosques in Zvornik.”¹⁶

Professor Cherif Bassiouni, the international criminal lawyer who headed the United Nations (UN) Commission of Experts appointed to document and investigate the atrocities of the Yugoslav conflicts, was convinced that neither the ethnic cleansing nor the destruction of cultural and religious property were random acts. Rather, they were the implementation of a policy made at leadership level – and it was the leaders, and not only those who carried out their orders, who should be brought to justice and held accountable.¹⁷ The work of Bassiouni and his team ultimately led to the formation of the International Criminal Tribunal for the former Yugoslavia (ICTY) in 1993 by the UN Security Council.¹⁸ The ICTY began to actively include charges related to the intentional destruction of cultural and religious property in its indictments, and its jurisprudence went on to make a distinctive contribution to the prosecution of crimes against cultural heritage, particularly in establishing that the deliberate destruction of structures which symbolize a group’s identity was a manifestation of persecution and a crime against humanity.¹⁹

For it was evident to victims and observers alike, even as the Bosnian conflict raged, that for the most part, the destruction was taking place during the

15 András Riedlmayer, “Erasing the Past: The Destruction of Libraries and Archives in Bosnia-Herzegovina”, *Middle East Studies Association Bulletin*, Vol. 29, No. 1, 1995.

16 Carol J. Williams, “Serbs Stay Their Ground on Muslim Lands”, *Los Angeles Times*, 28 March 1993, available at: www.latimes.com/archives/la-xpm-1993-03-28-mn-16253-story.html.

17 Mike Sula, “On Top of the World”, *Chicago Reader*, 4 March 1999, available at: www.chicagoreader.com/chicago/on-top-of-the-world/Content?oid=898556.

18 The ICTY was based in The Hague, the Netherlands. Its remit ended in 2017; the outstanding work of the ICTY is being carried out by the UN-established International Residual Mechanism for Criminal Tribunals. See <http://www.icty.org> for more information on the work of the ICTY.

19 Serge Brammertz, Kevin C. Hughes, Alison Kipp and William B. Tomljanovich, “Attacks against Cultural Heritage as a Weapon of War: Prosecutions at the ICTY”, *Journal of International Criminal Justice*, Vol. 14, No. 5, 2016.

aggressive campaigns of ethnic cleansing being waged against civilians. The destruction was aimed not only at removing the living unwanted “Other”, but at systematically removing the material traces of their historic presence from the landscape.²⁰ The perpetrators themselves left no doubt as to the reasons for the destruction, openly voicing their intentions to obliterate the built evidence of the expelled communities’ roots in a locality in the hopes of discouraging those who survived from ever returning. Milan Tupajić, wartime chief of the Bosnian Serb-held municipality of Sokolac, spelled this out when he testified at the ICTY and described how over a few days in September 1992, all the mosques in his municipality were demolished. Asked by a prosecutor why he thought the mosques had been destroyed, Tupajić explained: “There’s a belief among the Serbs that if there are no mosques, there are no Muslims and by destroying the mosques, the Muslims will lose a motive to return to their villages.”²¹

But we should be clear that this was far from being the equivalent and mutual destruction of cultural heritage by all three principal warring parties to the conflict – as it is still sometimes portrayed. More than twenty years of war crimes investigations and expert assessments have convincingly determined that the greatest part of the deliberate destruction of religious and cultural property took place during campaigns of ethnic cleansing, the principal perpetrators of which were Bosnian Serb forces and their allies (including the JNA and paramilitary units), who by the autumn of 1992 controlled over 70% of Bosnia-Herzegovina’s territory, targeting mainly Muslim but also Bosnian Croat populations. They were followed to a lesser extent by Bosnian Croat separatist forces which also carried out ethnic cleansing directed chiefly at Muslim, but also Bosnian Serb populations. As for Bosnian government forces, assessments have found that while they did commit grave breaches of the Geneva Conventions, they had no policy of ethnic cleansing and did not engage in such operations.²²

For it was typical of Bosnia-Herzegovina, most visibly in small towns, to find a Catholic church, an Orthodox church and a mosque (and sometimes a synagogue) within metres of each other. Now these proofs of a lived coexistence were being violently eliminated. The particular targeting of minarets and their removal from the landscape was noted as “a kind of architectural equivalent to the removal of the population, and visible proof that the Muslims had left”.²³ By the end of the war, with one exception, not a single minaret on a functioning

20 See *Final Report of the Commission of Experts*, UN Doc. S/1994/674, 1994, para. 136.

21 Tupajić was testifying at the ICTY. See ICTY, *Krajišnik*, Case No. IT-00-39-T, 29 June 2005, p. 15431, available at: www.icty.org/x/cases/krajsnik/trans/en/050629IT.htm.

22 *Final Report of the Commission of Experts*, Annex IV: *The Policy of Ethnic Cleansing*, UN Doc. S/1994/674/Add.2 (Vol. I), 28 December 1994, Introduction; CIA, *Sanitized Bosnia, Serb Ethnic Cleansing*, 5 January 1995, available at: www.cia.gov/library/readingroom/document/0001074874. See also “Ethnic Cleansing and Atrocities in Bosnia”, statement by CIA Deputy Director for Intelligence John Gannon, Joint SSCI SFRC Open Hearing, 9 August 1995, available at: www.cia.gov/news-information/speeches-testimony/1995/ddi_testimony_8995.html.

23 Colin Kaiser, *Report on Destruction of Cultural Property 09-Jul-02, Krajišnik Case*, Case No. IT-00-39, 2002, p. 4.

mosque was left intact on territories occupied by Bosnian Serb forces.²⁴ This radical transformation of the landscape was often completed by what has been called the “linguistic cleansing of toponyms” – the changing of place names to more “Serbian” names.²⁵

Many of the mosques destroyed were of little architectural value, but many (perhaps most) were of ancient foundation, and although much renewed, arguably had held important movable heritage such as Islamic manuscripts and carpets donated by members of their congregations over the centuries. Moreover, as prosecutors at the ICTY have argued, religious institutions, whatever their architectural or heritage values, have an additional spiritual value for an entire community that needs to be taken into account when considering the depth of the harm committed when such structures are destroyed, damaged or desecrated.²⁶

But some of Bosnia-Herzegovina’s most significant Ottoman monuments were purposefully obliterated. In Banja Luka, *de facto* capital of Republika Srpska and the country’s second-largest city, where there were no military operations at any time, between April and December 1993 fifteen mosques – twelve of them listed national monuments, among them the Ferhadija, a domed sixteenth-century mosque which stood at the very heart of the city – were systematically blown up, along with other monuments of the city’s Ottoman heritage such as its ancient clock tower, one of just a handful that remained across the country.

The small but strategically important town of Foča, to the east of Sarajevo near the Montenegrin border, had a Muslim majority population at the start of the war and much surviving Ottoman architecture, including the Aladža Mosque, one of the most important examples of classical Ottoman architecture in Southeast Europe, renowned for its exquisitely painted interior. Some of the war’s worst atrocities were committed against Foča’s Muslims by Bosnian Serb forces and their allies, from forced migration, murder, detention and torture to the systematic rape of scores of women and girls.²⁷ Entire Muslim neighbourhoods and all the town’s mosques had been attacked, the majority razed to the ground and their remains removed. The Aladža, the last intact mosque standing in Foča, was blown up in a huge explosion on the night of 2–3 August 1992, months after Bosnian Serb authorities had established complete control over the town. Photographs from a US satellite passing over Foča one week after the mosque’s destruction graphically show the

24 Marija Arnautovic, “Bosnia: The Village Where Hate Never Triumphed”, Institute for War and Peace Reporting, TRI Issue 642, 10 April 2010, available at: iwpr.net/global-voices/bosnia-village-where-hate-never-triumphed.

25 “Renaming Fashion”, *Transitions Online*, 12 April 1993, available at: www.tol.org/client/article/15051-renaming-fashion.html. See also “Serbs Would Change Name of Sarajevo”, *AP News*, 10 November 1992, available at: <https://tinyurl.com/yyerzuwv>; Dusko Doder, “Warring Bosnia Factions Practice Linguistic Cleansing of Geographic Names”, *Baltimore Sun*, 4 May 1993, available at: articles.baltimoresun.com/1993-05-04/news/1993124122_1_linguistic-cleansing-serbs-yugoslavia.

26 S. Brammert *et al.*, above note 19.

27 The crimes committed against the Muslim population of Foča were the subject of a number of cases at the ICTY. See ICTY, “Facts about Foča”, available at: www.icty.org/x/file/Outreach/view_from_hague/jit_foca_en.pdf.

empty space where the Aladža had once stood.²⁸ By the beginning of 1994 Foča's name had been officially changed to Srbinje, or "Serb-town".²⁹

In rural settings or on urban fringes, ruins of destroyed structures were often left to crumble, the stones lying in heaps where they had fallen. But in town and village centres there was usually active intervention. Ruins were bulldozed, debris trucked away and sites levelled so not a single trace of the structures could be seen. The levelled sites went on to be used as parking lots, markets or locations for garbage dumpsters, or were left as empty, often rubbish-strewn spaces. The remains of the Ferhadija Mosque were dumped at a municipal landfill site along with the remains of the historic Arnaudija Mosque, or thrown into a nearby reservoir, while fragments of the Aladža were discovered by a team from the Federation Commission on Missing Persons excavating a mass grave site in Foča in 2000.³⁰ Rubble from the eighteenth-century Savska Mosque in Brčko, a mosque so completely obliterated by its destroyers that even its foundations had been dug up, were found covering the mass grave of local Muslims murdered during ethnic cleansing by an ICTY excavation in 1997.³¹

It was in such an environment that the post-war recuperation of ethnically cleansed communities and the restoration of their shattered cultural memory took place. If we look at the post-conflict fate of two of Bosnia-Herzegovina's most important Ottoman monuments, the Ferhadija Mosque in Banja Luka and the Aladža Mosque in Foča, we see how long and fraught this process can be. It took until 2016 for the rebuilding of the Ferhadija Mosque to be finally completed and formally reopened, using as much of the destroyed structure as was possible through a feat of archaeology and restoration. The rebuilding of the Aladža Mosque only began in 2014, and was not completed until mid-2019.

Cultural heritage and human rights³²

It was a frequent claim (and indeed, often an insistence) of the international community in Bosnia-Herzegovina that the reconstruction and restoration of

28 See H. Walasek, above note 1, p. 34.

29 ICTY, *Prosecutor v. Dragoljub Kunarac, Radomir Kovač, Zoran Vuković (Foča)*, Case Nos IT-96-23-T, IT-96-23/1-T, Judgment, 22 February 2001, No. 47.

30 See ICTY, *Prosecutor v. Milorad Krnojelac (Foča)*, Case No. IT-97-25-T, testimony of Racine Manas, 18 January 2001, pp. 1854–1867.

31 Richard Wright, *Exhumations at Brčko*, report to ICTY, Ref. No. 02926651, 23 August 1998.

32 On the question of the right to cultural heritage as a human right, there is an increasing body of literature on the subject, particularly growing out of the reports and declarations of Karime Bennouna, the UN Special Rapporteur on Cultural Rights; see: www.ohchr.org/EN/Issues/CulturalRights/Pages/SRCulturalRightsIndex.aspx. See also Office of the High Commissioner for Human Rights, "The Destruction of Cultural Heritage Is a Violation of Human Rights – UN Special Rapporteur", press release, 4 March 2016, available at www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?Newsid=17151&Langid=E; UNESCO, "UNESCO and ICRC Partner on the Protection of Culture Heritage in the Event of Armed Conflict", press release, 29 February 2016, available at: www.unesco.org/new/en/member-states/single-view/news/unesco_and_icrc_partner_on_the_protection_of_culture_heritag-1/; ICRC, "Protection of Cultural Property – Questions & Answers", 30 October 2017, available at: www.icrc.org/en/document/protection-cultural-property-questions-and-answers.

cultural heritage destroyed or damaged during the conflict would lead inevitably to reconciliation between the formerly warring ethnonational groups.³³ Yet there is little evidence to support this assertion in the short (and even medium) term, at least. On the other hand, there are scores of examples to suggest the opposite. It is clear that in settings where there had been ethnic cleansing, and where the perpetrators of ethnic cleansing and their supporters remained dominant and their ethno-exclusivism was sustained by official structures, the return of the expelled and the restoration of their cultural and religious heritage was often violently contested. Here heritage was more frequently a source of conflict and organized aggression, particularly during the rebuilding of religious structures, with their function as clear markers of identity – the very reason they had been destroyed in the first place.

The signing of the General Framework for Peace in Bosnia and Herzegovina, known as the Dayton Peace Agreement (DPA),³⁴ in December 1995 marked the end of the Bosnian War and formalized Bosnia-Herzegovina's division into two entities: the Federation of Bosnia-Herzegovina (the so-called Muslim-Croat Federation, consisting of ten cantons) and the Serb-dominated, centralized, Republika Srpska. A huge international presence headed by a NATO-led multinational peacekeeping force and a civilian High Representative through an Office of the High Representative (OHR) oversaw implementation of the DPA; billions of dollars in humanitarian aid poured into the country in an enormous reconstruction and State-building exercise.

A central aim of the DPA was to reverse the effects of ethnic cleansing in the hope of restoring Bosnia-Herzegovina's pre-war diversity, but the unresolved dynamics behind the conflict (including the continuing influence of Serbia and Croatia) and the political settlement of the peace accord were to have a significant negative impact on cultural heritage preservation and restoration. Yet to those drafting Dayton, addressing the devastation to Bosnia's cultural heritage had been considered so essential to the peace process that Annex 8 of the treaty provided for the formation of a Commission to Preserve National Monuments. The Commission's mandate was to receive petitions to designate property of "cultural, historical, religious or ethnic importance" as national monuments, and committed entity authorities to protect and make efforts towards the rehabilitation of the designated monuments and to refrain from taking any measures that might damage them – a protection extended to monuments on the interim list awaiting a decision on designation.

33 See, for instance, *Specific Action Plan for Bosnia-Herzegovina, Preliminary Phase: Final Report*, Technical Cooperation and Consultancy Programme related to the Integrated Conservation of the Cultural Heritage, Council of Europe, Cultural Heritage Division, Strasbourg, March 1999, p. 5; "Rencontre avec Gilles Péqueux, ingénieur responsable de la reconstruction du pont de Mostar", *Courrier des Balkans*, 1 March 2003, available at: <https://tinyurl.com/y4pw47sl>; Andrea Rossini, "Ricostruire il ponte di Mostar seguendone lo 'stato dello spirito'", *Osservatorio Balcani e Caucaso*, 11 April 2003, available at: <https://tinyurl.com/y6rw6ezz>.

34 The full text of the DPA is available at: peacemaker.un.org/bosniadaytonagreement95.

Along with Annex 8, two other annexes of the DPA were also to have an impact on the reconstruction of cultural heritage: Annex 6 on human rights, which incorporated the European Convention on Human Rights and established a Human Rights Chamber (HRC), and Annex 7 on refugees and displaced persons, which included the right of return for refugees and displaced persons to live in their pre-war homes. As refugees and the displaced slowly began to return to the localities from which they had been ethnically cleansed, all these annexes were increasingly invoked in the struggle to restore and rebuild.

It might seem apparent that the restoration and preservation of Bosnia-Herzegovina's destroyed and damaged historic monuments and religious buildings should have taken place within the framework of the Dayton Agreement, supporting the return of refugees and displaced people to the homes and communities from which they had been forcibly expelled. However, the international community's involvement in heritage restoration in Bosnia-Herzegovina in the critical first ten post-conflict years was characterized by a narrow focus on a small number of high-profile projects, chief among them the World Bank-led, UNESCO-coordinated restoration of Mostar and the Old Bridge. The iconic bridge came to be extensively mobilized as a visible symbol of the ideas of reconciliation and the reconstruction of relations between Bosnia's ethnonational groups that the international community was keen to promote in the aftermath of the war.³⁵

It would be difficult to find any international actors in post-war Bosnia-Herzegovina who linked heritage restoration to the return process, or any discussions of justice or human rights for the survivors of ethnic cleansing in their discourse on heritage. Support for restoration or rebuilding projects for war-damaged or destroyed historic structures in Republika Srpska or in locations in the Federation where there was strident opposition from hostile and deeply entrenched ethnonational power structures was non-existent, as international donors feared to become involved in what they perceived as difficult and contentious settings.

Yet the majority of historic structures in need of restoration and rebuilding were in fact in just those localities where ethnic cleansing had taken place, and the most significant and most active actors involved in post-conflict restoration of cultural and religious property were the communities that had been ethnically cleansed and were now dispersed throughout Bosnia-Herzegovina, across the region and around the globe.³⁶ But the return of the ethnically cleansed was a long and contested process that did not really begin to gather pace until 2000 – five years after the end of the war.

35 See, for instance, Emily Makas, "Representing Competing Identities: Building and Rebuilding in Postwar Mostar", PhD thesis, University of North Carolina at Charlotte, 2007, pp. 324–329, available at: unc.academia.edu/EmilyMakas; World Bank, *Project Appraisal Document on a Proposed Credit in the Amount of SDR 3.0 Million (US\$4.0 Million Equivalent) to Bosnia and Herzegovina for a Pilot Cultural Heritage Project*, Report No. 19115-BiH, Infrastructure Sector Unit, Europe and Central Asia Regional Office, 14 July 1999; World Bank, *Implementation Completion Report on a Credit in the Amount of US \$4.0 Million Equivalent to Bosnia and Herzegovina for a Pilot Cultural Heritage Project*, Report No. 32713, Infrastructure Sector Unit, Europe and Central Asia Regional Office, 22 June 2005.

36 For instance, most of northwest, northeast and east Bosnia-Herzegovina (such as Prijedor, Bosanska Krupa, Bijeljina, Zvornik, Brčko, Foča, Gacko, Trebinje), and Stolac.

Reconstructing cultural heritage in post-war Bosnia-Herzegovina

Sites of contention

As noted above, it was when the survivors of forcible displacement began to return and rebuild their destroyed communities in the first decade after the end of the war that the most widespread restoration began – restoration in difficult, frequently hostile settings, and which received little support (if any) from international donors. Contact with local heritage institutions was minimal or non-existent, and even relations with those charged with implementing the Dayton Agreement could be problematic. It was in such settings that restoration clashed most forcefully with the still deeply rooted politics of ethnonational exclusivism, which did not disappear with the war's end. This was restoration by the victims of ethnic cleansing in territory now dominated and controlled by the perpetrators and supporters of the crimes against them.

It was here that the rebuilding of destroyed and ruined historic structures (inevitably, most often mosques) became highly contested, and efforts at reconstruction encountered active, sometimes violent opposition – opposition encouraged by obstructive local authorities, many of whom had been active participants or supporters of ethnic cleansing. Here restoration became a battle for justice and human rights – including the right to equality in the public space through the reconstruction of the physical markers of a community's identity. It was a battle fought for the most part far from the international media spotlight, which focused almost exclusively on Sarajevo and Mostar.

Yet the restoration of cultural and religious monuments was to be crucial in creating an environment for supporting the return of the forcibly displaced to the places from which they had been violently expelled, which were often isolated rural or small-town settings. Thus restoration became a narrative of the psychological and physical restoration of communities, the re-establishment of presence through rebuilding the visible markers of identity that affirmed a historic longevity in the landscape. Restoration also became about restoring a sense of home, of belonging and identity through the physical reconstruction of the destroyed heritage. This was also a story of community mobilization in which, as we shall see, the “absent” could play an active role in return and reconstruction as the “present” who had physically returned to their pre-war homes.

As return began, the restoration of mosques in these contentious settings often faced multiple obstructions from local authorities, including excessive delays and obstacles in issuing building permits;³⁷ refusal to order the removal of structures built on the sites of destroyed monuments or the termination of enterprises carried out on sites (like markets and car parking);³⁸ claims that

37 This was the case with the attempts to reconstruct the Ferhadija Mosque in Banja Luka, the Atik Mosque in Bijeljina, and the Kizlaragina Mosque in Mirkonjić Grad.

38 As, for example, on the site of the Kizlaragina Mosque in Mirkonjić Grad.

urban plans had been revised and mosques had been removed from the new plans or that permitted uses for the site had changed;³⁹ and assertions that the land on which the structure had stood had been socially owned and that the pre-war owner of the now non-existent building no longer had the right of use of the site.⁴⁰

Most contentious and most opposed by local authorities were the reconstruction of mosques in town and city centres. Yet until 2001 the international bodies implementing Dayton paid little attention to the growing problems with this crucial aspect of return and failed to devise a systematic policy for dealing with the issue. This lack of attention as return gathered pace led some returnee communities and the Islamic Community of Bosnia-Herzegovina (the Islamic Community)⁴¹ to take recourse to Annexes 6 and 8 of the Dayton Agreement to ensure that their destroyed and damaged cultural and religious property was reconstructed. Thus, after months of obstruction from the Banja Luka municipal authorities, on 4 December 1996 the Islamic Community filed a case against Republika Srpska at the Human Rights Chamber over its fifteen mosques in the city. It alleged discrimination and violation of the freedom of religion as well as of its property rights in connection with the continuing desecration of the mosque sites and the refusal of the authorities to issue building permits for reconstruction.⁴²

Yet this testing of Dayton implementation by the victims of ethnic cleansing through restoration of their built cultural heritage could be regarded as provocation, not only by the perpetrators of human rights abuses, but on occasion by those whose duty it was to oversee the peace agreement and support the return process. For instance, in 1999 François Perez, the OHR representative in Bijeljina, in relation to the local Islamic Community's efforts to rebuild the historic Atik Mosque on its city centre site, stated that the Islamic Community was "too extreme in its demands" and that "Maybe in time, a mosque could be built on the periphery of town".⁴³

This aim of testing returnee rights under Dayton was openly stated by the Association for the Renewal of Civil Trust in Stolac, an association of citizens from Stolac, many of them forcibly expelled. The Association's programme to systematically restore the devastated Ottoman-era core of the town faced determined obstruction, threats and violence from the hard-line Bosnian Croat

39 As in the cases of the Ferhadija Mosque in Banja Luka and the Atik Mosque in Bijeljina.

40 The social ownership obtained from the era of the post-Second World War federal socialist state of Yugoslavia, of which the Republic of Bosnia-Herzegovina was a part. On the Atik Mosque, see HRC, *The Islamic Community in Bosnia and Herzegovina v. The Republika Srpska (Bijeljina Mosques)*, Case No. CH/99/2656, Decision on the Admissibility and Merits, 6 December 2000.

41 The Islamic Community (Islamska Zajednica) is a legal entity representing the formal practice of Islam in Bosnia-Herzegovina.

42 HRC, *The Islamic Community in Bosnia and Herzegovina v. The Republika Srpska (Banja Luka Mosques)*, Case No. CH/96/29, Decision on the Admissibility and Merits, 11 June 1999. See also Brett Dakin, "The Islamic Community in Bosnia and Herzegovina v. The Republika Srpska: Human Rights in a Multi-Ethnic Bosnia", *Harvard Human Rights Journal*, Vol. 15, Spring 2002.

43 Interview with François Perez, Bijeljina, 28 September 1999, in Human Rights Watch, *Bosnia and Herzegovina, Unfinished Business: The Return of Refugees and Displaced Persons to Bijeljina. Abuses against Minorities after the War*, Vol. 12, No. 7(D), May 2000.

local administration and its supporters.⁴⁴ Restoration of the cultural heritage in Stolac, beginning with the focal structure of the sixteenth-century Čaršija Mosque,⁴⁵ was linked explicitly to testing implementation of the Dayton Peace Agreement (including Annex 8), the return process, justice for returnees and a framework for victims of persecution to exercise their human rights.⁴⁶

Yet Annex 8 was the most neglected of all the annexes of the DPA by the international community and the OHR, which took until 2001 to focus on its implementation, in which up until then it had taken little interest. Then came the disruption of cornerstone-laying ceremonies at the sites of the Osman-paša Mosque in Trebinje and the Ferhadija Mosque in Banja Luka in May 2001 by large, violent and well-planned anti-Muslim riots which the Republika Srpska authorities made little efforts to control.⁴⁷ These were tremendous embarrassments for the OHR, which now realized how it had neglected implementation of Annex 8, and brought to the fore how the issue of national monuments was being used to obstruct refugee return and community redevelopment, especially as the situation in Stolac over the rebuilding of the Čaršija Mosque was now, too, threatening to come to a head.⁴⁸

The misuse of memory: The claims of archaeology

Once it became clear that the OHR would take active measures to ensure that returning communities were able to rebuild their religious structures, another tactic came into play to try to prevent mosques from being reconstructed. This new tactic co-opted the scholarly community and what was presented as a reasonable and “scientific” reason to halt the reconstruction of mosques where structures had been razed to the ground was the alleged urgent need for archaeological investigations to investigate what other layers might lie beneath the mosque in this opportune moment.

Based on spurious or non-existent historical evidence, these claims were given a veneer of legitimacy by the active involvement of professional archaeologists and historians who provided an academic basis for these

44 See Amra Hadžimuhamedović, “The Built Heritage in the Post-War Reconstruction of Stolac”, in H. Walasek, above note 1, Chap. 6. Also see Edin Mulać (ed.), “Written Memory against Apartheid in the Municipality of Stolac”, in *The Revival of Stolac*, Association for the Renewal of Civil Trust in the Stolac Municipality, Sarajevo, 8 July 2001.

45 Sometimes also referred to as the Careva, Carska, Emperor or Imperial Mosque. Its reconstruction was completed in 2003.

46 See the opening declaration in Edin Mulać (ed.), “Crimes in Stolac Municipality (1992–1996)”, in *The Revival of Stolac*, Association for the Renewal of Civil Trust in the Stolac Municipality, Sarajevo, 2001, reprint with addenda.

47 “Riot Halts Bosnia Mosque Building”, *BBC News*, 7 May 2001, available at: news.bbc.co.uk/1/hi/world/europe/1317366.stm; Radio Free Europe/Radio Liberty, “Bosnian Serbs Sentenced over Mosque Incident”, *RFERL Newswire*, 29 April 2002, available at: www.rferl.org/a/1142665.html; Beth Kampschror, “News from Bosnia: RS Leaders under Pressure”, *Central Europe Review*, 25 May 2001, available at: www.pecina.cz/files/www.ce-review.org/01/17/bosnianews17.html; OHR, “High Representative Appalled at Trebinje Violence”, press release, Sarajevo, 5 May 2001, available at www.ohr.int/?p=56153.

48 On the events of June 2001 in Stolac, see A. Hadžimuhamedović, above note 44.

assertions, sometimes through “expert” seminars and publications, which presented the wartime act of destruction, although usually described as criminal, as ultimately beneficial, by allowing an exploration of the site and a deeper understanding of Bosnia-Herzegovina’s past.⁴⁹

But these proposed archaeological investigations had a single aim: to “prove” that a Christian church had once existed on the site before the Ottoman conquest of Bosnia-Herzegovina, and that it had been destroyed so that a mosque could be constructed on its site. Preventing the reconstruction of the mosque, according to this tactic, would right a historical injustice. A common feature of claims of the prior existence of a church on a mosque site was to cite the work of prominent Bosniak (Muslim) historians. The need for archaeology as a tactic to try to delay or prevent the reconstruction of mosques was used at the sites of the Atik Mosque in Bijeljina, the Ferhadija Mosque in Banja Luka and the Osman-paša Mosque in Trebinje (all in Republika Srpska), as well as the Čaršija Mosque in Stolac and the Šišman Ibrahim-paša Mosque in Počitelj (in the Federation).

In Stolac, the forcibly displaced began to return and to assert their rights to their heritage and identity in the public space. Stolac municipality had been ethnically cleansed of Muslims and Serbs by Bosnian Croat forces, its Ottoman heritage devastated and its mosques and Orthodox churches razed to the ground in one of the most notorious acts of cultural destruction of the Bosnian War. Few now visited the once lovely stone-built town, whose devastated landscape was likened to post-Second World War Dresden. Stolac’s post-war municipal government was (and still is) dominated by hard-line Croat nationalists who promoted a cultural identity for Stolac that was meant to be purely Croat and Catholic.

From spring 2001, the returnees to Stolac began to make plans to reconstruct the Čaršija Mosque in what had once been the centre of the little town, with its harmonious complex of Ottoman structures, but was now its blank empty heart. To those who wanted to rewrite the cultural memory of the town as a place without a Muslim presence, the reconstruction of the mosque would be the start of the re-Ottomanization and Islamization of Stolac. The local Catholic priest Don Rajko Marković and the Roman Catholic Bishop of Mostar, Ratko Perić, encouraged the belief that an earlier Christian structure had existed on the site of the mosque and argued for the importance of carrying out archaeological investigations on the site.⁵⁰ Marković applied for planning permission to construct a church on the site where the mosque had once stood.

The “evidence” for the existence of the church (given the name of St Ann) consisted of local legends and speculation on the possibility that the mosque might have been built on top of a church in a work by the respected Bosniak (Muslim)

49 Such as the academic round table held at Stolac on 5 October 2001, entitled “The Stolac Region in the 16th Century: Religious and Political Situation” (see more below), and “Povijest Hrvatskog Počitelja” (“The History of Croatian Počitelj”), held at Počitelj in 1996.

50 Zvonko Dragić, “Who Are Victims of Apartheid in Stolac?”, *Hrvatska Rijec*, 3 September 2001.

historian Hivzija Hasandedić.⁵¹ Hasandedić later publicly condemned this wilful misinterpretation of his text.⁵² Bishop Perić, meanwhile, took a morally righteous line, writing that the rebuilding of the Čaršija Mosque would be “a fresh act of irreligion, injustice and immorality” if the restoration of a mosque went ahead – just as it had been a crime to destroy the mosque in 1993, it would be just as much a crime to reconstruct the mosque on top of a Christian sacred site.⁵³

A “scientific” justification for archaeological investigations taking place was provided by a round table held at Stolac in October 2001. A host of Croatian and Bosnian Croat professional archaeologists and historians provided an academic framework and respectability for its findings. Between them, the gathered experts confidently asserted the former existence of a church on the site of the Čaršija Mosque. The round table participants condemned the purported destruction of the supposed church by the Ottomans in the sixteenth century as a crime against humanity that could never “expire” and an injustice that needed to be righted in the present. They demanded that archaeological investigations be carried out at the mosque site in a pursuit of “truth” and “justice” that should be supported by the international community.⁵⁴

Such credible, apparently rigorously “scientific” and “professional” calls for archaeological investigations at sites where historic buildings had been destroyed (always mosques on the verge of being rebuilt) were occasionally able even to persuade otherwise well-intentioned heritage professionals of all ethnicities to declare their support for this supposed chance to explore Bosnia-Herzegovina’s layered past. However, it was clear that these calls for excavations were focused solely on preventing the reconstruction of the mosques at the heart of towns which had been ethnically cleansed and where the ethnically cleansed were now returning. The Office of the High Representative began to take a strong stance on the many continuing attempts to obstruct the reconstruction of mosques, including calls for archaeological investigations, and refused to permit any such investigations to take place.

The single exception was at the site of the totally destroyed Atik Mosque in Bijeljina, now in Republika Srpska, near the Serbian border. Here, twenty-two pre-Ottoman medieval Christian tombstones, of the type known in Bosnia-Herzegovina as *stećci*, some with inscriptions in Cyrillic, as well as a number of unassociated human remains, *had* actually been uncovered in December 2002 while the

51 The book referred to was Hivzija Hasandedić, *Muslimanska Baština Istočne Hercegovine (Muslim Heritage in East Herzegovina)*, El Kalem, Sarajevo, 1990.

52 Amra Hadžimuhamedović, “Cultural Memory in Stolac – Destruction and Reconstruction”, in Amra Hadžimuhamedović (ed.), *Human Rights and Destruction of Cultural Memory: The Stolac Case*, Norwegian Helsinki Committee, Oslo, 2005, p. 278.

53 Senad Mehmedbašić, “Second Letter to Bishop Perić”, Association for the Renewal of Civil Trust in the Stolac Municipality, 22 September 2001, p. 5.

54 Zvonko Dragić, “Croat Scientists Appealed for Protection of Cultural-Historical Heritage: Their Bosniak Colleagues Ignored Gathering!”, *Hrvatska Rijec*, 29 October 2001; Don Luka Pavlović, “Slučaj Sultanove Džamije u Stocu u Hercegovini”, *Biskupije Mostar-Duvno i Trebinje-Mrkan*, 30 November 2002, available at: www.md-tm.ba/clanci/mostar-prilog-dijalogu-između-krscanstva-i-islama.

surviving foundations of the mosque were being excavated in preparation for its reconstruction. Here the OHR did permit a strictly time-limited excavation.

The discovery galvanized the local Bosnian Serb media and led to claims by some residents that what had been found were the remains of a medieval church and cemetery, the skeletons, the bones of long-dead Christians. Opposition to the rebuilding of the mosque led to candlelight vigils for the souls of the Christians over whose graves the mosque had allegedly been constructed. A coalition of six local Serb NGOs called for a “multi-national and multi-religious facility, as a symbol of co-existence” to be constructed on the site, rather than the mosque, threatening to resort to “unconstitutional measures and activities” if their demands were not met.

The excavations were to be the last in a series of delays and obstructions to the rebuilding of the Atik Mosque, which, despite a Human Rights Chamber ruling of 8 March 2001 that the permit for the reconstruction of the mosque should be issued within three months, had not been allowed to begin until December 2002. However, the OHR consistently and explicitly cited the HRC ruling regarding reconstruction of the mosque and its protection under Annex 8 of the Dayton Agreement as the basis for its decisions. Those who had been prevented from carrying out excavations at the site of the Čaršija Mosque in Stolac were roused to accuse the OHR of double standards in sanctioning the excavations at the Atik Mosque.

The excavations at the Atik Mosque site were carried out by a team of archaeologists from the Zemaljski Muzej (National Museum of Bosnia-Herzegovina) in Sarajevo and heritage institutions in Republika Srpska. The team conclusively agreed that no previous church had existed on the site and that the tombstones had been brought from elsewhere solely to be used as foundation stones for the original construction of the Atik Mosque in the sixteenth century. The human remains were actually those of Muslims who had been buried in a long-disused graveyard near the mosque. The obstructionists, however, declared that the remains of a church would surely have been found if only the archaeologists had kept digging. After a presentation of the results of the excavations, reconstruction of the Atik Mosque resumed in the spring of 2003.

This misuse of archaeology was not just a feature of the early days of the return of the ethnically cleansed, but continues into the present. Here we return to Foča to look at the case of the razed sixteenth-century Careva Mosque. It was not until 22 October 2012 that the foundation stone for the reconstructed mosque was finally laid, more than twenty years after the original building had been destroyed. But just as reconstruction was about to begin, the local Serbian Orthodox Church authorities demanded that work on the site stop, contending that (as in Stolac) the mosque had been built on the foundations of a church – in this case an Orthodox church. They insisted that archaeological investigations took place to establish the “facts”.⁵⁵

55 See “Arheolozi ne ugrožavaju obnovu hrama”, *Glas Srpske*, 11 November 2012, available at: www.glassrpske.com/lat/drustvo/vijesti/Arheolozi-ne-ugrozavaju-obnovu-hrama/100493; “Arheolozi istražuju lokalitet fočanske Careve džamije”, *Tuzla Live*, 20 April 2013, available at: tuzlalive.ba/arheolozi-istrazuju-lokalitet-

This was despite the site of the Careva Mosque having been a designated national monument since 2004 and the Islamic Community in Foča having been granted planning permission from the Republika Srpska authorities to start rebuilding. Many wondered why it had taken seventeen years since the end of the war for the Serbian Orthodox Church to raise this question. Once again, as at Stolac, the Serbian Orthodox Church officials based their “evidence” on the writings of a Bosniak historian – claims made by Alija Bejtić in an article from 1956, but whose interpretation had been comprehensively dismissed by later historians.⁵⁶

Nevertheless, work was suspended while archaeologists from the Republika Srpska Institute for the Protection of Cultural, Historical and Natural Heritage in Banja Luka excavated the site. But there was no question now that the reconstruction of the mosque would take place, whatever the attempts at obstruction. By the end of April 2013 the archaeological investigations were completed and though the foundations of a pre-Ottoman structure were uncovered at the site, there was no evidence they had been for a church and the reconstruction of the Careva Mosque resumed.

Sites of memory: Constructing a virtual Bosnia

A crucial role in keeping alive the memory of what had been lost through destruction and absence was played by the scores of town and village websites created by refugees and the internally displaced during and after the war.⁵⁷ Created at a time when internet usage was becoming widespread, these websites constructed a virtual Bosnia that enabled globally dispersed communities to maintain a vital cohesion. These websites of the ethnically cleansed were literally sites of memory, heritage and identity.

As the rewriting of the local past by the perpetrators of ethnic cleansing and their supporters began, the pre-conflict histories of towns and villages were remembered, documented and made accessible to the forcibly displaced via the pages of these websites. Sites featured galleries of pre-war photographs, old postcards and other illustrations of now-destroyed structures, townscapes, people and events from the recent and more distant past, alongside information on

[focanske-careve-dzamiije-84662/](#); “U Foči ponovno pokrenuti radovi na Carevoj džamiji”, *Oslobođenje*, 21 June 2013.

56 Alija Bejtić, “Povijest i umjetnost Foče na Drini”, *Naše starine: Godišnjak Zemaljskog zavoda za zaštitu spomenika kulture i prirodnih rijetkosti NR Bosne i Hercegovine*, Sarajevo, 1956. The designation of the Careva Mosque on the website of the Commission to Preserve National Monuments quotes and discusses this claim and later historians on the issue, available at [old.kons.gov.ba/](#).

57 See Helen Walasek, “Domains of Restoration: Actors and Agendas in Post-Conflict Bosnia”, in H. Walasek, above note 1, for more on this subject. See also András Riedlmayer and Stephen Naron, “From Yizkor Books to Weblogs: Genocide, Grassroots Documentation, and New Technologies”, in Jeanette A. Bastian and Ben Alexander (eds), *Community Archives: The Shaping of Memory*, Facet Publishing, London, 2009.

history and heritage (often transcriptions of scholarly articles), and even such commonplace yet revealing documents as pre-war telephone directories.⁵⁸

After the war's end, as parts of expelled communities began to return (or in some cases, *before* they began to return), the websites became channels for “restorative” community-sustaining actions, including fundraising for rebuilding local mosques and churches. The majority of such sites have now disappeared from the web – a huge loss of these largely unrecorded sites of community memory.

Reconstructing the heritage

Among the websites still functioning in 2019 is the more broadly based *Bošnjaci.net*. From 2006, *Bošnjaci.net* published fundraising campaigns for rebuilding ruined and demolished mosques in East Herzegovina, now in Republika Srpska. Few Muslims had returned to the area, and it was felt that the situation of those who had was the worst in the country. In 2009 the campaign openly called on Muslims not to abandon their “cultural and religious traces in the region”, urging them to be persistent in preserving their heritage and identity.⁵⁹ Thus fundraising began to rebuild and restore mosques in the small towns and villages of Nevesinje, Odžak, Gacko, Bileća, Ljubinje, Trebinje, Gornje Grančarevo, Lastva, Pridvorci and Skočigrm.

It was in such challenging settings that returnees focused on literally “restoring” their communities – including the right to visibility in the public space through the reconstruction of the built markers of their community identity, often, as we have seen, in the face of obstruction and violence from hard-line nationalist local authorities and their supporters. Looking at some of the initiatives to reconstruct Muslim cultural and religious property purposefully destroyed during the Bosnian War in areas where there had been extensive ethnic cleansing reveals the meanings that these reconstructions came to hold both for those who returned and those who did not, as well as for Bosnian Muslims and the Islamic Community more widely.

The reconstruction of such intentionally destroyed religious structures became almost an imperative for the returning ethnically cleansed, not only as part of re-establishing a sense of home and belonging, but also as a powerful act of remembrance and bearing witness, to ensure that the rewriting of history by the perpetrators of ethnic cleansing was overturned. These reconstructions took place, even, as we shall see, where the survivors of ethnic cleansing did not physically return.

58 Such sites included the now inactive www.focaci.org.

59 The original text reads: “Bošnjački je narod protjeran iz dobrog dijela Gacka, Trebinja, Bileće, Ljubinja i Nevesinja, međutim mi ne smijemo odustati od naših kulturnih i vjerskih tragova na tim prostorima. Moramo biti uporni u očuvanju naše baštine i identiteta, kako nam se ne bi ponovila islamska Španija.” See “Ramazanska akcija prikupljanja novca za obnovu džamije u Pridvorcima kod Trebinja”, 14 August 2010, available at: <https://bosnjaci.net/prilog.php?pid=38585>.

“Just as it is our duty not to forget Srebrenica, the holocaust of the Jews, it is our duty not to forget our demolished mosques.”⁶⁰ These were the words of Enis Tanović, leader of the Islamic Community in the small town of Gacko in East Herzegovina, now in Republika Srpska and not far from Foča, on 7 May 2014 as he addressed a gathering in front of Gacko’s recently reconstructed mosque – which had been among those featured in the *Bošnjaci.net* campaigns. Before the war the population of Gacko had been almost evenly divided between Serbs and Muslims, but the little town and its wider area were the scene of the violent ethnic cleansing of its Muslim population at the beginning of the war in 1992. Now, over twenty years later, not a single Muslim had returned to live in the town, although a small number had returned to live in villages nearby.

7 May was the anniversary of the destruction of the Ferhadija Mosque in Banja Luka in 1993, and the date had been chosen by the Islamic Community to be the Day of the Mosque, when Muslims were meant to reflect not only on the importance of the mosque in Islam but on the intentional destruction of mosques during the 1992–95 war.

In Gacko, Enis Tanović had tenaciously led the local Islamic Community and its reconstruction efforts – but post-war Gacko was no longer a place where Muslims could feel at home. Across the municipality, six mosques had been destroyed. Of the three that had been rebuilt since the end of the war, two were attacked again in 2001 and 2008, long after the signing of the Dayton Agreement. Early returnees trying to reconstruct their houses often found the ruins planted with landmines. Even in 2014, as Tanović addressed the gathering in front of the reconstructed mosque, anti-Muslim songs could be heard coming from nearby cafes and many walls in the town carried graffiti glorifying the convicted war criminals Ratko Mladić and Vojislav Šešelj. Despite this, Tanović felt driven by a compelling mission “to restore life in Gacko”, to restore a sense of “home”, beginning with the reconstruction of the mosques and the restoration of place – which he saw as the essential foundation for those who came after him to build on.⁶¹

In nearby Nevesinje, the local imam, Mehmed Čopelj, told a similar story as he took the author and her colleague Richard Carlton around the different religious sites in the little town and its surrounding area. We had visited Nevesinje in 2000 when we documented the destruction of cultural and religious property in Republika Srpska and had returned in 2015 to see for ourselves how return and reconstruction had evolved. As in Gacko, there had been violent ethnic cleansing of Nevesinje’s non-Serb population, including the total destruction of the town’s functioning mosques and of its Catholic church – all in the absence of any military operations. Before the 1992–95 war, Muslims had formed just over 15% of the town’s population. Yet in 2015 not a single Muslim (including Čopelj himself) had returned to live in the town itself – mainly due to fears over

60 E. Tanović, above note 3. In the original: “Isto kao što nam je dužnost da ne zaboravimo Srebrenicu, holokaust nad Jevrejima, naša je obaveza da ne zaboravimo i naše porušene džamije.”

61 Safet HadžiMuhamedović, “Waiting for Elijah: Time and Encounter in a Bosnian Landscape”, unpublished PhD thesis, Goldsmiths, University of London, 2015. p. 90. On file with author.

security – though some did live in villages nearby. For now, no Muslims dared live in Nevesinje.

Nevertheless, two mosques had been restored in the town centre, as well as the seventeenth-century Ljubović Mosque in the nearby village of Odžak (where no Muslims lived). The Čučkova Mosque, which had been used as a workshop before the war and had not been damaged, was the first to be restored as a functioning mosque. The reconstruction of the main Careva Mosque was nearing completion. The Careva had been completely demolished in 1992 and its remains (along with those of the Catholic church) dumped at a landfill site outside town.

The local Islamic Community also had permission to reconstruct a third religious structure in central Nevesinje – the Dugalića Mosque. But apart from the question of funding, as so few Muslims had returned and as they already had two functioning mosques, Čopelj was compelled to ask: “Who would go to it? We don’t need another mosque.” Yet when we saw the site of the Dugalića Mosque, it was as if the fifteen years since we had travelled around Republika Srpska looking at parking lots and heaps of stones had not passed. The unfenced site of the mosque was still being used for parking cars, still had garbage dumpsters parked on it and was still being used for chopping wood, all – in theory – illegal. Meanwhile, the nearby Serbian Orthodox Church, its precinct surrounded by a low fence, was carefully and beautifully kept.

Memorial mosques

But restoration also became a potent way of bearing witness to the historic pre-war existence of the communities who had been ethnically cleansed, of re-establishing a visible Muslim presence – even in the absence of the people themselves. Thus, in a number of locations, the expelled (but absent) survivors of ethnic cleansing refused to abandon their “cultural and religious traces” and chose to reconstruct their destroyed heritage – a phenomenon that has been called “memorial mosques”.⁶²

One of these memorial mosques was the seventeenth-century Avdić Mosque in the devastated Muslim village of Plana, with its distinctive, square, campanile-style minaret, believed to have been originally built by Christian builders from Dubrovnik on the nearby Adriatic. Plana stands near the main road running north from Bileća, even today a stronghold of support for the Serbian paramilitary leader and convicted war criminal Vojislav Šešelj. Plana’s residents were now scattered around the globe from America, Australia and Scandinavia, to places in the Federation like Tuzla, Zenica and Sarajevo.

By December 2008 the campaign for the Avdić Mosque had raised over \$10,500 from donors in amounts ranging from \$20 to over \$2,000,⁶³ and

62 Richard Carlton, “Restoring and Preserving Cultural Property in Post-Conflict Bosnia-Herzegovina”, presentation at Chartered Institute for Archaeologists Conference, Newcastle, 20 April 2017.

63 “Izveštaj o akciji obnove Avdića džamije”, *Bileća Online*, 3 December 2008.

fundraising campaigns were carried out by the Association of Citizens of Bileća in faraway Chicago. Yet reconstruction took a considerable time: while the main structure of the mosque was rebuilt by 2010, there were not enough funds to complete the work, and the mosque was not formally reopened until 2013 – more than twenty years after it had been destroyed. When the author visited the mosque in 2015, not a single person had returned to live in the devastated village, and its houses remained empty, roofless shells. The first *mevlud*⁶⁴ for a quarter of a century was held at the mosque in May 2017 to celebrate its 400th anniversary, bringing together former residents displaced by the war and even the descendants of those who had left after earlier conflicts.⁶⁵ But the return was only temporary, and Plana remains a village empty of residents. Only the recent dead have returned to stay permanently, buried in the graveyard beside the mosque.

Conclusion

Thus we have seen how the restoration and rebuilding of cultural and religious property intentionally destroyed during war in pursuit of creating visibly mono-ethnic spaces could be a difficult, drawn-out and often violently contested process. When cultural heritage has been instrumentalized during wars and conflicts, neither the perpetrators of the destruction nor their victims are able in the short or even medium term to embrace forgetfulness. Far from leading to reconciliation, restoration of the destroyed cultural heritage in Bosnia-Herzegovina was more frequently a source of conflict, particularly during the rebuilding of religious structures, with their function as clear markers of identity – the very reason they had been destroyed in the first place.

64 In Bosnia-Herzegovina a *mevlud* is a Muslim celebration featuring Islamic recitations, songs and poems honouring the birth of the Prophet Muhammad.

65 “U Planoj kod Bileće obilježena 400-ta godišnjica izgradnje džamije”, *Međžlis Islamske Zajednice Mostar*, 3 May 2017, available at: medzlistmostar.ba/u-planoj-kod-bilece-obiljezena-400-ta-godisnjica-izgradnje-dzamiije/.