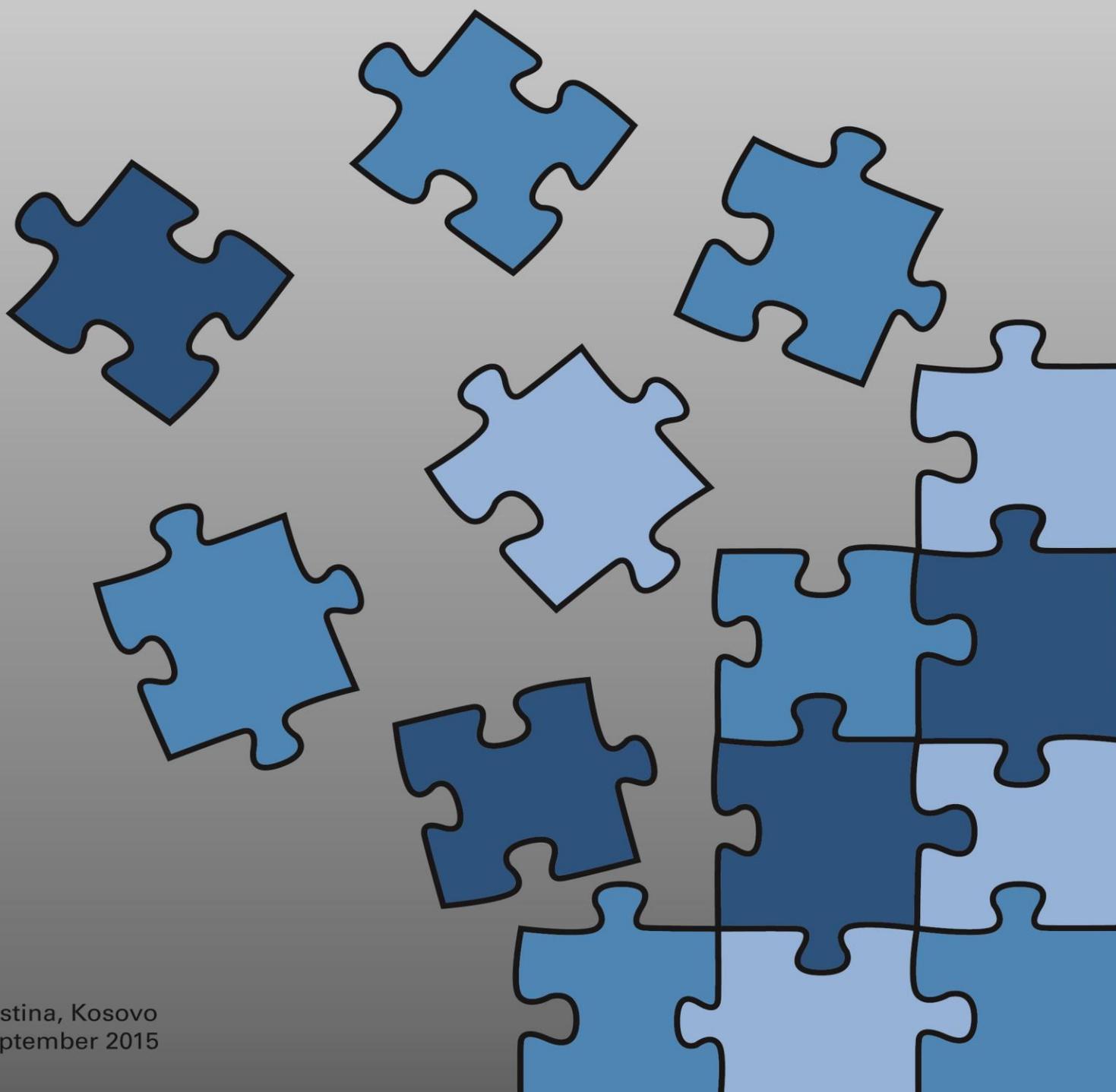




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POST-WAR MEMORIALISATION AND DEALING WITH THE PAST IN THE REPUBLIC OF KOSOVO



Pristina, Kosovo
September 2015



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CONTENTS

| | |
|---|-----------|
| i. Acronyms | 5 |
| 1. Introduction | 6 |
| 2. Recommendations | 7 |
| 3. Memorialisation | 8 |
| 3.1 Defining Memorialisation | 8 |
| 3.2 Linking Memorialisation to Transitional Justice | 9 |
| 4. Methodology | 11 |
| 5. Official Memorialisation Policy in Kosovo | 11 |
| 6. Analysis | 12 |
| 6.1 Memory is not institutionalized | 12 |
| 6.2 Ethno-nationalist approach | 13 |
| 6.3 Socio-realist aesthetic and heavily gendered approach | 14 |
| 6.4 Individualistic approach | 16 |
| 6.5 A New Law | 17 |
| 6.6 A New Practice | 18 |
| 6.7 A New Philosophy | 19 |
| 7. Conclusion | 21 |
| 8. Bibliography | 22 |

i. ACRONYMS

| | |
|------|--|
| EU | European Union |
| KLA | Kosovo Liberation Army |
| ICTJ | International Centre for Transitional Justice |
| ICTY | International Criminal Tribunal for the Former Yugoslavia |
| NATO | North Atlantic Treaty Organization |
| NGO | Non-governmental Organization |
| PDK | <i>Partia Demokratike e Kosovës</i> (Democratic Party of Kosovo) |
| UN | United Nations |
| UNDP | United Nations Development Program |

1. INTRODUCTION

In post-conflict societies transitional justice measures are an essential part of processes of state building and democratization.¹ Academic discussion increasingly focuses on the role of transitional justice in peacebuilding. However the belief that transitional justice measures can aid these processes has been subject to much debate and criticism. It is now widely considered that in order for transitional justice to play a significant role in the development of post-conflict contexts it must assume a holistic approach. This includes a focus on measures that reach beyond the traditional, top-down, legalistic approach to justice, to measures that are more restorative and engage the wider community, as well as measures that address longstanding issues of social injustice. A holistic understanding allows for the consideration of a wider range of measures that may contribute to the realization of the goals of transitional justice. Memorialisation is one example that can assist processes of transitional justice, yet it is often overlooked.

In Kosovo there is no attempt to include practices of memorialisation within a transitional justice framework. Memorialisation in Kosovo is not only failing to contribute towards dealing with the past but its ethno-nationalist character reflecting a partisan interpretation of the past, probably hinders any such process.

The primary aims of this paper are **1)** to explore the current approach to memorialisation in post-war Kosovo, focusing on how the past is represented; **2)** to explicitly locate the theme of memorialisation in a transitional justice context. These aims are intended to encourage reflection on the links between memorialisation and dealing with the past in Kosovo.

The findings of this analysis inform a set of recommendations on how to develop a more constructive policy towards post-war memorialisation in Kosovo.

The first half of this paper provides the theoretical background to the subject of memorialisation, and the role of memorialisation within a transitional justice strategy. The second half of the paper provides the analysis of Kosovo's current memory landscape. The analysis firstly states the main concerns regarding the contemporary approach to memorialisation in Kosovo. It will then argue that in order to build a culture of remembrance that will contribute towards a wider process of dealing with the past, a new law, a new practice and a new philosophy towards memorialisation need to be developed.

¹ Essentially transitional justice refers to the way in which states achieve justice during periods of transition from violent pasts. The United Nations (UN, 2010) defines transitional justice as consisting: of both judicial and non-judicial processes and mechanisms including prosecution initiatives, facilitating initiatives in respect of the right to truth, delivering reparations, institutional reform and national consultations. The International Centre for Transitional Justice (ICTJ, 2014) adopts a similar definition explaining that: transitional justice refers to the set of judicial and non-judicial measures that have been implemented by different countries in order to redress the legacies of massive human rights abuses. These measures include criminal prosecutions, truth commissions, reparations programs, and various kinds of institutional reform.

2. RECOMMENDATIONS

CRDP advocates the establishment of legislation that provides a framework for the development of a culture of remembrance in Kosovo. We argue for recognition of the link between memorialisation and dealing with the past. The importance of a constructive policy on memorialisation, including the establishment of a national day of remembrance, should not be underestimated. CRDP stresses that this is a vital step in achieving increased awareness amongst Kosovo's present and future citizens of the need to comprehensively address the past. Kosovo remains focused on the goal of accession to the European Union (EU). Demonstrating greater commitment to addressing the past is crucial to an effective EU accession process. An improved policy on memorialisation will contribute to realising this goal.

1. **E**stablish a legal framework concerning the construction of future memorials.
 - A law must establish who is responsible for the construction of memorials in Kosovo.
 - A law must establish who is responsible for the protection and maintenance of memorials in Kosovo.
 - A law must define a set of standards that clarify the social message that is promoted; the social message should uphold the principle of inclusivity and avoid symbols of ethnic belonging.
 - The purpose and goals of new memorials must be stated.
2. A database comprising information on existing memorials across Kosovo should be established.
3. Calls for proposals on memorialisation projects should be opened as an international competition - stronger competition stimulates drive for better design. This should be reflected in the law.
4. A national day of remembrance for *all* victims of the conflict must be established.
5. Future memorialisation projects must include a range of actors.
 - Include survivors of violence in the process – local ownership must be enhanced.
 - Consult all stakeholders including local communities, NGOS, victim groups, local municipalities, artists, historians and youth groups.
6. Links must be established between memorial sites and education programs.
 - Integrate educational programs – both formal and informal, with memorial sites to encourage a critical dialogue on the past.
 - Harness the potential to use memorial sites to educate about war and conflict globally and contemporary human rights issues.
7. Memorials alone must not be viewed as sufficient in terms of addressing past wrongs; eg *Heroinat*.²

² *Heroinat* is the official memorial dedicated to victims of sexual violence during the 1998-9 war in Kosovo. The project was government sponsored. It was unveiled on the 12th June 2015 in the center of Pristina. It is discussed later in this paper.

3. MEMORIALISATION

3.1 DEFINING MEMORIALISATION

Commemorative practices shift the act of remembering from a state of mind to an activity. Memorialisation becomes a tangible framework for the act of remembering.³ Pierre Nora coined the phrase *lieux de memoire* (sites of memory), referring to the desire to retain tangible items to keep past memories active within 'popular consciousness'. Memories develop as a result of viewing cultural forms but they are also attributed to cultural forms. These forms are used to build relations to, and perceptions of the past.⁴ Museums, memorials, exhibitions, preserved ruins, films, the naming of streets, commemorative days and ceremonies are all forms of memorial⁵. They are all capable of articulating a past and thus shaping memories and, in turn, future narratives. These institutions of 'cultural memory'⁶ effectively act as an archive of preserved memories, which are then reactivated to become part of the collective memory.

Traditionally museums and memorials existed to support national historical narratives. They helped to define national identity and often they told heroic national tales. In contemporary societies it is increasingly rare that they hold such authority⁷. Following the example of Holocaust memorialization, museums and memorials now frequently stand as admissions of guilt, giving priority to the memory of victims whilst simultaneously acting as warning for future generations. Such developments within the field of museology and memorialization have seen history museums replaced by so-called 'memory museums' and 'memorial museums'.⁸ These are defined as not just;

'sites of academic and institutional history but as spaces of memory, exemplifying the shift from a perceived authoritative master discourse on the past to the paradigm of memory which supposedly allows for a wider range of stories about the past.'⁹

The suggestion that memorials increasingly allow for a wider range of stories about the past should be considered with skepticism. In societies emerging from conflict, there is often a desire to promote a particular narrative through the manipulation of the past in order to legitimize the current political order. For example a memorial to the Tutsi victims of the genocide in Rwanda fails to incorporate acknowledgement of some 200,000 Hutu victims of subsequent repression. The Kiyamba Prison in South

³ Andrew Jones, *Memory and Material Culture*, 2007, p45.

⁴ Barbara Misztal, 'Collective Memory in a Global Age: Learning How and What to Remember', *Current Sociology*, 58 (1): 24-44, 2010.

⁵ Dacia Viejo-Rose, Memorial functions: Intent, impact and the right to remember, *Memory Studies*, 4 (4): 465-480, 2011, p466.

⁶ Jan Assman, 'Communicative and Cultural Memory', in Astrid Erll and Ansgar Nünning (eds.), *Cultural Studies: An Interdisciplinary Handbook*, 2008, p109.

⁷ Silke Arnold-de Simine, 'Memory Museum and Museum Text: Intermediality in Daniel Libeskind's Jewish Museum and W.G Sebald's Austerlitz', *Theory, Culture and Society*, 29 (1): 14-35, 2012, p15.

⁸ Simine, 2012, p15.

⁹ Simine, 2012, p15.

Lebanon exists as a memorial site to victims of the conflict but it simultaneously denounces the enemy. Graffiti in Northern Ireland commemorates particular groups' 'martyrs' and 'heroes', thereby promotes a very one-sided reflection on the past¹⁰. Consequently, while memorialization has the capacity to support a process of dealing constructively with the past, it can also act as an obstacle. The narrative that suits the dominant political order is likely to be at the expense of marginalized communities. It reinforces a particular group's sense of victimization and injustice, and encourages ethnic intolerance. Memorials provide opportunities to accuse others while promoting a particular ideological agenda. Memorials that constantly reinforce a victim/perpetrator narrative and support the idea of 'otherness' perpetuate social divisions and may promote or even legitimize further violence. Memorialization is therefore a highly politicized and sensitive process.

3.2 LINKING MEMORIALISATION TO TRANSITIONAL JUSTICE

The paradigm of transitional justice inevitably overlaps with the paradigm of memory, as both rely on the documentation, preservation and presentation of the past. Despite this overlap, memorialisation, as the tangible embodiment of the act of remembering, has for a long time been overlooked as a valuable component of transitional justice. As the level of international pressure on states to commemorate past atrocities is beginning to increase, a greater emphasis is being placed on the role of memorialisation within a transitional justice framework, and standards concerning the role of the state in practices of memorialisation are beginning to become more commonplace.¹¹ This is exemplified by the fact that truth commissions have explicitly recognized the value of memorials as a symbolic means of reparation in the aftermath of conflict.¹² Certain United Nations standards now also insist on the duty of remembering.¹³

A growing emphasis on the role of memorialization in post-conflict societies is in part a response to the increased attention to forms of restorative justice. A legal and political discourse dominates transitional justice. It is understood as a process that seeks to put in place mechanisms that tackle past injustices, nurture healing and prevent further similar atrocities. Formal structures are established that aim to address these issues. Trials and truth telling may be cathartic but may also fuel tensions as they emphasise the division between perpetrator and victim. Memorialisation, however, offers an opportunity for a more inclusive, nuanced, and socially orientated approach to dealing with the past. Sensitively handled, memorialization may assist the realization of some of the goals of transitional justice. It can contribute to an exposure of truth; it can act as a form of symbolic reparation to victims of

¹⁰ Baraslou, Judy and Baxter, Victoria. (2007). *The Urge to Remember: The Role of Memorials in Social Reconstruction and Transitional Justice*.

¹¹ Naidu Ereshnee, *The Ties that Bind: Strengthening the Link Between Memorialisation and Transitional Justice*. CSVR Centre for the Study of Violence and Reconciliation, 2006, p2.

¹² The Chilean National Truth and Reconciliation Commission, the South African Truth and Reconciliation Commission and the Guatemalan Truth Commission made recommendations that highlighted a need for the memorialisation of past atrocities.

¹³ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 'Memorialisation and Democracy: State Policy and Civic Action', *International Centre for Transitional Justice*, 2007, p21.

conflict, and it can serve as a reminder and educational tool for present and future generations. It can promote the rhetoric of a non-recurrence of violence. The impact of memorials in shaping future memories, myths and attitudes should not be undervalued; memory strategies must therefore be recognized as integral to overall processes of democracy building. It should be a responsibility of the state to ensure that a policy on memory is incorporated in a broader process of transitional justice. This is however a responsibility to be supported by historians, civil society organizations, museum curators, academics, as well as others who have the ability to help develop conditions within which historical dialogue is encouraged. Failure to harness the strengths of constructive memorialization would be a missed opportunity to enhance peacebuilding in post-conflict societies.¹⁴

Memorialisation projects should suggest that memory does not provide a direct path to the past; rather it is a vision of the past that moves with fluidity according to the present. This elusive nature of memory, unlike traditional historical narratives, allows space for reflection and interpretation. Memorialisation, as a framework for the act of remembering, should therefore reflect this nuanced nature of interpreting the past. Indeed, a more comprehensive understanding of the temporality of memory has begun to alter memorial aesthetics. Memorials are increasingly abstract in order to encourage reflection. The famous Holocaust memorial in Berlin, comprising of a series of different sized concrete blocks, was intended to spark feelings of uncertainty and unease in order to stimulate 'sober introspection.'¹⁵ The abstract design seeks to encourage an ongoing process of critical reflection that acts as a reminder that the past must not be consigned to history but rather it must remain within public consciousness.

For memorialization to effectively contribute to the goals of transitional justice it must be a thoughtful process that engages a full range of stakeholders, including survivors of the conflict. 'Process is paramount' and the more successful memorials are those that promote 'dynamic performances of civic engagement or democracy'¹⁶. Furthermore memorials that fail to include any sort of education regarding what they represent run the risk of seeming 'frozen in the past.' In other words they fail to offer anything constructive for future generations to learn from. Simply 'enshrining past suffering in memory alone is as likely to blind one to new injustices and contribute to a narrow obsession with self or a narrow group, (rather than) play a sensitizing role or stimulate the moral imagination.'¹⁷ Indeed, the Holocaust memorial in Berlin initially received criticism for the fact that the original plans for the site did not incorporate an information center. Some feared that without information to contextualize the memorial, the meaning risked being forgotten. It was argued that without an educational component from which future generations could benefit, the memorial mainly existed as a means for Germany to quell its own guilt whilst putting the issue somewhat to rest. The addition of the information center

¹⁴ Naidu Ereshnee, 2006, p2.

¹⁵ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p18.

¹⁶ Liz Ševenko, cited in Judy Barsalou and Victoria Baxter, 'The Urge to Remember: The Role of Memorials in Social Reconstruction and Transitional Justice', in *Stabilization and Reconstruction*, No. 5, 2007, p14.

¹⁷ J. Allen, cited in Alexandra Barahona de Brito, Paloma Aguilar, Carmen Gonzalez-Enriquez (eds.), *The Politics of Memory: Transitional Justice in Democratizing societies*, 2001, p38-9.

helps to balance this argument.¹⁸ Memorialisation that encourages an exploration of contested memories and promotes debate, dialogue and critical thinking, the pinnacles of democracy, is more likely to help support the goals of transitional justice.

4. METHODOLOGY

Little attention has been paid to the issue of memorialisation in Kosovo since the 1998-9 war. There is therefore a lack of literature on the subject. Consequently this report does not rely solely on desk research but it reports further data collected through semi-structured interviews. It is important to bear in mind that memorialisation, in relation to transitional justice and dealing with the past in Kosovo, remains a very new and unexplored subject area. Nonetheless there are important questions that we can begin to address and this paper intends to help lay the foundations for further discussion and future practice over the issue of memorialisation in Kosovo.

Semi-structured interviews were conducted with individuals with knowledge of the subject of memorials and dealing with the past in post-war Kosovo. The interviewees contributing to this research were from The War Crimes Research Institute, The National Democratic Institute, UNDP Kosovo, Forum ZFD, a professor from the Department of Sociology in the University of Pristina, a professor from the Gender Studies Program at the University of Pristina and another professor from the Gender Studies Program, also working with *Alter Habitus*.

The interviews were intended to assist understanding of the current approach to memorialisation in Kosovo and to gather personal opinions and perspectives from the respective interviewees. The interviews offered perspectives regarding current problems, and also included suggestions concerning how to move forward with this issue in a constructive manner. Framework questions amongst others included: 'What are the main concerns regarding the issue of memorialisation in Kosovo?'; 'What factors are currently considered in the implementation of memorials and who is consulted?'; 'Do you think memorials have a role to play in supporting initiatives aimed at coming to terms with the past in Kosovo?'; 'Do you think memorialisation can be incorporated into a broader framework of transitional justice?'

5. OFFICIAL MEMORIALISATION POLICY IN KOSOVO

There is only one memorial site in Kosovo enshrined by law. The Draft Law on Agency for the Management of Memorial Complexes of Kosovo offers legal oversight of the Adem Jashari Memorial Complex in Prekaz. The site marks the commemoration of the massacre of Adem Jashari, founder of the Kosovo Liberation Army (KLA), and the fifty-six members of his extended family who were killed under armed fire in March 1998.

¹⁸ Sharon Chin, Fabian Franke, Sheri Halpern, 'A Self-Serving Admission of Guilt: An Examination of the Intentions and Effects of Germany's Memorial to the Murdered Jews of Europe', *Humanity in Action*, <http://www.humanityinaction.org/knowledgebase/225-a-self-serving-admission-of-guilt-an-examination-of-the-intentions-and-effects-of-germany-s-memorial-to-the-murdered-jews-of-europe>, 2011.

The government made the decision to mark 5th-8th March as the official commemoration to remember the Jashari family and the KLA forces. This is now the largest annual commemorative event. The 27th April is the National Day of Missing Persons in Kosovo, which marks the memory of the Mejë/Meja massacre. The 5th May is also remembered as the Day of the Martyrs, here again the focus is predominately the memory of the fallen fighters of the KLA. There are also a number of localized days of remembrance that commemorate different sites of massacre (Interview 1).

6. ANALYSIS

6.1 MEMORY IS NOT INSTITUTIONALIZED

All interviewees were critical of the absence of an institutional approach to memorialisation in Kosovo. There are a number of annual commemoration days but there is no national day of remembrance for *all* victims of the conflict. Other than the legislation concerning the Adem Jashari Memorial Complex in Prekaz, no other memorial has been constructed within a legal framework. Consequently the memorials that have appeared are not required to abide by certain standards nor is there a conscious effort to ensure they are protected and maintained.

It was apparent in the interviews that there is much uncertainty regarding who is responsible for the construction of memorials. It is unclear who takes care of them or exactly how they are funded. The vast majority of memorials, particularly those constructed in the immediate aftermath of the war, are private initiatives, undertaken by victims' families or by the Association of War Veterans. In some cases initiatives have been implemented

“There is no one to say, “No you cannot build this memorial here.” Interview 4

by the Municipalities. The *Alter Habitus* 2011 study was unable to clearly identify which organization within the Municipalities is responsible for the construction of memorials and whether there is a common framework across all Municipalities. There are no planning restrictions in place so memorials can be constructed more or less in any place, at any time, by anyone. This is problematic as dispute may arise if memorials become obstacles to further construction. As of yet, no empirical, comprehensive data has been gathered concerning memorials across Kosovo (Interview 6).

The confusion concerning memorials is exemplified at the Marina Memorial in Skenderaj, a memorial to KLA fighters. The site was funded by international money and built in 2005 but after much neglect on the part of the Kosovo authorities the decision was taken by the donors to close the site in 2014. It

“There is only one piece of legislation that offers protection to memorials. We have to think about how this makes the families of other victims feel. One individual is remembered and his site protected, meanwhile others are shown no recognition. They don't even know where their family members are.” Interview 4

seemed there was disagreement within the parliament over who is responsible for the maintenance of memorials.¹⁹

One interviewee highlighted a further consequence of the problem of the lack of government legislation regarding the implementation and protection of memorials: the Association of Journalists placed a plaque in Northern Kosovo to commemorate two Serb journalists who went missing during the war. 'Every year it is removed, and every year the association tries to replace it. There are calls for government protection over matters like this but so far there has been nothing' (Interview 4). Furthermore, the same interviewee believed that any NGO that has attempted to implement a joint initiative representing all ethnicities, has not received government support. There was a youth initiative that attempted to raise awareness of *all* missing persons but the names of non-Albanians were removed and consequently the memorial dismantled.²⁰

6.2 ETHNO-NATIONALIST APPROACH

Kosovo remains a divided society so memorialisation is characterized by its ethno-nationalist way of reflecting the past. There are a number of monuments that exist to honor the memory of civilians killed in massacres, however as is the case across the whole Balkan region, others are frequently representative of national identity, legendary tales of victory, and the great virtues of individual martyrs. This version of memory politics arguably risks keeping 'the exclusive and divisive emotions of war years alive.'²¹

Following the end of the Cold War, memorials were taken away if they did not fit with the preferred political narrative. Many former communist states across the ex- Soviet bloc saw the destruction of elements of their existing memory landscape. East Germany for example, saw the very rapid removal of Leninist style monuments after the collapse of the Berlin Wall. Similarly, after the Kosovo war many Yugoslav monuments were removed without analysis. Interviewees commented on the fact that it is as though a period of history has been erased. One interviewee explained how 'the year 1999 effectively became 'year zero'. The past was deleted and everything began again through a process of nation building' (Interview 2). As mentioned previously, the manipulation of the past in order to suit the current political order presents a narrow and inaccurate depiction of history.

“There is a tendency to cut all ties with the past and to create a new perception of self. This is extremely dangerous.”
Interview 2

¹⁹ Edona Peci, Kosovo MPs Outrages as War Memorial Closes, *Balkan Transitional Justice*, <http://www.balkaninsight.com/en/article/kosovo-mps-slam-government-on-memorial-neglect>, 2014.

²⁰ Anna Di Lellio and Caitlin McCurn, 'Engineering Grassroots Transitional Justice in the Balkans: The Case of Kosovo', *East European Politics and Societies*, 2(1), 2012, p11.

²¹ Lutz Schrader, 'Monuments and politics of identity in the Western Balkans', *Made in KS: Periodical dedicated to learning from the past in Kosovo*, 11, 2012, p6.

The narrative surrounding Adem Jashari is the dominant narrative in the process of nation building in Kosovo. Jashari represents resistance and therefore acts as a reminder of the obligation not to forget those who helped to liberate the nation. Rather than uphold a narrative of victimhood the story gives Albanians agency and represents the commitment to independence.²² *Alter Habitus* revealed in their focus group in Gijilan/Gnjilane that the Jashari memorial site is important because it represents freedom and his own personal sacrifice

that must not be forgotten. One of our Interviewees pointed out that although this is the dominant narrative, there may be conflicting interpretations within the same ethnic community concerning how Jashari is remembered.²³ This interviewee expressed the opinion that ‘it is difficult to challenge the narrative of Jashari as a hero, whether Albanian or Serb, because you will be seen as a traitor’ (Interview 4). This dominant, top-down representation of the past allows little room for a plurality of narratives within Kosovo’s current memory landscape.

6.3 SOCIO-REALIST AESTHETIC AND HEAVILY GENDERED APPROACH

“They don’t take much care when constructing these memorials, not much thought goes in to them.”

Interview 5

Aesthetically the majority of memorials reflect the socio-realist design from the communist era. Most interviewees agreed that they hold no artistic value. The socio-realist aesthetic is out dated and is in contradiction to the Kosovar goal of developing stronger Euro-Atlantic relations.²⁴ In line with the goal of nation building, many depict strong fighters and symbols of war. Most interviewees commented on the fact that the current style of memorials in Kosovo is aggressive, masculine and threatening. One interviewee felt that it is ‘the fear that the war has not ended that pushes people to represent a community of warriors – as strong and as masculine as possible’. The failure to comprehensively address the past ‘keeps alive the notion of the continued need to fight for liberty’ (Interview 2). This notion is arguably encapsulated within

many of Kosovo’s monuments. This is a concerning and uninformative message to relay to present and future generations.

Many of the socio-realist style memorials do not necessarily reflect the true identity of the person or people they purport to represent (Interview 2/5). One interviewee gave an example of this saying memorials in Kosovo help to sustain myths: ‘The monument of Agim Ramadani depicts a strong warrior type figure, when in actual fact he is remembered as a quiet man who read a lot. Being a fighter was not

²² Anna Di Lellio and Stephanie Schwandner-Sievers, ‘The Legendary Commander: The Construction of an Albanian Master Narrative in Post-war Kosovo’, *Nations and Nationalism* 12(3), 2006, p526.

²³ Anna Di Lellio and Stephanie Schwandner-Sievers, 2006, also refer to this.

²⁴ Valur Ingimundarson, ‘The Politics of Memory and the Reconstruction of Albanian National Identity in Post-war Kosovo’, *History and Memory*, 19 (1), 2007 p95.

his identity but this is the story we tell to our children' (Interview 2). These memorials ignore what it is to be an ordinary man or women both in times of conflict and in post-conflict recovery.

“The current memory landscape implies that all Albanians were shooting at Serbs, or were massacred by them. There is a tendency to redesign memory as reflecting Albanians as warriors and nothing else.” Interview 2

Indeed, all interviewees stressed the need for greater attention to the role of women in memorialisation efforts. The current memory landscape is in line with patriarchal norms and so presents further obstacles to women seeking to challenge the male dominated status quo²⁵. Men and women inevitably played very different, but significant roles during the conflict. For example the central role of women in the underground resistance movement *Ilegalja* during the 1990s was an essential contribution to national liberation and state building. This movement however is not visible in the collective memory of Kosovars today. It is clear that ‘after the war the battle of recognition was won by men.’²⁶ In other words, ‘women have no significant place in the official and private memorials dedicated to martyrs of the struggle.’²⁷ Current memorialisation projects in Kosovo arguably help to reinforce the idea that society is built by men and women are passive and devoid of agency.

Recently there have been tentative approaches to addressing the issue of war-time sexual violence. The memorial *Heroinat* was unveiled on June 12th 2015 in Pristina, dedicated to victims of sexual violence during the 1998-99 conflict. Most interviewees were however critical of this memorial. Dissatisfaction was expressed over the fact that there was no wider process of societal discussion, or attempt to engage and consult those affected by the issue. There is no attempt to provide local ownership over

“To deny the victims local ownership over this sort of memorial is a colonization of their experience of pain.” Interview 6

this memorial and so it can be interpreted as carelessly speaking on behalf of the victims of sexual violence (Interview 6/7). This is of course an extremely complex and sensitive issue, as sexual violence remains a highly stigmatized topic. Societal attitudes towards victims of sexual violence continue to make it incredibly difficult for people to come forward to seek support or consultation of any kind.

Most interviewees agreed that the construction of *Heroinat* was too obviously a throwaway political gesture rather than an offer of genuine support for the victims of sexual violence. The memorial is vacuous without a real discussion concerning the issue. There has been no discussion in Belgrade

²⁵ Elife Krasniqi, ‘Memorials in Kosovo Today’, *Made in KS: Periodical dedicated to learning from the past in Kosovo*, 6, 2011, p5.

²⁶ Elife Krasniqi, ‘Ilegalja: Women in the Albanian Underground Resistant Movement in Kosovo’, *ProFemina*, Special Edition 2, Summer/Fall, 2011, p14.

²⁷ Anna Di Lellio and Stephanie Schwandner-Sievers, ‘The Legendary Commander: The Construction of an Albanian Master Narrative in Post-war Kosovo’, *Nations and Nationalism* 12(3), 2006, p522.

regarding wartime sexual violence either. Without debate about the issue the memorial is intended to represent, it can be seen as little more than a false acknowledgment on the part of the government of the crimes committed and pain suffered.

6.4 INDIVIDUALISTIC APPROACH

A further concern raised by interviewees is that since many memorials are private initiatives, the message they represent is individualistic. There is little to represent the collective memory of the war. The current memory landscape presents a narrow image of Kosovo. It presents a story of fighting while ignoring a decade of peaceful resistance. ‘Memories are being erased, neglected, and forgotten’ (Interview 3). One interviewee referred to School Houses for example being largely forgotten, and as previously mentioned so are the women’s protests that occurred throughout the 1990s.²⁸ These aspects of Kosovar history are not part of the collective memory yet they have the potential to provide a constructive, informative and educational message of human struggle and non-violence to future generations. A number of interviewees suggested that there should be a memorial

“Some are really strange. They don’t give a message of what really happened. There is no social story. There is no physical representation of the collective memory of the war.”
Interview 2

reflective of the ten-year civilian struggle against Serbian oppression. It is ‘not just President Ibrahim Rugova that should be memorialised but the two million Kosovars that also lived through this period’ (Interview 2). One interviewee was of the opinion that after the war memory was split between the ‘peace wing’ and the ‘war wing’. The PDK, as the party immediately in power after the war, ‘capitalized on the memory of the KLA and a lot has been done to discredit the peaceful resistance of the 1990s in favor of the memory of the KLA’ (Interview 5). Another interviewee spoke similarly when explaining that while ‘the macro-narrative is that of the armed struggle and the KLA, the micro-histories of the struggles of ordinary people in everyday life are missing. These issues are not discussed and they are not present in memorials. If

ever they are discussed they are marginalized’ (Interview 6).

Failure to harness the collective memory of war – both the memory of peaceful resistance and the experience of common suffering, not only fails to support the development of relations across ethnic groups but it also may exacerbate divisions within the same ethnic community. Priority is given to the memory of martyrs and members of the KLA, rather than ordinary civilians. Furthermore, as one interviewee suggested, failing to offer a gesture of remembrance that is representative of the wider society does nothing to mitigate potential competition of victimhood between KLA members and

²⁸ Elife Krasniqi, ‘Ilegalja: Women in the Albanian Underground Resistant Movement in Kosovo’, *ProFemina*, Special Edition 2, Summer/Fall, 2011, p4.

ordinary civilians, as well as competition between ordinary civilians killed as a result of NATO bombings, and those killed by the KLA or Serb soldiers on the ground (Interview 4).

6.5 A NEW LAW

There is a strong need for a new law that monitors and regulates the construction of memorials. It must be made clear who is responsible for the maintenance of memorials. Legislation should state particular requirements and standards that memorials must uphold.²⁹

A number of interviewees argued that after the war there was a sense of euphoria that led to the construction of memorials. The time was not taken to develop a more restrained approach that could have precipitated better outcomes regarding a policy for memorialisation. There was no discussion concerning the establishment of a framework for memorialisation to embody a 'more modern, universal, or more human approach' (Interview 5). At present the language used to describe the reason for the memorial is often provocative. Memorials need to avoid language of hate (Interview 1). A legal framework for memorials needs to promote inclusivity by avoiding symbols of ethnic belonging and demonstrate an understanding of common suffering (Interview 6/7). Memorials are increasingly recognized as form of symbolic reparation.³⁰ They are more likely to fulfil this role if they are representative of the wider society rather than being representative of specific individuals. They should however not only be understood as a form of reparation. This undermines their potential to act as spaces for democratic and educational engagement. A new law should also seek to uphold the educational capacity of memorial sites.

“Criteria needs to state who should be responsible for building memorials, and the social message that is to be promoted.” Interview 1

²⁹ The official memorialisation policy for Cape Town, South Africa, explicitly states a number of desired outcomes that memorials are to adhere to. For example Article 3.2.4 states the City's commitment to 'guarding against the use of memorialisation for sectarian purposes or party political gain.' Article 3.2.7 states the City's commitment to 'fostering partnerships across City departments to ensure an integrated organizational approach to the construction of new memorials.' Memorialisation Policy in Cape Town is constructed in tandem with a broader development plan. A priority of the development plan is the establishment of an inclusive city. Article 4.1.4 of the Policy on Memorialisation states that 'an inclusive city is one where everyone has a stake in the future and enjoys a sense of belonging. Memorialisation is one way to foster greater understanding and build cohesion within communities'. A policy document such as this provides an example of a legal framework that demonstrates a commitment to upholding democratic principles through memorialisation.

See full policy document here:

http://www.capetown.gov.za/en/PublicParticipation/Documents/HYS_Memorialisation_policy_Draft_10_15_Jan_2014_for_pp_English.pdf

³⁰ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 'Memorialisation and Democracy: State Policy and Civic Action', *International Centre for Transitional Justice*, 2007, p21.

6.6 A NEW PRACTICE

In instances where the government has taken initiative to construct a memorial in respect of victims, for example *Heroinat*, the integrity of the project is not necessarily trusted. This is due to the lack of political or societal discussion surrounding the wider issues at hand, as well as the lack of societal engagement in the process of constructing the memorial (Interview 4/6). As a result of the common manipulation of the past and the politicization of memory, government memory initiatives will likely be treated with suspicion.³¹

“It takes work to turn something into public art that can be engaging, that is not closed, that can invite multiple perspectives, that does not predetermine categories.” Interview 7

A new practice needs to be acquired that involves the engagement of a range of stakeholders in order to mitigate these suspicions. In line with international standards for successful memorialization projects, memorials in Kosovo need to operate as a ‘process’ that promotes historical dialogue if they are to do more than simply dictate a particular version of the past. Key stakeholders to be included in such a process are; historians, NGOs, community groups, urban planners, artists, youth groups and victim associations. An ICTJ report warns that governments may ‘commit an egregious error by not incorporating victims in the creation and programming of the (memorial) site’.³² The inclusion of survivors of violence in memorial projects helps to transform them from victims, to active agents for change who can participate in the delivery of justice.

Argentina provides good examples of memory projects that involve close collaboration between government agencies and civil society. For example in Buenos Aires the ‘Walk of Human Rights’ was created inside the city’s Indo-American Park. It is a space of reflection dedicated to the 30,000 victims who disappeared during the Argentine dictatorship. The tourism, development and environmental government agencies worked together with NGOs, environmental groups and human rights groups, as well as with local residents, who all participated in discussion about the concept and design of the project.³³ It is essential that the construction of a memorial is accompanied by a broader process of dialogue, which encourages a plurality of perspectives in order to uphold the principles of democracy.

In the aftermath of the construction phase, the lens through which memorials are viewed and understood needs also to be discussed. Discussion and process surrounding memorials should be recognized as being as valuable as the finished result.³⁴ As a number of our interviewees asserted, the incorporation of an educational element to memorial sites, as well as the establishment of links between memorial sites and formal and informal education programs is crucial in terms of integrating memorials in to a wider process of addressing the past (Interview 6/7).

³¹ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p21.

³² Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p30.

³³ Memoria Abierta, <http://www.memoriaabierta.org.ar>, 2015; Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p25.

³⁴ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p30.

“Memorials need to be analyzed, debated and discussed, rather than simply occupy a public space.”

Interviewees also expressed the need for a documentation of all memorials in Kosovo, comprising a photograph, a description, and information regarding when the memorial was built, who built it and who funded it. This could help to open up discussion and provide insight into what these memorials mean to people, how they are understood, and how they make people feel.

An additional point to make in relation to the development of a new process is that future memorial projects should be presented as international competitions. National and international actors should be encouraged to put forward ideas. Competition encourages creative thoughts and this will help steer away from the current socio-realist aesthetic.

6.7 A NEW PHILOSOPHY

It is necessary to develop a new philosophy behind the concept of memorialization. There needs to be increased recognition of the role of memorialisation in dealing with the past. Crucial to this is the development of an increased understanding of the educational capacity of memorials. Furthermore by engaging with a range of actors memorialisation in Kosovo needs to be recognized as an opportunity to bring the stories from ordinary civilians into the public sphere.

District Six Museum in Cape Town, South Africa, is an example of a memorial site that provides an educational space for ongoing discourse on the past. Its existence relies on the inclusion of stories from ordinary civilians. The site stands in memory of what was once a vibrant, mixed community. In 1966 authorities declared the district a ‘whites only’ area and some 60,000 nonwhite residents were forced from their homes and businesses. The museum was created in one of the only public institutions that was not demolished. Former residents of the district were invited to the museum to contribute objects from their past and to write down their memories of places and events on a map that depicted the original lay out of the district. The museum provides a space within which dialogue and encounter with others is made possible. It is now a space for other forms of public expression, including theatre and art exhibitions that focus on promoting historical dialogue. It holds an archive of oral histories as well as acting as a sponsor for educational programs about the past. The museum has also acted as a court through which former residents sought land reparations.³⁵ Sites such as this help to bring stories from ordinary civilians about the past to public attention, while providing a space for educational engagement from which future generations are able to learn from.

“Everyday stories remain in the shadows. We need to think about how we can turn our attention to the ordinary citizens - we need to hear from a range of groups.” Interview 6

³⁵ Baraslou, Judy and Baxter, Victoria. (2007). The Urge to Remember: The Role of Memorials in Social Reconstruction and Transitional Justice; District Six Museum, <http://www.districtsix.co.za/>, 2015.

Memorialisation projects should be recognized as a way in which the past can be used to stimulate discussion on political projects besides a promotion of ethnic belonging. Memorials need to find points of common understanding. For example memorialisation projects should seek to address questions of social justice, respect for diversity and problem solving through democratic channels that eschew violence. Memorial sites should be recognized as potentially drawing attention to ongoing conflicts around the world. Rather than focusing only on a specific nationalist message they may speak more generally of wider struggles and generate reflection on the consequences of violence and injustice.

As one interviewee questioned, 'We have to ask, what story are Kosovo's memorials telling to future generations, and visitors?' (Interview 2). It is vitally important to remember that what appears in memorials is as much about the future as it is about the past. The symbolism of these memorials must be questioned. The Kosovo government and others must reflect on whether they assist in the delivery of long term peace or whether they help to sustain a latent conflict.

**“Memorials need to be questioned – there needs to be a shift in mentality.”
Interview 2**

Greater recognition of the importance of memorials comes from a greater recognition of the importance of dealing with the past more generally. There is a need for more public hearings, public discussions, and informal education programs that help to focus attention on understanding the past, and the importance of dealing with the past in order to build the future (Interview 6/7).

7. CONCLUSION

An overriding problem is that there is no institutionalized approach to memory in Kosovo. The majority of memorials are private initiatives constructed either by family members in memory of their relatives, or by the Associations of War Veterans. There are no standards by which memorials are to abide by. They therefore predominantly focus on individuals and the glorification of the KLA. There is little debate concerning the communal suffering experienced throughout the 1990s. The aesthetic of most memorials is outdated and antipathetic to the goal of closer pan-European or Euro-Atlantic relations. Women are barely visible in Kosovo's memory landscape. Memorials do not exist as a process of civic engagement and they do little to constructively educate or act as a warning for future generations. There is little evidence of discussion regarding the role of memorialization in terms of reflecting a 'broader shared global consciousness'.³⁶ Kosovo's institutions and civil society have a long way to go in terms of developing a culture of remembrance.

Concerns regarding memorialisation are connected to other pressing issues that relate to the delivery of justice in post-war Kosovo. The approach towards memorialisation arguably reflects the way in which the legacy of the conflict has been dealt with. In the aftermath of the war, the sole focus on retributive justice and the role of the International Criminal Tribunal for the former Yugoslavia (ICTY) was arguably at the expense of simultaneously establishing a more restorative, socially oriented approach to the delivery of justice (Interview 6). There is minimal discussion regarding the importance of comprehensively addressing the past in Kosovo. It is important to generate social debate that raises awareness of the necessity to deal with the past. It is precisely not dealing with the past that helps to retain the feeling that the conflict is not over. The sense that identity remains threatened perpetuates the desire to continue to assert a strong national identity, as is evident across the current memory landscape in Kosovo. Without a comprehensive approach to addressing the past, there is no delivery of justice and therefore no sustainable peace.

As stated at the beginning of this paper, a range of mechanisms must be adopted in order to meet the needs of those who have suffered during conflict and to aid the wider process of societies coming to terms with the past. Memorialization projects alone, cannot deliver the goals of transitional justice but they can offer support. They have the potential to create spaces for democratic engagement and foster a commitment to human rights in new generations.³⁷ They can present the past as something that should not be consigned to the realms of history, but as something that if not dealt with sensitively, may surface again. If memorialisation projects adopt sensitive and inclusive methods that stimulate dialogue and critical reflection, they have potential to contribute to a broader strategy of transitional justice.

³⁶ Anne Whitehead, *Memory*, 2009, p150.

³⁷ Sebastian Brett, Louis Bickford, Liz Ševenko, Marcela Rios, 2007, p28-30.

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