

# Correspondence on the trial of Slobodan Milosevic

27 March 2002

The following correspondence was sent in response to the three part series, "The Hague Tribunal: Milosevic charges NATO with war crimes", the first part of which was published on February 28. It includes two replies by Chris Marsden to criticisms made.

Dear Sirs:

Today I read an article on your website entitled "The Hague Tribunal: Milosevic Charges NATO with war crimes." I find it completely unconscionable that you could write such an article in defence of a man such as Slobodan Milosevic. Despite all the information to the contrary you seem determined to present Milosevic as some kind of innocent and unwitting victim who bore no responsibility for what transpired during his watch. In your article you state, "[Milosevic's] version of what took place [in the Balkans] contains far more truth than the equally self-serving account presented by the Western Governments that provides the political underpinnings of the present trial."

The fact of the matter is that Milosevic is at best a corrupt and morally bankrupt individual. At worst Milosevic personifies an evil that Europe has not witnessed in nearly half a century. Even accepting your premise that Milosevic is completely innocent of any war crimes or ethnic chauvinism, he indisputably remains a man who led his country to economic ruin over a 10 year period, launched at least one war of aggression (against Croatia) in which thousands perished, and used his position of power to enrich a corrupt minority at the expense of the common people of Serbia.

However Milosevic's crimes as leader of his country cannot be ignored.

Milosevic ruled over a state that systematically mistreated and eventually murdered its minorities. He systematically dispossessed and disenfranchised an entire community of Kosovar Albanians to the point that they took up arms to oppose his rule. In Palestine you laud those fighting for Palestinian independence as freedom fighters and label the Israeli Prime Minister Ariel Sharon a war criminal for his efforts to oppose them. Yet in the context of Kosovo all Milosevic did was preside over unfortunate "casualties on all sides," and 800,000 Albanian refugees were merely the result of an innocent "movement of the population during a time of civil war".

During his ascent to power, Milosevic created a climate that encouraged Serbs to see themselves as victims of historic wrongs and therefore created an environment in which war became not a tragedy to be feared but a welcome opportunity to recapture past glories and divert the population from their government's shortcomings. To a much greater extent than his contemporary, Franjo Tudjman of Croatia, Milosevic harbored ambitions outside of his country's recognized borders. He provided material support and encouragement to Serb leaders in the Krajina and in Bosnia. Throughout the war many of the Serb commanders in Bosnia, including Ratko Mladic, remained on the Yugoslav army payroll. To absolve him of responsibility for the actions of these subordinates is akin to suggesting Hitler bears no responsibility for the Holocaust simply because he only preached genocide rather than actually worked the gas chambers himself.

Despite these facts, your website has consistently defended Milosevic just as it defends the Taliban, Saddam Hussein, and just about any other repressive regime existing in the world. Your policy, so far as I understand it, is that anyone who objects in any way to the democratic tradition is to be lauded and applauded.

Your website seems to be interested in the perpetuation of an anti-western, anti-democratic agenda rather than the enlightenment of the working class. You deride the mainstream news media for bias and lack of perspective while at the same time using your own outlet to pronounce a constant stream of vitriol with little evidentiary support and no pretense of balance or perspective whatsoever.

Rather than providing solutions to problems faced by working people your policy, so much as you have one, seems to have as its cornerstone the defense of monsters such as Milosevic and Hussein and the promulgation of distortions and outright falsehoods regarding the situation in other countries.

Most of the letters you post on your site congratulate you for having the courage to tell the 'truth.' I hope that you have the courage to post this letter as well.

Regards,

JM

*Chris Marsden replies:*

Your response to my series of articles is dishonest. You seek to present me as a defender of Milosevic and the *World Socialist Web Site* as the advocate of various politically disparate movements or individuals you define simply as "repressive regimes" opposed to democratic traditions.

You can do so only by ignoring the wide-ranging political critique we have made of Milosevic, the Taliban, Saddam Hussein and any other individual or movement you care to add to your indictment against the *World Socialist Web Site*. When dealing with the articles on The Hague Tribunal, you are forced to quote dishonestly in order to back up your assertion of an attempt to defend Milosevic. To give one example, the first quote you cite reads in full:

"Milosevic was naturally keen to present himself in the best possible light at all times and no objective observer of Balkan events over the past two decades would fail to acknowledge that he shares political responsibility for the tragic events of the 1990s. But the fact remains that his version of what took place contains far more truth than the equally self-serving account presented by the Western governments that provides the political underpinnings of the present trial."

You simply omit the direct reference made to Milosevic's culpability. We have on many occasions written articles attributing to Milosevic his full share of the responsibility for the Balkan tragedy, but it is not sufficient to state—as you do—that "Milosevic is at best a corrupt and morally bankrupt individual" or that he "personifies an evil that Europe has not witnessed in nearly half a century" while dismissing whether or not he is "innocent of any war crimes". The Hague is mounting a purportedly legal trial, in which it must prove personal and direct responsibility for war crimes. If its task is simply to mount an altogether

hypocritical denunciation of Milosevic's nationalist and undemocratic politics on behalf of the Western powers, then it is indeed a political show trial rather than a legal process.

In this respect the real purpose of your email is to oppose the political thrust of the articles, which was to draw attention to the primary responsibility for the Balkan events held by the imperialist powers of the United States and Europe. On this you have absolutely nothing to say, a fact that renders your indignant response hypocritical and self-serving.

Sir,

I have been waiting, impatiently, for someone besides CNN and Christianne Amanpour to analyze the Milosevic trial and I think I have found an excellent one. Christianne is so slanted in her presentations and omits so much pertinent detail that I become almost physically sick. Yet she is the one that the world listens to. Thanks to Internet, however, some balance can be found. Keep up the good work.

RB

Subject: Re. Part 1 Milosevic

I look forward to the rest of the series. Just a couple of thoughts:

1. Eagleberger. He, Scowcroft, Kissinger, and Bush the Elder are as deserving of a trial before an international tribunal as Milosevic. Perhaps more so (Indonesia, all of Central America, Chile, Panama, Iraq, etc., etc., etc).

2. Milosevic is at least being able to present his defense. In political trials in the US the judges and the appellate courts rule out all matters not deemed criminal. Noriega's trial is a good example. We committed a war crime by invading his nation and killing many innocents, and then abducted him for trial in the US. Whatever the Bush motives, they were not non-political. Yet he was hampered in his defense by rulings entirely favorable to the prosecution and prohibiting him from presenting evidence as to the political aspects of the charges.

In fairness, if they wish to try Milosevic, than they should be going after so many others, such as Bush the Elder, Kissinger, Sharon, and even Clinton.

RER, Orange Park Fl

Dear Editor,

Thanks once again for an excellent article on the Balkan crisis. The WWS is the only news service that I am aware of that has presented a consistent and incisive analysis of the events that have led to the imperialist show trial in The Hague. Whilst the liberal media have since the beginning of the crisis, moralised and pontificated, yet supporting the destruction of Yugoslavia, the WWS has demonstrated principled and consistent opposition not only to Milosevic's actions, but also to the machinations of the imperial powers in this part of the world... I have yet to come across a newspaper, television station or even a journalist prepared to consider, let alone examine, the criminal complicity of the major powers in the destruction of Yugoslavia.

I look forward to the further articles on Milosevic—they will be a welcome relief from the muddleheaded confusion that characterises the liberal press's response to the Balkan crisis.

EG

South Africa

Your coverage of the trial at the International Court of Justice at The Hague is—for once—way off kilter. Your justifiable suspicion of US and NATO motives for their involvement in the Balkans is leading you to build an argument that lets Milosevic off the hook and condemns a new legal process that we should be celebrating. Milosevic was fully aware of the atrocities that were being carried out in Greater Serbia's name; he was responsible for the sponsoring of them; he made a personal fortune out of the havoc that was visited on Yugoslavia and he harassed and murdered journalists who tried to expose him.

You wrote: "How can Milosevic be on trial simply as an individual, given that he is being charged precisely because he was a former head of

state?" So should the US-sponsored Pinochet not be on trial as an individual because his Generals murdered left-wing opponents over two decades ago?

Individual heads of state must bear the responsibility for their actions.

Just remember, the argument that runs: "How can a head of state be on trial simply as an individual, given that he is being charged precisely because he was a former head of state?" is precisely the one that leaders like George W. Bush will be using when the victims of campaigns in places like Afghanistan attempt to prosecute him for war crimes.

William

*Chris Marsden replies:*

The points you raise are important ones, but firstly you misunderstand what I was saying and, secondly, you clearly have political illusions in The Hague Tribunal and what it bodes for the future.

The argument I made was not to let Milosevic off the hook, but to lay the main responsibility for the Balkan tragedy where it belongs—in Washington, Bonn and London. And it is this understanding of the nature of the imperialist powers that leads us to reject the claim that The Hague Tribunal or any other similar international body can function as a mechanism for bringing dictators to justice or punishing other crimes against humanity.

Of course no one would deny that Milosevic was *aware* of atrocities perpetrated in Bosnia and Kosovo, but it remains the case that The Hague is supposed to prove that he was directly responsible for war crimes and that such acts amounted to a state policy of ethnic cleansing. The Hague prosecution bases its case on the assertion that everything that took place in Bosnia and then Kosovo was the product of the strivings of Milosevic to build a Greater Serbia through the forcible expulsion of non-ethnic Serbs.

This schema can only be sustained, however, if one ignores the vast body of evidence pointing to an imperialist campaign to destabilise Yugoslavia by deliberately fostering inter-ethnic tensions. An essential element of this campaign involved lending military backing to regimes at least as nationalist as Milosevic's Serbia, such as that of Franjo Tudjman in Croatia and funding the terrorist Kosovo Liberation Army in order to further destabilise what then remained of Yugoslavia. Hence the blind spot suffered by The Hague when it attributes sole responsibility to Milosevic. By drawing attention to the points made by Milosevic in his own defence, I attempted to show how The Hague is the creation of the imperialist powers and not an impartial court.

It was again in order to illustrate the Tribunal's political bias that I drew attention to the strange and tortured formulations employed by the prosecution regarding Milosevic being tried as an individual rather than a head of state. Of course Milosevic was being tried as a head of state—there was no other possible legal reason for him to be in the dock. So why was this point insisted on? Because the US government is opposed to setting up any international court that has the power to formally charge governments and heads of state with war crimes. The Bush administration and that of Clinton both opposed the setting up of the International Court of Justice in The Hague. They have insisted that the present Hague Tribunal—which covers only the former Yugoslavia—concludes its prosecution of Milosevic in order to make an example of him and then winds up its remaining business as soon as possible.

In future, the US has made clear that should the need arise it will try its political opponents in the same type of military tribunals as those facing the camp X-ray detainees—well away from public scrutiny and without any normal legal rights being extended to those it deems guilty.

In the meantime, all manner of despots and criminals will continue to enjoy the protection offered by being heads of state—so long as they faithfully abide by US dictate. It should be remembered in this regard that Pinochet was never prosecuted and we can confidently assert that neither will George W. Bush ever face legal sanction by a UN body.

We noted in an article published on February 22 that on February 14, the International Court of Justice in The Hague ruled that past and present government leaders cannot be tried for war crimes by a foreign state because of their diplomatic immunity and can only be held to account in their own country.

The ruling was made in response to an attempt by Palestinians to bring Israeli Prime Minister Ariel Sharon before a Belgian court on charges of war crimes, made possible by 1993 law by which Belgium gave itself the right to try war crimes committed by anyone anywhere at any time. The court determined that a former or serving government official could not be tried in a foreign court because “throughout the duration of his or her office [the minister], when abroad, enjoys full immunity from criminal jurisdiction”. This was so whether or not the accused was abroad on official business or in a private capacity.

As we commented, “The court stressed that the judgement does not have any bearing on the trial of former Yugoslav President Slobodan Milosevic, as he is being tried by an international body, the United Nations, and not by a foreign government. But this legal technicality aside, the International Court of Justice has made clear that it wishes to see only those deemed to be acting contrary to the interests of the imperialist powers facing prosecution and not their political allies such as Sharon.”

It is the working class that must make a political reckoning with nationalist politicians such as Milosevic by building a movement in the Balkans and internationally based upon the principle of socialist internationalism. The imperialist powers and their institutions have their own political agenda and their own reasons for opposing Milosevic that do not in any way coincide with those of the international workers’ movement. If they are lent any political support, then this will only further their designs to control and exploit the Balkan region and, albeit unintentionally, would lend credence to Milosevic’s demagogic claims to an anti-imperialist pedigree.



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