

John Laughland, *Travesty. The trial of Slobodan Milošević and the corruption of international justice*. London: Pluto Press, 2007. pp. 214. £14.99 paperback.

Slobodan Milošević was the first head of state to be tried by an international tribunal. *Travesty* argues passionately that his treatment was fatally flawed. Ramsay Clark is a former US Attorney General and his foreword to John Laughland's main text sets the tone for what will follow. To Clark's mind the International Criminal Tribunal for the former Yugoslavia (ICTY) was set up to persecute further those who had already been victims of US and NATO aggression; and of specifically Milošević it is said:

‘His purpose was clear. He sought peace. He wanted to preserve and protect Yugoslavia, the federation of six republics. When he saw this was not possible, he sought to preserve and protect Serbia.’ (Ramsay Clark, *Foreword* p.xii)

From the outset, therefore, Milošević is painted as a man of principle who was doing the best he could to minimise bloodshed in his fragmenting state.

Slobodan Milošević was indicted by the ICTY on 27 May 1999, barely two months after the US had begun to bomb Yugoslavia. Laughland is quite right that the allegations against him both bolstered the NATO war effort and led to an absolutely mammoth legal set piece. The trial of the former President eventually began in February 2002 and lasted until his death on 11 March 2006. In the process it created a staggering 1.2 million pages of documentation which probably does exceed the capabilities of any given individual to digest fully. Of greatest concern, however, is the constant refrain running through Laughland's text that the ICTY employed ‘dirty’ tactics against Milošević. He maintains throughout that the tribunal employed rules and regulations stacked against the defence and that it ‘often bends the law and

established procedure to obtain convictions.’(pp.4–5) The ‘trial’ in fact was an intrinsically political event which understood ‘justice’ to require a guilty verdict.

As he constructs his bold argument, Laughland scores some good points. NATO and ‘the West’ needed the Milošević trial, he says, in order to show that an international system based on the sovereignty of individual states was now giving way to one founded on universal human rights—a framework which even heads of state should recognise or else be held accountable before. But this aim, which amounts to the staging of a show trial, is said to make for bad justice. In fact it even corrupts the very idea of a criminal justice system.(p.6)

Laughland maintains that the whole initiative of the ICTY was suspect at every level. The commission of atrocities by Serbs in Kosovo he believes to have been vastly over-stated. Hence he talks of the ‘non-existence of genocide in Kosovo’.(p.16) The author also takes time to note that much of the ICTY's funding has come from the Muslim states of Pakistan and Malaysia, not to mention from the USA.(pp.28–9) The implication, of course, is that the person who hold the purse strings sets the agenda. Laughland also makes a strong case to the effect that the ICTY is, to a large extent, a ‘prosecutorial organisation’ which thrives on an unhealthy amount of secrecy.(p.97) It seems that fully 98% of prosecution witnesses gave their testimony against Milošević anonymously.

Central to the trial, naturally, was the idea that Milošević had been leading a number of ethnic cleansing initiatives against non-Serbs, and so was engaged in a ‘joint criminal enterprise’ which amounted to the construction of a ‘Greater Serbia’. This idea of a ‘joint criminal enterprise’, incidentally, Laughland regards sceptically. He implies it only indicates that the prosecution lacked hard and fast evidence against Milošević for actual wrong-doing.(pp.115–19) So the idea amounted to a general

kind of ‘smear’ taking the place of hard and fast evidence. Meanwhile Milošević personally maintained he had never pursued ethnic cleansing in Serbia, had not persecuted anyone in Kosovo, and had tried to pursue peace in Bosnia and Croatia alike.(pp.141–2) In the former-President's favour, even prosecuting Counsel Geoffrey Nice was forced to admit in the end that Milošević had never actually spoken about the possibility of creating a ‘Greater Serbia’.(pp.144–7) It is indeed interesting to read just how difficult the prosecution found it to try to prove that there was any kind of ‘command and control’ system in place whereby authorities in Belgrade attempted to exert unifying command over the various kinds of irregular units fighting in Yugoslavia during that place's most depressing days.(Chapter 8)

For anyone who has always believed that Milošević was to blame for much of what happened in the Balkans, this book is a challenging ‘read’ which consistently poses uncomfortable questions. True, there are some gaps. The sources used make few references to anything expressed in Serbo-Croat. Trial transcripts are cited so extensively that we are left wanting them to be balanced by some other sources of information. Equally (and regardless of what the court proceedings say) we are left wondering whether it was actually possible for such a senior Serbian political figure to remain as aloof from ideas of Pan-Serbia as Laughland would have us believe. Indeed, could Milošević really have had so little influence over the Yugoslav National Army and Serbian irregulars as is depicted here? In other words, if the court at The Hague went too far in demonising Milošević, *Travesty* probably goes too far in ‘white-washing’ him.

With this said, Laughland is always clear that he writing a partisan text. So long as this is borne in mind, readers will find plenty here to make them think.

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