

The Public Defense of the Doctoral Thesis in  
Comparative History of Central, Southeastern and Eastern Europe

by

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on

“Historians as Expert Witnesses in the Age of Extremes”

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## Abstract

The thesis *Historians as Expert Witnesses in the Age of Extremes* aims to contribute to the understanding of the role of historical expertise in diverse legal contexts of the 20<sup>th</sup> century. The thesis argues that current discussions on the topic are both burdened by a holistic approach and confined in particularized national and topical frames. Hence they barely grasp effectively the variety of manifestations of historians' courtroom performance, its connection towards the role of the experts in other branches of scholarship and the specific aspects of (in)compatibilities generated by the tangled relation between history and law. In order to contribute to the refocusing of the debate, on the basis of representative clusters of cases, the thesis aspires to reconfigure the field by replacing current perceptions of the practice with nuanced differentiations between the diversity of historical expertise during the course of the age of extremes. To that end, it searches for epistemological and genealogical *preconditions* of historians' appearance in the courtroom and scrutinizes the *institutionalization* of the practice in different jurisdictions in the postwar period. Dominant paradigms of institutionalized historical expert witnessing are examined, as well as *problematizations* surrounding their amalgamation. The complexities of contemporary historical expertise are further explored through examples which evade the debated paradigms by transgressing the boundaries of particular legal systems and pose the questions of universal relevance both to lawyers and historians in the process of the *internationalization* of historical expert witnessing.

Could historians perform the role of expert witnesses in legal proceedings? And should they? The issue is passionately discussed both within legal and historical scholarship. From the very beginnings, courtroom appearances by historians were triggering heated, albeit disconnected debates. Quick and decisive responses, affirmative as well as dismissive, were offered and elaborated with unusually dramatic wording, revealing the stakes and the level of urgency. Surprisingly enough, otherwise bitterly opposed protagonists mostly agree in treating the practice as a zero-sum issue: historians are usually either perceived as useful expert witnesses, or not. The persistence of such a counter-intuitive digital divide calls for scrutiny, as it defies the varieties of historians' courtroom performance over the century. The practice of historical expert witnessing needs to be treated neither as synthetic reunion, nor an irreparable clash, but as a sensitive junction of disciplines. As the question of whether historians can testify has already been answered by the judges, and the question of whether they should remains for individual practitioners to decide, this thesis aims to create the conditions necessary for grasping the range of historians' contributions to the rendering of justice. Taking therefore the tricky path between the Scylla of holism and Charybdis of particularism, this thesis presents a case for integrated research of the phenomenon of historical expert witnessing without losing its varieties from sight. In doing so, it follows less belligerent, but no less interesting lines of questioning (such as since when which historians testify, what they say, under what conditions and with what result), in an overall effort to refocus the debate from the twofold confinement of the parochial and holistic approaches towards a more nuanced understanding of the phenomenon of a "forensic historian" and his shifting role in the 20<sup>th</sup> century.

Both research design and content were influenced by the attempt to make plausible seemingly the paradoxical thesis that the disciplinary intimacy between history and law resulted in an implicit *theory of incompatibility* that has delayed the forensicization of historiography and eventually made it more controversial.

1. To such an end, the first chapter, *Preconditions*, returns to the general evolution of expert witnessing and its gradual shifting through the sciences at the turn of the century. Such an approach dismantles some of the exclusivity unjustly attributed to historical expert witnessing. Hence its sub-chapter, *The long path towards forensic historiography*, tracks the gradual shift in expert witnessing in various social sciences, but still makes a case for history

as case-specific by taking into account its intimate and longstanding connection with law. It traces the developments in the realm of expert witnessing, emphasizing the importance of its nesting period in major legal systems by the end of the 19<sup>th</sup> century. It notes the shift from natural and applied sciences towards social sciences, alongside the heated debates on the applicability of 'soft' sciences in the courtroom by the time of the first attempts to do so with historiography in the Dreyfus and Friedjung cases. It argues that the forensicization of history was substantially delayed as it was hindered by the close proximity of history and law, giving rise to a battle for primacy and tension expressed in the interwar period as the implicit theory of incompatibility. The second sub-chapter, *The Great shift: The concept of universal human rights* examines the impact of the dramatic events of the first half of the 20<sup>th</sup> century on the sensitive balance between history and law. The examination of the context which eventually dragged the past into the courtrooms, and made historians follow it is scrutinized. It furthers the existing interpretations of the genealogy of historical expert witnessing, relating it to the great paradigm shift that had occurred by the end of the Second World War. By locating the Nuremberg trials as the landmark for relations between history and law, the thesis is not introducing something dramatically new. However, the scope of this analysis surpasses Nuremberg and encompasses the creation of a global shift towards the concept of universal human rights, leading to a massive legal rereading of the past, which was, and still is, eroding the theory of the incompatibility of history and law.

2. The second chapter, *Institutionalizations*, traces the first postwar appearances of historians as experts in both Common and Continental law. Those two paradigms of the usage of historical expert witnessing revealed both the inherent closeness of historical and legal investigation of the past, and a bitter rivalry over the interpretation of the past in accordance with the respective disciplinary requirements of historical scholarship and standards of legal procedure. Therefore the chapter explores the extent to which the postwar trials have influenced the forensicization of historical expert witnessing in continental Europe, just to reach its peak in the mid 60's with the Eichmann trial and the Frankfurt Auschwitz trial, in both of which historians took a considerable role, frequently forgotten in the contemporary debates. This paradigm, characterized by criminal cases conducted in the Continental legal setting has led to the formation of a fairly distinctive brand of historical expert witnessing. The same chapter examines the origins of historical expert witnessing in the USA. The American paradigm of global shift was more related to the domestic reception of the change in sensibilities in regards to human rights. The slow and gradual admittance of historians into American courtrooms in antidiscrimination cases, from *Brown v. Board of Education* to the Indian claims cases is in a sense mirroring the pace of the developments in Continental law, but also pointing to the major differences deriving from the predominantly civil, rather than criminal character of the cases. That led to the branding of a different kind of expert witnessing, characterized by the adversarial character of those proceedings, as opposed to the inquisitorial type of the Continental trials.
3. The third chapter, *Problematizations*, deals with the junction of the two paradigms, understood by some as the merger of the two paradigms, and by others as a clash. It follows the arguments in current debates on historical expert witnessing, focused around the concept that expert witnessing has shifted from the USA to the continent, causing the tumults in contemporary debates. It therefore examines the proliferation of historical expert witnessing in the USA, accounting for the continuation of this practice in antidiscrimination cases, and in gender related cases, with the controversies that started raging over the issue, its legal regulation and the discussions, peaking with the Sears case. It is simultaneously tracking the renewal of interest in Second World War-related cases in Europe, and is testing the theory of

transfer in the light of war crimes in France, but also in the former Yugoslavia. It points out important variations of historical expert witnessing in differing legal settings, returning to the issue of Second World War- related proceedings which have reignited at the same time in Europe, in which historians stepped forward already burdened with all the controversial aspects. It also maintains that the binary opposition towards historical expert witnessing in Common law and Continental law is not necessarily the most functional approach, as a much more flexible and plausible explanation for differences in the expert witnessing of historians comes from the nature of legal proceedings and their positioning between various paradigms.

4. The fourth chapter, *Internationalizations*, aims to further the debate by examining the merger of different brands of expert witnessing. In the cases regarding the limits of legitimate historical interpretation, historical expert witnessing proved of outmost importance. Resting on defamation cases from Zündel's to David Irvings, the chapter compares those Criminal and Civil suits within the Common law and Continental law. The encounter with the phenomenon of the legal demarcation of proper historical writing about the dark side of the 20<sup>th</sup> century turned into cases in which historians have been charged, and others testified, often transgressing the borders of their states and national historiographical contexts. Apart from this horizontal internationalization, the chapter also dwells on the spreading of the phenomenon of historical expert witnessing on the global level after 1989. Examining briefly the events in Eastern Europe following the collapse of communism, strong emphasis is given to the new advent of international criminal law, closing therefore the circle from the International Military Tribunal of Nuremberg to the International Criminal Court of The Hague, and refocusing the 20<sup>th</sup> century debates into the ones belonging to the 21<sup>st</sup>.

It would be convenient to conclude the research with a number of proscriptive statements about the past, present and future of historical expert witnessing. Such a conclusion, however, would not do justice to the complexity of the phenomenon, as the key issues of the topic are simply not for a researcher to resolve. Should historians decide to write expert reports and testify is, and will remain, their own choice. The relevance of this witnessing is, and will be assessed by the judges and juries, and its social impact will be scrutinized by the general public and interested professionals. In the hope that a contribution to the comparative history of historical expert witnessing might improve the understanding of the topic, it is the purpose of the conclusion to summarize a number of points of relevance, aimed at refocusing the debate in order to foster informed decisions in the participants of this venture. Firstly, there is nothing inherently wrong with historical expert witnessing. Claiming a *prima facie* case against it amounts to professional narcissism. There is hardly a branch of scholarship which did not at one time assume its forensic application, and this forensification as a rule produced fierce debates. Disputed courtroom expertise is as old as expert witnessing, and neither 'hard' nor 'soft' sciences are spared such feuds.

Glancing at the rapid professionalization of human knowledge around the turn of the century, coupled with the standardization of the legal process, one observes a general tension between the law and science. This tension appears in recognizable, but diverse shapes, and reaches its height in the institution of expert witnessing. The institutionalization of the tension amounts by no means to an ideal solution, but rather presents an open quest towards functional rectification of law and science. Those shifting modes of human experience are powerful forces which shape contemporary societies. Therefore, in the constant flux of their refinements, many inconsistencies of the legal process are revealed, as well as methodological uncertainties of scientific knowledge, particularly in the realm of social sciences and humanities. The discussions within social sciences on the legal merits of their contribution are even more vehement due to the stricter adherence to both theory and method and their shorter academic record. Hence the debates over the forensic application of sciences tend to turn into the battle for legitimacy of any given branch of human knowledge. Much of the *Sturm und Drang* surrounding historical expert witnessing comes from the absence of readiness to plunge methodically into the general history of expertise, and its particular manifestations in

different legal and historical contexts. Only against such a background could one plausibly assess if historical expertise brings any specificity into the general discussion. There are good reasons to assume that history was introducing a particular edge to the strained relationship between science and law. Aside from the sporadic assistance in the authentication of documents, history was among the last of the humanities to take the stand, and the debates on the merit and the purpose of such practice do stand out even within the quarrelsome world of expert witnessing. Repetitive and disconnected, these discussions are echoing throughout the age of extremes, during which historical expert witnessing never normalized itself completely. It is therefore safe to conclude that history took the stand belatedly and faced more obstacles.

Where do they come from? Rather a self-evident but too frequently overlooked point is that law and history are intrinsically intertwined, for better or for the worse. Laws are both shaping and reflecting reality. They are at the same time agents and outcomes of history. Legal systems are both bearing witness to past developments and breaking a path for future ones. Similar duality is maintained in the course of trials, as the paramount means of rendering justice. Trials both use and produce historical documents, and consequently both revisit and create history. Those multiple junctions are very sensitive, and frequently tempt jurists to act as historians, or lure historians to assume the role of judges, advocates and prosecutors. It would be hasty to conclude that the confusion would be resolved if jurists and historians would stick to their own area, because those overlaps are not occasional disciplinary trespassing. They reflect deep structural connections, traceable from the emergence of both law and history in Antiquity and their reemergence in the Renaissance. The implications of this connection remained out of sight due to the compartmentalization of knowledge production characteristic of the 19<sup>th</sup> century. Hence the events of the 20<sup>th</sup> century brought the activities of history writing and justice rendering back together, frequently on a collision course characterized by deep misunderstanding. In a strange battle for primacy historians started commenting on legal affairs, which have in turn spread to the fields traditionally explored by history. The response to this utilization came in the shape of the prevalence of the attempts to keep history and law apart. Such a response, formulated in this thesis as *the theory of incompatibility*, consisted of implicitly defining history and law as too intimate to merge. Considering those two important pillars of the Western world as “odd bedfellows” delayed the forensification of historiography.

The first cracks in this theory of incompatibility seem to have been inbuilt in its very foundations, as even their strongest proponents, such as Karl Friedrich or Hannah Arendt, felt uneasiness regarding the possibility of complete divorce between history and law. Undermined by pressure of the mutual connections of the disciplines, this crack was further exacerbated with the global change of sensibilities following the Second World War. Terrible crimes, frequently conducted within the boundaries of the legal systems of totalitarian states called for a response. How to account for those atrocities is a question which bothers the historiography of the age of extremes until this day. How to punish them presents an even larger challenge for the law. That field became wide open in the aftermath of the Second World War, prompting strong remoralisation of history, expressed in a collapse of the customary disciplinary notion of historical distance, and the similar changes in the law, expressed through the advent of international criminal law and through the re-emergence of theories of natural law in different forms. A firmer common ground for the two to meet was created through a decision to bring the evil past to trial, with rapid legal development and a number of trials, starting from Nuremberg, dubbed appropriately as “the greatest historical seminar ever held.” This postwar sensibility, symbolized by the creation of the United Nations, was characterized by the furthering of the institutionalization of international law and with the gradual advent of the civil rights movement. It was a strong initial boost to the conceptualization of trials as a means of addressing the bad past and an attempt to undo its wrongs. Over time, it transformed into a demand for a massive rereading of history in accordance with the concept of universal human rights.

Such background presents more than a general historical context, for this paradigmatic shift was one a strong driving force behind the appearance of historians as experts in postwar proceedings. As history entered the courtroom, historians were to follow, sooner or later. Both in United States, Germany and Israel,

historians came forward with expert reports and took the stand in the courtrooms in the late fifties and early sixties, in the proceedings either related to the war crimes of the Second World War or to the defense of civil rights. This happened somewhat strangely belatedly, as the very term historian in ancient Greek, among other meanings, also stands for *witness*, and also oddly as historians were frequently helping the rendering of justice, usually through help in establishing the authenticity of the documents used as evidence. However, their appearance on the stand provoked a number of controversies. The first very visible historians as witnesses appeared in the Frankfurt Auschwitz trial and in the Eichmann case. They were deployed by the prosecution, in an overall effort to provide the background for the crimes committed by the Nazis. This enormous change in the nature of historical expert witnessing, moving from authentication of documents to the contextualization of events, attracted considerable attention as well as the criticism. However, this 'German' debate got another angle in the United States, where less visible, but more profound changes happened during 1950s. Historians and social scientists alike took part in the antidiscrimination litigation. Slow and gradual admittance of historians in American courtrooms in antidiscrimination cases, from *Brown v. Board of Education* to the Indian claims cases was received with mixed reactions, but as most of the criticism was directed towards the expert contribution of 'novel' social sciences, historical expert witnessing became fully institutionalized, if not recognized as such by the mid 1960s. In what at first glance seems a major coincidence, historians became experts in the courtrooms on both sides of the Atlantic. However, although these circumstances bore no immediate connection, they undoubtedly bore much resemblance. Both in Germany and in the United States, historians stepped into the courtroom to testify about the evil past. Witnessing about the grim realities of racism, they aimed to contribute in undoing its consequences. On the wave of the proclaimed struggle toward universal human rights, historians were mitigating between this present commitment and the cultural habits of past times. As the legal system attempted to reconcile 'what is' and 'what ought to be', historians had an even more difficult task to put this trend in a historical perspective by displaying 'what was'. Their factual findings from recent or more distant past were tracking the elusive trends of human rights and their breaches, and exposing the cleavage between the proclaimed standards and their neglect in reality. Institutionalized at the brink of this cleavage, both inquisitorial and adversarial paradigms of historical expert witnessing were bound to trigger major controversies.

The problematization of historical expert witnessing grew in the 1980s and 1990s, but the practice mushroomed nonetheless. A number of carefully devised criteria set to define expert witnessing could just partially alleviate such clashes over their role. The theory of incompatibility was not succeeded by the theory of compatibility, but rather by the haphazard development and practice which largely differed from country to country and from case to case, frequently to be met with strong resistance. In the United States, the practice spread from antidiscrimination in order to cover many other legal aspects, with performances of experts frequently considered problematic. Battles of expert historians were spilling out of courtrooms and influencing the developments in mainstream academia, such as the Sears case. The other less notable but not less important cases paved a way for the new market of 'litigant historians', specialized in offering their expertise. One thing was certain: history was no more alien to legal procedure, and historians were not strangers in the courtroom. Once a blasphemous sight, the participation of a historian in a complex context in which law, politics, history and memory intertwined attracted considerable attention. Litigant character of expert witnessing was prone to give experts a bad name in the United States and beyond. Despite quite a number of precedents, each new case was containing a potential to trigger a controversy. However, this potential expressed itself to the outmost degree in the realm of Continental law, in the course of the Second World War related trials in France. The advent of historical expertise in these trials was occasionally even attributed to the influence from the United States, as the performance of experts was rather adversarial in outlook. This theory of imported expert witnessing, as tempting as it might sound, is hardly likely. The struggle to renegotiate the historical narratives about the Second World War appeared in all of Europe. This shift is usually considered to have been prompted by the collapse of Communism, which has indeed

triggered an unprecedented scope of legal activity, ranging from truth commissions and parliamentary inquiries to criminal investigations and war crimes trials. Such massive renegotiation of history followed by the transition towards democracy led many to the conclusion that an explosion of memory is happening. The belated Second World War trials were considered as important vectors of such memory, which were by no means restricted to France. Similar legal action were undertaken elsewhere in Europe, particularly in its Eastern parts, whose transitional governments were attempting to create a sustainable historical foothold, devising different ways to tackle the layers of bad past. The actual outlook of those proceedings varied, expressing the specificities of given national contexts, but the common tendency to righten the wrongs of the past seems to be shared, as well as the vehement debates over the control of the past. Even in the region of the former Yugoslavia, devastated by atrocious warfare of the 1990s, Second World War was experience was problematized and acquired its legal dimension through belated trials and rehabilitations. Controversial attempts of legal systems to intervene into the realm of contemporary and not so contemporary past were dragging historians both into the public debate and into the courtrooms. Therefore, continental legal system presented no barrier to historical expertise, which appeared as an expression of local dynamics, not necessarily connected to the models offered by previous American and German experience with historical expert witnessing.

Still, global interest in righting the wrongs of the past through historical expertise was expressed in distinctively different outlook in Common and Continental law. However, those differences are not restricted to the issue of the adversarial versus inquisitorial practice. Important in its own right, this difference has generated much debate. In the American context, which is shared throughout the common law realm, adversarialism was pushing hostile experts into the courtroom and into mutual wars. These competitions were in turn spreading disbelief into the legal value of their testimony and of the use juries could extract from the experts. Similarly, in many European jurisdictions this competitiveness of expertise was not perceived so critically. Europeans are in fact growing suspicious with inquisitorial practices, which are enabling the judges to choose experts to their liking, pose questions as suggestive as they please and receive answers which might do no more than reaffirm the judges' preconceived opinion, or unburden the bench of unpleasant obligations. In the field of historiography, such setting could amount to judicial imposition of a given historical narrative, which is causing as much discomfort as the site of negotiated, contested and undermined historical narratives typical for a courtroom in the United States. The other related difference concerns the type of trials historians are engaged in – they were predominantly civil in the USA and largely criminal in continental Europe. The difference is striking in terms of law on evidence, as in the civil case it seems enough to persuade the court that one side is right on the basis of probabilities, but a criminal trial would in fact demand a proof beyond reasonable doubt. Whether historians could ever produce one was, and still is, a question to problematize in the debates surrounding their expert witnessing.

What might be said in respect to the meeting of the adversarial and inquisitorial paradigms, is that it was neither a clash nor a merger, but a certain amalgamation, as in the course of the 1990s many Continental legal systems acquired some adversarial aspects, which also had an impact on the role of historical expert witnessing. Paradoxically, on both sides of the Atlantic there is a recent outcry aimed at reforming expert witnessing, albeit in different directions. In the United States and to a degree elsewhere in the Common law world, legal scholars are arguing for the stronger role of judges in the process of the selection of expert witnesses, and particularly in regards to scrutinizing the admissibility of their findings. The logic behind this reasoning is that the jury should be somehow protected from the malpractice consisting of intellectual output produced by experts hired by the parties. The fear is that in the vulnerable fields of human knowledge, such as history, such a partisan approach amounts to an epistemological nihilism and does not assist those trying the facts. Whereas such concerns are behind the attempt to reform historical expert witnessing in the United States, through the imposition of court-appointed experts, continental Europe is experiencing completely the opposite development. Dissatisfaction with the expertise contracted and directed by the judge who chooses the expert as well grows particularly in the field of

history. The lack of competing narratives in the courtroom leaves a bitter taste of imposed historical accounts, strengthened by the wave of 'historical legislation', seen by many liberal observers as a straightjacket for intellectual freedom and a danger towards the very nature of the craft of historians. Therefore, continental countries are experiencing strive towards the adversarialisation of criminal proceedings, and European courtrooms might well become historical classrooms.

However, contemporary historians do not necessarily work within the confines of a given legal system. In fact, most recent cases are showing a dramatic amount of internationalization in historical expert witnessing, particularly regarding Second World War related cases. They are treated in various jurisdictions in both criminal trials and civil suits, and are a tempting field for comparative studies. Connections between the cases are not only topical, but frequently also personal. For example, David Irving who served as historical expert witness in a criminal trial in Canada himself launched a civil suit against the American Deborah Lipstadt in Great Britain, and was eventually sentenced to jail in a criminal trial in Austria. This kind of amalgamation is most obvious in transnational topics, such as the Holocaust and its denial, but also in topics which are posed by legal activities after the end of the Cold War. If those events are proof of ongoing global historical activity, they still hardly support the conclusion that there is global history writing, let alone a global community of historians. Working predominantly in national frameworks, investigating into the past which was all but good, historians have problems stepping out of the method of the contextual explanation of past wrongs. A new realm of the internationalization of historical expert witnessing opened up through the renaissance of international criminal law. Through the foundation of *ad hoc* international tribunals for Rwanda and the former Yugoslavia, the process of maintaining universal human rights standards through rendering international justice emerged in courts with limited jurisdictions. This tension between global and local, exacerbated through the mixed legal system of international criminal law, led to the wide but controversial deployment of historical expert witnessing, and debates which are bound to grow in scope in the course of the activity of the International Criminal Court.

What does it mean for historical expert witnessing? Most importantly, it is here to stay. At least five decades of historical expertise stand as proof that the practice which grew over a century will continue its existence, as well as the debates on its merits it inspires. Therefore, the academic community will have to learn not only to live with it, but also to devise ways to make the best of this critical edge, which poses a challenge to its social role, epistemological privilege, and even its ethics. Expert witnessing might therefore be seen as yet another litmus test of the changing role of historians in the age of extremes, and therefore as an example of the transformation of the discipline conceived, but not necessarily conducted as one of the cornerstones of the humanities. Therefore more ambitious forms of understanding of the phenomenon of historical expert witnessing need to move past the phase of resentment and praise toward integration of the otherwise quite disconnected pieces of this puzzle through setting a stage for less vehement task of a pedestrian mapping of the practice.



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### Education

September 2005 – December 2009	Ph.D. candidate at the History Department of Central European University, Budapest. Thesis field: Historian as Expert Witnesses in the Age of Extremes
October 2003 – June 2006	M.Phil. in General Contemporary History at History Department of Faculty of Philosophy, Belgrade University. Thesis title: "The Creation of Yugoslav Middle Eastern Policy 1946-1956"
September 2004 - June 2005	M.A. in Central European History at History Department of Central European University, Budapest. (Rank/Class Size: 1/30) Thesis title: "Clio Takes the Stand: Historical narratives in the International Criminal Tribunal for the former Yugoslavia" (Thesis awarded with a Hanak Prize for Outstanding MA Thesis)
September 1998 – May 2003	B.A. (Hons) in General Contemporary History at the Faculty of Philosophy, Belgrade University. GPA 9.55 (on a 6 to 10 scale). Title: "Pomp&Circumstances. Tito's visit to Great Britain 1953"
September 2001 – July 2002	Core Program of Advanced Interdisciplinary Undergraduate Studies at Belgrade Open School

### Professional Experience

May 2003 -	Research associate, Institute for Contemporary History, Belgrade
August 2008 –	Visiting Lecturer at the Legal Studies Department of the Central European University, Course title: "History as Context"
January 2009 -	President of the Citizen's Block, Belgrade
November 2006 -	Guest lecturer at Belgrade Open School
September 2007 – July 2008	Research internship at the International Criminal Tribunal for the former Yugoslavia and Serbian War Crimes Prosecutor's Office
September 2006 – January 2009	Director of the Centre for Critical Thinking, Belgrade
September 2005 – October 2006	Coordinator of the South East European Research Group, History Department, Central European University, Budapest
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## Professional Interests

- Historical narratives in contemporary international criminal law,
- Nonalignment and Cold War
- Globalization and Transitional Justice
- German Interwar History, Nazism and Communism

## Current Project Engagement

- *Ethnic Cleansing in the Balkans*, Centre for Critical Thinking, Belgrade
- *Legal reading of the past*, Pasts Inc&Central European University, Budapest
- *(Un)completed modernization, (un)finished integration*, Institute for Contemporary History, Belgrade

## Recently Completed Projects

- *Yugoslavia, Serbia and the Great Powers in the 20<sup>th</sup> century*, Institute for Contemporary History, Belgrade
- *Land law, cadastre and land registers in Eastern Europe 1918-1945-1989*, GZGKOE, Leipzig
- *Shaken Order Project*, Center for Advanced Studies, Sofia
- *SCOPES Project Curriculum Development*, University of Fribourg&Center for Advanced Studies, Sofia
- *Globalization and Serbian society*, Belgrade Open School

## Professional Memberships

- Member of the *Association of Researchers in Humanities and Social Sciences of Serbia*
- Member of the *Association of Historians "Stojan Novaković"*, Serbia
- Member of *International Network of Young Scientists dealing with Ethnic Reconciliation in the Western Balkans*
- Member of the *Atelier de Recherches Internationales*, Belgrade
- Member of the *Working Group on History of Racial Sciences and Biomedicine in Central and Southeast Europe*
- Member of the editorial board of journal *Forum for Transitional Justice*, published by Humanitarian Law Centre
- Member of the editorial board of journal *Hereticus*, published by Centre for Advancement of Legal Studies
- Member of the Review Team of *East Central Europe, L'Europe du Centre-Est, Eine wissenschaftliche Zeitschrift*
- Member of the *Blue Bird Committee*
- Member of the Board for European Integrations of Liberal-Democratic Party

## Lecturing Activities 2006-2009

- Belgrade Open School (1. Europe is Integrating 1938-1956, 2. The Weimar Republic of Serbia, 3. The Importance of Opening the Archives, 4. USA and the European Postcolonialism)
- USA Embassy in Serbia (1. Tito, Stalin and the Yugoslav postwar foreign policy, 2. Patterns of Violence in the Balkans)
- Petnica Research Centre (1. The Counting of the Victims of the IIWW between Science and Politics, 2. The Ethnopolitics of Death)
- Research Institutes (1. Historians and Social Scientist as Expert Witnesses in the ICTY, 2. Concept of Dealing with the Past)
- Lectures series *Yugoslavia: Making the nation – breaking the nation*, Central European University, Budapest
- Lecture series *History that matters*, USA Embassy in Serbia,
- Conference *Serbia 20 years after: The Eight Session in Historical Perspective*, Institute for Contemporary History, Belgrade

## Publications

(in Serbian, otherwise noted):

### Monographs and edited volumes

### Chapters in books

- *Personal Diplomacy of Josip Broz Tito*, Belgrade 2010 (monograph)
- *Slobodan Milosevic: Road to Power* (coed.), Belgrade 2008 (English)
- *Repression in Serbian and Yugoslav Society* (coed.), *Hereticus* 1/2007.
- *Yugoslavia Steps on the Middle East*, Belgrade 2006 (monograph)
- *Aspects of Globalization* (coed.), Belgrade 2003.
- *Les historiens comme témoins experts au Tribunal Pénal International pour l'ex Yougoslavie*, Paris 2009 (in French, in print)
- *The Eight Session on Trial*, in: Milosevic: Road to Power, Belgrade 2009. (in Serbian and English, in print)
- *The Extremisation of Yugoslav Political Discourse from the death of Tito until the Eight Session*, in: Milosevic: Road to Power, Beograd 2009.
- *Overview of the history of European idea*, in: Facets of European integrations, Beograd 2009 (in print)
- *Gainging the Trust through Facing the Past*, in: Shaken Order, Sofia 2009.
- *From Revisionism to "Revisionism": Legal Limits of Historical Interpretation*, in: Michal Kopecek (ed.), *Historical Revisionism in Europe*, CEU Press, Budapest 2008, 17-37 (in English)
- *Alternative Reading of Serbian History of Simeon Njegovan*, in: Moral and Democracy, Belgrade 2008, 292-303.
- *"The Honest Broker": Yugoslavia between the New and the Old Allies*, in: *New Foreign Policy of Socialist Yugoslavia*, Belgrade 2008
- *Juridical Memory making and the Transformation of Historical Expert Witnessing: Contextualizing the Eichmann case and the Frankfurt Auschwitz trial*, in: *European Forum of Young Legal Historians*, Frankfurt 2007, 337-358 (in English)
- *Guerilla Warfare and Ethnic Cleansing. Terminological and Conceptual Remarks*, in: *Guerilla in the Balkans*, Belgrade 2007, 219-44 (in English)
- *(Un)legitimate revisionism*, in: *Revisionism in Yugoslavia*, Sarajevo 2007, 21-42
- *The Project of Facing the Past as a Blank Spot of Contemporary Historiography: An Attempt to Bridge a Gap*, in: Olga Manojlović Pintar (ed.), *History and Memory*, Belgrade 2006, 253-266.
- *Globalization in Serbia? The Reception of a Discourse*, in: Jovica Trkulja (ed.), *The Temptations of Globalization*, Kikinda 2004, 289-307.
- *Globalization and Future*, in: Vladimir Petrovic et alia (ed.), *Aspects of Globalization*, Belgrade 2003, 265-302.

### Articles

- Biopolitical aspects of Yugoslav (un)finished modernization, *History of the 20<sup>th</sup> Century*, 2/2008, Belgrade
- Social Scientists as Expert Witnesses in the Hague Tribunal and Elsewhere, in: *Philosophy and Society* 3/2007, 103-116.
- Models of Public Memory Protection: Combating the Denial, in: *Forum for Transitional Justice* 1/2007, 131-139, 165-174 (in English and Serbian)
- The Role of Expert Witnesses in the first Holocaust related trials, in: *History of the 20<sup>th</sup> century*, 1/2007, 129-145 (in English)
- Ethnicisation of Cleansing: Scholarly Legitimization of Repression, in: *Hereticus* 1/2007, 11-36.
- Weltgericht ohne Weltgeschichte: Historians as Expert Witnesses in the ICTY, in: *Ab Imperio* 2/2007, 195-217. (in English)
- The Emergence of Yugoslav relations with Egypt, *History of the 20<sup>th</sup> Century*, 2/2005, Belgrade 2005, 111-130.
- The Attempt to Reach Anglo-Yugoslav Agreement and Stalin's Death, *History of the 20<sup>th</sup> Century*, 1/2004, Belgrade 2004, 65-80.
- The School of Good Manners, *Annual of Social History*, 1-3/2002, Belgrade 2004, 179-196.

## Essays and Reviews

- The Dynamics of War Crime Trials in Serbia, *Hereticus* 2008/1, 191-8.
- War Crimes and their Denial, *Justice in Transition*, 2008/2, (in print)
- Gaddis's Landscape of History, *Annual for Social History* XI, (2004), Beograd 2005, 192-196.
- The Shadow of Mephisto; National Socialism and German Intellectuals, in: *Collection of essays of BOS*, Belgrade 2003, 121-140.
- Hantington's Stepchildren: Religion among the Causes of the Yugoslav Wars, in: *Faith, Knowledge, Peace*, Belgrade 2005, 118-123.
- Reviews of scholarly literature on: [www.ece.ceu.hu](http://www.ece.ceu.hu), 2005. (in English)
- Reviews of scholarly literature in *History of the 20<sup>th</sup> century*, 2004-6.
- Bibliography on War&Nationalism, <http://www.scopes.cas.bg> (in English)
- Kill thy leader, Helsinska povelja March-April 2008; Cultural Model which is reproducing itself. Helsinska povelja January-February 2008, 21-22; That dark object of desire, Helsinska povelja, march-april 2008; The Book of Civic Couridge, Helsinska povelja, March – April 2008.

## Educational Material and Translations

- Europe is Integrating 1947-1958, [www.bos.org.yu/evropa](http://www.bos.org.yu/evropa), 2003.
- Politics and religion in Balkans, [http://veraznanjemir.bos.org.yu/tolerancija/tema9/Politika\\_i\\_religija\\_na\\_Balkanu.pdf](http://veraznanjemir.bos.org.yu/tolerancija/tema9/Politika_i_religija_na_Balkanu.pdf), 2006.
- Religions and EU Identity, [http://veraznanjemir.bos.org.yu/tolerancija2/srp/textovi/8\\_evropski/relevantna.html](http://veraznanjemir.bos.org.yu/tolerancija2/srp/textovi/8_evropski/relevantna.html)
- Translation of Diana Orentlicher, *ICTY's and Serbia; CIA on Yugoslavia*
- Translated texts in *Justice in transition* and *History of the 20th century*

## Debates

- Cooperation with the Hague Tribunal as Condition of Conditions of European integrations, *Danas*, 24.4.2008.
- Why following the process to Vojislav Seselj, *Danas*, 7.11.2007.
- Vojislav Seselj: Hiding behind history, *Danas*, 15.11.2007.
- Imflammatory speeches that deepened the Yugoslav Crisis, *Danas*, 1.10.2007.
- Archives of the Communist Period: Iron Bars, *NIN*, no.2911, 2006.
- Towards Historiography without surveillance, *NIN*, no.2914, 2006.

## Languages

Serbian and South Slavonic languages (native)  
English (fluent)  
German (good)  
Russian (passive)  
French (passive)  
Latin and Old Slavonic (rusty)

## Seminars, Conferences, Research Trips

- *Negotiating Modernity*, Belgrade (2009)
- *Eight Session in Historical Perspective*, Belgrade (2008)
- *New Histories of Politics*, Budapest (2007)
- *Erinnern und Vergessen*, Europaeisches Forum junger Rechthistoriker, Max Plank Institut fuer europaeische Rechtsgeschichte, Frankfurt a.M (2006)
- *Héritage philosophique, contingence historique et universalité morale: La réception du Tribunal Pénal International en ex-Yougoslavie*, Paris (2006)
- *Transitional justice in Serbia: Facing the past*, Belgrade Circle, Belgrade (2005)
- *Regional School for Transitional Justice*, Fund for Humanitarian Law, Kopaonik (2005)
- Research in London hosted by Dr Robert Anderson Fund (2003)

## Computer Skills

MS Office, CaseMap, E-court (Ringtail and Lexnotes), ZYfind

## Referees

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Professor Istvan Rev, director of the Open Society Archives Central European University, [revist@ceu.hu](mailto:revist@ceu.hu)