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WOMEN IN WAR: WOMEN WHO STAYED AND ONES WHO LEFT

Lydia Jankovic Gottlieb[†]

INTRODUCTION

I am often asked my country of origin, as my accent when speaking English betrays me. I still refer to my country as Yugoslavia, although it no longer exists.¹ I left a few years before the war to continue my studies in Canada. My ambition was to complete a doctorate in law and come back to my country enriched, not only with further education and knowledge, but

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1. Yugoslavia began as a state of people who previously lived under Austrian, Hungarian, and Ottoman (Turkish) oppression. Its first name was the Kingdom of Serbs, Croats, and Slovenes (1918-1929); then it became the Kingdom of Yugoslavia (1929-1941). In 1941, Hitler invaded Yugoslavia. This was followed by two wars: a civil war among the people of the former Yugoslavia and a war against the occupying fascist forces. The partisan guerrillas, organized by the Communist Party, won both wars. With their leader, Josip Broz (1892-1980), the Communists established the socialist federal state in which all nations would be free and equal. The first name of this state was the Federative People's Republic of Yugoslavia, which was changed in 1963 to the Socialist Federal Republic of Yugoslavia (SFRY). According to its last constitution of 1974, the SFRY was a federation of six republics (Croatia, Bosnia and Hercegovina, Macedonia, Montenegro, Serbia, and Slovenia) and two autonomous provinces (Kosovo and Vojvodina). After Tito's death, the federal presidency, composed of one member from each republic and province, replaced him as head of state. Worsening economic conditions were accompanied by a crisis of the constitutional and political systems. Power struggles and disagreements between members of the presidency made it impossible to make collective decisions and led to the separation of the republics from the federal state. On June 25, 1991, the assemblies of Slovenia and Croatia declared their independence. On June 27, 1991, the Yugoslav People's Army attacked Slovenia. During the summer, conflicts escalated in Croatia. In December 1991, under German pressure, the European Community recognized the two new independent republics. Serbian-controlled regions of Croatia in Krajina and Slovenia continued to maintain autonomy, which was not recognized by Zagreb. The representatives of Serbia and Montenegro met on February 5, 1992 to formulate Basic Principles of Joint State—now the Federal Yugoslav Republic. Bosnia-Hercegovina declared its independence on March 3, 1992. The European Community Ministers met in Luxembourg on April 6, 1992 and voted to recognize the independence. The fighting in Bosnia had begun. The Republic of Macedonia (the former Yugoslav Republic of Macedonia) has gained United Nations recognition and has not been involved in armed conflict.

also with a new way of thinking. Although the professors at my law school were highly recognized academics, I felt the need to learn other approaches at other schools. I had a strong sense of loyalty to both my employer and my country. The war was not the reason I left, but because of it I have lost my native country, and my temporary search for higher education has become a permanent "exile."

From the moment war broke out in Yugoslavia in 1991, a day does not go by that I do not remember the immense suffering of the people. My awareness of war and associated issues gradually expanded. At the beginning, I was mostly confused. I thought that the truth about the world and my country was what I learned while growing up. It took me a few years to wipe out indoctrination gained through life and schooling in the totalitarian regime. The process helped me understand manipulation of citizens by their governments through politics and the media. I learned that even democratic societies have the same problem and that the cause of all conflicts, including war, is a perception of self-righteousness by one group, whether it is a political party, a nation, or an ethnic group denying the same to other groups.

When the war broke out, I felt the need to do something to help. I joined a woman's group in Ottawa and New York that, among other causes, assists persons who are victims of war.² In May 1994, as a delegate of Canadian Voice of Women for Peace,³ I participated in a women's conference in Budapest. My role was to bridge the East and the West: to help American participants understand issues of the distraught region, facilitate

2. The Network of East-West Women (NEWW) was founded at a conference in Dubrovnik in 1991. It is a communication and resource network supporting nongovernmental women's organizations in Central and Eastern Europe and the former Soviet Union. The members are women's rights leaders, lawyers, social workers, journalists, parliamentarians, and academics in thirty countries across the former communist bloc. NEWW has offices and staff in Washington, D.C., Moscow, Krakow, Warsaw, and New York. NEWW's overall goals are to maximize the exchange of information, develop technical and institutional-building skills, and coordinate research, legal advocacy, and other projects. In June 1994, NEWW launched NEWW On-Line, the first women's electronic network in the post-communist region.

3. Canadian Voice of Women for Peace (VOW) is a national nongovernmental organization with local chapters in most of the Canadian provinces. VOW members are active domestically and internationally on human rights issues, peace, and disarmament.

communication, and guide the Eastern European participants in defining and addressing areas in which they needed assistance. As part of my mission, I went back to Belgrade to visit a few women's centers. My aspirations were to meet women activists, particularly lawyers, from all parts of my war-torn country. Tormented by the evil accompanying the war raging in Yugoslavia, I desperately felt the need to do something about it. Reuniting with lawyers, activists, and academics who stayed to fight nationalistic regimes was very important for me.

I came to understand the real situation in my country. My path was different from women who stayed behind and struggled with the consequences of war. All progressive, humanitarian, and antiwar actions of these women stemmed from their awakening, but their actions also were a matter of surviving psychologically and physically.

I believe that all Yugoslavs between the Second World War and the present civil war lived a beautiful dream that was created at the political level, enforced through legislation, painted through the media, and presented to the people. Unanswered questions always remain on my mind: What will it take for progressive movements to gain influence in changing the nationalistic beliefs of the people? How long will it take to be understood and supported by the majority of the population now poisoned by the self-righteousness of their nation? How long will it take to bring about changes in the social, political, and legislative arena?

I. LAW STUDIES AND LAW PRACTICES

My experience in Yugoslavia might differ from the experiences of other women attorneys, but I think it is an accurate representation of my generation. I was born in Belgrade, the capital of the former Yugoslavia, now the capital of the "new," reduced Yugoslavia. I was educated there and graduated from law school in 1982. I loved my country, and I was proud of its leadership in international nonalignment movements. Tito was our leader, and he was loved very much by the youth. We would often see Tito either at receptions for students in the White House or on the streets when he came back from one of his numerous international missions. The most important treasures of our society were our brotherhood and unity. We were all the same regardless of religion, nationality, or ethnicity. We proudly

declared ourselves Yugoslavian when we had the choice of putting our nationality on documents. My family, like many other families, considered itself Yugoslavian first and European second. How ironic it is that, only twelve years after Tito's death, so many lives have been lost for ethnic and religious causes, in spite of so much effort to integrate all nationalities and instill a belief in equality and coexistence in post-war generations.

Getting a law degree was hard work. Our school system is quite different from those in North America. The high school curriculum is very heavy, with many courses taught from university textbooks. Students attend law school immediately after high school. Interest in obtaining a law degree is high, due to the variety of employment possibilities. In addition to practicing law, one could obtain employment in business, international trade, or the government. It takes four years of full-time study to complete thirty-two courses; however, at the time of my schooling, the average length of studying law was eight years. Although approximately sixty percent of all graduating students are women, female lawyers comprise only thirty percent of all candidates who complete their masters and doctoral studies.⁴ The female-to-male ratio was similar in job situations. In most of the former Republic of Yugoslavia, approximately sixty percent of women judges and lawyers are at the entry and intermediate levels, where there is more work and lower salaries. However, at the higher levels of judicial hierarchy, as well as in government institutions and in businesses, the most important decisionmaking positions are held by men, who also receive the best pay.

4. According to the "Statistic Information for Period 1986-1990," published by the Law School Belgrade during this period, 1738 female students (56%) out of a total of 3120 students graduated from the Law School. However, according to the same source, only 89 female lawyers (32%) out of a total of 278 candidates completed their masters and doctoral studies in the same period. According to the article by Dafinka Vecerina, *Women Work But Not Decide*, 1 BREAD & ROSES (1994), the first level court in Zagreb, Croatia employed 133 judges, of which 100 (75%) were female. The presiding judge and his assistant were male. Females comprised 45% of the lawyers in the second level court. The presiding judge and his assistant were male. The Supreme Court employed only 5 women (19%) out of a total of 26 judges. All eight counselors in the Supreme Court were women. Educational requirements and responsibilities of the counselors are the same as for judges, except that the counselors cannot sign decisions and are paid less. According to this article, the total number of attorneys in Croatia was 1658, of which only 375 (23%) were women.

My law school education lacked practical work, such as an internship, in which I could have gotten experience in the legal profession by helping a judge or a lawyer in a real case. I cannot recall any program during my studies that encouraged students to take part in such an assignment. Most of the work was very theoretical—memorizing codes and sometimes examining relevant cases. The exams were mostly oral, with an emphasis on fast thinking and excellent speaking skills. As a result, taking my first written exams in graduate school in Canada was quite an experience.

In Yugoslavia, we were not taught that our legal system was socialist, based on some classification of all legal systems as civil, common, or socialist. We considered our legislation European by origin and enhanced with some “improvements” of socialism. Besides general law courses, we were required to complete the following courses: “National Defense,” “Self-Management,” and “Marxism.” Those were the most disliked courses—pure demagoguery.

During my studies, I did not meet with any women’s groups at the law school, and the school offered no courses on women’s legal issues. However, our constitution guaranteed equal rights to women and men, all nationalities, and all ethnic groups. Women were equal insofar as culture allowed. In law school, I did not notice any discrimination, except that there were few female professors. The students respected and felt distant from professors, not because the professors were male and older, but because of our culture.

Job searching was a difficult period for those who did not have parents or cousins in political positions. Every law school graduate applied at a local employment office to receive a certificate with a standardized point system that ensured employment once he or she collected a certain number of points. This system seemed to be fair because points were given for grades, academic accomplishments, living conditions, and length of unemployment. Single parents would get additional points, as well as graduates living in poor households. While the idea was to give equal access to all graduates in a very tight employment environment, the system was sometimes misused.

I had many job interviews, but no job offers for a long time. I had no family connections to help me secure a position. My deceased father was a scientist, a university professor, and a very apolitical person; my mother also was not a communist.

Sometimes I would be very excited after an interview, hoping that it was the last and that I would be working soon. For example, when I was repeatedly interviewed for the position of Junior Public Prosecutor, my hopes were high; however, disappointment always followed and I became bitter. Because my interviews went so well, I experienced gender injustice for the first time when male candidates were chosen over me for this important position.

After a two-year job search, I was offered a job in a prominent state-owned trading company. I finally got a job, not only because of my talents and good grades, but also because of the points I had collected. While working, I completed my masters degree in international trade law. However, my interest in international public law and human rights law was overshadowed by reality. I was working in trade and needed to become a specialist for my company's benefit.⁵

It is not unusual for graduate lawyers to work in trade. Many desire this kind of job because it gives them extra benefits, such as traveling and working with foreign companies. Many of us, fascinated with international work, were drawn to positions that would, even if only through correspondence, take us to unknown lands. Foreign buyers and partners were often in our offices for meetings. We all followed strict protocol to present our country and our company in the best light, and we were always happy to have the opportunity to practice foreign languages. After a few years working in international trade, the best employees had an opportunity to be posted overseas, as our company had almost thirty representative offices all over the world. That was an extra incentive.

In a year, I learned everything I could about international trade. I was given assignments that included all stages of the export process: sending quotas abroad, negotiating prices and quantities of goods for foreign buyers, securing adequate quantity and quality of goods through work with domestic factories, providing insurance, transportation agreements, and following up with bank payments. The job was extremely interesting.

5. It was very common to call an employer's company, which was usually state-owned, "my company." Companies belong to their employees. According to the Yugoslavian legislation, employees worked with socially owned resources and made decisions on all issues of production on equal footing with other workers in associated labor.

Although I was a lawyer, I received hands-on training in the factories about products, their qualities, and the defects of goods, so that I could discuss all issues with foreign buyers competently. I am very grateful that I had such training, which complemented my Yugoslavian education and allowed me to see the whole picture.

I was determined to improve contracts the company signed with foreign partners. In the absence of domestic form agreements, we used foreign ones, even though many clauses were not beneficial to our domestic factories. However, I knew foreign partners would accept our agreements, so I studied legislation and wrote clauses myself. I had many law books on my desk. One day my director entered my office, which I shared with two other colleagues. To our surprise, she threw my law books on the floor, saying that "everything should be done as it has been done in the past." She was a Second World War "partisan" and had only a high school education. After the Second World War, many young people had to rebuild the country, so there was no time for studying. They learned on the job. Their contributions to our country were great, but they resisted the ideas of new generations.

Although very unpleasant and humiliating, this event did not stop me from advancing in my work and pursuing my desires. Immediately upon completion of my masters degree in trade law, I was promoted to lawyer in the international trade department. This promotion resulted from a high-level political decision, imposed on all companies, to promote young, educated professionals. I did not have to work on the trade process anymore, but could concentrate on trade law. My new director was a very intelligent and resourceful gentleman who had worked for a long time as our trade representative in Western Europe and Africa. He was a gentle authority who gave me freedom to make a difference. The work was indeed challenging. Many contracts had to be written from scratch, and some had to be written for unique purposes. One of my assignments was to compile and summarize some topics in comparative international trade law, including examples, and to prepare a handbook for the company's overseas representatives.

Finally, my last project before leaving for Canada was to secure a licensing agreement between my company and a prominent German company. This agreement would secure

significant revenue for our domestic factories.⁶ I had been working on the project for a while, getting ready to present it to the general manager, who planned to sign the agreement while representatives of the future partner were visiting the International Fair in Belgrade. Only a few signatures from government officials were needed before it was ready to be signed by the two companies. As the day for the International Fair approached, I spent many hours patiently waiting in front of the government official's office to get the agreement signed. The answer to my question "when?" was "maybe in one day, one month, or one year." The only thing I could do was forward the issue to the general manager to be resolved at the political level.

This incident was one of the last drops in the cup. Work was very important to me, but I was tired of battling the bureaucracy. My visa for Canada was ready. I needed to know how the rest of the world lived, worked, and thought. There were other reasons I decided to leave, too. When I think about that period in my life, I remember feeling very helpless and angry at a system that did not support single parents, most of whom were single mothers. Many of us were forced to live with parents or even ex-husbands in very small apartments. Private apartments were rented, for foreign currency, at the value of two months of my salary. At the same time, the government had occupied my grandfather's house for almost forty years, without giving any compensation to my family. I knew something was wrong, but I did not know of anything better. I was about to discover.

My first discovery came from articles in Toronto's *Globe and Mail*. I read with disbelief articles about discrimination against Albanians from Kosovo, a small province of Serbia. At first, I dismissed any accusation of Serbs discriminating against local Albanians. On the contrary, I learned, while living in Yugoslavia, of insults Albanians made on the Serbian population, which forced the migration of local Serbs to other parts of the country. I was ready to apply for the position of judge in Kosovo, which was not hard to obtain, so I could promote justice through my work.

6. In 1988, many Eastern bloc countries began to realize that one way of progress was to open markets, so they started joint ventures with Western companies. There have been many initiatives to ease legislation to help the economy. After Tito died in 1980, the Yugoslavian economy was struggling to survive. The World Bank toughened repayment schedules and refused new loans. The standard of living declined rapidly. Indeed, joining resources with foreign companies was the only way out.

However, I was discouraged by my friends who worried about the safety of my little son. Now, after being away from Yugoslavia for seven years, I can tell the truth. The truth is not what is presented in the North American media, nor what I learned in my country. Maybe being with Albanian women in Budapest or just being here in North America has changed my perspective.

II. MEETINGS IN BUDAPEST: SPARKS OF HOPE FOR WOMEN FROM THE FORMER YUGOSLAVIA

While participating in numerous humanitarian meetings and actions in Canada, organized by women's groups and nongovernment organizations, I often experienced cold silence when introduced to recently arrived Bosnian refugee women. My place of birth was enough to indicate that I was from another side. It did not matter that I loved all the people of my country and that I was organizing help. Their wounds were too deep, but I understood.

How relieved I was to be together in one place with women from my own country. One purpose of the 1994 Conference on Violence and Democracy in Budapest⁷ was to enable Yugoslavian women to meet, free from the borders, death lines, and politics that wanted to separate them. Women from Bosnia, Serbia, Kosovo, Croatia, and Slovenia participated in the meetings, sat together in the same room, and discussed issues of democracy

7. The Conference on Violence and Democracy was held in Budapest on May 27-29, 1994; it was sponsored and organized by NEWW and the Domestic Violence Project (NANE) from Hungary. The three-day conference consisted of discussions, lectures, and workshops aimed at exchanging information and educating participants on common problems and legal solutions to violence against women. The inadequacies of legislation in addressing violence and the social context of violence against women were discussed in light of the new emerging democracies in Central Europe, Eastern Europe, and the former Soviet Union. Practical issues, such as the functions of women's support services—including hotlines, shelters, and advocacy programs—were covered as well. This conference was followed by the inaugural meeting of the NEWW Legal Committee. The goal of this meeting was to develop structures for a long-term legal network to address all aspects of women's relationships with the law. Initiative to develop themes for future work was given to the lawyers from the region. Theme groups were established around the following topics: employment discrimination, property law, privatization and safety nets; violence against women; social and political power; and reproductive freedom and health care. Discussions were held on the present situation in each country represented in the conference, as well as on common problems in and solutions for the region. The Conference decided to establish a legal committee for each country and to coordinate work through a central office in Washington, D.C. and NEWW On-Line.

and violence. At the same time, the men at home were fighting each other in a real war. This war had left about two million people homeless—one million within Bosnia and about one million in former Yugoslavian republics, Europe, and elsewhere. Many had lost their family members and many had died.

Women who participated in the conference worked directly with victims of violence, and because of the war in the former Yugoslavia, they worked with refugee women and children as well. The participants—involved in those issues through their professions or as volunteers—were social workers, activists, lawyers, and university professors. Each women's group gave a presentation about its work in a closed session that lasted for two days. In the back of the room, German women listened and decided which group would receive the funds they had collected in their country. Although there were only enough funds for one or two groups and the process was competitive, no one competed unfairly. We mostly listened to each other, shared experiences, and cried together. We all went out together, stayed up late into the night talking, and all during the week held on to each other, as we knew that communications would be close to impossible once we were back in Yugoslavia. Only at the next conference would we see each other again.

We all longed for the days when we were only Yugoslavians, when neither religion nor nationality were issues. Marriages between nationalities were the practice and not the exception. We grew up to respect and love each other. At least our generation believed in the brotherhood and unity of our ethnic and national groups. What happened? The war in Yugoslavia is a complex one. In my opinion, the most accurate explanation is from the article "War at the Crossroads" by the Balkan Resource Group:

Wars are often followed by waves of public sentiment that such carnage must never happen again. But wars *do* happen again, frequently in the same places. The war in the Balkans is usually portrayed in the media as part of a never-ending conflict among ethnic groups. History shows, however, that these conflicts are the result of pressures from more powerful nations and manipulation by the local leaders who do their bidding.⁸

8. Bill Weinberg & Doric Wilsnack, *War at the Crossroads: An Historical Guide Through the Balkan Labyrinth* (Balkan War Resource Group, New York: June 1993).

In the meantime, those brave women who work with victims are resisting the pressures of persistent indoctrination and rising above the national identity prescribed by their governments. This resistance is very difficult, and meetings like this one helped them understand that women of different nationalities care, empathize, and want to help. Bosnians are not the only victims; everyone living in the former Yugoslavia is a victim. Everyone with a gun is guilty. As the little girl from Sarajevo, Zlata, wrote in her diary, calling politicians "kids":

They are adopting some resolutions, the "kids" are negotiating, and we are dying, freezing, starving, crying, parting with our friends, leaving our loved ones.

I keep wanting to explain these stupid politics to myself, because it seems to me that politics caused this war, making it our everyday reality

. . . .

The "kids" really are playing, which is why us kids are not playing, we are living in fear, we are suffering, we are not enjoying the sun and flowers, we are not enjoying our childhood, WE ARE CRYING.⁹

The world press writes mostly about hatred produced in this civil war. Rarely are there news stories about love, about Serb, Muslim, and Croatian friends sharing lasting rations of food in Sarajevo, or about the brave woman in Bosnia who lost her whole family and, in spite of her personal loss, stood up to her government and opened a relief center in her village for all nationalities. On each side, there is a peace movement that we hear little about. In Croatia, women against war teach conflict resolution skills in mixed ethnic refugee camps and towns. Croatian women activists assist refugee women through organizations like the Center for Women War Victims and B.a.B.e. (Be active, Be emancipated). They also raise their voices against the politics of their government and express their positions through feminist and progressive newspapers such as *Arkzin* and *Bread and Roses*. Many of them are lawyers.

In Serbia, there is an active anti-war women's group, Women in Black, that is made up of local women and refugee women of all ethnic groups, working together with respect and love. They stand in the main square holding signs announcing their

9. ZLATA FILIPOVIC, ZLATA'S DIARY: A CHILD'S LIFE IN SARAJEVO 96-97 (1994).

opposition to the war. Women in Black has initiated many projects such as "I Remember" and craft workshops with refugee women in surrounding refugee camps. "I Remember" is a project that helps refugee women express their war experiences and their personal experiences of loss and suffering through stories and paintings. This is also the best way to develop contact and closeness with refugee women, to help them overcome suffering, and to start thinking about the future.

Celebrating twenty months of activism, Women in Black issued the following statement:

In an atmosphere of social despair, helplessness and poverty, our protest might seem like a drop of water in the ocean. A large percentage of the population lost all hope and have been given in to despair and 'fatalism We believe in individual action, in nonviolent and public protest against war and aggression. One person can do little by themselves, but we united can do everything. Every citizen has an individual responsibility and if we do not protest against terrible crimes committed in this civil war, we ourselves will become guilty¹⁰

Women in Black was founded by activists from autonomous feminist and pacifist groups such as the Women's Parliament, the SOS Hotline for Women and Children Victims of Violence, and the Anti-War Center. Their work during the war includes feminist politics and humanitarian work. In Zenica, Bosnia, where civil war is raging, Muslim women at the women's health center assist any woman in need. Many displaced refugee women from Bosnia—those who survived—participate in actions of the local women's groups and bring their own experiences. In Kosovo, Albanian women recently started organizing. They have a few challenges to face, including Serbian nationalism, poverty, and the traditional subordinate position in the family.

I met some of those ex-Yugoslavian women in Belgrade and Budapest. Somehow, in all that madness we were able to talk, share experiences, and listen. I felt sparks of hope in the midst of ongoing madness. Although women are suffering the most in this war, they may become the bridges of healing. At the end of the meeting, we all rejoiced for Kosovo and Hungarian women who shared donated funds for women's centers.

10. Women in Black, Women for Peace (Belgrade, 1994).

POSTSCRIPT

What is the role of women attorneys in the war-torn Yugoslavian states? What is the role of women in civil wars and ethnic conflicts erupting all the time in the twentieth century?

Peace can only be built with the enemy, no matter how deep the conflict. When the conflicts are worse, it is necessary to talk and continue conversation. Women lead many local peace organizations around the world. They start those organizations not only as a matter of survival, but also to transform women's culture, which is a culture of peace. Being women, they are not a part of the hegemony center, where all military and political decisions are made. Women have common problems, more easily understand each other, and therefore can build new societies of real peace through struggles against militarism and extremism.

After many years of conflicts among nations, it is very hard to start conversations and rebuild relationships. The people of Yugoslavia are victims of their history. It is not easy for a Bosnian or a Croatian woman who sees herself as a victim to understand that Serbian women are victims as well. Through dialogues with the other side, women learn how important it is to talk with those women who have courage to oppose their governments.

Therefore, I see "women lawyers who stayed" working together with local activists, supporting grass-roots organizations, and following up on issues, bringing them into the sphere of legal battle. There is a place for "women lawyers who left," who no longer live in their countries, but nevertheless feel attached to the destiny of their "country-sisters" and their people. They can act as conflict resolution mediators between women on different sides of national conflicts because of their new impartiality. Also, they can assist the "women lawyers who stayed" in reaching new legal solutions through their connections and knowledge acquired from the experience of being "in-between."