

**HUMAN RIGHTS IN THE DISCOURSE ON SOVEREIGNTY:  
THE UNITED STATES, RUSSIA AND NATO'S  
INTERVENTION IN KOSOVO**

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## **(ABSTRACT)**

The concept of sovereignty has been a contestable idea throughout history, and its meaning has oftentimes transformed to reflect prevailing systemic conditions and political priorities of major actors in each historical period. In this study, I argue that the social construction of state sovereignty is at the beginning stages of another major redefinition. In an era of globalization and regional integration, discourse on sovereignty has become increasingly prolific as the rhetoric of sovereignty moves away from Westphalian principles that were based exclusively on the agency of independent states. Furthermore, multinational campaigns to promote international human rights engender a discourse that suggests the idea of sovereignty is changing. Does this emerging discourse confirm the growing legitimacy of humanitarian intervention, or is it merely a discursive trend in international relations that does not indicate significant change in state perception and behavior? The purpose of this work is to address this question.

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For my parents

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# INTRODUCTION

“State sovereignty, in its most basic sense, is being redefined.... States are now widely understood to be instruments at the service of their peoples, and not vice versa.”

--Kofi Annan, *Secretary General of the United Nations* (1999)

## ***Sovereignty: A Contested Concept***

State sovereignty is an essentially contested term of political discourse that has historically been subject to normative constraints.<sup>1</sup> One could even argue that the perseverance of sovereignty can be attributed to its tendency to conform to the ever-changing international normative structure that has legitimated sovereign statehood since 1648.<sup>2</sup> When Jean Bodin first engaged in a systematic discussion of sovereignty in his *Six Books of the Commonwealth* (1583), he called for an organization of political life whereby internal religious quarreling would be assuaged by the ability of a single ruler to exercise absolute authority of the whole of his kingdom.<sup>3</sup> Thus, for Bodin, a state was legitimate to the extent that absolute sovereign authority was vested in one single individual. Similarly, Thomas Hobbes in *Leviathan* (1651) promoted absolutism as an answer to internal societal unrest, although Hobbes did not overtly demonstrate a preference for sovereignty vested in one individual.<sup>4</sup> Nevertheless, both thinkers envisaged sovereignty as an absolute attribute of a man or a council who derived legitimacy from heredity or divinity (Bodin 1583, Hobbes 1651, see also King 1999). The foundations of state legitimacy, however, change over time.

The end of the Thirty Years' War in 1648 brought about the Peace of Westphalia, which laid the foundations for the modern state system based on the idea of equal and mutual respect for the autonomy of the “like units” which constituted the majority of

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<sup>1</sup> See Connolly (1974) for the particulars of the doctrine of essential contestability. See also Barkin, 230.

<sup>2</sup> The Peace of Westphalia in 1648, which ended the Thirty Years' War, was the point at which the modern state system emerged based on secular authority.

<sup>3</sup> Here I am referring to the religious conflict between the Huguenots and the French monarchy during the 1570s. Most notably, the Huguenots' arbitrary claim to rebel when the will of the crown conflicts with their religious authorities (King, 47-55).

<sup>4</sup> Internal societal unrest in Hobbes' case refers to the advent of civil war in England in 1642 (King, 65).

early modern Europe (see Waltz, 97). The Peace of Westphalia established an international order (initially confined to Europe) that effectively ended the moral authority of the church over the secular rulers of Europe, thus as called for by Bodin, the state was legitimized *vis a vis* the person of the ruler (Barkin, 237). Westphalia established the still-important norm of the rights of rulers to autonomously exercise authority and pursue interests within a given territory without the outside interference of other rulers. This norm became recognized as the accepted definition of state sovereignty and was effectively integrated into theories of international relations that would dominate the international relations discourse up to and throughout much of the twentieth-century (Lyons and Mastanduno 1995).

In twentieth-century international relations discourse, this idea of “Westphalian sovereignty” became premised on the following norms: 1) states are the primary actors in international politics, 2) states are recognized as juridical equals in the international order, 3) states hold a monopoly on the exercise authority within juridical borders, and 4) this authority allows states to effectively engage in patterns of relations with other states (Lyons and Mastanduno, 5-6). While the theory of international relations known as realism does not necessarily reflect these *exact* premises, similar norms have been embraced by realist and neorealist theorists throughout twentieth-century global politics. Furthermore, the UN Charter has reified state boundaries as essentially prior to the operation of international politics (UN Charter, Art. I). Especially during the Cold War, states were largely defined by their ability to maintain functional control over a defined territory, thus a state was defined in relation to its territory (as opposed to its ruler or to its people) (Barkin, 243-245).

In recent decades, however, the international political atmosphere has gradually come to facilitate the emergence of a meaningful discourse that emphasizes a set of norms protecting the individual against the state. Especially since the end of the Cold War, these more realist territorially-oriented notions of Westphalian sovereignty have been challenged by new theories, which assert that a state’s sovereign status entails certain responsibilities. According to these more globally-oriented theories, the

codification of various pieces of international law as well as emerging norms of the post-Cold War order sanction the forfeiture of a states' monopoly of domestic authority if these responsibilities are neglected. In other words, "states can only function if they are granted some basis of legitimacy...by the community of states" (Barkin, 230). These more liberal globalist inclinations demonstrated by many contemporary thinkers have embraced the increasing salience of the emerging norm of human rights as a challenge to Westphalian norms, and have asserted that a state's human rights practices are no longer *prima facie* protected exercises of sovereign prerogative. That is, respect for human rights is increasingly seen as one of the primary responsibilities of the state, thus intervention on behalf of human rights is perceived as an increasingly legitimate phenomenon. In sum, human rights norms are increasingly becoming a basis for state legitimacy in the post-Cold War order. To what extent, however, can one assert that this new rhetoric among scholars and rulers is shifting the normative structure of the international system whereby human rights is becoming a legitimating principle of state sovereignty?

This study will address this question by first examining the prevalent contemporary discourse on sovereignty and addressing the new discursive trend in academia that seems to challenge Westphalian norms of sovereignty in favor of the primacy of human rights. Furthermore, I will examine empirical cases to test these competing theories on state sovereignty. To illustrate the liberal humanitarian logic, I will concentrate on the publicly stated objectives and official justifications regarding NATO's recent intervention in and subsequent occupation of Kosovo. Here, one could argue that the response of the international community to gross human rights violations has engendered a discursive challenge to traditional realist notions of sovereignty, especially the idea that a state may treat its citizens however it pleases within its borders. Conversely, I will explore Russia's objections to NATO's intervention and how this is related to and contextualized by its own humanitarian disaster in Chechnya. I will furthermore address the international community's somewhat passive response to Russia's (mis)treatment of the Chechens, which would tend to affirm the status quo regarding the appraisal of state sovereignty.



Finally, I will explore the ongoing discourse of the United States (US) and Russia in an attempt to determine if this rhetoric is indicative of a new global reality in which human rights is becoming a universal legitimating principle of state sovereignty. In other words, does NATO's challenge to traditional Westphalian state sovereignty in Kosovo mark the emergence of a new discourse that legitimizes armed humanitarian intervention? That is, are the US's and Russia's discursive reactions to the events in Kosovo reflective of a lingering respect for traditional norms of nonintervention, the pursuance of national interest, or an emerging global order whereby state sovereignty is increasingly legitimized by human rights norms thereby legitimating humanitarian intervention? Has a possible discursive trend gained enough normative momentum to affect the ways in which states respect sovereignty in response to human rights violations? It is the purpose of this study to address these concerns.

### ***Organization***

This study consists of four chapters. The objective of the first chapter is to explore the prevalent academic discourse on sovereignty and human rights and establish working definitions of the concepts of realism, Westphalian sovereignty, liberal globalism, and human rights.<sup>5</sup> I will first examine realist conceptions of sovereignty based on particular norms of Westphalia that subsequently gave rise to (neo)realist theories of international politics. For this task, I will articulate a state-centered conception of sovereignty based on well-known thinkers such as Hans Morgenthau, F. H. Hinsley, Kenneth Waltz, and Stephen Krasner. I will then examine contrasting liberal discourses that have critically addressed realist notions of state-centrism and norms of nonintervention, including the works of such scholars as Jack Donnelly, Friedrich Kratochwil, James Rosenau, Karen Liftin and Gene Lyons. I will proceed to examine these liberal globalist theories of state sovereignty in relation to international humanitarian law.<sup>6</sup> Based on these contrasting theories' more liberal interpretation of international law, I will expound how these realist

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<sup>5</sup> The terms "liberal globalism" and "Westphalian sovereignty" are borrowed from Stephen Krasner (1995 and 1999, respectively).

<sup>6</sup> Here I will refer to the Founding Charter of the United Nations (1945), the Universal Declaration of Human Rights (1948), the International Human Rights Covenants (1966) (the latter two referred to collectively as the International Bill of Human Rights). See Donnelly, 117.

“norms of Westphalia” have been discursively challenged in the late twentieth-century even as they continue to hold significant but decreasing influence over the minds and behavior of world leaders.

The second chapter will examine the case of NATO’s intervention in Kosovo and how the objectives, justifications and rhetoric behind the NATO military campaign and subsequent occupation suggest that a state’s sovereign status does not allow it to egregiously violate its citizens’ human rights. I will briefly compare and contrast Kosovo with previous post-Cold War (UN) interventions involving cooperative security operations in Iraq, Somalia and Bosnia. Falling back on guidelines set out in the UN Charter and the Universal Declaration of Human Rights, NATO chose to adhere to the more liberal principle of multilateral intervention to protect human rights as opposed to realist norms of absolute state sovereignty. Not only was Yugoslavia’s state sovereignty (as defined in the realist Westphalian sense) violated by NATO, its territorial integrity was disregarded in order to coerce the Serb-dominated Federal Republic of Yugoslavia (FRY)<sup>7</sup> to cease the perpetuation of atrocious violations of human rights in Kosovo.

Ostensibly, NATO’s involvement in Kosovo in the name of human rights seems to undermine the core Westphalian principle of nonintervention. However, states like Russia present the realist argument regarding intervention as exemplified by their objection to NATO’s operation as well as their own civil dispute in Chechnya. Furthermore, one might question why NATO’s humanitarian altruism is seemingly exclusive. Why did NATO *militarily* intervene in Kosovo yet only *morally* condemn instances of Russian human rights violations in Chechnya? Hence, the third chapter will explore how this case seemingly derails the notion of a discursive shift of global norms. Indeed, Russia’s military might effectively deters the thoughts of military intervention by

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<sup>7</sup> A note on the terminology of nationalities: The present-day FRY consists of the republics of Montenegro and Serbia with the “autonomous” provinces of Kosovo and Vojvodina juridically and territorially encompassed in the republic of Serbia. The FRY is politically dominated by the Serbs. This analysis will use the term “Serb” to refer to all ethnic Serbs in the former Yugoslavia, not just those living within Serbia proper, as there are ethnic Serbs living throughout the former federal state. Likewise while the term “Kosovar,” strictly speaking, refers to all those living within the province of Kosovo (including ethnic Serbs), I will use the term to refer only to the ethnic Albanian majority in Kosovo.

the US and/or its western allies and creates an uncomfortable co-existence of both liberal humanitarian (with regard to Kosovo) and realist dispositions. Nevertheless, Russia's often contradictory policy on human rights tends to reflect its own national identity issues and internal political power struggles; therefore the rhetoric of the Russian political elite in response to Kosovo may not necessarily be reflective of unilateral support for absolute state sovereignty (see below Chapters 3 and 4). It is my contention that a proper explanation of Russia's contradictory policies still allows for Russia's discursive response to the Kosovo intervention to be reflective of an increasing awareness of emerging norms of human rights.

After examining NATO's justifications and objectives in the Kosovo intervention and weighing them against Russia's objections, the fourth chapter of this study will address the rhetoric engendered by this pivotal international dilemma. Specifically, I will examine the discourse of the US, versus that of Russia. That is, how do political elites in these two powerful and influential states ultimately view the NATO intervention in Kosovo, and does their discourse allude to the legitimacy of humanitarian intervention, and thus, a new discourse on sovereignty?

As will be demonstrated in the analysis of the Kosovo crisis, the UN Security Council did not come to a consensus on the legitimacy of NATO's intervention in Kosovo, as both Russia and China had serious reservations regarding the perceived legitimacy of multilateral humanitarian intervention. As a result, the rhetoric emanating from the US and Russia was split between support for and condemnation of the NATO operation. This "split" will be the focus of my analysis of the Russian discourse and that of the NATO states represented by the US in regard to the Kosovo intervention. For these two states, Kosovo presents a problematic case in that NATO has demonstrated a liberal logic of thought that (based on the rhetoric of leaders like Bill Clinton, Madeline Albright, Tony Blair and even Kofi Annan) places human rights in discord with traditional Westphalian notions of state sovereignty. Russia, under Boris Yeltsin and more recently Vladimir Putin, however, has ostensibly demonstrated quite negative responses to the intervention taking the more realist position in support of the primacy of

territorial integrity and nonintervention. Certainly, the discourse emanating from Russia is quite different from that of the United States and NATO. Therefore, the key question is whether Russia, through its actions and discourse, is committed to supporting a traditional interpretation of Westphalian sovereignty or is simply defending its own more pragmatic political interests.

The conclusion of this study will address the notion of sovereignty as it relates to the emerging legitimating principle of human rights in the twenty-first century. More to the point, what are the effects of this new discourse on state sovereignty and the global proliferation of human rights discourse on the perceived legitimacy of humanitarian intervention? I will argue that as a result of the discursive legitimation of human rights norms, humanitarian intervention will be more likely to occur when states egregiously violate the human rights of their citizens. That is, for the intervening party, the normative costs of humanitarian intervention will be less as reflected by this new discourse on sovereignty. Furthermore, based on the evidence presented, I will project forward the effect that this emerging international norm of human rights may have on the future behavior of states. That is, has the perceived legitimacy of humanitarian intervention, such as NATO in Kosovo, created enough momentum in the discourse on human rights and state sovereignty that a situation might arise where the international community may intervene in the name of human rights where only recently it may have accepted the final authority of the state?

Russia's objection to NATO's intervention and the US's recalcitrant response to human rights violations in Chechnya ostensibly presents an argument for the idea that intervention is still largely driven by national interest, and that human rights is far from a universal legitimating principle. Based on recent discourse, however, one might argue that the proliferation of human rights norms has even influenced Russian political discourse. Admittedly, there is much cleavage between the realist Westphalian school of thought on sovereignty and that of the liberal humanitarian, but in this concluding chapter, I will address the possibility that Russia has taken important transitional steps toward the respect for human rights. Is this emerging inclination a precursor to a

changing global perception of state sovereignty? If NATO's efforts to promote human rights in Kosovo despite traditional norms of sovereignty have any typicality at all then it may not be unlikely that this intervention has engendered enough discursive momentum to influence the attitudes and future behavior of states.

# CHAPTER ONE

## REFLECTIONS ON SOVEREIGNTY: TRADITIONAL THEORIES AND NEW TRENDS

### *Westphalian Sovereignty and the Realist Paradigm*

Stephen Krasner has noted that what scholars refer to as “Westphalian sovereignty” actually reflects the 1648 arrangement at Westphalia very little (Krasner 1999, 25). Nevertheless, scholars have used this terminology to refer to a global arrangement that equates the term “sovereignty” with norms of nonintervention. In particular, James Caporaso (2000) identified and defined four concepts that characterize the Westphalian order: authority, sovereignty, territoriality, and citizenship. Borrowing from F. H. Hinsley (1966), Caporaso defines sovereignty in terms of the state being the final authority within a territory and the notion that this authority operates within certain spatial boundaries (Caporaso, 9-11). Therefore, sovereignty in the Westphalian order implies the exclusive exercise of recognized authority within a given territory.

Similarly, in his most recent work *Sovereignty: Organized Hypocrisy* (1999), Krasner identifies four discrete models of sovereignty. Domestic sovereignty, he asserts, refers to the monopolization of domestic authority by the state’s institutions; interdependence sovereignty refers to the state’s ability to control transborder movements; international-legal sovereignty entails mutual recognition of statehood; and Westphalian sovereignty is “the exclusion of external factors from domestic authority configurations” (Krasner 1999, 9). Thus, Krasner defines Westphalian sovereignty in terms of “territoriality and the exclusion of external actors from domestic authority structures” (20). Similarly, Caporaso equates sovereignty with the (external) recognition of the authority of a state over matters within a defined territory. For Caporaso, “territorial organization [of authority] implies [state] rule over a distinct space, the subjects in that space, and the economy within that space” (Caporaso, 11). Taken together, these two conceptions of sovereignty provide an *ex post facto* institutional arrangement for organizing international political life based on the norm of

nonintervention. Therefore, Krasner is an ideal realist as it is this Westphalian norm that has been the basis for the realist contentions of the primacy of the state in global affairs.

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In past decades, neorealists, also known as structural realists, have popularized these notions of nonintervention and state-centrism and justified them based on their interpretations of contemporary international law.<sup>8</sup> Nevertheless, I have thus far used the term “realism” rather loosely to refer to a genre of international political theorists that embraces the aforementioned notion of Westphalian sovereignty as a guiding norm in the organization of international political life. However, the realist paradigm rests on a number of premises integral to understanding how realists and neorealists alike view international relations. When speaking of political realism, definitions are important as over the past three decades the term has evolved into sub-schools including classical and structural or new (neo) realism (see Lynn-Jones 1999). For the purposes of this analysis, however, I will use the term realism as a general academic approach that combines aspects of anarchy, structuralism, statism and utility, each embraced by one or the other of the above sub-genres of the school. While both realist sub-schools share important theoretical bases for organizing political life, subsequent chapters of this analysis will use realism and neorealism synonymously emphasizing the statist component of the theory. Specifically, I will draw from the theories of Kenneth Waltz (1979) as the quintessential amalgamated realist. Waltz’s scholarship cogently juxtaposes these notions of anarchy, structuralism, statism, and utility<sup>9</sup> that collectively embrace the Westphalian norm of nonintervention.

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<sup>8</sup> The theorists I later equate with structural realism include Kenneth Waltz, F.H. Hinsley, Robert Gilpin and Stephen Krasner.

<sup>9</sup> These four basic aspects of neorealism are partially borrowed from Richard Ashley in his important critique of the realist school of thought. To briefly explain, anarchy is the absence of a global authority beyond the state; structuralism refers to the anarchic international system or “structure” that shapes patterns of international politics; statism is the idea that states are ontologically constitutive of the international system; and utility refers to rationalist premises that promote the primacy of state power as opposed to collective social rights. See Ashley 1984, 238-261; Lynn-Jones 1999, 53-58.

The first assumption of all realist thought is that anarchy is the defining characteristic of the international system. That is, there exists no single, unified global sovereign to enforce rules, norms, mutual expectations, or principles of order independent of the state. In short, because of state sovereignty, there is no meaningful international community. The dominant role of state power is the defining aspect of the system; therefore cooperation, morality and altruism are the exceptions. In an anarchical environment, realistic states prefer to increase their relative power, a preference that facilitates a balance-of-power system. In this respect, realism is quite pessimistic regarding the view of the human condition and the exercise of power. Hans Morgenthau exemplified this aspect of anarchy when he observed the “international community’s” (or rather lack thereof) failure to understand the balance-of-power prior to World War II and ultimately stand up to Hitler before he ravaged much of Europe (Morgenthau 1946). Thus, for Morgenthau and his contemporaries, power (asymmetries), hegemony and a certain degree of inherent human evil are the defining characteristics of the international system (Lynn-Jones, 57). In this anarchical environment, states make power accumulation their primary concern and seek to increase their power relative to other states whenever possible (Lebow, 250). Thus, for realists, as I will demonstrate, the role of the state is paramount.

Morgenthau’s classical school ultimately gave way to a “new” realism that portrayed a fixed structure of anarchy more conducive to the incipient demands of objective science. Unlike classical realism, this new structural realism, dubbed neorealism, asserted that the international anarchical structure, as opposed to human nature, defined the international system. While classical realists see maximizing power as an end in itself, neorealists see it as a means to the end of survival. (Lynn-Jones, 58) As Richard Ashley (1984) asserted in his examination of realism, structuralism appealed to the new realists as it prioritized “the absolute predominance of the whole [state system] over the parts” (Ashley, 232) and reduced states to fixed, systemic properties of the international order (235). Kenneth Waltz implied the international “structure” as the setting or context in which action unfolds and his analogy to classical economic theory asserted that states’ preferences were static (Waltz, 105). Like game theory, neorealism



attempts to predict outcomes based on the units' assumed preference, which is simply survival by means of maximizing relative power. It is this structural aspect that leads to the state-centric notion of realist thought that ultimately embraces Westphalian norms. For the purposes of this analysis, it is the salience of the statist aspect of realism that assumes realists' preference for Westphalian sovereignty and nonintervention.

All realists, and especially neorealists, it can be argued, offer a "state-as-actor" view of the political world (Krasner 1978). Although many neorealists disagree when asserting the ontology of the state as a given, most essentially hold that states in and of themselves can be treated as the undisputed agents of the international system independent of human interest (Ashley, 238). Robert Gilpin (1984) cleverly exemplifies this statist condition of neorealism through his assertion that that states are the "building blocks and ultimate units of social and political life," as opposed to the individuals of liberal thought, or the economic classes of Marxist thought (Gilpin, 290). That is, neorealism assumes that human beings acquire agency only through acting in aggregate—in this case, through the socio-political unit of the modern state. Therefore, it is the state, not the international community or the liberal individual that asserts influence in the international structure. But what characteristics of the human condition reaffirm this equation? That is, what are the motivations of human beings? Enter Kenneth Waltz and his global system/economic market analogy.

Kenneth Waltz, assuming anarchy and structuralism, promotes statism by analogously suggesting a notion of utilitarian rationalism that ultimately affirms the primacy of the state in global affairs and establishes the theoretical basis for arguments for nonintervention. For other neorealists, including Hinsley and Gilpin, humans are motivated by power, security and self-preservation in an anarchical environment (290). This is a core assumption of neorealism and realism. Just as economic utilitarianism is characterized by the primacy of the constituent rational individual (Ashley, 243), so too is the international system characterized by the primacy of the constituent state. Therefore, Waltz's analogy asserts that, as with individuals in an economic market, "survival is the prerequisite for achieving any goals that a state may have..." (Waltz, 91). Hence, states

are the individual actors whose interests of survival form the crux of the international system. Further, just as individuals in a free-market economy are free to do as they wish and are free from the influence of others, so too are states in the international system. The difference is that while individuals may be constrained in their economic behavior by domestic rules and laws, the anarchical nature of the international system places *no* external constraints upon states. The ability of states to do as they wish, however, varies according to varying internal capabilities, but “to say that a state is sovereign means that it decides for itself how it will cope with its internal and external problems, including whether or not to seek assistance from others and in doing so to limit its freedom by making commitments to them.” (91-97) Therefore, unless a state specifically asks for assistance from others, intervention in a state’s affairs is a violation of its sovereignty.

Realism’s and specifically neorealism’s notion of anarchy implies a definition of sovereignty independent of, thus autonomous from the system. In other words, the anarchical nature of the system shapes states’ behavior, but ultimately, states behave according to self-interest without taking into account possible adverse effects on other states as a result of their behavior. Although Waltz admits that states’ actions can be constrained by other states, such constraint is a result of power asymmetries in the balance-of-power scheme. Capabilities aside, states are recognized as juridical equals or “like units” in the system, thus they enjoy autonomy from other actors in conducting their internal affairs and external relations. Essentially, for Waltz and other neorealists, what occurs within the borders of a state should not be the concern of outside actors and any uninvited intervention is a violation of that state’s sovereignty. Admitting that such intervention in the form of war and invasion have frequently occurred, neorealists hold that these phenomenon are a result of disruptions in the balance of power rather than an act of altruism or the reflection of some shared universal morality. For example, a realist might assert that the Second World War in Europe occurred because Hitler, seeking to maximize Germany’s relative power capabilities, succeeded in becoming more powerful than other European states. Therefore, the Allies’ efforts to repulse Hitler were driven by a desire to restore equilibrium to the balance of power rather than to uphold universal norms that prohibit unprovoked aggression and genocide.

## ***Liberal Globalism and the Human Rights Movement***

While the state-centric notion of international relations has dominated the discourse throughout most of the twentieth century, to be sure, academia has recently witnessed a broadening in the discourse on sovereignty. This academic discursive trend has been engendered by challenges to the orthodox (realist) view of the role of states in the international system, thus facilitating a debate on the notion of the “erosion of sovereignty” at the hands of non-state actors. In short, globalization has fueled an ideology that endows the international community as a meaningful concept and promotes a shared sense of common rights, values, and obligations that transcend the spatial authority of the state in the interests of the individual. The theoretical debate between realists and liberal globalists, then, centers on whether states act in the interest of these shared common values or if they simply act according to their rational self-interest. The question for the liberal globalists is what are the theoretical bases for the assertion that the international community has obtained increased agency, and in what contexts are we witnessing these changes in the global order?

Karen Liftin (2000) has asserted that the “erosion-of-sovereignty” thesis rests on the locus of authority in international politics. That is, does final authority on matters of global concern rest with the state or the international community? Authority, defined as “the recognized right to make rules or to wield power legitimately,” entails a perception of rightfulness (Litfin, 120). In other words, a state’s authority over matters in within its borders must be perceived legitimate by its citizens as well as the community of states. Therefore, when states fail to fulfill their responsibility to the individual based on these shared common values, then the state has violated these norms, thus forfeiting authority within their territory.

A pure juridical model of state authority, to a certain degree, sidesteps internal legitimacy, thereby leaving questions of legitimacy (and sovereignty) to the collective judgement of international society. To paraphrase Janice Thomson (1995), sovereignty is not an attribute of the state, but attributed to the state (Thomson, 229). The fact that

legitimacy, thus sovereignty, are both at least partially externally derived concedes to the idea that sovereignty rests on normative grounds (Liftin, 124). Hence, when norms held sacred by the international community are violated, state sovereignty is undermined.

This authority dilemma in international relations is the result of new norms emerging in global politics that transcend traditional juridical borders. The boundaries of states no longer confine the flow of goods, capital, information, people, or even pollution. Furthermore, the centralizing effects of globalization also affect the appraisal of sovereignty on a normative level. James Rosenau (1995) has put forth four main determinants that shape the human psyche regarding shifts on the “sovereignty continuum” between extremes of “convenience-of-states” and “states-are-obliged-to-go-along.” These determinants—situational, domestic, international and legal—are a measure of global turbulence, or systemic dynamism. (Rosenau, 195-197) That is, Rosenau’s turbulence model treats current affairs and crises in international politics as consequences of more profound shifts in the underpinnings of the global order that shift the normative premises to the extent that state (Westphalian) sovereignty may be compromised. These moral underpinnings of global society, then, are reflected in the prevailing normative constitution of world politics. For Rosenau, today’s world is extremely turbulent, thus characterized by high degrees systemic dynamism and complexity that serve to restructure the foundations of state legitimacy and question the locus of authority over matters previously under the sole jurisdiction of the state (199).

Liberal globalism asserts that the political balance of global norms has been increasingly focused on the individual. That is, the unprecedented advances in telecommunication, computer networks and media coverage collectively referred to as globalization<sup>10</sup> have facilitated an increased awareness of the human condition throughout the globe. As a result, the relationship between the state and the individual has been under increased scrutiny because of this heightened awareness. Thus, by viewing sovereignty as the relationship between rulers and ruled and falling back on modern social contract theory, liberal globalists assert that states have a responsibility to

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<sup>10</sup> For a complete discussion of the phenomenon of globalization, see Saskia Sassen (1995).

the individual. The authority crisis, then, is a result of states' failure to fulfill their obligations given the new standards states must adhere in this new global environment. Friedrich Kratochwil's (2000) analogy between property and sovereignty gives a cogent example of statehood and responsibility. For Kratochwil, just as ownership is subject to limits on its use,<sup>11</sup> so too is sovereignty subject to normative constraints that change over time in accordance with changing values of global society (Kratochwil, 25-29). Therefore, when the relationship between the state and its constituent violates minimally accepted standards, specifically, when the state oversteps norms of legitimacy established by performance criteria, then the state has effectively forfeited authority under the changing bases for sovereign legitimacy. We must, nevertheless, ask what are these emerging legitimating norms of global order; what are these minimally accepted standards or the performance criteria of states; and on what grounds do violations of these norms by states warrant intervention?

The answers to these questions are inherently linked to the new role of the state in international politics *vis a vis* the individual. A liberal globalist might assert that the international community has effectively endowed certain basic rights to individuals that go beyond the state's sole jurisdiction. However, when did the interests of human beings become paramount to the interests of the states through which they assert agency, and how were these rights bestowed upon the individual? Certainly, ever since John Locke, subsequent philosophers of the Liberal tradition have put forth ideas that called for a shift in the sovereign authority from the sovereign to the people (see Locke 1689). Even after the American and French Revolutions, the idea of popular sovereignty remained for the most part a western phenomenon and human beings throughout the globe continued to be arbitrarily deprived of liberty and property, enslaved, exploited, persecuted, and even murdered. That said, it took the atrocious, genocidal acts of the Nazis and their

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<sup>11</sup> Kratochwil uses the analogy of land ownership under Roman private law, whereby a landowner could exclude others from his land as well as use and convey his property freely. The exercise of absolute property rights, however, became more difficult to defend based on moral considerations of right and wrong. Kratochwil gives a contemporary example asserting that nowadays, society "would not consider the prohibition of running someone over with a car as a 'restriction' on one's title to an automobile" (26).

conviction of “crimes against humanity” to usher in a notion of “human rights” into the international political domain.

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The recent emergence of international human rights as a salient concept has been driven by a number of factors. First, beginning with the Universal Declaration of Human Rights in 1948, defining and establishing norms regarding human rights has been the goal of numerous pieces of international law, treaties and covenants including the UN Charter, the Universal Declaration, the Nuremberg War Crimes Tribunal, and the Helsinki Final Act. Furthermore, such codes have aspired to create a formal international legal framework that effectively holds states accountable for the treatment of their citizens. To further boost human rights norms, the Carter and Reagan<sup>12</sup> Administrations made human rights a prominent theme of their foreign policies (Ikenberry, 91). Furthermore, the American and European (Union) promotion of democratic values, the rule of law and accountable institutions as solutions to many of the world’s problems has made it more difficult to ignore how certain states are institutionally arranged and the ways in which their governments act within their boundaries (92-93). Such profound progressive global trends have made it even harder for western democracies such as the US and the EU signatories to ignore state-sponsored violence when it occurs.

Certainly, then, the codification of norms that set standards for the treatment of human beings, define what rights humans possess and describe what punitive measures can be taken against states that violate these basic rights, tends to run contrary to realist notions of Westphalian sovereignty. That is, the exclusive authority of states, while once a stable assumption, is now contested as the international community (the UN) attempts to set global standards for human rights practices. It is the interpretation of these codes that has fostered the debate on sovereignty between realists and liberal globalists that has

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<sup>12</sup> It is important to note that the Reagan Administration stressed political and economic freedoms in order to boost the validity of liberal democracy—most likely as a political attack on Soviet Communism. See Ikenberry 2000.

dominated the academic discourse and international-political rhetoric. First, however, what is a human right?

Most human rights scholars point to two pieces of international law when defining a human right: The Universal Declaration of Human Rights (1948) and the International Human Rights Covenants (1966), which consist of the Covenant on Economic, Cultural and Social Rights and the Covenant on Civil and Political Rights.<sup>13</sup> Traditionally, these codes have been understood to regulate relations between individuals and the states in which they live (Donnelly, 115). These rights are ones which a human has simply by virtue of being a human being—the most basic rights include the right to life, protection against slavery, torture, and arbitrary arrest. Therefore, the fact that sovereignty remains a central norm in the politics of human rights gives the latter concept “a special reference to the ways in which states treat their own citizens in their own territory” (116).

Since 1948, numerous human rights organizations have emerged that effectively monitor human rights practices throughout the world. These include dozens of non-governmental organizations (NGOs), such as Human Rights Watch and Amnesty International, as well as subsidiary bodies on the UN Economic and Social Council (ECOSOC): the UN Commission on Human Rights and the UN Human Rights Committee (UNHRC). These bodies have effectively established and internationalized norms of human rights, thus proving to be normatively strong institutions. However, functionally, procedurally and instrumentally, these bodies are extremely weak (125). According to Donnelly, “[m]ultilateral procedures for coercive intervention to enforce international human rights obligations simply do not exist” (128). Therefore, recent humanitarian efforts by the UN have been scrutinized by both political officials and the public for their unclear objectives, their inefficiency, and ultimate failure. Such operations include cooperative peacekeeping endeavors in Somalia, Bosnia and Rwanda. Furthermore, realists have argued that such operations are not reflective of humanitarian

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<sup>13</sup> See Jack Donnelly (1995, 117) for a listing of internationally recognized human rights from these documents.

concern but rather the strategic interests of members of the Security Council—namely, the US, France and Britain (Krasner 1995, 229).

Therefore, the universal institutionalization of human rights norms through the aforementioned pieces of international law,<sup>14</sup> NGOs and UN subsidiary bodies presents a problem of logic when viewing human rights through the lens of sovereignty. While most states recognize the legitimacy of these documents, many have been reluctant in allowing the UN or any other supra-state regime to enforce these norms. What, then, are the guidelines for outside intervention when states internally violate international norms of human rights?

Jack Donnelly (1995) contends that six types of intervention exist based on two sets of premises. As Figure 1.1 illustrates below, coercive or noncoercive intervention can be authorized, unregulated or prohibited (Donnelly, 119). Donnelly elaborates on only four of six types of intervention and for the purposes of this analysis, I will examine only two of the six—authorized coercive and prohibited coercive intervention—as they present the most direct challenge to Westphalian norms of sovereignty. Authorized coercive intervention entails the threat or use of military force to influence a state's behavior. Donnelly asserts that this type of intervention must be legitimated by international law and authorized by the international community; therefore it entails a transfer of authority from the state to the international community, thus demonstrating a redefinition (but not a violation) of sovereignty. Prohibited coercive intervention, on the other hand, entails the threat or use of military force prohibited by international law, *without* the authorization of the international community, and thus *does* violate sovereignty. (119-122)

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<sup>14</sup> These two documents have been recognized by virtually all states of the world (Donnelly, 125).



**Figure 1.1. Donnelly’s Classification of Intervention**

(Information from Donnelly 1995, 119.)

	<b>Coercive</b>	<b>Noncoercive</b>
<b>Authorized</b>	*Involves the threat or (legal) use of military force sanctioned by the international community to influence a state’s behavior.	Human rights treaties that establish mandatory reporting procedures would fall into this category.
<b>Unregulated</b>	Few acts of coercive intervention are merely unregulated. According to Donnelly, they are either authorized or prohibited.	Official expressions of concern or condemnation of human rights violations.
<b>Prohibited</b>	*Involves the threat or use of force prohibited by international law and/or <i>not</i> sanctioned by the international community.	Donnelly asserts that noncoercive intervention is rarely explicitly prohibited.

\* Indicates the types of intervention dealt with in this study.

For realists, however, *any* intervention without the consent of the target state violates sovereignty, as it legitimates the abuse of weak states by strong states under humanitarian auspices (Krasner 1995, 229). The idea of humanitarian intervention, therefore, presents a logical problem for realists as the assumptions of rational state behavior embraced by realists scarcely explain such interventions in terms of motivational determinants. However, although human rights norms have been effectively codified on an international level, a set of rules and procedures pertaining to interventions on behalf of human rights have been vaguely defined, thus have been extremely elusive. When the battle of ideologies ended with the Cold War and the Great Powers reevaluated their priorities, the international community began, timidly at first, to put in practice the norms of human rights they preached since Nuremberg. In humanitarian endeavors since

the end of the Cold War, humanitarian concerns were balanced carefully with national interest, collective legitimacy and respect for sovereignty. Thus, blurred objectives and arguably failed operations such as in Somalia (see below) resulted in a global perception of the international community's lack of resolve and commitment to address human injustice (Helton, 77). Nevertheless, humanitarian interventions have occurred since the end of the Cold War and are setting precedents as they transpire. While controversial, initiators of interventions such as those in Somalia and Bosnia fall back on the UN Charter for elusive legal justifications; as have target states cited illegalities when they feel their sovereignty has been violated.<sup>15</sup>

While the Charter contains clauses that call for the respect of sovereignty of all members (Article 2 (1)), there is no explicit language in the Charter that authorizes intervention in the internal affairs of a state to protect human rights. Admittedly, however, Chapter VII of the Charter deals with “breaches of the peace and acts of aggression” and interpreted liberally, has served as justification for armed humanitarian intervention (especially Articles 39 and 51) (Alexander, 407). Although legal justification exists—albeit contested—incipient norms of intervention are best examined through precedents set by the moral discursive justifications pertaining to actual humanitarian interventions of the past. As Kofi Annan suggested, “[n]othing in the Charter precludes a recognition that there are rights beyond borders” (Crossette, A1). Therefore, it is the actual intervention, the grounds of its justification, and the subsequent global discourse that are important when examining the salience of human rights norms, the legitimacy of intervention, and the appraisal of state sovereignty in international relations.

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<sup>15</sup> See Chapter 2 for legal justifications in the UN Charter used to warrant humanitarian intervention—especially Articles 39 and 51. See the Article 2 of the Charter for justifications for nonintervention.

## **Conclusion**

Based on the codification of numerous pieces of international law and the internationalization of human rights norms, most realists have admitted that human rights are no longer strictly under the exclusive jurisdiction of the state, as a purely statist model of international relations does not provide an accurate picture of the place of human rights in the global scheme. Furthermore, human rights scholars such as David Forsythe (2000) have argued that human rights policy has been increasingly interwoven with notions of national identity. That is, a state's human rights policy reflects the extent to which human rights shape its citizens' understandings of who they are as a people, and few states overtly reject the notion of secular and universal human rights. (Forsythe, 3) For instance, the former authoritarian state of Hungary serves as an exceptional example as its new constitution proclaims the superiority of international law (including human rights law) over national law, thus willingly forfeiting meaningful aspects of domestic authority (9). Similarly, Forsythe asserts, human rights norms have even permeated, albeit minimally, secular theocratic states such as Islamic Iran (314). However, no state's national self-image is exhausted by an unfeigned commitment to human rights and until recently, many western democracies, especially the US, have been reluctant to risk sacrificing their own nationals to liberate mistreated citizens halfway across the globe.<sup>16</sup> The fact remains that liberal globalists and human rights scholars make strong arguments that state sovereignty and norms of nonintervention are providing much less insulation to human rights violations than during the Cold War.

Nevertheless, there has not yet been a clear transfer of authority from the states to the international community in the area of human rights (or any other areas such as environmental practices). Thus, it is not my contention that such a shift in authority is transpiring. However, recent interventions on behalf of human rights or for humanitarian

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<sup>16</sup> This phenomenon is known in the United States as the "Vietnam Syndrome" and refers to the reluctance of the state to risk the lives of US military troops in foreign military operations when the objectives are unclear and where there is no clear national interest. Most recently, the UN operation in Somalia (1992-94) demonstrated this tendency when US military peacekeepers under humanitarian auspices were killed and dragged through the streets of Mogadishu. In the spring of 1994, the US forces pulled out and the operation was deemed a failure (Fromkin, 76-80). See below.

purposes indicate a trend in the increased willingness of states to accept human rights as a foundation for legitimacy.

UN humanitarian interventions of the 1990s have been implemented in order to balance the humanitarian “moral imperative” equally with a notion of collective legitimacy—although sometimes with ambiguous results. UN coercive humanitarian interventions in post-Gulf War Iraq, Somalia and the former Yugoslavia (Bosnia) serve as excellent examples. While for the most part, these three interventions have been legitimate on the basis of Security Council approval or “consent of the target,” they have also served to run contrary to the “inviolable” norm of state sovereignty. Therefore, an intervention justified in humanitarian terms places human rights in discord with state sovereignty and fosters rhetoric aiming to defend the primacy of one or the other. Thus, when examining the relationship between human rights and sovereignty, it is the intervention and the discourse it engenders which link the two together. Ultimately, the discourse prioritizes these concepts, normatively appraises their values relative to each other, and legitimizes or delegitimizes state behavior. First, however, one must examine the nature of interventions before one judges the legacy of their normative progress.

The next chapter of this analysis will examine trends in international humanitarian intervention of the past decade culminating with the NATO intervention in Kosovo. I will first briefly explore UN missions that have operated under humanitarian auspices and the possible normative effects they have engendered with regard to their legitimacy. I will trace the precedents set by these operations and argue that the Kosovo intervention presents the next step in the accumulation of normative progress toward establishing human rights as a norm of legitimation for state sovereignty. Does the Kosovo example present an exception to the rule, or has the need to protect innocent citizens from slaughter by their own government come to modify the global perception of state sovereignty and alter the foundations of the legitimacy of the state?

## CHAPTER TWO

### HUMANITARIAN INTERVENTION: KOSOVO, NATO AND THE MORAL IMPERATIVE

The post-Cold War era, unlike other post-war periods, has thus far not been characterized by a reconstitution of the world order in the image of the victors. That is, after the major conflicts of this century (and throughout modern history), peace settlements ending conflicts—usually dictated by the victors—have served to promulgate new rules, norms, and institutions of the post-war international order. That said, the end of the Cold War has left the world with “a confusing combination of new norms, old institutions, unipolar power [and] uncertain leadership...” (Ikenberry, 86). Therefore, the rules for humanitarian intervention have not been adequately defined, and norms and precedents for intervention are simply being made-up as the post-Cold War order continues. Thus, when viewing a pivotal intervention such as Kosovo in this shaky post-Cold War order, one must examine it through the lens of previous post-Cold War interventions in order to illuminate its continuity and its significance regarding the establishment of norms of international order.

This chapter will first attempt to clarify the legal and normative precedents upon which the Kosovo intervention was based and suggest that the Kosovo intervention can be viewed as the culmination of significant normative and liberal progress, with regard to human rights, throughout the past decade. Nevertheless, non-western powers, such as Russia, have castigated the operation on a number of levels and their own humanitarian disaster in Chechnya serves as a strong reminder of the resilience of realist notions of state-centered power politics. While the legitimacy, objectives, and ultimate success of the Kosovo intervention will always be under scrutiny, how are we to judge the legacy of Kosovo in terms of global norms, sovereignty and human rights as a legitimating principle? This chapter will set the stage for such a discussion.

## ***Humanitarian Intervention in the 1990s***

Prior to the end of the Cold War, the traditional view in states such as the US and many of its western allies was that states should only deploy troops to defend their own interests where issues of self-preservation or national security are at stake (Fromkin, 168). However, since the end of the Cold War, the international community under mandate from the UN Security Council (UNSC) has assumed more of an active role in advancing notions of human rights throughout the world. Furthermore, humanitarian interventions prior to (but unlike) Kosovo that *were* authorized by the Security Council have engendered less (though some) debate regarding the legitimacy of such operations (Alexander, 410). Under Donnelly's classification, the humanitarian interventions in northern Iraq (1991), Somalia (1991-94) and Bosnia-Herzegovina (1992-95) were all "authorized coercive," thus not a violation the target states' sovereign rights, but a redefinition of them through a transfer of legitimate authority (see pg. 19-20 above).

### ***Iraq***

The international community's response to Saddam Hussein's terrorizing of the Kurdish minority in northern Iraq following Iraq's defeat in the Gulf War was a landmark event in establishing precedents for collective humanitarian intervention. While the Gulf War itself was collectively legitimated as the "repulsion of an aggressor," the establishment of safe havens within Iraq, for the Kurds in the north and the Shiites in the south, risked treading upon Iraqi sovereignty and losing the support of Middle-eastern allies (Mayall, 319). Nevertheless, from an international/legal point of view, this action under Security Council mandate effectively expanded what constitutes a justifiable intervention based on Article 39 of the UN Charter (see UNSC Res. 688). That is, the brutal extermination of a minority population within a state's borders was encompassed by UNSC Resolution 688 to classify such acts as a "breaches of international peace and security" (Article 39). While Resolution 688 contained no explicit language authorizing the use of force, "all necessary means" was accepted as an implicit authorization, just as similar language in Resolution 678 was used as the legal basis for the use of force against Iraq in Operation Desert Storm (Groom and Taylor, 297).

These authorizations by the Security Council and the subsequent UN-sanctioned enforcement of “no-fly zones” in Iraq by the US and Great Britain sent a powerful message to the world with regard to the interpretation of the UN Charter. The balancing act between norms of sovereignty and nonintervention on one hand and norms of international human rights, peace and security on the other seemed to be tilting toward the latter. While the legacy of the Gulf War is not commonly judged by the post-war humanitarian efforts, but rather the Allies’ failure to push Hussein completely out of power, the Security Council’s actions set important legal and normative precedents for intervention on behalf of human rights. UNSC Resolutions 678 and 688 provided a more encompassing definition of legitimate intervention notwithstanding Iraq’s charge of violations of sovereignty (Alexander, 309). Furthermore, the normative value of US President George Bush’s rhetoric of a “new world order” condemning aggressors and human rights violators gathered momentum as the slogan of the post-Cold War order.<sup>17</sup>

### *Somalia*

In the Somali humanitarian crisis, important precedents were set, yet western—namely American—ideals were certainly put to the test. Somalia, a state in northeast Africa, was suffering from drought and widespread famine when in 1991, the state’s military dictator Mohammed Siad Barre fled the country, leaving it subject to banditry, anarchy and civil war among a dozen warring tribes (Fromkin, 76). The UN responded by sending humanitarian aid but with little success as the warring factions intercepted food and medical provisions carried by UN envoys before they reached the 1.5 million starving people (77). In late 1992, the United States, during the remaining days of George Bush’s presidency, unilaterally sent troops to Somalia to give protection to the UN envoys. This act of altruism was justified as an act of “common humanity” (77).

Although the Somali warlords were certainly oppressing large parts of the local population, it was difficult to point the finger to human rights violations because it was

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<sup>17</sup> See David Fromkin (1999; 75, 150, 173) for a discussion of George Bush’s neo-Wilsonian idealism embodied in the rhetoric of his “new world order.”

unclear which warlord possessed political hegemony or responsibility for violations at any given point. Nevertheless, as with Iraq, the intervening parties were authorized by the UN to use force to achieve their humanitarian objectives based on a Chapter VII mandate (threats to/breaches of peace, acts of aggression), thus fortifying the idea that humanitarian/peacekeeping endeavors did *not* require the consent of the target state (Mayall, 324). (see also UNSC Res. 767, 775, 794)

When US/UN military forces pulled out of Somalia in March of 1994, it was done so on a sour note as public opinion on the intervention plummeted in the US after television reports showed murdered US soldiers being dragged through the streets of Mogadishu (Fromkin, 169). Although the failures of the Somali intervention were political rather than humanitarian, the murkiness of US/UN goals, and sloppy execution of objectives labeled the operation a failure—especially when the US saw itself being drawn further into conflict and taking on roles beyond humanitarian relief (i.e. state-building). Nevertheless, the UN’s decision to authorize the use of force in the absence of a violation of Article 2(4) (aggression against another state) was legally significant in that it again broadened the definition of justifiable intervention. On a normative level, it demonstrated the willingness of the Security Council to authorize the use of force in a purely humanitarian operation that was not easily characterized as a threat to international peace and security (Alexander, 411).

The interventions in Iraq and Somalia undoubtedly engendered much controversy regarding their ultimate success—especially judged from a political perspective. Nevertheless, the collective legitimation of these operations through Security Council authorization suggests a change in the international community’s willingness to forfeit state sovereignty to pursue more liberal humanitarian concerns, thus setting the stage for future humanitarian endeavors.

### ***Bosnia-Herzegovina***

The crisis in the former Yugoslavia has been the international community’s greatest challenge since the end of the Cold War. In particular, the use of force and the



establishment of “safe zones” around the city of Sarajevo and other urban areas in the breakaway republic of Bosnia-Herzegovina (Bosnia) stimulated the greatest challenge to the territorial norms of the Cold War order. In June of 1991, following the constitutional establishment of Serbian dominance in Yugoslavia (see below), the Yugoslav republics of Croatia and Slovenia declared their independence from Yugoslavia. These declarations sparked civil war and atrocious violations of human rights by all sides including the infamous and violent siege of Sarajevo in April of 1992 by the Serbs. The UN responded initially with general arms embargoes against the former federal state (Res. 713) and eventually passed resolutions (Res. 752) condemning the hostilities and human rights violations that had now spread to Bosnia (Alexander, 413). In February of 1992, the Security Council deployed the United Nations Protection Force (UNPROFOR) to Yugoslavia (Res. 743) in order to monitor the negotiated ceasefire in Croatia (Haass, 38).

By May of 1992, both the EU and the UN had formally recognized the independence of the former Yugoslav republics of Croatia, Slovenia, Bosnia, and Macedonia (Alexander, 413). Following the Bosnian declaration in March, violence escalated in the multi-ethnic former republic with reports of high incidences of ethnic cleansing committed mostly by Serbs to Bosnian Muslims resulting in a mass exodus of refugees (Haass, 38). After a futile attempt to quell the escalating violence by extending the UNPROFOR mandate to include Bosnia, the Security Council passed Resolution 770 that called upon “states to take nationally or through regional agencies or arrangements *all measures necessary* to facilitate...the delivery of humanitarian assistance to Sarajevo...and other parts of Bosnia” (UNSC Res. 770 (2); emphasis mine). This resolution was read as an authorization to use force in order to ensure the safe delivery of humanitarian assistance to suffering civilians, as the humanitarian efforts of UNPROFOR proved to be ineffective (see Burg and Shoup, 147). Eventually, NATO was charged with the responsibility of enforcing established no-fly zones over parts of Bosnia and safe areas surrounding Sarajevo and other urban areas in Bosnia (UNSC Res. 781).

The actions taken by the Security Council thus far in the Bosnian conflict demonstrate landmark developments in international human rights law as the UN took action based on the premises for legitimate intervention previously expanded by the Iraq and Somali interventions (Baehr, 21). As in Iraq, the UN intervened in a conflict for the sole purpose of promoting human rights, and in the case of Bosnia, went so far as to authorize NATO's military role in the intervention (Alexander, 413-414; Baehr, 7). This was the first time in history that the UN had authorized "a regional military organization to intervene in a conflict for humanitarian purposes" (414).

For nearly the next two years, NATO abstained from military action beyond "protecting" UNPROFOR and OSCE (Organization for Security and Cooperation in Europe) relief efforts, which tolerated much Serb interference (Haass, 41). Furthermore, the fact that UNSC Resolution 770 extended the UNPROFOR mandate to include Bosnia must be understood with certain qualifications, as according to Stanley Hoffmann (1996), UNPROFOR's mission was merely a humanitarian operation as opposed to one designed for peacekeeping. Hoffmann asserts that UNPROFOR was not a peacekeeping force because there had not yet been a ceasefire in Bosnia; nor was it allowed to use force to protect the victims of Serb attacks (Bosnian Muslims).<sup>18</sup> Use of force was allowed not to protect the victims of Serb attacks, but to protect UNPROFOR if it came under attack.<sup>19</sup> (Hoffmann, 46) In short, the entire operation was torn between the fact that on one hand, it was the Serbs who were responsible for most of the atrocities committed in the Bosnian

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<sup>18</sup> It is important here to differentiate "peacekeeping" missions and "peacemaking" or "peace-enforcing" missions. Peacekeeping, which was the intent, but arguably not the effect, of UNPROFOR, traditionally involves the consent of the parties involved. Therefore, in the Bosnian crisis, where the UN was involved in "active" peacekeeping, it was obligated to maintain impartiality. This is why UNPROFOR was not itself authorized to use force to protect one party (Bosnian Muslims) from abuses by another (Serbs) and arguably why it was ineffective. Peacemaking, or peace-enforcement, on the other hand, "requires partiality, at least at the point of intervention, until those responsible for the crisis have been...persuaded to cooperate." Enforcement oftentimes requires the use or threat of force. (Mayall, 324) While NATO was originally authorized to use force in pursuing a *peacekeeping* assignment (to protect UNPROFOR but not take sides), it's reading of UNSC Res. 770 eventually obliged it to use force in a *peace-enforcing* manner. This is extremely important when examining NATO's choice to later use force in the Kosovo crisis.

<sup>19</sup> The task of protecting UNPROFOR was essentially assigned to NATO, which at this time, was quite reluctant to use force in peacekeeping endeavors, as it's role was still largely defined as a regional security alliance as opposed to a peacekeeping or peacemaking force (Hoffmann, 38-60).

conflict, and on the other hand, the Security Council was reluctant to take too harsh measures against the Serbs so as not to spoil hopes of reaching an agreement (48).

In March of 1994, minor “pinprick” strikes against Serb targets in retaliation against large-scale Serb offensives in the mostly Muslim city of Gorazde proved to have little effect. In fact, following NATO’s UN-authorized airstrikes against Serbian armored vehicles near Gorazde, Serb officials warned NATO leaders that continued airstrikes against Serb targets would result in attacks on UNPROFOR personnel. When Serbs further shelled the city provoking a limited NATO retaliation, some 200 UNPROFOR personnel and civilians were taken hostage by Bosnian Serbs. (Burg and Shoup, 146-148) Nevertheless, despite UN personnel being taken hostage by Serbian forces, as well as continued Serb attacks on Gorazde throughout April, NATO eschewed large-scale retaliations, notwithstanding the minor retaliations on Serbian aircraft and armored vehicles (Haass, 40-43).

In July of 1994, a Contact Group (CG) consisting of members from the US, Russia, France, Britain and Germany proposed a political settlement that effectively partitioned a loosely federated Bosnia, which would be split 50-50 between the Serbs and a Muslim-Croat federation. In the end, the Serbs rejected the settlement and Serb aggression in Bosnia resumed, resulting in an escalation of Muslim-Serb fighting around the city of Sarajevo. (43) The escalation of fighting and ethnic cleansing culminated with the Serb Army’s large-scale invasion of the UN “safe area” of Srebrenica in July of 1995 (Brune, 42-43; Judah, 120). The Serbs’ takeover of the city was followed by the mass slaughter of thousands of Muslims at the hands of Serb soldiers. While the precise number of Muslim victims is not known, the killings at Srebrenica constituted the largest such event in Europe since World War II. (Berg and Shoup, 324-325)

In response to these severe atrocities, and with the backdrop of nearly two years of Serb interference with humanitarian efforts, blatant pursuance of ethnic cleansing, and disregard for ceasefires, NATO began a large-scale air campaign beginning in late August 1995 against Serbian military targets in Bosnia and parts of Croatia. This larger,

more potent NATO offensive lasted through early September of 1995. The mission, called “Operation Deliberate Force,” along with the Zagreb (Croatian) ground offensive in Croatia effectively dropped the Serbian hold on Bosnia from about 70% to 50% (Freedman, 424). The diplomatic proceedings that culminated from Operation Deliberate Force were the Dayton Peace Accords in November 1995, signed by Bosnia, Croatia, and the Federal Republic of Yugoslavia (FRY)—the self-proclaimed Yugoslav successor state, which included the republics of Serbia and Montenegro. A NATO-led implementation force (IFOR) took responsibility for implementing certain aspects of the treaty, which included the observance of the October 5 ceasefire, withdrawal of Serbian combat forces, a ban on importation of military weapons and several other aspects (US Department of State 1995). Furthermore, the Agreement called for a *de jure* partitioning of Bosnia along ethnic lines (Fromkin, 157).

Certainly, Operation Deliberate Force had much to do with Milosevic and the Serbs coming to terms at Dayton. As a result, the physical intervention and the Peace Agreement itself resulted in an unclear future for peace in the Balkans. Nevertheless, NATO’s ostensive violation of Yugoslav sovereignty was completely consistent with the Security Council and seemingly had at least some justification based on precedents set by the interventions in Iraq and Somalia. After all, the Serbian attack on the “safe area” of Srebrenica was an attack on the “will of the international community represented by the UN Blue Helmets” (Nambiar, 266). Furthermore, the UN and NATO learned a valuable lesson that would later be heeded in the Kosovo crisis in dealing with a defiant and recalcitrant leader like Milosevic—that is, that tolerating aggressive behavior and responding to aggression with ill-equipped and poorly-trained “peacekeepers” (UNPROFOR) will only result in more aggression. I will elaborate on this point in my analysis of the Kosovo crisis in the following section of this chapter.

The three humanitarian interventions discussed above each contributed the broadening of what is considered a legitimate intervention under Chapter VII of the UN Charter. From a liberal globalist perspective, these three interventions have effectively and consistently categorized human rights concerns as a threat to international peace and

security. On the other hand, these interventions are arguably *inconsistent* with Westphalian norms of state sovereignty,<sup>20</sup> as the Security Council has employed rather liberal interpretations of Articles 39 and 51 of the Charter to justify intervention—violation of sovereignty—on humanitarian grounds. That said, aside from a *direct* Security Council mandate, how is NATO’s intervention in Kosovo any different from, for example, that in Bosnia? It is to this question that I now turn.

### ***Kosovo: The Next Step***

The history of the relationship between the province of Kosovo and Serbia can be dated back to 1389 and has just as much to do with myth, culture and literature as it does with politics.<sup>21</sup> In short, the historical significance of Kosovo—thus its importance to the Serbian nationalist psyche—dates back to a partially mythical battle popularized by Petar Njegos’ nineteenth-century epic poem *The Mountain Wreath* that glorified The Battle of Kosovo in 1389 (Wachtel, 40-45). According to popular myth, the Serbs battled the Ottoman Turks in Kosovo for control of the Balkans, which the Serbs subsequently lost. Therefore, Njegos’ story was construed as a battle unfairly fought. This myth was used by Serbian nationalists as propaganda to blame the Muslim Turks for centuries of Serbian suffering at the hands of the Ottoman Empire, which controlled the region of Kosovo until the Serbs annexed it after the Balkan Wars of 1912 (55). Therefore, the history and mythology surrounding Kosovo is a useful tool for inciting popular Serbian nationalist sentiments—particularly against the (Muslim) Albanians who predominantly populate Kosovo.

Serb myths about the Battle of Kosovo played a vital role in the resurgence of Serb nationalism near the end of the nineteenth century. In 1878, the Congress of Berlin

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<sup>20</sup> Certainly, by this time, what was left of Yugoslavia scarcely resembled a “state.” Nevertheless, the succession of Macedonia, Croatia, Slovenia and Bosnia-Herzegovina from Yugoslavia by no means meant that what was left of the Yugoslav state ceased to exist, as by 1995, the FRY (the self-proclaimed Yugoslav successor state established in 1992) was formally recognized by many members of the international community including the European Union (Judah, 125).

<sup>21</sup> See Andrew Wachtel (1998) for a detailed examination of the role of mythic literature and cultural politics in the break-up of Yugoslavia.

recognized Serbia as an independent nation, although it did not gain control over the region of Kosovo despite Serb nationalists' dreams of creating a greater Serbian Empire (Brune, 14-15). After Serbia won control over Kosovo in the Balkan Wars of 1912, Serb nationalists began looking to gain control over Bosnia-Herzegovina, which was controlled by Austria. These sentiments culminated with the assassination of Austrian Archduke Francis Ferdinand on June 28, 1914—the anniversary of the Battle of Kosovo—by a Serbian nationalist in an attempt to “liberate” Slavs living under Austrian rule (16). As a result, World War I broke out in Europe with Britain, Russia, and France allied with Serbia, and Germany allied with Austria. The eventual abolition of the Austrian and Ottoman Empires by the Paris Conference in 1919 called for the creation of a South Slavic nation called the Kingdom of Serbia, Croatia, and Slovenia, which was renamed Yugoslavia in 1929 (21).

Throughout the 1930s, nationalistic sentiment permeated Yugoslavia as Serb-dominated political forces pursued colonization policies in order to “Serbify” the multi-ethnic Yugoslav state (Judah, 22). In 1941, in defiance of Yugoslavia signing a pact with Hitler, Serbian military officers overthrew the Yugoslav government creating enough internal instability to facilitate the German invasion of Yugoslavia. During the German occupation, Yugoslavia was effectively divided up. As a result of German as well as Italian occupation, domestic conflict among Croats, Muslims and Serbs escalated. The German and Italian puppet regimes were loosely controlled, which allowed Croats and Muslims to take their revenge on the Serbs, who had politically dominated Yugoslavia since its creation. “In particular, Croatian Ustasha were notorious killers of Serbs, Jews and gypsies.” (Brune, 24-25) When the Nazis were defeated in 1945, communist partisan and fascist resistor Josip Broz Tito emerged as the new dictator of Yugoslavia. By dividing the state into six federal republics, Tito was able to suppress ethnic conflict by imposing his own brand of communism without influence from Moscow (Fromkin, 146).

In 1974, under Tito's communism, the region of Vojvodina and the Muslim-populated region of Kosovo became autonomous<sup>22</sup> provinces of the Republic of Serbia, which was one of the six constituent federal republics of Yugoslavia (Fromkin, 159). This all changed, however, when Slobodan Milosevic came into power not long after Tito's death. In 1987, the ephemeral peace under Tito officially came to an end when Milosevic, then a Communist Party official, delivered a speech staged by Serb nationalists at the site of the 1389 Battle of Kosovo (near the capital of the province, Pristina). The charismatic nationalistic speech incited the mostly Serbian crowd to attack the local police, who were all Kosovar Albanians, deliberately provoking the police to retaliate (154-155). The event was portrayed by Serbian media as police brutality, while it was reported that truckloads of rocks and shrapnel (used in attacking police) were delivered to the site the night before by Serb radicals (Brune, 32).

Milosevic's use of nationalist rhetoric calling for the reestablishment of Serbian hegemony in Yugoslavia catapulted him into sole leadership of Serbia (33). The following year, Milosevic cunningly appointed his loyalists as presidential delegates in the autonomous Serbian provinces of Kosovo and Vojvodina as well as in the Republic of Montenegro, thus achieving sufficient votes in the multi-member presidency to gain federal political hegemony in Yugoslavia (35). In 1989, Milosevic amended Tito's 1974 constitution, effectively abolishing Kosovo's autonomy (36). Undoubtedly, protests resulted from Milosevic's new oppressive hold on Kosovo and during demonstrations in April and October of 1989, over 100 Kosovars were killed by Serb police and nearly 1000 Kosovar intellectuals, scholars and political officials were arbitrarily arrested (43).

As mentioned above, after less than two years of increasing Serb dominance, the constituent federal republics began declaring their independence from Yugoslavia, beginning with Slovenia and Croatia (Haass, 38). While engaging in wars with the Bosnians and Croats throughout the early 1990s, the Serbs' repression of the Kosovars did not cease. In 1991-92, Milosevic initiated a terror policy to coerce ethnic Albanians

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<sup>22</sup> The "autonomy" of these two provinces simply means that Kosovo and Vojvodina were able to elect their own assembly and have representatives in all Yugoslav federal bodies (including the multi-member presidency) as if they were actual republics of the federal state (Brune, 26).

into fleeing by calling for arbitrary “weapons searches” in Kosovar households, during which there were numerous reports of theft, harassment and even torturing and raping of parents while children watched (Brune, 43). These atrocities, along with the constant presence of Serbian combat vehicles in the streets and warplanes flying overhead, caused 368,000 Kosovars to seek refuge in Switzerland and Germany (44).

Despite the deteriorating condition of the province, and in order to avoid further bloodshed, Kosovo leader Ibrahim Rugova urged non-violent tactics to protest the Serb repression. By doing so, Rugova hoped to gain empathy from the international community and ultimately achieve independence from Serbia. These tactics failed, and the plight of the Kosovars was ignored even at the 1995 Dayton Peace Accords, which dealt exclusively with the Bosnian crisis. It was at the Dayton proceedings where Rugova and his supporters had hoped to appeal to western negotiators. (Brune 47-48; Judah, 120-126) As a result, the Kosovo Liberation Army (KLA), formed in 1992 in response to Serbian repression, gained much support from the ethnic Albanian populace.

The KLA was mostly comprised of ordinary men who were frustrated with Serb repression. Despite claims by Milosevic that KLA were thug-like drug traffickers, according to Balkan historians Lester Brune (2000) and Tim Judah (2000), most were merely villagers who wanted to protect their homes. (Brune, 58; Judah, 99) Until 1998, most KLA “terrorist” attacks on Serbian forces were infrequent and small-scale—generally in response to Serb brutality and targeted at Serbian police, armed forces and paramilitary. After a KLA attack in February of 1998 that resulted in the deaths of four Serb policemen, Milosevic initiated an unrestrained and indiscriminate attack on Kosovar villages. A few weeks later, offensives by the Serb-controlled Yugoslav National Army (YNA) and the Serb secret police had evolved into the use of attack helicopters, tanks and armored vehicles. A total of 77 civilians were killed in Serbian offensives in the Kosovar cities of Likoshani and Prekas. Particularly targeted were the families of KLA members including women and children. (Brune, 57-60)



In May of 1998, the Serbian army began large-scale offensives against the KLA throughout a string of towns and villages along the Albanian border with the intent of depopulating the ethnic-Albanian population. The KLA was largely outnumbered and outgunned and fled into the KLA stronghold region of Drenica in central Kosovo, thus leaving the civilians of the villages unprotected and subject to brutal atrocities. It was during the absence of KLA forces in these villages that Serb police and paramilitaries used rape as a tool of ethnic cleansing with the aim of expelling the population through terror and fear. (Human Rights Watch [HRW] 1999b) By July, Serb forces had penetrated into the KLA-held region of Drenica and fought fierce battles with the KLA, which lasted until the October 12 ceasefire. During these months, the most atrocious violations of human rights of the conflict occurred, as civilians became the main targets of Serbian violence. Specifically targeted were family compounds secluded in the forests outside of the villages. (Ibid) The NGO Human Rights Watch (HRW) interviewed survivors of atrocities and executions. A Kosovar survivor, Selman Morina, told HRW reporters:

“They [Serbian police] brought us to the garden where the execution took place. Until the execution, our hands had to remain behind our heads...We were then lined up against the fence, lying flat on our belly, face down...They beat us with sticks and stones and with everything they could find...I didn't count the people, but believe there were about fourteen of us...They kept telling us that if we told them who among us belonged to the KLA, they would release the others. There were no KLA among us, so we didn't know what to do...We lay there for two or three hours while they beat us and interrogated us...We were executed one by one. Each person was fired on twice with bursts from a machine gun...I survived because I remained totally dead...Then, I heard them out in the garden and leave...When I got up, I saw the other men with their faces on the ground and they didn't move.” (HRW 1999a)

As a result of Serb atrocities, 800,000 Albanian Kosovars fled into neighboring Macedonia and Montenegro while over 300,000 were internally displaced (HRW 1999b). As refugees fled throughout September of 1998, reports of mass rapes surfaced. Not only were women raped as they were detained and during interrogations, they were randomly picked out of refugee lines and subject to gang rape and sexual torture. HRW

documented and corroborated numerous cases of women being taken from refugee lines by Serb police, gang raped in trucks and then raped again in houses where they were held hostage. A Kosovar Albanian witness of a murder/rape testified:

“They [Serb paramilitary] were wearing military clothes and had black scarves on their heads. They took my sister-in-law into the front room, and they were hitting her and telling her to shut up. The children were screaming, and they also screamed at the children. She was with the paramilitary for one-half hour. She was resisting, and they beat her and the children could hear her screaming. I could only hear what was going on. I heard them slapping her. The children did not understand that they were raping her. After they raped my sister-in-law, they put her in line with us and shot her.”

This victim was a twenty-eight-year old mother. After she was killed, five members of the same family were also murdered—aged five, six, seven, twelve and thirteen. (HRW 2000b)

The initial response of the international community to Serb atrocities in Kosovo, including a renewal of economic sanctions by the EU and UN, the freezing of Yugoslavia’s foreign assets by the US and EU, and general arms embargoes against Yugoslavia, was ineffective (Brune, 60; see also UNSC Res. 1160). In September of 1998, short of threatening the use of force, the Security Council adopted Resolution 1199 that called for the withdrawal of Serb forces from Kosovo.<sup>23</sup> By this time, NATO had begun conducting military exercises over Macedonia as a warning sign of military readiness, and US President Clinton reiterated NATO’s seriousness in early October by essentially giving Milosevic two weeks to withdraw from Kosovo. It seemed that NATO’s demonstration and Clinton’s warning had succeeded when Milosevic agreed to a ceasefire on October 12, which was negotiated by Ambassador Richard Holbrooke (US). (Brune, 67) UNSC Resolution 1204 endorsed the agreement and authorized the

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<sup>23</sup> It is important to note that Britain and France proposed a UN resolution to demand a ceasefire and warn Milosevic of a possible NATO attack. Such a clause was omitted from UNSC 1199 in order to avoid a veto by the Russians, who oftentimes sided with Serbian claims that the KLA was responsible for much of the conflict because of their terrorist actions. (See Brune, 61, 65)

OSCE and NATO to monitor its terms through the Kosovo Verification Mission (KVM) (UNSC Res. 1204).

The interim peace of the so-called October Accords was indeed temporary as not long after refugees began returning to Kosovo and the KVM began, Milosevic rejected a more permanent peace proposal by the six-member Contact Group (CG)—the basis for later negotiations in Rambouillet. During December, skirmishes broke out between Serb forces and the KLA that resulted in a large-scale Serb offensive on Christmas Day (72). After OSCE/KVM monitors found the mutilated bodies of 45 Albanian civilians near the Kosovar village of Racak, the CG began negotiations with Serb and KLA leaders on February 6, 1999 in Rambouillet, France (Judah, 193). During the proceedings, NATO warned Serbian officials that they had sought UN authorization for air strikes if negotiations failed but in the end, the KLA only reluctantly signed on and the Serbs refused to sign at all after much diplomatic deadlock and numerous proposal drafts. By this time, the American CIA and European Intelligence had learned that Milosevic had dispatched over 18,000 troops (soon to be followed by 40,000 more) to the Kosovo border accompanied by tanks, heavy artillery and armored vehicles, and that Serb forces had already “cleansed” several border villages. (Brune, 79-80) By March 15, as Serb forces seized and cleansed more Kosovar villages, it became clear that Milosevic’s plan was to stall negotiations as he had during the Bosnian crisis while his forces purged Albanians from Kosovo. The US and NATO prepared for air strikes.

As was the situation in the Bosnian crisis, the decision to use force in Kosovo occurred only after failed negotiations and toleration of significant Serb defiance. Only this time, NATO was well aware of the futility of negotiating with Milosevic, as in the Bosnian crisis, Serbian forces were notorious for ignoring UN-designated safe areas and blatantly took advantage of the ill-equipped UNPROFOR “peacekeepers.” Thus, in the Bosnian crisis, Milosevic’s dragging out of negotiations delayed NATO air strikes long enough for his forces to seize and terrorize Srebrenica. As a result, NATO’s response in Kosovo was conducted more expeditiously; thus, NATO bypassed direct Security Council authorization. It seemed as though NATO had learned from Bosnia and

responded not with ill-prepared peacekeepers, but with force. In any case, NATO's response still may have been too late.

On March 24, 1999, *without* explicit Security Council authorization, NATO began bombing military and strategic targets in parts of Kosovo (as well as Serbia proper) in response to Milosevic's refusal to accept peace agreements and the continued human rights violations of the Kosovars. By the time bombing had commenced, 40,000 YNA troops had launched military strikes on Kosovar villages paving the way for Serb paramilitary and secret police to systematically terrorize the civilian population (Brune, 83; Judah, 233). During the bombing campaign, incidences of atrocities escalated: once villages were destroyed by the YNA, Serb secret police and paramilitaries began house-to-house searches shooting resisters and men aged 20 to 50 and forcing others to leave on foot. "Before refugees left town, the Serbs raped women they desired; stole refugees [sic] money, identity cards, and personal valuables; and forced Kosovars to sign papers deeding their property to Serbs..." (Brune, 84).

US and NATO officials had expected it might take a week at the longest for the Serbs to surrender but Milosevic had other ideas. Instead of surrendering, Milosevic continued his ethnic cleansing program and did not cease until June 3—a surrender confirmed in the military agreement of June 9 (Fromkin, 160). The resulting peace agreement bore a considerable resemblance to the proceedings at Rambouillet. Besides calling for the withdrawal of Serb forces and demilitarization of the KLA, the agreement included the establishment of a UN interim administration in Kosovo (UNMIK) and a NATO-led peacekeeping force (KFOR) in order to provide a framework for the "substantial autonomy and meaningful self-administration of Kosovo" (UNSC Res. 1244). Critics of UNMIK, however, charged it with resembling a colonial power depriving colonial people rights of self-determination (Groom and Taylor, 302).

The motives of NATO and the US in the bombing of Serbia were clear: to prevent Milosevic from committing further atrocities against the Kosovars by destroying the ability of Serbian forces to do so. US President Clinton stated that if "Milosevic is not

willing to make peace, we are willing to limit his ability to make war on the Kosovars” (Clinton 1999f). The Clinton Administration’s belief that it had a “moral imperative” to intervene is normatively problematic in that such a belief is strictly construed through the lens of western morality. Nevertheless, it is this liberal humanitarian argument that is commonly employed when NATO’s actions come under scrutiny. From an international-legal perspective, NATO’s decision to act unilaterally, absent a clear Security Council mandate to prevent a humanitarian disaster, can be defended through comparisons to Iraq, Somalia and Bosnia—including other incidences where the UN failed to act such as in Rwanda. Therefore, does NATO’s more expeditious, although unauthorized intervention demonstrate an inconsistency in NATO’s humanitarian priorities, or those of the UN? On the other hand, if norms for humanitarian intervention are being broadened, why are only certain humanitarian crises addressed and others ignored?

### ***The Ambiguous Aftermath: Law, Selective Indignation and Dissent***

For better or for worse and certainly not without controversy, NATO’s intervention in Kosovo has set precedents for future humanitarian interventions. First, NATO, taking the more liberal position, has reiterated through action that the rights of individual human beings are at least as important as the sovereignty of a state; and regimes that violate the rights of their citizens may no longer be protected by their rights as a sovereign. Insofar as the Security Council represents the will of the international community, NATO’s circumvention of its authority is problematic. Nevertheless, the operation did ultimately save lives and allowed more than a million displaced Kosovars to return to their homeland. Furthermore, it fortified the ever-increasing importance of human rights as a legitimating norm of global order; abuses of which constitute a threat to international peace and security under emerging international human rights law.

From an international-legal perspective, the Kosovo intervention is not vastly different from the three interventions discussed above based on established normative and legal criteria for legitimate intervention. That is, each of the above interventions had a humanitarian component, with Iraq and Bosnia (and Kosovo) demonstrating human

rights violations committed by a state against its constituents. Furthermore, a liberal interpretation of Chapter VII (Articles 39 and 51) of the UN Charter with regard to Iraq, Somalia, and Bosnia would certainly have encompassed the circumstances in Kosovo. There is little doubt that the crisis in Kosovo was at least as threatening to global stability as the other three crises. For instance, despite the juridical ambiguity with regard to Kosovo's territorial inclusion within Serbia *and* the FRY, one could reasonably argue that the Kosovo crisis was *more* directly a "threat to international peace and security" than the crisis in Somalia—especially given the historical volatility of the Balkans. This becomes evident not only from making reference to a possible domino effect, whereby ethnic conflict could possibly spread to neighboring Macedonia and Albania, but also from examining the refugee problem that certainly would have disrupted, and did, in fact, disrupt the political and economic stability of southeast and central Europe (Helton, 2000). Threats of the conflict spreading and of mass refugee flows were significantly less during the Somali humanitarian crisis.

To be sure, however, it is important to examine the ambiguity and coded language that permeates Security Council Resolutions when it comes to "authorizing" the use of force. The Resolutions most directly pertinent to NATO's actions in Kosovo—1199 and 1203—are full of such language. 1199 "*calls upon* Member States...to provide adequate resources for humanitarian assistance to the region" while 1203 "*urges* Member States" to do the same (emphasis mine). A crisis was present and the Security Council had asked Member States to act. Given the humanitarian context and the vehement condemnation of Milosevic's actions by the UN, such language could be reasonably interpreted as an authorization to use force to achieve the aforementioned ends—especially since Chapter VII was explicitly mentioned (Groom and Taylor, 296). Similarly, Resolution 678—the legal basis for using force against Iraq—uses the language "all necessary means" while Resolution 770 employed in the Bosnian crisis states "all measures necessary." Thus, the Security Council requests embodied in Resolutions 1199 and 1203 were interpreted by NATO to act as peace-enforcing unit as they eventually did in response to Resolution 770 in the Bosnian crisis.

Nevertheless, NATO's actions were perceived by some members of the international community as a violation of the UN Charter, and it later became obvious that NATO bypassed direct Security Council approval in order to avoid incipient vetoes by Russia and China. For NATO, the Security Council's failure to come to a consensus was not acceptable given the time considerations and seriousness of the crisis. This sort of lack of consensus served as a grave reminder of inaction during the Rwandan humanitarian disaster when the Hutu-dominated government systematically slaughtered thousands of ethnic Tutsi in 1994 (296). However, when the Russians asked for a resolution condemning NATO, it was rejected 12 votes to 3 with dissenting votes from Russia, China and Namibia (296). Thus, a majority of UN member-states tacitly supported NATO in their endeavors in Kosovo. UN Secretary General Kofi Annan reiterated this point when he stated that "the Member States of the UN should have been able to find common ground in upholding the principles of the Charter, and acting in the defense of our common humanity" (Alexander, 417).

The apparent selectiveness of NATO's altruism is also a matter that deserves attention. Principled humanitarian intervention has been elusive in the post-Cold War order and critics of intervention often charge the intervening party with pursuance of national interests other than humanitarian altruism. To be sure, the crisis in Kosovo *was* a matter of international interest insofar as the stability of Europe and the respect for human rights can be considered in the interests of NATO states. Had it not been as such, the political support required to sustain the intervention would have been deficient. Nevertheless, it is difficult to identify what power-motivated *self*-interests, if any, the US and its NATO allies had in Kosovo beyond humanitarian relief and preventing the explosion of a historical powder keg before it spread to throughout Europe. The fact remains, however, that until the international community has at its disposal the equivalent of a domestic police force or ambulance corps, humanitarian intervention will be inevitably selective—and, as with the case of Kosovo, more morally justifiable than doing nothing (Damrosch, 406, 415). For the time being, then, "[i]t may be inevitable, possibly even preferable, for responses to international crises to unfold selectively, when those who have the capability to respond also have the motivations for undertaking the

burdens of intervention” (414). In regional terms, the war against Belgrade was a European response to a European problem (415).

Finally, NATO’s evasion of Security Council authorization is extremely troubling and sets a potentially dangerous interventionary precedent. That is, the legitimization of the unilateral use of force under humanitarian auspices has enormous potential for abuse—but then again, so does the right to self-defense. In the end, however, the Security Council voted not to condemn the operation while still preserving its own standing as a legitimate international authority. To take the moral high ground, NATO did act within legitimate normative moral framework defended by the UN, thus their circumvention of UNSC authorization serves as a reminder that norms of the post-Cold War order are still in many ways contradictory, and the rules of intervention are far from established. Nevertheless, whereas instances such as Rwanda stand as the symbol of inaction in the face of ethnic cleansing and genocide, Kosovo still raises many questions about the consequences of the enforcement of quasi-universally accepted norms absent absolute collective legitimation—especially when one of the dissenters is a state as influential and powerful as Russia. Can one argue that the discourse of sovereignty is inherently changing when Russia’s actions and policies still tend to embrace realist notions of absolute Westphalian sovereignty?

As I will elaborate in the next chapters, Russia took the more realist position in its official discursive response to NATO’s intervention arguing that NATO had violated Yugoslavia’s sovereignty and territorial integrity. As Boris Yeltsin stated in response to NATO’s actions: “Russia is deeply outraged by NATO’s military action against sovereign Yugoslavia, an action that is nothing short of undisguised aggression” (Yelstin 1999a, 2). Furthermore, Russia’s ally China expressed criticism of NATO for its endeavors in Kosovo, especially after a NATO bomb accidentally struck the Chinese embassy in Belgrade. According to Chinese scholar Zhang Yunling (2000), NATO’s intentions in Kosovo were not humanitarian at all, but were aimed at overthrowing a regime with which the West simply does not agree. Yunling further asserts that the Chinese fear that what happened in Yugoslavia might happen next in China, whose



human rights policies are often criticized by the West. (Yunling, 117). In other words, China, like Russia, also takes a more realist stance in favor of human rights being exclusively under the jurisdiction of the state.

As stated above, NATO bypassed direct authorization from the Security Council because it feared vetoes from Russia and China, both of which afterwards voted to condemn NATO for its actions in Kosovo. Although since the end of the Cold War Russia has done little to re-assert itself as a “great power” in global affairs, its perception, interests, and its policies toward Kosovo in the context of the increasing salience of human rights as a legitimating norm of global order, have a profound impact on the international political environment. That is, Russia’s objection to NATO’s operation in Kosovo could possibly present insurmountable obstacles to the broadening acceptance of human rights norms. Furthermore, Russia’s own human rights record—specifically in Chechnya—serves to fortify their operation as a more realist “status quo power” as opposed to the US and its NATO allies who seem to operate as more liberal “revolutionary powers” looking to change the existing international order (Baranovsky, 107). That said, if the US and the West genuinely desire to change the existing order, why does their indignation to human rights violations remain selective. Why was the western response to human rights violations in Chechnya remarkably passive?

The next chapter of this analysis will delve deeper into these issues that seemingly derail the notion that NATO’s intervention in Kosovo has possibly engendered significant discursive challenges to traditional Westphalian notions of sovereignty. Why did the Russians castigate NATO for their actions and then insist on playing a significant role in the diplomacy leading to peace as well as in KFOR? What is the nature of Russia’s military operations and/or human rights violations in the breakaway republic of Chechnya? Why did the United States remain remarkably ambivalent regarding Russia’s military incursions in Chechnya and what are the effects of the resulting western indolence in terms of the normative significance of humanitarian endeavors in Kosovo? It is my contention that the answers to these questions will, in the final chapters of this analysis, allow me to make a judgement regarding the emerging discourse on sovereignty

and the normative appraisal of the future of human rights and state sovereignty in international relations.

## CHAPTER THREE

### THE VOICE OF DISSENT: RUSSIA, NATIONAL INTEREST AND THE STATUS QUO

Since the dissolution of the Soviet Union, Russia has been a state that has struggled to maintain domestic peace and prosperity and throughout the past decade, has existed as a state of paradoxes.<sup>24</sup> Russia's history of being torn between two cultural traditions—one western individualistic and the other authoritarian Slavophile—is evident in its contemporary vacillation between democratic procedures on one hand and authoritarian practices on the other (Chugrov, 149). It has been argued that Russia's authoritarian tradition impedes its democratic development, thus resulting in a lack of cultural identity, leaving the state subject to economic, political, and societal collapse and corruption (171). Therefore, Russia's domestic contradictions contribute to the international community's perception of Russia as a state that is increasingly no longer a power to be reckoned with. As a result, Russia has been left in a state of "injured isolation" (Brovkin, 546).

In this chapter, I will give special consideration to Russia's unique political climate and culture. I will assert that Russia's presence as a "status quo power"—its defiance of human rights laws and norms in Chechnya, and its condemnation of NATO in Kosovo—has much to do with its history, its new relationship with the West, and its unique global presence in the post-Cold War order. In this chapter, I explore reasons as to why Russia pursued military rather than diplomatic solutions to popular uprisings in Chechnya, why the United States remained relatively ambivalent to such actions, and why Russia objected to an otherwise collectively legitimate humanitarian operation in Kosovo. These issues must be addressed if one is to suggest a discursive shift as a result of the Kosovo intervention. Therefore, this chapter will proceed chronologically in three

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<sup>24</sup> For the purposes of simplicity, I will use the terms "Russia" and "Russian Federation" synonymously, although the former usually makes reference to ethnic Russians and native Russian-speakers while the latter refers to constituents of the Russian Federation that may or may not be ethnic Russians. (i.e. Chechens or Tartars)

parts. I will first briefly summarize and then analyze Russia's military offensive in the republic of Chechnya in 1994-96. I will follow this analysis by exploring western, namely US, ambivalence to human rights violations in Chechnya. Finally, I will examine Russia's condemnation of NATO in Kosovo and how this relates to Russia's recently resumed military efforts in Chechnya. It is my contention that Russia's actions are the exception in international politics, not the rule, and that a proper interpretation of Russian rhetoric and actions may still indicate a progressive discursive shift on the sovereignty continuum by Russians—a shift that mirrors the changes that are occurring in the West.

### ***The First Chechen War: 1994-1996***

While the origins and causes of the First Chechen War are complex and may be well beyond the scope of this analysis, a few words are in order to set the stage for the forthcoming arguments. First, unlike the former Soviet republics such as Ukraine and Belarus, Chechnya, because of its territorial status, did not become sovereign but remained a republic of the Russian Federation (RF) after the dissolution of the Soviet Union. Coincidentally, Chechnya's territorial status before the dissolution of the Soviet Union was very similar, if not the same, as Kosovo's is today, although without the *de jure* autonomy. Figure 3.1 below illustrates this point. In other words, before the Soviet dissolution, Kosovo and Chechnya had essentially the same juridical territorial status—an ethnically homogenous “province” of a republic of a state. Once Russia became a state, however, Chechnya assumed the status of a republic. Thus, both Kosovo and Chechnya's pursuit of sovereignty are highly nuanced as juridically, they were both territorially encompassed within provinces of a state. Kosovo maintains this status to this day.

**Figure 3.1. Juridical Territorial Status of Kosovo and Chechnya**  
 (Chechnya: Before Soviet Dissolution)

	FRY	Soviet Union	United States
Republic	Serbia	Russia	California
“Province”	Kosovo	Chechnya	County X

Nevertheless, antagonisms between Moscow and Grozny (the capital of Chechnya) can of course be dated to the Russian conquest of the Caucasus during the Caucasian Wars of the eighteenth- and nineteenth-centuries. For the Chechens, whose identification with Islam plays an extremely important role, these wars became a source of heroic struggles, thus forging an identity and solidarity among the “mountain peoples” of Chechnya. (Lapidus, 8) After thwarted efforts at national liberation immediately before and after the creation of the Soviet Union in 1923, the Chechens suffered harsh repression at the hands Stalinism. Most notably, during World War II, the Chechens were accused of collaborating with the Nazis, thus resulting in the abolition of the Chechen-Ingus Republic in 1944 and the forced deportation of the entire population—nearly half-a-million people—to Kazakhstan. Nearly one-third of the deportees perished along the way and the survivors returned to Chechnya only after Nikita Khrushchev denounced the deportations in 1957. (8-9) Thus, the Chechen national movement was set in motion well before the tumultuous events of 1991.

In November of 1990 under Chechen President Dzhokhar Dudayev, a former Soviet military officer and Chechen nationalist, Chechnya declared its sovereignty—even before the official dissolution of the Soviet Union in 1991 (9). On November 1, 1991, the rebellious republic of Chechnya achieved *de facto* independence from the USSR—but not from the Russian Federation, which was only internationally recognized less than a

month later (9). Moscow's response to rising sentiments of separatist nationalism in Chechnya as well as Dudayev's "criminal regime" culminated in an abortive military intervention that occurred shortly after the republic achieved *de facto* independence from Moscow. The Russian intervention, which was aimed at removing Dudayev from power, ultimately served to consolidate popular Chechen support around him, and eventually led to a Chechen military counter-mobilization (11). It was not until after the 1993 parliamentary elections (when Boris Yeltsin's party gained a majority) that the Russian President sought to take action in the breakaway republic (12); for if Yeltsin was to reassert Russia's superpower role in the world, he had to at least wield authority within the borders of his new state.

In October of 1994, Russia's precarious political equilibrium was shaken when the ruble lost nearly a quarter of its value disrupting the political climate to the extent that parliament called for a vote of no confidence in the cabinet but failed to get sufficient votes to pass (Shevtsova, 110). Coincidentally, a month later as if in response to the economic crisis, Yeltsin decided to send covert counterintelligence forces into Grozny with the aim of forcefully removing Dudayev from power and to eventually lay the groundwork for the establishment of a surrogate regime that would be loyal to Moscow (111). However, Chechen military opposition routed the ill-prepared Moscow force in a humiliating defeat, which was publicized by Chechens who paraded captured Russian military personnel on live television (Lapidus, 13). Apparently regarding Dudayev's victory as a personal insult, as well as an insult to the resolve and power of the Russian military, Yeltsin approved the overt use military force a mere three days after the Grozny debacle (Lapidus, 13; Shevtsova, 111).

On December 2, 1994, Russia began air strikes against Chechnya. According to Russian political analyst Lilia Shevtsova (1999), the Russian air strikes were intended to "intimidate the separatists and send a warning to other recalcitrant republics" (111). A week later, ground forces moved into Chechnya to retake Grozny but met resistance from Chechen civilians and guerrillas, prompting the Russian forces to eventually indiscriminately direct the war against the Chechen civilian population and infrastructure

(Lapidus, 14). Dudayev's use of the civilian population in warfare was corroborated when he was reported to have stated that "he would 'sacrifice every last Chechen' to gain independence for Chechnya" (Shevtsova, 116).

For nearly two years, the war in Chechnya was characterized by extreme brutality and massive human rights violations by both sides, with the Russians targeting civilian and infrastructure targets and the Chechens kidnapping members of the Russian press and international human rights workers. In 1995, Chechen infiltrators conducted a raid deep in Russian territory where they reportedly seized a hospital, held medical staff and patients hostage, and demanded recognition of Chechen independence. (123)

As the violence continued throughout 1995 and into 1996, in the face of unanticipated guerrilla resistance and heavy casualties, the Russian forces increasingly began to view civilians as the enemy, resulting in even more "collateral" fatalities (Lapidus, 14-15). This indiscriminate use of force allowed Russian forces to take control over parts of the capital city of Grozny. Nevertheless, on August 6, 1996, on the eve of Yeltsin's presidential inauguration after his reelection, Chechen forces launched a counter-offensive on Russian-held portions of Grozny with astonishing success (15). Soon, Russia would realize the futility of continuing to fight. During the final stages of the conflict, "[t]he massive defeat and humiliation of Russian forces left no realistic option short of totally destroying [Grozny] to retake it..., [thus] it was clear that Russian policy had reached a dead end" (15). Finally, in late August of 1996 after nearly two years of guerrilla warfare, massive human rights violations, nearly 100,000 total casualties, the death of Dudayev by a Russian mortar, and severe loss of morale within the Russian military, Russian General Aleksei Lebed went to Grozny to negotiate an interim ceasefire (5, 14, 15).

After Dudayev's death in April of 1996, the Chechens elected Aslan Maskhadov as their new president with the elections organized and closely supervised by the OSCE (Lapidus, 15). In May of 1997, Russian and Chechen officials signed a more "permanent" peace agreement in which General Lebed played an extremely important

role (16). Although Russia still claimed Chechnya as a part of the RF, from Chechnya's point of view, the 1997 agreement calling for the withdrawal of Russian forces meant they had achieved independence (28). While Moscow exercised no real authority over the area, there was no legitimate local Chechen government either. The wartime political cohesion had dissolved, ushering in political fragmentation and conflict, thus hindering Maskhadov's ability to rule much beyond the city limits of Grozny (Lapidus, 28; Thomas 1999). In the absence of legitimate authority throughout the Chechen countryside, former field commanders of the conflict established "personal fiefdoms" which perpetuated widespread crime (Thomas). The anarchic aftermath of the First Chechen War resulted in a plethora of problems for the North Caucasian region including border disputes, refugees, ethnic conflict, drug trafficking, illegal arms dealing, and kidnapping and ransom (Thomas; Lapidus, 28).

The legacy of the First Chechen War in Russia is an injured sense of national pride, as well as an alarming demonstration to the international community of the incompetence of the Russian military (Orr). To add insult to injury, the Russian military never took Grozny. The conflict eventually helped plunge Russia into a national economic crisis in 1998, when the government was not able to service the huge debts it accumulated in financing the conflict, thus allowing the state to further lose its credibility with the international community (Pain, 1,3). An anonymous Russian official is reported to have stated in response to the humiliation and outrage of the Chechen conflict, "[n]obody takes us seriously—not the Chechens, not the West" (Pain, 3). It was nearly three years before Vladimir Putin "vindicated" the Russians from the humiliating military defeat at the hands of "secessionist criminals" in a conflict that was scarcely supported by the Russian population in the first place (Thomas; Pain, 2; see also Lapidus, 14).

### ***Explaining Russia's Resort to Force and Western Ambivalence***

The proximate causes of the Chechen conflict are indeed complex and to this day have scarcely been illuminated. Nevertheless, Russia's rationale for using the military option to assert political dominance over RF territory, however obscure or misinformed,



deserves attention—especially when a situation originally justified as the expulsion a hostile, defiant, nationalist leader (Dudayev) turned into a bloody war seemingly aimed at civilians. How is the world to view these actions in the context of an emerging global order where human rights is supposedly viewed as a legitimating principle of statehood? Furthermore, in this same context why did not the UN, NATO or the US take stronger action as they did in Iraq, Somalia and Bosnia, thus placing human rights outside the shield of state sovereignty?

As stated above, Chechnya has sought independence from Moscow for centuries so what was peculiar about Chechnya's national revival this time that provoked a physical response from Moscow? First, Boris Yeltsin's psychological idiosyncrasies, combined with a declining social condition and Dudayev's defiance played a significant role. At the time of the Chechen crisis, Yeltsin's popularity had fallen a great deal. Since 1991, Yeltsin's promises of market liberalization, democratic political reforms and economic expansion had yet to be fulfilled and the public perceived many of his new pledges as empty promises. Eventually, Yeltsin was largely blamed for "the country's unsolved economic problems, the deteriorating living standard...and the collapse of the people's [sic] hopes" (Shevtsova, 114). Further, he was also distracted by the restive and often defiant republic leaders. Consequently, when Yeltsin witnessed the national movement for independence in Chechnya, and fearing that their crusade for independence might inspire other impatient republics to follow suit, thus further damaging the Russian national self-image, he "may have hoped that a successful solution to the...problem would strengthen his position and help to solve urgent domestic issues." (114) Also, with the Soviet dissolution fresh in the Russian memory, fears of subsequent RF disintegration resulting in further security and stability issues were, no doubt, entertained (*Economist*, 16; see also Brumberg, 4). Of course, it is difficult to speculate regarding Yeltsin's thoughts on the matter, but such circumstances coupled with Yeltsin's ill-informed advisors assuring him of an easy, covert and virtually bloodless victory would make a decision to use force somewhat easier to live with. (Shevtsova, 113-115)

Nevertheless, Yeltsin and his entourage must not be entirely blamed for the crisis, as Dudayev and his associates were not merely innocent victims in the matter. Chechnya under Dzhokhar Dudayev had become overrun with crime and existed as a haven for narcotics and arms smugglers (115). In fact, Dudayev seized Chechen leadership by force in 1990 and even suppressed a referendum on his presidency in 1994 (*Economist*, 16). Further, Chechen crime syndicates had become more active across much of the RF, including both Moscow and St. Petersburg. Dudayev did practically nothing to put a stop to these illegal activities, and instead of working with Moscow to help solve Chechnya's crime problems, as Tartarstan had recently done, Dudayev obstinately challenged Moscow's authority. (Shevtsova, 115-116)

When the Russian covert operation failed to remove Dudayev from power in November of 1994, and Chechen forces effectively humiliated Yeltsin and deprived him of what little remaining accountability he had with the Russian people, an infuriated Yeltsin launched unrestrained military assaults on Chechnya "to [protect] the unity of Russia" (Yeltsin 1994b, 1). The next two years were characterized by massive human rights violations, most notably, the targeting of civilians in military operations. However, the Russians are not entirely to blame for the high number of civilian casualties, as the Chechen combatants on many occasions used civilians as human shields, although this tactic was eventually abandoned when Russian attacks took place regardless. A further cause of civilian casualties was the nature of Chechen guerrilla tactics whereby Chechen forces would entrench themselves in villages that were subsequently the sites of fierce battles. (Cornell, 88)

According to a Yeltsin advisor, Emil Pain (2000), the increased presence of the newly liberated Russian mass media exposed these horrific battlefield scenes, thus revealing the harsh reality that Russian military efforts were unsuccessful at attaining already murky goals (Pain, 2-3). Soon, hopes that this conflict would provide any sense of political unity among the Russian people were abandoned as Russian public opinion began to oppose the military solution (2). An October 1995 opinion survey showed that 65% of Russians polled disagreed that military actions were necessary to prevent the

disintegration of the RF (Pain, fig. 1). Another survey indicated that about 25% of Russians were prepared to recognize Chechen independence (Lapidus, 14).

Finally, loss of morale and insubordination within the Russian military contributed the military debacle. According to a correspondent of the Russian newspaper *Komsomol'skaia Pravda* who covered much of the conflict, many of the young, inexperienced soldiers had chosen to fight in the conflict simply because Russia's failing industrial centers made the army and the war the only available employment (Shlapentokh, 77). Furthermore, the correspondent pointed out, soldiers felt "nothing but disgust and apathy toward the sham patriotism that had been incorporated into the bleak vision of Russian life" and that this generation of Russian soldiers was "hard put to define what their motherland was and for what ideal they were laying down their lives" (77). Along with this cynicism and apathy, evidence of insubordination surfaced as the military leadership became increasingly committed to a victorious ending of the conflict. That is, although Yeltsin announced the suspension of bombings and other military actions in response to dwindling public support, journalists and television cameras on the scene continued to report that Russian military actions were still taking place. As a result, it became unclear whether Yeltsin was intentionally deceiving the public or if the military leadership was acting autonomously. (Lapidus, 15)

In sum, the fact that this initially clandestine attempt to overthrow a recalcitrant, even hostile sub-national leader turned into a human rights nightmare does not mean that both sides are not to blame for the disaster. Nevertheless, while Yeltsin's rationale for the initial excursion can be partially explained by a need to address the decaying Russian domestic situation; an overestimation of the possible "domino effect" of Chechen independence; an underestimation of Dudayev's military capabilities, resistance and determination; and a gross overestimation of Russian military capabilities, it was ultimately Yeltsin who chose to continue the operation. According to Yeltsin, Chechnya is an "indispensable condition for the existence of the Russian state, and [n]o geographic area has the right to secede from Russia" (Yeltsin 1994b, 1). Therefore, as opposed to the Kremlin's official justification of protecting the territorial integrity of the RF by

preventing the secession of an “indispensable” part of Russia (Yeltsin 1994a, 1994b; Shlapentokh, 73), the First Chechen War is best understood as an attempt by Russian elites to address Russia’s deteriorating social and economic situations. Only once this attempt turned into a standoff between Yeltsin and Dudayev, the operation devolved into a bloody civil war.

Furthermore, as the Russian periodical *Sevodnya* reported, of the nine factions in the Duma, the Liberal Democrats were the only party to overtly support the military operation, as Yeltsin’s policies met strong political opposition (*Sevodnya*, 3). Most notably, Gennady Zyuganov, Chairman of the Russian Federation Communist Party stated that if the war in Chechnya continued, it would eventually bring war with the entire Muslim world. Similarly, Russia’s Choice party leader Yegor Gaidar declared that the “operation aimed at taking Grozny must not be allowed; all obstacles preventing the start of talks must be eliminated...” (3). Appropriately, Yeltsin accused these politicians of trying to use the Chechen conflict to further their own political ambitions by discrediting actions taken by Russia’s federal authorities (Yeltsin 1994b, 2). While Yeltsin’s accusations are probably not unfounded, this chapter has presented evidence that Yeltsin’s policies in Chechnya also had ulterior motives. Thus, it is extremely ironic that the parties that most vehemently opposed the military option were among Yeltsin’s most fierce opposition in the Duma. This ultimately suggests that policies in the Chechen crisis were largely politically motivated and had less to do with Russia’s territorial integrity.

Certainly, however, Russian society must not be labeled as hawkish or inherently inhumane as they opposed the military solution once the scenes of carnage made it to their televisions and newspapers. Nevertheless, the weak Russian civil society that developed out of the legacy of the dominant Soviet/Russian approach to state security prevented a cohesive popular movement to oppose the operation.<sup>25</sup> In the end, the humiliating military defeat worsened the already struggling Russian economy, apathy and

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<sup>25</sup> See Baburkin (2000) for an in-depth analysis of the relationship between Russian civil society and the character of Russia’s state-centered security system. See also Lapidus, 25 and Shevtsova, 117.

cynicism swept throughout Russian society and the national conscious was badly bruised. The mighty Russian military—long a symbol of the state’s international standing—had been defeated, thus the Russians and the rest of the world watched the once mighty state diminish to the role of a second-rate power. (Shlapentokh, 74)

Nevertheless, the initial indifference of the West in the entire matter is alarming, and from the beginning of the conflict, the United States was extremely careful in its response. Initially, the extent of human rights violations during the conflict was not made evident to the West, thus the United States did not feel compelled to take action (Cornell, 95). President Clinton’s initial response to the Russians’ invasion of Chechnya in December of 1994 was that he hoped that “order [could] be restored with minimum amount of bloodshed” and that it was “best...to leave such matters to the judgement of President Yeltsin.” (Lapidus, 20; see also Talbott 1995) Despite claims to the contrary, a month later Clinton did acknowledge that Russia’s actions were in direct violation to several human rights principles established during the Helsinki process (Lapidus 21). In a statement to a congressional sub-committee in 1995, US Deputy Secretary of State Strobe Talbott reiterated the Clinton Administration’s official policy on the conflict in Chechnya. In short, the Clinton Administration perceived the Chechen disaster as a “threat to the survival of reform in Russia...” According to Talbott, the Administration supported the sovereignty and territorial integrity of the RF in hopes that Russia would evolve into a stable democracy. Thus, the Clinton Administration regarded Chechnya as a matter to be left to the Russian Government. At the same time, however, Washington held that Russia had an obligation to observe international human rights standards in its dealings with the crisis. (Talbott 1995) Nevertheless, in May of 1995 when news of widespread human rights violations were reported by western media, Clinton went to Moscow to confront Yeltsin.

Much like the United States, European (EU) responses were also restrained on the grounds that supporting Russia’s democratic reforms were a higher priority than intervening in Russia’s internal affairs (Lapidus 22). Nevertheless, the EU was quicker to condemn Yeltsin when the degree of violence became evident and soon took action by

negotiating with the OSCE and imposing conditions on Russia for the signing of a negotiated trade agreement. Furthermore, the EU used Russia's membership in the Council of Europe as grounds for demanding the peaceful resolution of the Chechen conflict under provisions of international humanitarian law. (European Union 1996) The United States, on the other hand, abstained from engaging in coercive economic diplomacy. Further, Clinton's May 1995 summit with Yeltsin was largely criticized as failing to persuade Yeltsin into using political rather than military means to end the conflict (see Cockburn 1995; *The New Republic* 1996). Nevertheless, Clinton tactfully pleaded to Yeltsin to put an end to the violence saying that "in any democracy, there has to be a political solution to people's differences. And so that is what we urge" (Clinton 1995a, 1082).

### ***Chechnya and the Realist Paradigm***

So why this restrained US reaction to Chechnya? Why only moral condemnations and no military or even economic coercion? Does this ambivalence illustrate the actual importance of human rights in the world? Certainly, reasons for tactful criticism have to do with the nature of the perpetrator—Russia. It is no surprise that the US was slow to condemn Russia's actions given that the confrontational relationship between the Soviet Union and the US was such a recent memory. In short, as realism would dictate, Russia is simply too powerful a state for the US/NATO to risk getting involved in its internal affairs. Furthermore, Clinton tended to placate Yeltsin partially because of Russia's precarious political situation. That is, if Yeltsin were to take the blame for Russia's political, economic and social problems, it might pave the way for hard-line, anti-western nationalists to replace the pro-western, democratic and open market-oriented Yeltsin. Such a chain of events, it was feared, would return the global order to a confrontational East-West relationship reminiscent of the Cold War. Therefore, as Svante Cornell (1999) has asserted, the volatile political situation demanded even stronger support for diminishing democratic forces in Russia. (Cornell, 95) Such notions also shaped thoughts of Russians selling nuclear technologies to rogue states such as Iran, as they were considering during this period (Nagorski and Turque, 34). With regard to Chechnya, then, realism offers a cogent explanation. In other words, existing power

realities prohibited a western reaction, and it was in the national interest of the US not to risk treading upon already shaky US/Russian relations.

Since the US abstained from taking too harsh of diplomatic action against Russia, it goes without saying that thoughts of military coercion were scarcely entertained. Nevertheless, when the conflict escalated and humanitarian concerns began to surface, the US and EU urged both parties to allow humanitarian convoys to the region such as the International Red Cross (Lapidus, 24). Nevertheless, multilateral military intervention was not attempted despite Dudayev's appeal to the Security Council notwithstanding his own guilt in committing human rights violations. While, in the West, at least, the humanitarian rhetoric was present to enable a moral justification, and the institutional mandate of the Security Council regarding legitimate intervention might have been plausible, the power asymmetry necessary for a successful intervention was simply not present. That is, had NATO acted as it later did in Kosovo, the military confrontation between NATO and Russia could plausibly have caused an international security disaster of unprecedented proportions. Thus, it was correctly perceived that the human and global stability costs of a military confrontation with Russia would far outweigh the preventative benefits of a humanitarian military intervention. In short, the disparity between UN peacekeeping ambitions and political and resource constraints was far too great (25).

While the US's restraint is easily equated with the power realities of the world envisaged by the realists discussed in Chapter 1 of this analysis, one must not lose sight of the special circumstances of the Chechen situation. That is, unlike most perpetrators of human rights violations in the post-Cold War order, Russia is a major power whose cooperation was needed on a number of global stability issues equally important to the Chechen crisis, such as nuclear proliferation, NATO enlargement, the humanitarian disaster in Bosnia and the development of a new security framework in Europe. Thus, it was important to balance "political support for Yeltsin with criticism [and] opposition to threatening behavior emanating from Moscow." (Lapidus, 14) From a liberal

perspective, however mitigated, criticism of Moscow was present and fully consistent with the humanitarian rhetoric present in situations such as Bosnia.

From a realist point of view, one might partially explain US/western recalcitrance through the presence of power realities—and rightly so. However, when interventions have occurred, such as in Iraq, Bosnia, and Kosovo, realism cannot accommodate the moral underpinnings that motivate the action—which were present during the First Chechen War although absent the actual physical intervention. While the interventions mentioned above and discussed at length in Chapter 2 had both the necessary asymmetrical capabilities *and* the moral justification, the Chechen conflict only had the latter—although somewhat constrained given Russia’s prominent international (military) standing. Thus, it was *not* simply the case that there were no existing moral constraints on Russia’s behavior, as there were—but the power asymmetry was simply not there to ensure the plausibility of successful enforcement. (Krasner 1995) The case of Chechnya presents a dilemma for liberal globalist interpretations of events in the international system, but Russia’s prominent military standing does *not* suggest that moral normative constraints do not exist at all.

### ***Russia’s Response to Kosovo and the Second Chechen War***

Thus far, this chapter has suggested that since the break-up of the Soviet Union, Russia has struggled to re-assert itself as a great power in the world. I have furthermore asserted that the subsequent economic, political and social crisis in Russia had much to do with the Russian military debacle in Chechnya. Nevertheless, despite Russia’s dwindling military standing, its large arsenal of nuclear weapons required that western criticism of Moscow’s threatening behavior still be tactful. When the First Chechen War failed to return Russia to international prominence, but rather caused increased economic hardship (Brovkin, 544), the search began to reestablish a sense of Russian patriotism in order to catapult the Russians back into the international arena with dignity. Therefore, when it became clear that NATO might act independently in Kosovo, Russia toughened its stance (see Zamyatina 1998). For example, Russian State Duma speaker Gennady



Selezniov asserted that, “in the event of a NATO air strike, the Russian parliament would initiate dissolution of the Founding Act,” which is the partnership treaty between Russia and NATO (3). Thus, this concluding section of this chapter will seek to further illuminate Russia’s policy toward NATO’s bombing campaign in Kosovo and how this reaction relates to a revival of violence in Chechnya. I will ultimately suggest that Russia’s contradictory and confusing policies regarding territorial integrity, sovereignty and human rights have less to do with defending absolute Westphalian sovereignty over humanitarian issues, and more to do with its domestic power struggles, international alienation, and the Russian fall from prominence in international standing (Brovkin 1999).

In the shadow of the territorial/humanitarian crisis in Chechnya, Russia was further put in a predicament when their foreign policy and diplomacy faced the challenge of the deteriorating humanitarian conditions in Kosovo just over a year after signing the interim peace agreement with Chechnya. The enormous debt accrued as a result the conflict had worsened the Russian economy and in 1998, the ruble collapsed (Pain, 1,3; Brovkin, 544). With the renewed economic difficulties, Yeltsin and his fellow liberal politicians were again discredited along with Russia’s pro-western economic course. The neocommunist/nationalist entourage of Russian political elites looked to be a viable alternative. Thus, Yeltsin’s political maneuvering landed the more communist/nationalist-oriented Yevgeny Primakov into the Prime Ministership replacing the liberal reformer Viktor Chernomyrdin. (Brovkin, 544-545)

Prior to NATO’s Kosovo offensive in March of 1999, public opinion in Russia was somewhat anti-western (546). The failure of Russia’s liberal reforms, the US’s bombing of Russia’s ally Iraq at the end of 1998, the expansion of NATO to include three former Warsaw Pact states (the Czech Republic, Hungary and Poland), and NATO’s threat to use force against Milosevic all generated a sense of anti-western “injured isolation” in the Russian national image (545-547). When news reached Russia that NATO had bypassed Security Council authorization and proceeded to bomb Serbian targets in the FRY and Kosovo, the Russian response was nothing short of outrage

(Sychova, 1). Prime Minister Primakov, who was on his way to Washington when he heard of the attack, responded by having his plane turn around over the Atlantic and head back to Moscow. He soon criticized NATO's move as a violation of international law and an "act of aggression" against Yugoslavia. (3) Similarly, Russian Foreign Minister Igor Ivanov denounced the attack as did numerous members of the Russian political and military elite (3-4).

Russian scholar Vladimir Brovkin (2000) asserted that as a result of NATO's bombing campaign, a nationalist anti-American predilection soon swept over the country manipulated by anti-western forces (Brovkin, 549). Furthermore, the Russian media coverage of the crisis was very much one-sided, as Brovkin admitted that the "[n]ews media essentially reproduced Serbian propaganda and footage" (548). Conveniently, Yeltsin's political opponents painted the Russian President as a western sympathizer, and communists in the Duma gave vehement speeches lauding the cause of Slavic and Christian Orthodox unity among the Russians and Serbs (549). The Popular-Patriotic Union of Russia (PPUR), a Russian nationalist organization, further fostered anti-American sentiments, as PPUR chairman G.A. Zyuganov referred to NATO's tactics as "neofascist methods to establish a global dictatorship." Zyuganov further implicated Yeltsin, Chernomyrdin and other Russian members of the "American Harvard clique" in the demise of Russian industrial and military might." (Zyuganov, 1) Extreme rhetoric included talk by military generals of recruiting Russian volunteers to fight NATO in Yugoslavia and toyed with thoughts of creating a military alliance with Yugoslavia and Belarus to wage war against the US and NATO (Ibid, 5; Barabovsky, 103; Yusin 1999a: 8; Brovkin, 550).

Yeltsin's initial response was a tactful condemnation of NATO by issuing instructions to call an emergency UN Security Council meeting, recalling Russia's representative to NATO, contacting US President Clinton, and a number of other diplomatic maneuvers (Yeltsin 1999a, 2). The nationalist rhetoric had indeed put Yeltsin on the defensive forcing him to explain Russia's official stance on the crisis, as well as to declare an official policy on NATO and the West in general. In short, Yeltsin's domestic

political opponents managed to create a situation where an explanation was required. As a result, Yeltsin was forced to conform with the anti-western “hysteria” as best as he could, as condoning NATO would certainly be political suicide and potentially pave the way for the “red/browns” to take political control. “In other words, domestic [political power struggles were] driving [Yeltsin’s] response to the NATO action.” (Brovkin, 549)

Yeltsin finally chose to embrace the situation, and began to arduously interject Russia into diplomatic proceedings to deal with the crisis. Thus, the official line of Yeltsin, echoed in stronger terms by his political opponents, was to show the world that Kosovo was a problem that could not be dealt with without Russia. In doing so, Yeltsin was attempting to reestablish Russia’s prominent role in international relations. (Brovkin, 550; see also Krutikov) An April 7 Russian newspaper article reiterated this stance by asserting that “in a week or two, negotiations on the Balkan crisis without Russian participation will be impossible to even imagine” (Krutikov, 1).

Over the course of the 78-day bombing campaign, Russian diplomats engaged in talks with western diplomats beginning with a meeting between Russian Foreign Minister Ivanov and US Secretary of State Madeline Albright in Oslo, Norway (Sysoyev et al., 10). Furthermore, the nationalist rhetoric in Russia seemingly subsided with increasing denouncements of “Orthodox brotherhood” with the Serbs. Some Russians even criticized the Yugoslav government, blaming it for bringing Russia to the brink of confrontation with NATO (Brovkin, 552; Yusin 1999b, 4). To assuage tensions with the US, Yeltsin appointed the pro-western former Prime Minister Viktor Chernomyrdin as special envoy to the Yugoslav diplomatic proceedings. In the end, it was Chernomyrdin who played a crucial role in convincing Milosevic to sign the peace agreement drafted by the Group of Eight (G-8) in Bonn, Germany. In early June of 1999, Russia’s “significant role” in settling the conflict was fulfilled when special envoy Chernomyrdin accompanied by Finnish President Martti Ahtisaari essentially hand-delivered a scarcely altered version of the G-8’s peace proposal to Milosevic under Russian auspices. The agreement was signed on June 10 with the understanding that Russia would have a military presence in peacekeeping operations. (Golotyuk, 8) The next step would be to

decide Russia's role in the peacekeeping contingent in Kosovo (KFOR) as called for by the agreement and UNSC Resolution 1244.

Nevertheless, as diplomatic proceedings were progressing, Yeltsin still had to contend with his low popularity, staunch political opposition in the Duma, as well as in the military. The attitude in Russia at the time was that there had to be a "significant" Russian military presence in KFOR or even a Russian-controlled sector in province of Kosovo (Smirnov, 10-11). When it was finally decided that Russia would have a yet-to-be-decided "residence" in the peacekeeping contingent, the Russian military pulled an audacious stunt. When British forces under orders from NATO Allied Commander General Wesley Clark took the first step to occupy Kosovo by seizing the Pristina airport, they were shocked to find out that some 200 Russian soldiers were already there when they arrived on June 14 (Brovkin, 553). What is more, neither the Russian Foreign Ministry nor the Russian Government reportedly knew anything of the move (Kalashnikova and Smirnov 1999). Ostensibly, it looked as though the Russian General Staff, who had accused Chernomyrdin of betraying the interests of Russia in the peace settlement, had taken it upon themselves to assure that Russia was going to be dealt with in the peacekeeping process (Gornostayev 1999a, 9). That is, a Russian contingent of 171 peacekeepers stationed in Bosnia drove 650 kilometers from Bosnia to Pristina and made their presence known to the world (Brovkin, 553). What is more, it soon became evident that Yeltsin himself knew about the operation and let it go forward, though as I will argue, the stunt was mostly intended for "domestic consumption" (Kalashnikova and Smirnov, 1).

Yeltsin was well aware that his generals were dissatisfied with Chernomyrdin's concessions to the West in KFOR and embraced the plan proposed by the General Staff. Thus, Yeltsin bypassed, and in a way undermined, his political opponents at home, who included Primakov and Ivanov. At the same time, Yeltsin would be playing into the anti-NATO sentiment propagated by his own political rivals, thus restoring his credibility among the Russian people and forcefully establishing a significant Russian role in KFOR.

Nevertheless, the plan did not quite work out so smoothly and the operation was prematurely aborted. (Brovkin, 553-557) The General Staff's plan was for the 171 Russian peacekeepers to travel from Bosnia to Pristina and seize the Pristina airport. The logic was that having these soldiers in control of the airport would assure the arrival of the main contingent of Russian forces to Kosovo by plane. However, the main contingent never arrived. This left the "heroes of Pristina" without rations, and vulnerable to possible KLA attacks, as guerrilla forces had not yet been disarmed. The reason most commonly given for aborting the operation was that Hungary, Romania and Bulgaria would not allow the Russian forces access to their airspace (554; see also Korotchenko). However, this hardly seems likely. Given that Moscow had been prepared to defy NATO, logic would dictate it would have had no qualms about defying Hungary or Romania. What *does* make sense is that Yeltsin soon realized that playing too much into the interests of his more nationalist political foes ran counter to his interests. That is, while benefiting from the anti-NATO nationalist sentiment in Russia, he posed himself as a leader who would stand up to the West, which would play extremely well domestically. On the other hand, he was well aware of his differences with the generals and feared that too strong of a Russian resistance to NATO would mean a showdown with the West, in which case he could have blamed the General Staff for the defiance and legitimately purged the communists and nationalists from government. Nevertheless, he pulled the plug on the operation, thinking that he had gained a symbolic victory by showing the West that Russia could still act unilaterally if it wanted. (Brovkin, 554)

The result, however, was that Russia did not get as influential a role in KFOR as it had hoped, and astute observers soon realized that by using Chernomyrdin as the special envoy, Yeltsin was accommodating the West (554). In the end, Russia did not get its own sector in KFOR and was sidelined to the role of an extra, although Russian troops remained involved. The fact that Russian troops were to be under Russian political and military control was understood with the qualification that Russian commanders would essentially repeat orders handed down from NATO commanders. Furthermore, the Russian forces, which could only be redeployed with the consent of NATO leadership,

were dispersed throughout each sector of Kosovo, making it virtually impossible for them to act as an aggregate and make unified decisions. (Korotchenko, 3)

The aftermath of the Kosovo conflict significantly scarred Russian domestic politics. The “heroes of Pristina,” who had been essentially abandoned, made Yeltsin all the more unpopular among the General Staff on the grounds that he and Chernomyrdin had deprived Russia of what could have been a major victory over NATO-centrism. Thus, the nationalists and communists managed to mobilize public opinion in their favor and altered the national agenda “from issues of poverty, corruption, and economic crisis to national dignity...and external threats to Russia” (Brovkin, 557). Although the anti-western nationalist zealots did not usurp political power in Russia, the so-called moderate nationalist leadership, under Vladimir Putin made significant strides. The Russian search for a national identity would be followed by a revival of fighting in Chechnya in 1997, which has since existed as a strong source of Russian national unity. (554-558)

A renewal of fighting in Chechnya occurred in August of 1999, when Chechen Islamic militants launched incursions into neighboring Dagestan and occupied several Dagestani villages. Russia responded with a military mission to liberate the Dagestani villages and protect the inhabitants from further outside attack. (Kovalev, 1) During the renewed violence in Chechnya, Yeltsin’s popularity was still quite low. During the height of the renewed violence (as if in response to it), and fearing the rising popularity of nationalist neocommunists such as former Prime Minister Yevgeny Primakov, Yeltsin appointed his third Prime Minister, Vladimir Putin, in as many months so as to provide a viable presidential opponent to the neocommunist entourage (Kovalev, 2; Pain, 1).<sup>26</sup> Putin immediately embraced the Chechen conflict and Russian military forces struggled to eventually drive Chechen forces out of Dagestan. The end of September saw nearly 50,000 Russian troops massed along Chechnya’s border as ordered by the new Prime Minister Putin (Thomas). The following October, in response to apartment building

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<sup>26</sup> While Putin was the *de facto* person in charge of dealing with the second Chechen crisis, he did not officially become acting president until January 1, 2000, when Boris Yeltsin resigned for health reasons and named Putin both his successor and acting president of the RF. On March 26, 2000, Putin was elected into the Russian Presidency.

bombings in Moscow and Volgodonsk killing over 200 civilians, which were subsequently blamed on Chechen terrorists, Putin adopted an unrestrained policy of “total destruction of terrorists” in Chechnya that soon became vastly popular among the Russian people (Kovalev, 2; Pain, 2).

Throughout the conflict, Russian forces minimized their losses by utilizing “NATO-style” warfare using aerial bombardment tactics as well as cruise missiles (Cooper, 6). Nevertheless, as with the first Chechen conflict, without the aid of high-tech accurate munitions, Russian forces used indiscriminant force, thus causing large numbers of civilian fatalities (HRW 2000a). After the Russian bombing campaign had decimated most of Chechnya’s infrastructure causing nearly 200,000 refugees and 3000 civilian casualties (Thomas), Russian ground forces began seizing Chechen villages and by February of 2000, Russian forces took the capital city of Grozny while rebels fled into the mountains. It was during these seizures that some of the most repugnant violations of human rights took place. HRW reported cases of Russian soldiers looting and pillaging villages, arbitrarily detaining civilians and raping Chechen women. Chechens on the other hand, were reported to have murdered detained Russian soldiers and “suspicious” Chechen civilians as well as kidnapping and murdering journalists and members of the press. (HRW 2000a)

Once again, the US and Europe were careful not to condemn Moscow too harshly for human rights violations. In October of 1999, the Clinton Administration was critical of the indiscriminant use of force in Chechnya and expressed concern about the expulsion of Chechens from the region. Further, the US State Department called on the Russian government to take steps to hold accountable those guilty of human rights violations in Chechnya. The EU responded similarly, but neither took significant punitive or preventative steps toward either Russia or Chechnya. (HRW 2000a) It seemed as though the Russian popular support for the war eschewed any efforts to denounce its adverse effects by outside powers.

The Russian public's overwhelming support of the conflict is a remarkable phenomenon. First, however, it is noteworthy to mention that unlike the previous war, the Russian military was more efficient at suppressing media coverage of the conflict, thus preventing widespread apathy in the Russian public and/or sympathy for the Chechens (see Pain). This would partially explain the complete turnabout of public opinion from the first conflict. Nevertheless, Russian scholar Sergei Kovalev (2000) has asserted that even prior to the second conflict, "Russia was psychologically prepared to support tough government measures, regardless of what they were against or who they were directed" (Kovalev, 2). The mood in the Russian military was propagated by the generals who wanted revenge for the humiliating defeat in the previous war (1). Russian society, on the other hand, saw Putin as a "tough guy" who through military victory in Chechnya, was reestablishing Russia as a prominent military force (Kovalev, 2; Orr, 1). Furthermore, Putin's assertive personality and his intolerance for Chechen terrorism could be seen as a divorce from his feeble predecessor Yeltsin, who, along with Chernomyrdin, was still unpopular because of his betrayal of Russian interests in the Kosovo crisis. Thus, the anti-western sentiments that permeated Russian society contributed to the popularity of Putin's efforts in Chechnya through Russia's yearning for the West to once again take them seriously. Putin gave Russia military revenge on the Chechens, thus reasserting Russian power after being largely left out of the negotiations in the Kosovo crisis.

As a result of Putin's success in Chechnya, he won the presidential elections in March of 2000. Thus, the Second Chechen War had been effectively used as political ammunition by political elites in Moscow—especially Putin—to further a political end, which was his own election. According to Emil Pain, many people in Russia soon perceived Putin as a "fabled hero" whose orchestration of the military victory in Chechnya symbolized Russia's coming revival (Pain, 4). Putin effectively used popular dissatisfaction with the West (and with Yeltsin) as a unifying factor, and through a series of military successes further established the Russian sense of pride that had been damaged by a decade of failed economic reforms, the First Chechen War and the NATO-centric Kosovo proceedings. In short, Vladimir Putin owes his rapid ascension to the



Russian Presidency largely to the economic collapse in 1998, anti-western and anti-NATO sentiment after the Kosovo crisis, Yeltsin's unpopularity and ultimately to his war against the Chechens.

## ***Conclusions***

Russia's complex political atmosphere since the dissolution of the Soviet Union is a reflection of an overwhelming identity crisis (see Shlapentokh 1997). This chapter has suggested that Russia's current dissatisfaction with western liberalism, including notions of individuality and human rights in addition to liberal economics, is a culmination of the issues discussed above. The failure of Yeltsin's liberal reforms helped to create popular disillusion with the West, and at the time, Yeltsin was widely perceived in Russia as pro-western. Yeltsin's failed attempts to divert the attention of Russian society from social apathy and economic depression led to further disenfranchisement with Yeltsin and his western ideals. Yeltsin's attempt to forge a synthetic unity among Russians by quashing a rebellious republic failed miserably when Chechen "thugs" humiliated the once mighty Russian military, and the enormous debt accrued from the 2-year conflict plunged Russia further into economic depression. Thus, the First Chechen War was perceived by many in the international community as the precipitous decline of the Russian military and consequently, the country's international standing (Orr, 1).

The West further alienated Russia when NATO bypassed UN Security Council approval in their humanitarian endeavors in Kosovo. This signaled to the Russians that their opinion was not important enough to consider, and that the West would pursue its policies in Europe regardless of Russian objections. When Yeltsin abandoned the "heroes of Pristina" in the failed attempt to forcefully secure a Russian presence in KFOR, he betrayed Russia's interests and robbed them of moral victory against NATO and western arrogance. This further disillusioned Russian society from the West as it looked as though the sycophant Yeltsin had conspired with the West to undermine Russian interests. Yeltsin's weakness thus paved the way for new, stronger leadership under Vladimir Putin, who used nationalist rhetoric and action, as opposed to democratic

ideals, to unite Russia. As acting president, Putin arguably pursued a revival of fighting in Chechnya in order to secure his election to the presidency, and his more successful military operation in the breakaway republic did just that.

While Russia's policies in Chechnya and in Kosovo present a challenge to the notion that human rights are increasingly shaping the interests of the international community, this challenge must be understood with certain qualifications. While it is true that Russia objected to NATO's intervention in Kosovo partially on the grounds of established norms of sovereignty, the peculiar events surrounding this stance suggest that Russia's policy was more reflective of an attempt to reassert itself as an influential international force than a desire to act completely on principles of international law. That is, Russia's attitude was a reflection of the fact that in the Kosovo crisis, Moscow was not among the "nucleus" of states involved in addressing the situation, and was therefore, not acknowledged by other major powers as being important. Therefore, Russia was *not* defending the concept of Westphalian sovereignty, nor were they eschewing notions of human rights. Rather, Russia was attempting to make the West more respectful towards its role in the global order, thus more responsive to its demands. (See Baranovsky, 107-113)

Russia's disillusionment with western concepts of liberalism as a result of the tumultuous events of the past decade does not look conducive to the proliferation of human rights as an international norm of legitimation. Furthermore, the fact that the liberals are all but gone in the Russian political elite, and the more nationalist Vladimir Putin has won the presidency, suggests that Russian society is frustrated with liberal democratic reforms. Paraphrasing Sergei Kovalev, the Russians do not want to return to communism, but they are fed up with western democracy, freedom and human rights. What they want is order. (Kovalev, 2-3) This presents an uncomfortable coexistence between the strong discourse of human rights in the West, and a nostalgic yearning for order in Moscow. Does this mean that the accumulation of normative progress exemplified by the Kosovo humanitarian intervention is *not* illustrative of the place of human rights in the current global order? Let us not forget that Russia is still a

democracy in transition and it still regards the United Nations as a legitimate international authority (Baranovsky, 105-106). Nevertheless, in order to judge the normative legacy of Kosovo in the context of the emerging global order, it is important to focus where the legitimacy of human rights norms is contested. Thus, a more focused examination of the discourse emanating from the Kosovo crisis is in order.

The next chapter of this analysis will focus on the discursive cleavage between Russia and the United States that was engendered by the Kosovo intervention. As the preeminent influence in the West, the US has historically placed human rights high on its list of global priorities while Russia, to say the least, has vacillated on the issue as demonstrated above. Thus, I will examine, compare, and contrast the rhetoric of political leaders in both states in order to judge whether the prevailing discourse suggests the legitimacy of humanitarian intervention. Furthermore, to what degree has the idea of human rights placed restrictions on the emerging notion of state sovereignty? Is respect for human rights becoming a condition of sovereign statehood? If not, does the discourse suggest that it will be so in the foreseeable future? Chapter 4 will address these questions.

## CHAPTER FOUR

### THE US AND RUSSIA AFTER KOSOVO: THE NEW DISCOURSE ON SOVEREIGNTY

Thus far, this analysis has contended that NATO's intervention in Kosovo may present a significant turning point in the legitimation of humanitarian intervention by providing empirical evidence to show that human rights are becoming a legitimating principle of sovereign statehood. Previous post-Cold War humanitarian interventions sanctioned by the will of the international community through the United Nations have served to expand the legal criteria for legitimate intervention. NATO's actions in Kosovo absent this mandate—although based on the same normative criteria as UN-sanctioned interventions—suggest the normative significance of NATO's intervention. That is, the fact that a humanitarian endeavor proceeded justified strictly on prevailing *normative* and moral criteria as opposed to simply a *legal* mandate suggests that the relevance of human rights practices has transcended the legal realm into the normative constitution of the international system. NATO's intervention in Kosovo is illustrative of an emerging normative constitutional structure of the international system based on human rights as a legitimating principle of sovereign statehood. Thus, when viewed by their peers, states in the post-Cold War order are increasingly legitimated less by their sovereignty over a piece of territory, and more by how they use that sovereignty to ensure the basic rights of individuals within it. Therefore, if Kosovo has taught us anything, states that deliberately deprive their citizens of the basic rights outlined in prevailing international law are now subject to intervention into their internal affairs to promote these rights.

However, Russia's more pragmatic human rights policy suggests that these norms have not been accepted by all of the Great Powers; and by no means, neither have many of the developing states of the former Third World accepted such norms. Furthermore, in Chechnya, Russia's lesser-challenged violation of human rights norms suggests that this normative process can scarcely be understood apart from power realities, and that the human rights norms discussed in this analysis may not necessarily dominate the discourse

in the international community. However, I have argued that Russia's behavior in Chechnya and its complicated policies and actions during the Kosovo crisis are more appropriately reflective of domestic political struggles and identity issues, as opposed to Russia simply promoting or reproaching the abstract ideals of state sovereignty and human rights. Therefore, in this chapter I will examine the discourse emanating from the US engendered by the Kosovo intervention and explore the extent to which norms established by Kosovo have permeated contending Russian discourse. Clearly, Russia's practices are not dominated by a normative structure defined by human rights but an examination of prevailing Russian discourse may provide insight into the role that human rights norms will play in the future behavior of all states.

This chapter will first examine the discourse of US leaders in both justifying and defending NATO's intentions in Kosovo. I will primarily examine the liberal rhetoric of President Bill Clinton and Secretary of State Madeline Albright regarding the place of human rights in international relations as reflected in what has come to be known as the "Clinton Doctrine." Second, I will examine the ostensibly realist discourse of Russian political elites regarding NATO's Kosovo intervention in order to judge the extent to which the internationalization of liberal human rights norms has permeated Russian political discourse. I will mostly explore the rhetoric of elites such as Boris Yeltsin, Igor Ivanov and Yevgeny Primakov, but will also focus on how Kosovo was portrayed by the Russian media. I will explore the rhetorical appraisal of the relationship between state sovereignty and human rights and examine the extent to which Russian discourse suggests the legitimacy of humanitarian intervention. In other words, the rhetoric of the US—especially the Clinton Doctrine—tends to be more liberal than realist. Thus, I will examine the extent to which this trend is taking place in Russian political discourse. It is the purpose of this chapter to provide the discursive rationale for predicting the future behavior of states relative to the emerging norms of human rights.

## ***The United States and the Clinton Doctrine***

When Bill Clinton took office in 1993, the inexperienced new president inherited unprecedented international challenges. Most notably, the new administration was made to deal with the rising ethnic tensions in the former Yugoslavia, including Bosnia. At first, the Clinton Administration's dealings with the crisis in Bosnia were minimal. That is, Clinton brushed aside the Vance-Owen peace plan, which was modeled after the Swiss Canton system and called for the division of Bosnia along ethnic lines into a loose confederation with Sarajevo as the capital. Furthermore, as violence escalated in Bosnia, Clinton refused to commit US ground troops, although he did take a leading role in supporting the UNPROFOR mandate to include Bosnia. Clinton also supported the establishment of "no-fly zones" and "safe areas" throughout the former republic. (Rubinstein et al., 167)

In the face of much criticism of his "cowardly" Bosnian policies, and when presented with evidence of the Serbs' large-scale massacre of Muslims at Srebrenica in July of 1995, Clinton's policies shifted dramatically. In addition to the Croatian Zagreb ground offensive in August, which was carried out with US-equipped and trained forces, US forces began bombing strategic Serbian targets throughout Bosnia. In November, Clinton announced that a peace agreement had been fashioned in Dayton, Ohio. (168) It is here that Clinton began the formulation of his strategic vision that would become known as the Clinton Doctrine some four years later.

In an address at the White House, shortly after the proceedings took place at Dayton, President Clinton assured the American people that the role of the US (in IFOR) would not be to wage war, but rather would be to "help stop the killing of innocent civilians, especially children, and at the same time, to bring stability to Europe." While emphasizing the moral component of the operation, Clinton still held strongly to aspects of national interest—that is, the stability of Europe. Clearly, Clinton's balancing act between ideas of morality-based liberalism and security-based realism became evident, as in the same speech, he defended his intention to send US troops to Bosnia "...because it's

in our interest to do so and because it is the right thing to do.” Further, Clinton delineated what would become a recurring theme of his Administration’s foreign policy with regard to humanitarian intervention. According to Clinton, “[w]e cannot stop all war for all time, but we can stop some wars. We cannot save all women and all children, but we can save many of them. We can’t do everything, but we must do what we can.” (Clinton 1995b)

Likewise in the Kosovo crisis, the initial justification by the Clinton Administration for the use of force against Milosevic was to prevent him from further pursuing a policy of ethnic cleansing against the Kosovar Albanians. That is, President Clinton in his address to the American people on the eve of the first day of air strikes against Belgrade told Americans that “[w]e act to protect thousands of innocent people in Kosovo from a mounting military offensive...[and] to prevent a wider war...” Echoing his language during the Bosnian crisis, he further asserted that it is the “moral imperative” of NATO to put an end to the atrocities. (Clinton 1999a) Similarly, Secretary Albright emphasized the human factor by referring to the need to promote stability and basic human decency on European soil based on a “collective conscious” shared by all those nations who value peace and humanity (Albright 1999a). Throughout the early stages of NATO’s campaign, however, Clinton’s rhetoric did not *explicitly* expound the broader implications or normative precedents that may be established by the absence of a direct UN Security Council mandate. Nevertheless, Clinton, as well as Albright, were both quick to assure the American people that taking action in Kosovo was both morally justified and in the interests of the US and its western allies. In other words the Clinton Administration’s liberal humanitarian rhetoric still retained realist elements in that it assured a national interest component.

The international law issue was one that Clinton rarely mentioned outright, but instead, referred to the urgency of the Kosovo crisis by drawing comparisons to the consequences of genocide in the face of inaction. Specifically, Clinton brought up the “failures” of the international community in Bosnia and Rwanda. It is here that Clinton first hinted to a broader principle of intervention. That is, Clinton asserted that NATO’s

actions in Bosnia were morally justified, but collective actions with the UN took too long to reach a consensus among the international community (Clinton 1999c). Similarly, the crisis in Rwanda, where approximately a half a million people were murdered in a matter of 100 days, was also characterized by Clinton as a failure of the international community. Again using liberal humanitarian rhetoric, the president contended that if such a genocidal situation again befell Africa, the international community should move more aggressively to stop it. (Clinton 1999e) Albright echoed Clinton's assertions regarding the "failures" in Bosnia and Rwanda though more explicitly espoused the idea that gross violations of human rights are no longer domestic matters but everybody's (the international community's) business (Albright 1999b). In short, the Clinton Administration implicitly justified the circumvention of the Security Council mandate for collective security in the name of timely and effective preventative measures. In the Balkans, according to Clinton, "inaction in the face of brutality simply invites more brutality." In other words, the international community must succeed in Kosovo where it failed in Bosnia and Rwanda. (Clinton 1999a)

Like much of the academic discourse that has served to defend NATO's actions, Clinton used historical precedent as a way to place the Kosovo crisis within US national interest, thus hinting at a lingering realist worldview. Through a tactful strategy of making analogies to the Holocaust, Clinton reiterated the importance of taking action in the face of aggressors despite the fact that the aggressive behavior was occurring within the borders of a sovereign state. According to Clinton, what was at stake in Kosovo—the face of genocide on NATO's doorstep—served as a grave reminder of the Holocaust and that if left alone, the carnage of the twentieth-century would follow into the new century under a different guise. (Clinton 1999f) In a way, then, Clinton was using somewhat realist rhetoric to pursue liberal humanitarian ends—that is, by framing human rights violations (that are occurring halfway across the globe) within US national interest.

Albright's liberal rhetoric went further in using the analogy of the Second World War by referring to the US's involvement in the European theatre. Albright compared the expulsion of Kosovar Albanians from their homeland to her own experiences as a



child growing up in Eastern Europe during the Nazi's persecution of the Jews. "Earlier this century, our predecessors confronted not only Hitler, but fascism... In recent weeks, we confronted not only Milosevic, but ethnic cleansing," asserted Albright. Thus, for Secretary Albright, the use of force was justified as the prevention of a smaller-scale ethnic war from turning into another world war. Where national interests were concerned, NATO was acting to defend the stability and freedom of Europe as a whole. (Albright 1999b) Thus, Albright, like Clinton, was framing liberal humanitarian ends within realist US national interest.

Finally, the Clinton Administration appealed to liberal norms that have served as the moral centerpiece of virtually all post-Cold War humanitarian endeavors whereby Clinton referred to the Kosovo crisis as a moral test of the international community. In his address to the G-8 summit in June of 1999, Clinton stated that:

"[If we had not] taken a stand in Kosovo...[t]hen we would be saying that innocent men, women and children could be singled out for destruction because of their ethnic heritage or religious faith, even in the heart of Europe; that innocent people could be driven from their homes, loaded on train cars, raped and killed, their religious faith and culture erased, and the world would not hear, see, speak or act to stop it..." (Clinton 1999d).

Thus, the children of the twenty-first century would have failed this decisive moral test. Instead, according to Clinton, "we begin a new century and a new millennium with a hopeful affirmation of human rights and human dignity" (Ibid.). Clinton's liberal idealism hints at a sort of moral universalism where all citizens of the world hold human rights sacrosanct. Albright again echoed Clinton's ideals by addressing the argument that NATO was attempting to impose its values on the world. Using Lockean language, she asserted that notions of human rights promoted by NATO are those of tolerance and free expression and are not confined to the West but are "universal and fundamental to world progress and peace." (Albright, 1999b). Thus, we have the groundwork for what would become the moral and normative legacy of the Kosovo crisis regarding the relationship between human rights and state sovereignty.

While the Clinton Administration's response to Milosevic's atrocities—both verbally and militarily—was carefully calculated, it also suggests a larger strategic vision for future principles of protecting the rights of human beings from gross mistreatment by their own governments. This doctrine is intricately linked to the decision to violate Yugoslavia's territorial integrity, and suggests that a state's sovereignty is not absolute. During a press conference at the Brookings Institute in April of 1999, Secretary Albright was specifically asked whether she agreed that international intervention should be permitted into a sovereign state when human rights abuses of the magnitude in Kosovo occur. Her response was affirmative. “[I]t is impossible for people with values to stand by and watch the kind of horrors that we are witnessing in Kosovo and not do something...” According to Albright, this notion is part of the fabric of how the international community now operates, and as such, the global community is “moving in a direction where there is a sense of co-responsibility by nations for what happens inside [other states].” (Albright 1999a)

Clinton's own personal stance on the matter of intervention was much more definitive. He essentially bestowed upon the international community the *responsibility* to intervene in another state's internal matters when human rights abuses are being perpetuated—although with certain conditions. With the backdrop of the Kosovo intervention, these assertions by Clinton regarding humanitarian intervention have collectively come to be known as the “Clinton Doctrine.” President Clinton explicitly stated that if the “world community has the power to stop it, we ought to stop genocide and ethnic cleansing” (Clinton 1999c). That is, international community cannot take action everything in the world, but it must do what it can when it can. Thus, power realities still play a large role. Based on a number of speeches and television interviews, the Clinton Doctrine essentially states that at an acceptable cost, the international community ought to act to prevent the slaughter and/or wholesale uprooting of innocent civilians by their own government. In terms of defending the national interests of surrounding states, the best way to prevent widespread instability is to combat it before it spreads, as was the situation in Kosovo, according to Clinton.

Certainly, however, there are “ifs” involved in any doctrine that risks the loss of human life in endeavors to protect human life. First, according to Clinton, there must be a clear *moral* justification, such as ethnic cleansing, mass expulsion, or genocide, similar to that on the scale perpetrated by Milosevic. Also, if a military operation is necessary, it must be able to be undertaken without demanding too heavy a cost—in both monetary and human terms, as well as the resulting effects on relative global stability. NATO’s intervention in Kosovo presents a perfect example, although *a priori*, of the implementation of the Clinton Doctrine despite the fact that the legal criteria was not commensurate with the moral justification (although arguments can easily be made for the legal justification of the operation; see Chapter 2 above). Nevertheless, the operation proceeded absent the *formal* collective legitimation of the United Nations and with strong opposition by the Russians.

The rhetoric of the Clinton Administration during and after the Kosovo crisis alludes to the idea that states in the emerging post-Cold War global order are increasingly constrained by prevailing international norms of human rights. Furthermore, the idea of a Clinton Doctrine forged in the heat of the Kosovo humanitarian crisis based on moral justifications for military intervention into a state’s “sovereign” affairs suggests that Kosovo will have long-lasting consequences the legitimacy of humanitarian intervention. The rhetoric of Clinton and his fellow heads-of-state of the NATO states<sup>27</sup> suggests that states are now being held to higher standards including human rights, democratic rule and humanitarian justice. Furthermore, the motivational determinants of the US and its western allies in the intervention were scarcely defined by national interests other than humanitarian concerns and moral outrage (Bell, 456). That is, for the US at least, the risks involved in intervening in Kosovo, which included a sacrifice of good relations with Russia and China, were being endured in order to uphold a norm. According to Coral

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<sup>27</sup> For example, French President Jacques Chirac reiterated his rationale behind supporting NATO’s intervention as “safeguarding peace in Europe and ending the unacceptable violation of human rights by the FRY authorities.” British Prime Minister Tony Blair gave Britain’s position by asserting that “military intervention by NATO is lawful on grounds of overwhelming humanitarian necessity.” Following suit, German Chancellor Gerhard Schroder also overtly supported the intervention, as did the German Bundestag with 420 of the MPs voting in favor (with 18 abstentions and 62 dissents) of German participation in the NATO offensive. (Duke et al., 129-140)

Bell (2000), while the European members of NATO certainly had a more direct interest in intervening in Kosovo (as dictated by the possibility of spreading conflict, and economic strains as a result of refugees), for the most part, the intervention in Kosovo can be thought of as very much norm driven. (456-457)

In terms of Westphalian norms of sovereignty, the implementation of the Clinton Doctrine in Kosovo suggests that the US (and NATO) tend(s) to view human rights as outside the sole jurisdiction of the state. Nevertheless, the policy of the West also reflects a lingering respect for the idea of sovereignty, although not in an absolute sense. That is, the western allies did not advocate Kosovo's *de jure* independence from the FRY, but rather called for substantial autonomy of the province (similar to that which it possessed under the Tito regime) whereby they could live free from religious and ethnic persecution (451). Thus, the West's preferred option for Kosovo's autonomy, rather than its independence, represents a compromise between the liberal idea that governments should respect the human rights of their citizens, and the realist idea of "anti-secessionism." This is because the latter idea, which would allow minorities within a state exercise the right of absolute self-determination, might possibly have significant international moral and political implications. (450-452) Therefore, while the US was ostensibly promoting ideas of human rights while eschewing notions of absolute Westphalian sovereignty, this advocacy does not suggest that sovereignty is an irrelevant concept, but rather subject to the constraints of human rights norms as one of the main foundations of state legitimacy. Therefore, there exists a balancing act in the discourse between realist notions of state sovereignty and liberal notions of human rights, in which case the question is one of emphasis. While the Clinton Doctrine seems to emphasize human rights, this pursuit is still constrained by power realities.

However, the prevailing normative and moral framework with regard to human rights and humanitarian intervention has yet to find the appropriate international legal authority to conform to a global consensus which nostalgically clings to the remnants of absolute Westphalian sovereignty. Furthermore, Russia's opposition serves as a reminder of this lack of consensus regarding legitimate authority in conducting humanitarian

interventions. While Russia's policy on Kosovo and NATO is reflective of a number of other variables related to national identity and domestic power struggles, its stance on the proper place of human rights relative to norms of legitimation on sovereign statehood serves to influence the direction of global human rights discourse. Therefore, Russia's discursive response to the pivotal case of Kosovo is important when appraising both the normative legacy of the Kosovo intervention and the relationship between human rights and state sovereignty in the emerging global order.

### ***The Legitimacy of Kosovo in Russian Political Discourse***

In general, Russian political elites and media have portrayed NATO's intervention in Kosovo as an inherently negative phenomenon. This negativity was demonstrated by Russian "outrage" examined in the previous chapter of this analysis. However, Russian criticisms of the operation actually have tended to focus considerably on "unprovoked NATO aggression" and "western imperialism," as opposed to the more abstract ideas of human rights and/or state sovereignty, although Russian officials did explicitly mention such concepts during the early stages of the campaign. That said, when Russian President Boris Yeltsin first expressed his opposition, he stated that:

"Russia is deeply outraged by NATO's military action against *sovereign* Yugoslavia, an action that is nothing short of *undisguised aggression*... Only the *UN Security Council* has the right to decide [if] the use of force should be taken to maintain or restore international peace and security" (Yelstin 1999a, 2; emphasis mine).

Yeltsin appealed to three ideas upon which he based his criticisms of NATO's actions. Taking a more realist stance, he first appealed to the notion of Yugoslavia's sovereignty; second, he characterized NATO's action as "undisguised aggression"; and third, he appealed to NATO's violation of international law by circumventing the Security Council, which suggests more liberal tendencies. Subsequent Russian officials who condemned the operation followed Yeltsin's logic of criticism, therefore this section will analyze Russian discourse in terms of these three main points of critique (see Primakov, 2-3; Gorodetskaya, 3).

Initially, the realist ideas of sovereignty and territorial integrity were widely used among the Russian elite as a rationale for condemning NATO, but the most common criticism was NATO's evasion of a UN Security Council mandate. As Prime Minister Primakov suggested, "[NATO's action was a] gross violation of the UN Charter. NATO launched this strike without taking into account the opinion of the UN Security Council" (Primakov, 2). Foreign Minister Ivanov also echoed these terms when he characterized NATO's circumvention of UNSC authorization as indicating the West was attempting to establish a NATO-dominated world order. (Gorodetskaya, 1-3; see also Ivanov) For Ivanov, "the use of force against a sovereign state in circumvention of the UN Security Council [was] unacceptable" (Sergeyevich, 5). Therefore, arguments for Yugoslavia's right of absolute state sovereignty *per se* were not delineated outside of reference to international law. Furthermore, once the initial heated rhetoric tended to subside, Russia very much aspired to take part in the diplomatic openings.

When it became clear to Russia that NATO was not going to suspend bombing until Milosevic agreed to a settlement, the Russian political elites all but abandoned attacking NATO on grounds of violating norms of sovereignty, but they continued to appeal to international law and increasingly characterized NATO as an unprovoked aggressor (Krutikov). Russian politicians increasingly focused on NATO's aggressive behavior as justification for their diplomatic endeavors with the West, and in using a less trenchant rhetoric, they began to urge a political settlement to the conflict. In a televised address, President Yeltsin "begged" the Russian people to join in Russia's disapproval in order to try and convince western leaders to seek a political settlement with Milosevic (Yeltsin 1999b, 8). While Yeltsin abstained from too harshly condemning NATO's actions, Ivanov and Primakov had no reservations about blaming NATO for the hundreds of thousands of refugees who fled the province (Sergeyevich, 4; Yusin 2000, 6). Ivanov was reported to have asserted that "violations of human rights [that] took place in Kosovo...were provoked by the NATO aggression" (Ivanov).

In addition to politicians accusing NATO of violating Yugoslavia's territorial integrity and disregarding the UN Charter, the discourse among Russian military and the

Russian press was also increasingly concerned with notions of “NATO aggression,” “western imperialism,” and the idea that NATO was attempting to force its will on less powerful countries (Sergeyevich, 4). These sentiments were especially salient within the Russian General Staff, which not only characterized NATO’s action as unprovoked aggression, but also asserted that NATO was waging a war of extermination against the Serbs (Golotyuk, 8). When Russian envoy Viktor Chernomyrdin began making progress in fashioning a peace settlement with the G-8, the Russian generals accused him of conceding to the western diplomats who were using the talks as a cover in order to facilitate a forceful occupation of Kosovo (8-9). Once the settlement was made, and negotiations began on the peacekeeping contingent, in which Russia was again pushed to the role of an extra, NATO and the US were again subject to intense scrutiny by the Russians. In response to the rhetoric that emerged as the Clinton Doctrine, a Russian journalist stated that “henceforth, the US will use force as [it] sees fit, without regard for the United Nations and its Security Council, the provisions of international law, or the sovereignty of states...” (Paklin, 5) This suggests that Russians were clearly upset about the appearance of NATO-centrism on the horizon and the Russian peacekeepers’ infamous march to Pristina was an indication of Russia’s aspirations to reject NATO-centrism and play an influential role in global affairs.

When the bombing finally ceased, Russia’s critical rhetoric continued, only now it was focused more on how NATO and KFOR were failing in their peacekeeping endeavors in Kosovo. That is, the Russian press repeatedly accused the NATO-led force of ignoring the UNSC resolution calling for the peacekeeping contingent (Res. 1244) by allowing KLA reprisals on the Serbian minority (see Gornostayev 1999b, 21). According to journalists from *The Voice of Russia (VOR)*,<sup>28</sup> after the bombing ended, the KLA engaged in extensive ethnic cleansing of returning/fleeing Serbs, while KFOR and the UNMIK turned a blind eye to the reprisals (Kushnir, Solton). “[N]o one can, or wishes to

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<sup>28</sup> The *Voice of Russia* is a Russian state-endorsed radio company that has been broadcasting in Russian and 31 other languages since 1929 aimed at introducing the international community to Russian life, history, culture and politics. The *VOR* has been on the web since 1996 and their website offers transcripts from broadcasts, presents the Russian government’s view on world events and offers commentary by political leaders, experts and news analysts. For more information on the *VOR* see <<http://www.vor.ru/pb.html>>.

put an end to this policy of genocide” (Kachalin). The Russian press continually used the authority of UNSC Resolution 1244 as the basis for singling out KFOR’s failures. These failures include alleged atrocities committed against the Serbs as well as failing to preserve Yugoslavia’s sovereignty and territorial integrity (Solton). According to the *VOR*, violations of Yugoslav sovereignty occurred by allowing the KLA to become a local police corps and by allowing the use of the German Mark in place of Yugoslav currency (Ibid., Mikhailov). Thus, much of Russia’s criticism in the aftermath of the bombings was directed at NATO on the basis of failing to protect the Serbian minority, and failing to adhere to the stipulations of UNSC Resolution 1244. Nevertheless, in the wake of the war in Kosovo, Vladimir Putin reiterated Russia’s need to improve relations with NATO and to strengthen mutual trust as a means of complying with international norms (Potapov).

While supporters of NATO in Russia’s political elite were scarce, some did openly declare their opinions. The rhetoric of certain journalists and political leaders reads as if supporting outright the idea of intervention for the sake of human rights. For example, former Russian Foreign Minister Andrei Kozyrev explicitly criticized Milosevic characterizing him as “a dictator who understands nothing but force, who is conducting ethnic cleansing in Kosovo and has brought the situation in Kosovo to an impasse” (Bovt, 4). Also, an article in the Russian newspaper *Izvestia* openly criticized Russian leadership for not recognizing the humanitarian factors that had caused the conflict on Kosovo. The author asserts that the negative response of Russia’s leaders to the conflict demonstrates that human rights in Russia “have never become a supreme value.” (Berezovskaya, 10) Nevertheless, most portrayals of NATO’s intervention were quite negative, stressing the idea of Yugoslavia’s sovereignty and territorial integrity, the authority of the Security Council, and the inappropriateness of NATO’s selfish role in imposing values on weaker states. As cited above, the only instances when human rights were (implicitly) mentioned was when politicians and journalists castigated NATO/KFOR for supposedly allowing Kosovar Albanians to terrorize the Serbian minority in Kosovo.



The discourse discussed above seemingly does *not* suggest that Russians perceived NATO's intervention in Kosovo as a legitimate humanitarian endeavor, therefore obliging Russia to take a more realist position on state sovereignty. Furthermore, the rhetoric used by political and military elites and media journalists in response to Kosovo suggests that the discourse in Russia emphasizes the primacy of state sovereignty and territorial integrity, as opposed to the legitimacy of humanitarian intervention. However, what conclusions can one make regarding the place of human rights and humanitarian intervention in Russia based on the discourse engendered by NATO's intervention in Kosovo? On one hand, Russian elites take the realist position defending territorial integrity, but on the other hand, they do recognize the authority of the UN Security Council, which ultimately suggests liberal inclinations. Therefore, like the rhetoric of the Clinton Doctrine, Russia's political discourse regarding NATO's Kosovo intervention is a matter of emphasis, albeit the emphasis of a more realist worldview. Nevertheless, Russia's realist position must be understood within the special context of the Kosovo intervention, given the precedent-establishing value of this operation. Furthermore, Russia's puzzling policies cannot be understood absent its domestic political circumstances. I offer three qualifications concerning Russia's discursive response to NATO's intervention in Kosovo.

First, while Russia undoubtedly maintains a lingering respect for the idea of absolute sovereignty, and the fact that the norm of territorial integrity (nonintervention) relative to state sovereignty was often used by Russians as fuel for criticizing the operation, the focal point of criticisms was to characterize NATO as an unprovoked aggressor. That is, the idea of absolute Westphalian sovereignty was not being defended in and of itself, as much as it was being used as a tool to implicate NATO in unjustified aggressive behavior. In the previous chapter, I outlined reasons for anti-American sentiment in Russia during the time just prior to the Kosovo intervention as they related to domestic political power struggles. Considering this, it is not unreasonable that this anti-western sentiment promoted by those trying to usurp Yeltsin's power (with which Yeltsin went along to remain in power) had a great deal to do with the widespread criticism of *NATO's* operation. One might wonder if Russia's discursive response might

have been different if the intervention were organized by a non-western alliance, or if it occurred in a non-Slavic state.

Second, Russia's appeal to the Security Council and UN Charter as a basis for criticizing NATO suggests that it *does* perceive the UN as a legitimate international authority (see also Baranovsky, 105-106). Perhaps this is partly because Russia occupies a permanent seat in the Security Council or the fact that unlike NATO, the UN is not a regional (exclusively western) organization. Nevertheless, examining Russia's Security Council voting record is useful when interpreting its nuanced human rights policy—specifically, on recent UN humanitarian interventions, such as those in Somalia, Haiti, Rwanda and East Timor. Interestingly, with regard to these four UN humanitarian operations, Russia overwhelmingly voted in favor of cooperative intervention to protect human rights. For example, Russia voted “yea” on UNSC Resolution 751, which established the UN operation in Somalia (UNOSOM). Russia also voted in favor of UNSC Resolutions 775 and 794, which authorized the use of force “to establish a secure environment for humanitarian relief operations in Somalia”(UNSC Res. 794). Furthermore, Russia voted in favor of establishing the UN Mission in Haiti (UNMIH) (Res. 867), as well as voting in favor of Resolution 940, which authorized the formation of a multinational force “to restore the legitimately elected President and authorities” in Haiti (Res. 949). During the Rwandan crisis, Russia voted “yea” on resolutions that established the UN Assistance Mission for Rwanda (UNAMIR) (Res. 872) and a multinational humanitarian operation in Rwanda (Res. 929). It also voted in favor of Resolution 978, which called for the arrest and detention of those in Rwanda directly responsible for human rights violations. Finally, Russia voted in favor of establishing the UN Mission in East Timor (UNAMET) (Res. 1246), as well as voting in favor of holding Indonesian authorities responsible for the security of refugees and UNHRC staff in East Timor (Res. 1319). Of the 32 UNSC resolutions I examined pertaining to these four interventions, Russia voted “yea” on 31 of them and abstained on only one (Res. 964), which dealt with strengthening the advance team of the UNMIH.<sup>29</sup> These resolutions

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<sup>29</sup> Security Council Resolutions dealing with Somalia: 733, 746, 751, 775, 794, 814, 837. Haiti: 841, 867, 875, 905, 917, 933, 940, 964, 975, 1007. Rwanda: 846, 872, 891, 893, 912, 925, 929, 935, 978. East Timor: 1246, 1257, 1319. (UNBISnet)

ranged in content, including authorizing the use of force, imposing sanctions on the target states, deploying troops and/or humanitarian workers, or simply extending existing mandates. (UNBISnet)

Russia's Security Council voting record, as well as its frequent reference to the authority of the Security Council in response to the Kosovo crisis, suggests a number of inferences regarding the appraisal of state sovereignty and human rights. First, in response to Kosovo, Russia's appeal to the Security Council fortifies the idea that the Russians were averse to the idea of a multilateral operation taking place without taking into consideration their opinion. In other words, as expounded in the previous chapter, Russia was attempting to reassert its role in international affairs, but it was not simply resisting emerging international norms and cooperative security. Second, Russia's recognition of the UN as a legitimate non-state actor (in the context of the UN's increasing promotion of international human rights) implies that Russia is increasingly accepting the international humanitarian standards set by the UN. Only in the case of Kosovo, Russia expressed opposition in part because it was not a part of the solution. That is, the operation lacked collective legitimacy *vis a vis* Russia as an agent, but not because the norms of intervention were rejected.

Russia's UN Security Council voting record suggests that it viewed Kosovo differently than other humanitarian operations despite the striking similarity of Kosovo to previous UN humanitarian operations. For instance, between the years of 1991-93, Russia worked extensively on the Vienna Declaration and Program of Action, both of which were adopted by the World Conference on Human Rights in 1993 (Chugrov, 156). Russia has consistently abided by UNSC resolutions calling for embargoes on Iraq, Libya, and at different stages the former Yugoslavia for human rights abuses. At the 53<sup>rd</sup> session of the UNHRC in 1997, Russia supported a resolution condemning human rights abuses in Lebanon and Cuba. In addition to the above UNSC resolutions, Russia has also supported numerous resolutions condemning human rights abuses in Burundi, Equatorial Guinea, Iran, Myanmar, Nigeria, the Sudan and Zaire (158-160). Nevertheless, while Russia's human rights policy can in general be described as somewhat pragmatic (as its

contradictory voting record on human rights abuses in China and the former Yugoslavia indicates), Russia has by no means totally eschewed the idea of human rights in international politics. Thus, it is likely not the notion of human rights that Russia is criticizing in the Kosovo crisis, but rather what it saw as an arrogant NATO-centric worldview that dominated the implementation of the intervention and peacekeeping operations in Europe.

Furthermore, the fact that Russia has respected the authority of the UN in regard to the aforementioned UNSC resolutions regarding human rights, and more generally the fact that Russia even recognizes a non-state international authority, attests to the growing consensus that human rights practices are no longer protected by a state's sovereign status. In other words, even to the Russians, human rights seems to be emerging as a norm—perhaps not a norm of state legitimation, but at least one of enough importance that it deserves attention. While Russia certainly lags behind the West in practicing what it preaches with regard to human rights (i.e. Chechnya), by recognizing the authority of the UN and by adhering to its human rights standards even if passively, Russia is certainly not promoting Westphalian notions of absolute state sovereignty at the expense of human rights.

Finally, while Russia's stance on human rights throughout the past decade has oftentimes paralleled that of the West, Russia's pragmatic stance reflected by its recent rapprochement with China has frequently obliged it to express independent opinions in matters concerning specific issues (159). For example, ever since the early stages of the ethnic conflicts in the former Yugoslavia, Moscow has criticized what it considered the West's excessive blaming of the Serbs for pursuing the policy of ethnic cleansing (157-158). Certainly, all factions committed atrocities in the Balkan Wars of the 1990s though the western media tend to implicate the Serbs as having committed the majority of the ethnic cleansing. As a result, when the Security Council (including Russia) authorized the use of force against the Serbs in Bosnia in 1994, many Russian analysts lobbied the Duma to cease negotiations on the START II treaty (158; see also above, 27-29). With regard to the Balkans, then, the West began a trend of routinely ignoring the Russian

stance as they later would in Kosovo. When NATO intervened in Kosovo in March of 1999 motivated by a “moral imperative” provoking a broad but limited solidarity among Orthodox Serbs and Russians, the Russians, as they have historically done in the recent Balkan conflicts, tended to side with the Serbs. As stated above, Russia viewed the FRY as the victim of western aggression. Therefore, just as the US perceived NATO’s intervention as legitimate on the basis of moral considerations and sympathy for the Kosovar Albanians as victims of ethnic cleansing, so too were Russia’s views marked by moral considerations for Serbs as victims of unprovoked aggression. Thus, political discourse in Russia during and after the Kosovo intervention was also marked by a liberal “moral imperative.” (See Baranovsky, 101-103)

### ***Conclusions***

Insofar as norms of human rights have become a part of the international institutional structure, states are obliged to respect them. Admittedly, however, the post Cold-War order has yet to facilitate the total universalization of human rights discourse and as of yet, the rhetoric in Russia indicates that human rights does not dominate its political discourse. In the West, however, the fact that NATO intervened in Kosovo based largely on prevailing normative moral criteria suggests that human rights has become embedded in the construction of state sovereignty and that the US and the other NATO states have used the pervasiveness of these norms to legitimize their own behavior. In other words, the process of discursive legitimation has affected the outcome of the ways that states interact based on the ways in which certain states treat their individual citizens (Barkin, 235).

In the case of Russia, human rights norms have scarcely come to dominate its political discourse but nevertheless, its behavior has been influenced by the salience of such discourse in the West. That is, the fact that state sovereignty has historically been a matter of both internal authority and external legitimacy has in part reduced Russia’s significant role in international relations (233). In other words, insofar as human rights can be considered a norm of legitimation, these liberal norms have undermined the external legitimacy of Russia to the extent that it has been excluded from regular patterns

of discourse within the community of states that actively promote human rights norms. One could argue that Russia's significant role in international relations has historically been defined by its (military) power. This was especially true before the end of the Cold War when realist power politics were more prominent, which allowed Russia's internal and external legitimacy to be based on its power (i.e. "might makes right"). As respect for human rights (as opposed to military might) increasingly becomes the basis for state legitimacy, states that function by force alone will be perceived as illegitimate in the eyes of the international community and excluded from patterns of international discourse. For Russia, this situation became amply evident when it was sidelined to the role of an extra during most of the Kosovo interaction. As a result, what little humanitarian discourse that had permeated Russia's more "noninterventionist" tendencies was redirected in order to characterize the West (NATO) as unprovoked aggressors. Russia's mitigated adherence to human rights norms did oblige them to follow a moral imperative, but in the context of arrogant NATO-centrism, Russia's moral imperative happened to be in the opposite direction of the one that NATO was following.

Thus, strict adherence to human rights norms has served to divide East and West rather than unite them. Institutionally, while Russia has made efforts to bring its domestic political system in line with international democratic norms, according to Russian scholar Sergei Chugrov (2000), Russia's human rights practices have changed only slightly for the better since the end of the Cold War (Chugrov, 153). While certainly, KGB agents and secret police no longer arbitrarily arrest, detain, or deport people who speak out against the state, Chechnya attests to Chugrov's assertion. However, as discussed at length in the previous chapter, Russia's contradictory policies and practices are oftentimes a result of lesser-known domestic political and social factors. Russia's lagging behind the West in its human rights practices has increasingly excluded the country from patterns of discourse and international decision-making as was evident in both Bosnia as well as in Kosovo (157-158). As a result of this exclusion, which severely damaged Russia's already dwindling national self-image, Russia deemed it necessary to oppose NATO's policy by empathizing with the Serbs. Both Russia and the West followed a moral imperative, but Russia's exclusion from patterns of discourse

obliged it to promote human rights from a different perspective. Therefore, while NATO's intervention was conducted under normatively legitimate humanitarian auspices, to a lesser degree so was Russia's dissent, although from a more nostalgically normative framework characterized by a lingering respect for norms of nonintervention.

As for the future of humanitarian intervention, the Clinton Doctrine presents an unprecedented and ambitious framework for which the international community still lacks the will to implement, and the resource capabilities to sustain. Furthermore, the sour taste that Kosovo has left in the mouths of Russians makes it unlikely that they will give much support to future interventionary endeavors unless they are a part of the decision-making apparatus (i.e. the Security Council). Nevertheless, despite Russia's opposition to Kosovo as a result of their more pragmatic human rights approach, the Kosovo intervention attests to the idea that human rights discourse is changing the ways in which states interact. That is, states in the post-Cold War order are increasingly becoming legitimated by their ability to ensure the rights of their individual citizens. While thus far, the normative preferences of human rights norms that have informed the moral criteria upon which interventions are based are largely practiced by stronger states (NATO states) and imposed on weaker states (the FRY), these norms still serve to impact state interaction (Barkin, 250). Therefore, my conclusion will ponder the extent to which Kosovo has increased human rights as a legitimating principle, and made it easier for states to collectively intervene in the domestic affairs of governments that fail to guarantee individual rights.

## CONCLUSION

The theoretical debate outlined in Chapter 1 of this analysis examined the idea that the norms of nonintervention characteristic of Westphalian sovereignty are being undermined, and that the state no longer has the final exclusive authority over matters within its own borders. That is, Westphalian sovereignty defined in terms of internal authority and external recognition (legitimacy) is subject to constraints based on the mode of state legitimacy. In short, in the eyes of its international peers, a state derives legitimacy, thus its right to territorial sovereignty, based on how it exercises internal authority. States that exercise internal control by illegitimate or unrestrained force, thus severely violating the rights of their citizens as defined by prevailing international law, are perceived as illegitimate and excluded from regular patterns of discourse within the international community. This emerging normative structure of the international system is a result of states' (initially western states) increased engagement in humanitarian discourse, and has consequently reconstituted the foundations of state legitimacy, thus state sovereignty, and subjected states that violate human rights to collective armed intervention.

Realist norms of state sovereignty based on what I have referred to as Westphalian principles, including nonintervention and territorial integrity, are less relevant as a result of the increased importance of human rights in the international discourse. While previous post-Cold War humanitarian interventions sanctioned by the will of the international community through the United Nations have served to expand the legal criteria for legitimate intervention, NATO's actions in Kosovo absent this mandate from the international community attest to the normative progress of human rights since the end of the Cold War. In other words, this humanitarian endeavor justified largely on prevailing *normative* and moral criteria, although still co-existing with discourses of power and national interest, suggests that the relevance of human rights practices has transcended the legal realm into the normative constitution of the international system. Nevertheless, national self-interest still plays a significant role in the ways states conduct relations.



The Clinton Doctrine suggests that the international community should take action where it can in order to stop human rights abuses. In a broader sense, the rhetoric of the Clinton Doctrine has informed the very interests that the United States has chosen to pursue. The emerging normative framework has even placed discursive constraints on the behavior of the most powerful state in the world—the United States. In other words, the US, which complies with international human rights standards and has actively engaged in human rights discourse since the Carter Administration, has discursively legitimated NATO’s behavior through the Clinton Doctrine (Ikenberry, 91). In Russia, where the discourse has not yet evolved to parallel that of the US or the West in general, one can see evidence that the emerging normative framework has even permeated its political discourse. As demonstrated in the previous chapter, Russians mostly criticized NATO on the grounds of violation of international law and unprovoked aggression as opposed to explicitly rejecting human rights and promoting absolutism. Furthermore, a small minority of Russians even defended NATO’s humanitarian purpose outright.

J. Samuel Barkin (1998) has asserted that “to the extent that actors in international politics wish to reinforce norms of human rights as constitutive of legitimate sovereignty, they must continue to engage in them discursively” (Barkin, 252). In other words, the quality of a society’s human rights practices is a reflection of the quality of its political discourse on human rights. What this means for the US and the West is that they must continue to discursively promote human rights as an element of national interest in order to create an international consensus that holds states accountable for egregious abuses of human rights. Furthermore, as Russia’s political discourse continues to reflect the importance of human rights norms, its practice will reflect the normative constraints that human rights places on sovereign statehood. In other words, as the evidence in this study has suggested, what constitutes legitimate sovereignty appears to have shifted.

The origins of the shift in the discourse on sovereignty and human rights suggested in this study are indeed complex. Just as systemic conditions influenced conceptions of sovereignty reflected in the discourses of Jean Bodin and Thomas Hobbes, the dynamic global political conditions of the past half-century have facilitated a

conception of sovereignty legitimated by respect for human rights. That is, against the background of the colonial oppression that characterized much of the early twentieth century, as well as genocide at the hands of fascists during WWII, the second half of the twentieth century has been a conducive period for the emergence of a meaningful discourse that emphasizes a set of norms protecting the individual against the state. Since the end of WWII, the world has witnessed the inception of a genuine “international community,” whose importance has only increased; international humanitarian law has flourished; advances in telecommunications have unveiled the plight of mistreated people throughout the world; and most recently, the end of the Cold War has brought about an increased number of liberal democracies in the world. These conditions have allowed human rights discourse to gain traction, thus informing and influencing the course of action taken by states when human rights abuses occur. This development has been demonstrated by the international community’s more active role in promoting human rights since the end of the Cold War (see Alexander 2000), and subsequently achieved empirical reality when NATO pushed Westphalian norms to the wayside in order to protect Kosovars from state-sponsored expulsion and genocide.

That said, shifts in the normative framework of the international system toward human rights as a norm of legitimation will certainly also affect the legitimacy of humanitarian intervention. While the international community is far from codifying procedures and criteria for intervention on humanitarian grounds, the normative constraints that meaningful human rights discourse places on states will tend to decrease the normative costs of intervention for the intervening party. That is, as human rights discourse proliferates, intervention justified by reference to the maintenance of human rights norms will be perceived as more legitimate. In other words, the normative constitution of the global order inevitably shapes the policies that states pursue. For example, the international community almost unanimously condemned Saddam Hussein when he violated a norm that prohibits unprovoked aggression (when he invaded Kuwait). By this same token, as the international community continues to engage in human rights discourse, it will eventually promote human rights norms to the same extent

that it promoted (and still promotes) norms that prohibit unprovoked aggression, as it did in the Gulf War.

Admittedly however, all armed conflicts will be subject to scrutiny when loss of life is possible or even certain, and for now at least, not all states that violate human rights will attract criticism from the international community. In the near future, only those more extreme violators are likely to provoke an international response such as those states that actively (attempt to) exterminate or displace their own citizens, as has been the situation for virtually all recent humanitarian interventions including Kosovo. Nevertheless, progressive shifts in interventionary behavior are becoming evident after the fallout of the Kosovo precedent. One might even argue that the international community's response to state-sponsored genocide in East Timor less than three months after the bombing stopped in Kosovo attests to the international community's increased commitment to promoting human rights norms. When Indonesian forces rampaged the tiny island which had just voted under UN auspices for independence, within a week the international community responded with the IMF and the US cutting off funds and the UN subsequently sent in peacekeeping forces (Wallis, 7; *Newsweek*, 33). Certainly, East Timor was not a major strategic asset to the West, and US interests were scarcely threatened, but the US still played a leading role in the peacekeeping (*Newsweek*, 32). While the US/NATO did not play the leading role as it had in Kosovo, the US and its European allies were involved both economically and militarily and the Security Council quickly adopted a resolution (Res. 1246) on the matter. However, would the international community have responded to East Timor if Kosovo had not happened?

The international community avoided further bloodshed in East Timor with a timely response, which I contend can be attributed to the precedent that NATO set in Kosovo. That is, NATO began its bombing campaign when it became evident that Milosevic was going to invade Kosovo and balk on the peace settlement. In doing so, NATO acted quickly by circumventing the recalcitrant Security Council in order to avoid another Rwanda as a result of a lack of consensus in the Security Council. With East Timor, the Security Council, following the Kosovo precedent, knew that intervention was

both imperative and imminent so it quickly came to a consensus and intervened in order to prevent further crimes against humanity. (see Wallis, 7)

Certainly, the West's more fervent response to Kosovo compared to East Timor suggests that levels of altruism in foreign policy-making do not alone explain interventionary behavior. But it is not my contention that *raison d'etat* will cease to remain a powerful basis for decision-making. In other words, the realist position, which might assert that NATO intervened in Kosovo but not East Timor because of geographic factors and limited strategic capabilities, is still a useful basis for explaining state behavior. Nevertheless, the effect of discursive human rights legitimation does suggest that the norm of nonintervention will apply less to states that excessively abuse human rights—such as Indonesia—as opposed to states that respect such human rights norms. According to Barkin, “[t]he normative costs of intervention [into the internal affairs of states that abuse human rights] will be lower [for the intervening party] so that when state interest might suggest such an action, it is more likely to be carried out” (Barkin 250). Consequently, the legitimating value of human rights norms makes it more likely that intervention will occur when states *do*, in fact, abuse their citizens' human rights.

The norm of sovereignty, however, which has been the basis of international relations for nearly four centuries, will undoubtedly remain a relevant concept in global politics. While the literature suggesting the increasing irrelevance of state sovereignty is voluminous, I contend that the constitution of sovereignty will simply evolve in order to facilitate the globalization of human rights norms. As suggested throughout this study, sovereignty has historically been subject to external constraints based on power capabilities, but as Barkin has asserted, sovereignty cannot exist absent external legitimation (229). That is, sovereignty is not an attribute of a state, “but is attributed to the state by other states” (Thomson, 229). Therefore, insofar as sovereignty is recognized as a system of mutual recognition among states, the concept has historically been understood to require a certain constitutional relationship between the ruler and the ruled. Thus, the degree to which a certain states are considered sovereign is reflected by patterns of state exclusion from arrangements of international discourse.

Jean Bodin, laying the foundations for the Westphalian tradition, envisaged sovereignty as the absolute right of an individual to reign over his subjects. Sovereignty required an individual within which to vest unrestricted, uncontested, absolute authority. (see Bodin 1583) During the Cold War, a legitimating norm of sovereign statehood became a government's relationship with a given piece of territory (Barkin, 243-246). That is, state sovereignty became a question of control, whereby a state had to demonstrate uncontested authority within defined spatial boundaries. And now that the territorial legitimation of the Cold War has ended, as I have asserted, and which I believe NATO's intervention in Kosovo attests, sovereignty is becoming constrained by a state's ability to ensure the basic rights of its citizens. In other words, the internal authority characteristic of sovereign statehood must be externally legitimated by a given state's acceptable exercise of authority over its citizens as defined by international law. More importantly, the prevailing normative framework established by human rights discourse has become a key factor. As Kofi Annan has expounded, states are to be at the service of their people and not vice versa (Annan, 50).

The case of Kosovo used as the empirical centerpiece of this analysis was intended to be illustrative, but not conclusive. It is still too early to fully comprehend the international systemic effects of the emerging global climate. Nevertheless, it is evident that the strict *raison d'etat* power politics embraced by realist theorists no longer fully explains the realities of international relations in the post-Cold War order, although power realities certainly play a significant role in state behavior. However, this analysis has demonstrated that a new discourse on sovereignty and human rights has further emerged from the ashes of the Kosovo crisis that tends to emphasize the prerogatives of the individual as opposed to or even against the state. Furthermore, the international normative framework engendered by the increased salience of human rights discourse has lessened the normative costs of humanitarian intervention, thus making it more likely that interventions will occur. Such intervention will be perceived by the community of states as legitimate when state-sponsored human rights abuses are excessive.

The extent to which sovereignty continues to be subjected to the legitimating principle of human rights is contingent upon the degree to which states actively engage in human rights discourse and must be further fortified by state practice. Will Russia's political discourse continue to accept the notion of human rights legitimation, thus moving the world closer to the universal acceptance of human rights? Only time will tell if the current trend will continue, but the events of the recent past suggest that human rights norms have gained enough discursive momentum to ensure that states can no longer use sovereignty as a defense when their policies are in blatant disregard to the rights of their individual citizens.

## REFERENCES

- Albright, Madeline K.** 1999a. "National Issues Forum: A New NATO for a New Century." *US Department of State*. April 6: <<http://secretary.state.gov/www/statements/1999/990406.html>> (Accessed 2/21/01).
- Albright, Madeline K.** 1999b. "After Kosovo: Building a Lasting Peace." June 28: <<http://secretary.state.gov/www/statements/1999/990628.html>> (Accessed 2/21/01).
- Alexander, Klinton W.** 2000. "NATO's Intervention in Kosovo: The Legal Case for Violating Yugoslavia's National Sovereignty in the Absence of Security Council Approval." *Houston Journal of International Law*. 22 (3): 403-431.
- Annan, Kofi.** 1999. "Two Conceptions of Sovereignty: Redefining the UN." *The Economist*. 352 (8137): 49-53.
- Ashley, Richard K.** 1984. "The Poverty of Neorealism." *International Organization*. (38) 2: 225-286.
- Baburkin, Sergei.** 2000. "National Security, Civil Society, and Human Rights in Russia: Conceptual and Legal Framework." *Demokratizatsiya: The Journal of Post-Soviet Democratization*. 8 (3): 376-386.
- Baehr, Peter R.** 2000. "Controversies in the Current International Human Rights Debate." *Human Rights Review*. 2 (1): 7-43.
- Baranovsky, Vladimir.** 2000. "Russia: Reassessing National Interests." Chapter 7 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Barkin, J. Samuel.** 1998. "The Evolution of the Constitution of State Sovereignty and the Emergence of Human Rights Norms." *Millennium: Journal of International Studies*. 27 (2): 229-252.
- Bartelson, Jens.** 1995. *A Genealogy of Sovereignty*. Cambridge, New York, and Melbourne: Cambridge University Press.
- Bell, Coral.** 2000. "Force, Diplomacy and Norms." Chapter 28 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Berezovskaya, Yulia.** 1999. "Europe Fighting for the Right to Unite." *Izvestia*. April 16: 4. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (17): 10.

- Betatti, Mario and Corten, Oliver.** 1999. "The First Lessons of Kosovo." *UNESCO Courier*. July-August: 59-62.
- Biersteker, Thomas and Weber, Cynthia.** (ed.) 1996. *State Sovereignty as Social Construct*. Cambridge, UK: Cambridge University Press.
- Bodin, Jean.** 1583/1967. *Six Books of the Commonwealth*, ed. M. J. Tooley. New York: Barnes and Nobel.
- Bovt, Georgy.** 1999. "Russia Turns Back to Cold War." *Sevodnya*. March 25: 1-2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.
- Burg, Steven L. and Shoup, Paul S.** 1999. *The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention*. Armonk, New York and London, England: M.E. Sharpe.
- Brovkin, Vladimir.** 1999. "Discourse on NATO in Russia during the Kosovo War." *Demokratizatsiya: The Journal of Post-Soviet Democratization*. 7 (4): 544-559.
- Brumberg, Abraham.** 1995. "Yeltsin's Chechnya Problem – and Ours: A Matter of Principle." *The New Leader*. 78 (2): 3-6.
- Brune, Lester H.** 2000. *Kosovo Intervention and United States Policy*. Bloomington, IN: First Books Publishing.
- Caporaso, James A.** 2000. "Changes in the Westphalian Order: Territory, Public Authority, and Sovereignty." *International Studies Review*. 2 (2): 1-29.
- Chugrov, Sergei.** 2000. "Russian Foreign Policy and Human Rights: Conflicted Culture and Uncertain Policy." Chapter 6 in *Human Rights and Comparative Foreign Policy*, ed. David Forsythe. Tokyo, New York and Paris: United Nations University Press.
- Clinton, William J.** 1995a. "Exchange with Reporters Prior to Discussions with Boris Yeltsin of Russia in Halifax." *Weekly Compilation of Presidential Documents*. 31 (25): 1081-1083.
- Clinton, William J.** 1995b. "The Dayton Peace Accords: Imposing Peace for Bosnia." Transcript of speech given on Nov. 27 at the White House. Chapter 6 in *The Clinton Foreign Policy Reader*, ed. Alvin Rubinstein, Albina Shayevich and Boris Zlotnikov. Armonk and London: M.E. Sharpe.
- Clinton, William J.** 1999a. "Address to the Nation." *US Department of State*. March 24: <[http://www.state.gov/www/policy\\_remarks/1999/990324\\_clinton\\_nation.html](http://www.state.gov/www/policy_remarks/1999/990324_clinton_nation.html)> (Accessed 2/21/01).



- Clinton, William J.** 1999b. "Address to the Nation on the Conflict in Kosovo." Transcript in *The Washington Post*. June 11: A31.
- Clinton, William J.** 1999c. "G-8 Summit: Interview of President Clinton by Wolf Blitzer of CNN Late Edition." *US Department of State*. June 20: <[http://www.state.gov/www/issues/economic/summit/990620\\_clinton\\_cnn.html](http://www.state.gov/www/issues/economic/summit/990620_clinton_cnn.html)> (Accessed 2/21/01).
- Clinton, William J.** 1999d. "G-8 Summit: Remarks by President Clinton to the American Community." *US Department of State*. June 20: <[http://www.state.gov/www/issues/economic/summit/990620\\_clinton\\_bonn.html](http://www.state.gov/www/issues/economic/summit/990620_clinton_bonn.html)> (Accessed 2/21/01).
- Clinton, William J.** 1999e. "G-8 Summit: Taped Interview of President Clinton by Russian TV." *US Department of State*. June 20: <[http://www.state.gov/www/issues/economic/summit/990620\\_clinton\\_tv.html](http://www.state.gov/www/issues/economic/summit/990620_clinton_tv.html)> (Accessed 2/21/01).
- Clinton, William J.** 1999f. "Remarks to the Hamton Roads Military Community." *US Department of State*. April 1: <[http://www.state.gov/www/policy\\_remarks/1999/990401\\_clinton\\_kosovo.html](http://www.state.gov/www/policy_remarks/1999/990401_clinton_kosovo.html)> (Accessed 2/21/01).
- Cockburn, Alexander.** 1995. "Chechnya, Yeltsin, Liberals." *The Nation*. 260 (11): 372-374.
- Connolly, William.** 1974. *The Terms of Political Discourse*. Princeton, NJ: Princeton University Press.
- Cooper, Simon.** 1999. "Uncanny Reflection." *Arena Magazine*. December: 5-8.
- Cornell, Svante E.** 1999. "International Reaction to Massive Human Rights Violations: The Case of Chechnya." *Europe-Asia Studies*. 51 (1): 85-101.
- Crossette, Barbara.** 1999. "UN Wants Faster Action to Avoid Slaughter in Civil Wars." *New York Times*. September 21: A1.
- Damrosch, Lori Fisler.** 2000. "The Inevitability of Selective Response? Principles to Guide Urgent International Action." Chapter 25 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Donnelly, Jack.** 1995. "State Sovereignty and International Intervention: The Case of Human Rights." Chapter 6 in *Beyond Westphalia*, ed. Gene Lyons and Michael Mastanduno. Baltimore and London: Johns Hopkins University Press.

- Duke, Simon; Ehrart, Hans-Georg and Karadi, Matthias.** 2000. "The Major European Allies: France, Germany and the UK." Chapter 9 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Economist, The.** (Editorial) 1994. "Chechnya Requests Independence." *The Economist (US)*. 333 (7894): 15-17.
- European Union (EU).** 1996. "European Union Statement on the Situation in Chechnya." *European Union Homepage*. <<http://europa.eu.int/abc/doc/off/bull/en/9603/p104012.htm>>. (Accessed 4/7/01).
- Forsythe, David P.** (ed.) 2000. *Human Rights and Comparative Foreign Policy*. Tokyo, New York, and London: United Nations University Press.
- Fowler, Michael and Bunck, Julie.** 1995. *Law, Power and the Sovereign State: The Evolution and Application of the Concept of Sovereignty*. University Park, Pennsylvania: Pennsylvania State University Press.
- Freedman, Lawrence.** 2000. "The Split-screen War: Kosovo and the Changing Concepts of the Use of Force." Chapter 26 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Fromkin, David.** 1999. *Kosovo Crossing: American Ideals Meet Reality on the Balkan Battlefields*. New York, NY: The Free Press.
- Gilpin, Robert.** 1984. "The Richness of the Tradition of Political Realism." *International Organization*. 38 (2): 287-304.
- Golotyuk, Yury.** 1999. "Defense Ministry Warning – The Balkan Crisis is Hazardous to Your Health." *Izvestia*. June 2: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (22): 8-10, 20.
- Gornostayev, Dmitry.** 1999a. "Belgrade Accepts Peace Plan." *Nezavisimaya Gazeta*. June 4: 1, 6. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (22): 8-10, 20.
- Gornostayev, Dmitry.** 1999b. "Kosovo is Being Cleansed of Serbs." *Nezavisimaya Gazeta*. July 27: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (30): 21-22.
- Gorodetskaya, Natalya.** 1999. "Russia Won't Leave Yugoslavia in the Lurch." *Vremya MN*. March 26: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.

- Groom, A.J.R. and Taylor, Paul.** 2000. "The United Nations System and the Kosovo Crisis." Chapter 19 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Haass, Richard N.** 1994. *Intervention: The Use of American Military Force in the Post-Cold War World*. Washington, DC: The Carnegie Endowment.
- Hinsley, F. H.** 1966. *Sovereignty*. Cambridge, UK: Cambridge University Press.
- Helton, Arthur C.** 2000. "Forced Migration, Humanitarian Intervention and Sovereignty." *SAIS Review*. 20 (1): 61-86.
- Hobbes, Thomas.** 1651/1996. *Leviathan: The Matter, Forme, and Power of a Commonwealth: Ecclesiastical and Civil*, ed. G. C. A. Gaskin. Oxford and New York: Oxford University Press.
- Hoffmann, Stanley.** 1996. *The Ethics and Politics of Humanitarian Intervention*. Notre Dame, Indiana: University of Notre Dame Press.
- Human Rights Watch (HRW).** 1999a. "A Week of Terror in Drenica: Humanitarian Law Violations in Kosovo." *Human Rights Watch Homepage*: <<http://www.hrw.org/hrw/reports/1999/kosovo/>> (Accessed 1/19/01).
- Human Rights Watch (HRW).** 1999b. "HRW World Report 1999: Federal Republic of Yugoslavia." *Human Rights Watch Homepage*: <<http://www.hrw.org/hrw/worldreport99/europe/yugoslavia.html>> (Accessed 1/19/01).
- Human Rights Watch (HRW).** 2000a. "HRW World Report 2000: Russian Federation." *Human Rights Watch Homepage*: <<http://www.hrw.org/wr2k/Eca-17.htm>> (Accessed 1/30/01).
- Human Rights Watch (HRW).** 2000b. "Kosovo: Rape as a Weapon of Ethnic Cleansing." *Human Rights Watch Homepage*: <<http://www.hrw.org/reports/2000/fry/>> (Accessed 1/19/01).
- Human Rights Watch (HRW).** 2001. "HRW World Report 2001: Russian Federation." *Human Rights Watch Homepage*: <<http://www.hrw.org/wr2k1/europe/russian.html>> (Accessed 1/30/01).
- Ikenberry, G. John.** 2000. "The Costs of Victory: American Power and the Use of Force in the Contemporary Order." Chapter 6 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.

- Ivanov, Igor.** 1999. "Those Responsible for the Aggression against Yugoslavia Must Answer for What They Did." *The Voice of Russia*. July 27: <[http://www.vor.ru/Kosovo/commentaries\\_199.html](http://www.vor.ru/Kosovo/commentaries_199.html)> (Accessed 2/22/02).
- Judah, Tim.** 2000. *Kosovo: War and Revenge*. London and New Haven: Yale University Press.
- Kachalin, Konstantin.** 1999. "The Voice of Russia Special Correspondent in Yugoslavia on the Situation in Kosovo." *The Voice of Russia*. September 13: <[http://www.vor.ru/Kosovo/commentaries\\_240.html](http://www.vor.ru/Kosovo/commentaries_240.html)> (Accessed 2/22/01).
- Kalashnikova, Natalya and Smirnov, Andrei.** 1999. "Defiant Gesture for Domestic Consumption." *Sevodnya*. June 14: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (24): 1-5.
- King Preston.** 1999. *The Ideology of Order: A Comparative Analysis of Jean Bodin and Thomas Hobbes*. Second Edition. London and Portland, OR: Frank Cass.
- Kissinger, Henry A.** 1994. *Diplomacy*. New York, NY: Simon and Schuster.
- Korotchenko, Igor.** 1999. "NATO and Russia Find Compromise." *Nezavisimaya Gazeta*. June 22: 1,6. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (25): 1-5.
- Kovalev, Sergei.** 2000. "Putin's War." *New York Review of Books*. February 10:
- Krasner, Stephen.** 1978. *Defending the National Interest: Raw Materials, Investments and US Foreign Policy*. Princeton, NJ: Princeton University Press.
- Krasner, Stephen.** 1995. "Sovereignty and Intervention." Chapter 10 in *Beyond Westphalia*, ed. Gene Lyons and Michael Mastanduno. Baltimore and London: Johns Hopkins University Press.
- Krasner, Stephen.** 1999. *Sovereignty: Organized Hypocrisy*. Princeton, NJ: Princeton University Press.
- Kratochwil, Friedrich.** 1995. "Sovereignty as Dominion: Is There a Right of Humanitarian Intervention?" Chapter 2 in *Beyond Westphalia*, ed. Gene Lyons and Michael Mastanduno. Baltimore and London: Johns Hopkins Press.
- Krutikov, Yevgeny.** 1999. "Hawks Put in Their Place." *Izvestia*. April 7: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (14): 1-5.
- Kushnir, Alexander.** 1999. "Russia Calls for Deploying UN Mission in Kosovo Without Delay." *The Voice of Russia*. August 13: <[http://www.vor.ru/Kosovo/commentaries\\_215.html](http://www.vor.ru/Kosovo/commentaries_215.html)> (Accessed 2/22/01).

- Lapidus, Gail W.** 1998. "Contested Sovereignty: The Tragedy of Chechnya." *International Security*. 23 (1): 5-50.
- Lebow, Richard N.** 1994. "The Long Peace, the End of the Cold War, and the Failure of Realism." *International Organization*. 48 (2): 249-277.
- Litfin, Karen.** 2000. "Environment, Wealth, and Authority: Global Climate Change and Emerging Modes of Legitimation." *International Studies Review*. 2 (2): 119-148.
- Locke, John.** 1689/1982. *The Second Treatise of Civil Government*, ed. Richard H. Cox. Wheeling, IL: Harlan Davidson, Inc.
- Lynn-Jones, Sean M.** 1999. "Realism and Security Studies." Chapter 3 in *Contemporary Security and Strategy*, ed. Craig A. Snyder. New York, NY: Routledge.
- Lyons, Gene and Mastanduno, Michael.** (ed.) 1995. *Beyond Westphalia: State Sovereignty and International Intervention*. Baltimore and London: Johns Hopkins Press.
- Mayall, James.** 2000. "The Concept of Humanitarian Intervention Revisited." Chapter 20 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Morgenthau, Hans.** 1946. *Scientific Man versus Power Politics*. Chicago, IL: University of Chicago Press.
- Nagorski, Andrew and Turque, Bill.** 1995. "A Toast to...What?" *Newsweek*. 125 (21): 34.
- Nambiar, Satish.** 2000. "India: An Uneasy Precedent." Chapter 17 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- New Republic, The.** (Editorial) 1996. "Free Chechnya." *The New Republic*. 215 (11): 9.
- Newsweek.** (Editorial) 1999. "A Superpower's Dilemma: As Militias Rampage in East Timor, Americans Cope with Intervention Fatigue." *Newsweek*. 134 (12): 32.
- Orr, Michael.** 2000. "Second Time Lucky? Evaluating Russian Performance in the Second Chechen War." *Partnership for Peace Information System Management System (US Department of Defense)*. <<http://www.ppc.pims.org/Projects/csrc/JIRArticle.htm>> (Accessed 1/1/30/01).

- Pain, Emil.** 2000. "The Second Chechen War: The Information Component." *Military Review*. LXXX (4): <<http://www-cgsc.army.mil/milrev/English/JulAug00/love.htm>> (Accessed 1/30/01).
- Paklin, Nikolai.** 1999. "Even a Great Doctrine Can be Flawed." *Rossiiskaya Gazeta*. June 25: 3. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (25): 1-5.
- Potapov, Anatoly.** 1999. "Vladimir Putin: Yugoslavia is Our Strategic Partner." *The Voice of Russia*. Aug. 16: <[http://www.vor.ru/Kosovo/commentaries\\_216.html](http://www.vor.ru/Kosovo/commentaries_216.html)> (Accessed 2/22/01).
- Primakov, Yevgeny.** 1999. "This is an Act of Aggression." *Rossiiskaya Gazeta*. March 26: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.
- Rosenau, James N.** 1995. "Sovereignty in a Turbulent World." Chapter 9 in *Beyond Westphalia*, ed. Gene Lyons and Michael Mastanduno. Baltimore and London: Johns Hopkins Press.
- Rubinstein, Alvin; Shayevick, Albina and Zlotnikov, Boris.** (ed.) 2000. *The Clinton Foreign Policy Reader: Presidential Speeches with Commentary*. Armonk and London: M.E Sharpe.
- Sassen, Saskia.** 1995. *Losing Control? Sovereignty in an Age of Globalization*. New York: Columbia University Press.
- Schnabel, Albrecht and Thakur, Ramesh.** (ed.) 2000. *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*. Tokyo, New York and Paris: United Nations University Press.
- Sergeyevich, Igor.** 1999. "There Were No Grounds for NATO's Aggression." *Trud*. May 7: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (18): 4-5.
- Sevodnya.** (1995). "All Duma Factions Demand Talks with Grozny." *Sevodnya*. December 14: 3. Compiled by *The Current Digest of the Post-Soviet Press*. 46 (50): 12.
- Shevtsova, Lilia.** 1999. *Yeltsin's Russia: Myths and Reality*. Washington, DC: The Carnegie Endowment.
- Shlapentokh, Dmitry.** 1997. "The Chechen War and Russia's Identity Crisis." *Contemporary Review*. 270 (1573): 72-78.
- Smirnov, Aleksei.** 1999. "A Step Toward Peace in Yugoslavia." *Noviye Izvestia*. April 14: 2. Compiled by *The Current Digest of the Post-Soviet Digest*. 51 (15): 10-12, 20.

- Solton, Yuri.** 1999. "Moscow Calls for Strict Compliance with UN Security Council Resolution on Kosovo." *The Voice of Russia*. September 8: <[http://www.vor.ru/Kosovo/commentaries\\_237.html](http://www.vor.ru/Kosovo/commentaries_237.html)> (Accessed 2/22/01).
- Sychova, Valeria.** 1999. "It's War! - Americans Were Unable to Persuade Serbs, and Russia Was Unable to Persuade Americans." *Sevodnya*. March 25: 1, 3. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.
- Sysoyev, Gennady.** 1999. "Russia Called a Great Power." *Kommersant*. April 14: 1. Compiled by *The Current Digest of the Post-Soviet Digest*. 51 (15): 10-12, 20.
- Talbott, Strobe.** 1995. "Supporting Democracy and Economic Reform in the New Independent States." *Dispatch Magazine*. US Department of State: <<http://dosfan.lib.uic.edu/ERC/breifing/dispatch/1995/html/Dispatchv6no08.html>>. (Accessed 4/7/01).
- Thomas, Jeff.** 1999. "Russia's Second Chechen War." *Center for Strategic and International Studies*. <<http://www.csis.org/ruseura/ex999.html>> (Accessed 1/30/01).
- Thomson, Janice E.** 1995. "State Sovereignty in International Relations: Bridging the Gap Between Theory and Empirical Research." *International Studies Quarterly*. 39 (2): 213-234.
- UNBISnet.** 1946-2001. "United Nations Voting Records." United Nations, Dag Hammarskjold Library: <<http://unbisnet.un.org/webpac-bin/wgbroker?new+-access+top.vote>> (Accessed 4/11/01).
- United Nations (UN).** 1945. "United Nations Founding Charter." United Nations Homepage <<http://www.un.org/Overview/Charter.html>> (Accessed 8/10/00).
- United Nations (UN).** 1990-2000. "United Nations Security Council Resolutions." United Nations Homepage: <<http://www.un.org/Docs/scres.html>> (Accessed 1/11/01).
- US Department of State.** 1995. "Summary of the Dayton Peace Agreement on Bosnia-Herzegovina." US Department of State: <<http://www.state.gov/www/regions/eur/bosnia/bossumm.html>> (Accessed 11/29/00).
- Wachtel, Andrew B.** 1998. *Making a Nation, Breaking a Nation: Literature and Cultural Politics in Yugoslavia*. Stanford, CA: Stanford University Press.
- Wallis, Jim.** 1999. "East Timor: A Clear Moral Test." *Sojourners*. 28 (6): 7.
- Waltz, Kenneth.** 1979. *Theory of International Politics*. Reading, MA: Addison-Wesley.

- Yeltsin, Boris.** 1994a. "Appeal to the Citizens of Russia." *Rossiiskiy vestnik*. December 11: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 46 (50): 2.
- Yeltsin, Boris.** 1994b. "Address by Boris Yeltsin." *Rossiiskaya Gazeta*. December 29: 1-2. Compiled by *The Current Digest of the Post-Soviet Press*. 46 (52): 7-9.
- Yeltsin, Boris.** 1999a. "NATO Seeks to enter the 21<sup>st</sup> Century Wearing the Uniform of World Policeman." *Rossiiskaya Gazeta*. March 26: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.
- Yeltsin, Boris.** 1999b. "Televised Address by Russian President Boris Yeltsin." *Kommersant*. March 25: 2. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 7-8.
- Yunling, Zhang.** 2000. "China: Whither the Word Order after Kosovo?" Chapter 8 in *Kosovo and the Challenge of Humanitarian Intervention*, ed. Albrecht Schnabel and Ramesh Thakur. Tokyo, New York and Paris: United Nations University Press.
- Yusin, Maksim.** 1999a. "Washington is Deliberately Aggravating Relations with Moscow." *Izvestia*. July 6: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (27): 6-8.
- Yusin, Maksim.** 1999b. "Russia Doesn't Owe Serbia Anything." *Izvestia*. April 7: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (14): 1-5.
- Yusin, Maksim.** 2000. "War of Myths." *Izvestia*. March 24: 1,5. Compiled by *The Current Digest of the Post-Soviet Press*. 52 (12): 6.
- Zamyatina, Tamara.** 1998. "NATO Will Bomb Serbs to Smithereens With or Without UN's Consent." *Izvestia*. October 2: 3. Compiled by *The Current Digest of the Post-Soviet Press*. 50 (40): 12.
- Zyuganov, G.A.** 1999. "Stop the Aggression! - Statement by the Popular Patriotic Union of Russia." *Sovetskaya Rossia*. March 27: 1. Compiled by *The Current Digest of the Post-Soviet Press*. 51 (12): 1-6.



# CURRICULUM VITA

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I received my MA in Political Science in May of 2001 from Virginia Polytechnic Institute and State University in Blacksburg, VA. My focus within the program was international relations, political theory and human rights. I finished the program with a 3.91 GPA. During my time in the program, I presented papers at three different academic conferences including the IPSA World Congress in Quebec, Canada. I also had a book review published in *Millennium* and began work on an article to be published in another academic journal. I have recently been accepted with full funding to begin work on a Ph.D. in Political Science at the University of Nebraska in the fall of 2001. At Nebraska I will continue to study in the area of international relations, while focusing on human rights.

I received my BA in Political Science in May of 1999 from Fort Hays State University in Hays, KS. I graduated Summa Cum Laude with a 3.92 GPA. While at Fort Hays, my emphases were international relations and American politics. I was also active in several campus organizations and activities.