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Western Europe and the Breakup of Yugoslavia
A political failure in search of a scholarly explanation

by
Sonia Lucarelli

Thesis submitted for assessment with
a view to obtaining a Degree of Doctor of the
European University Institute

Florence, July 1998

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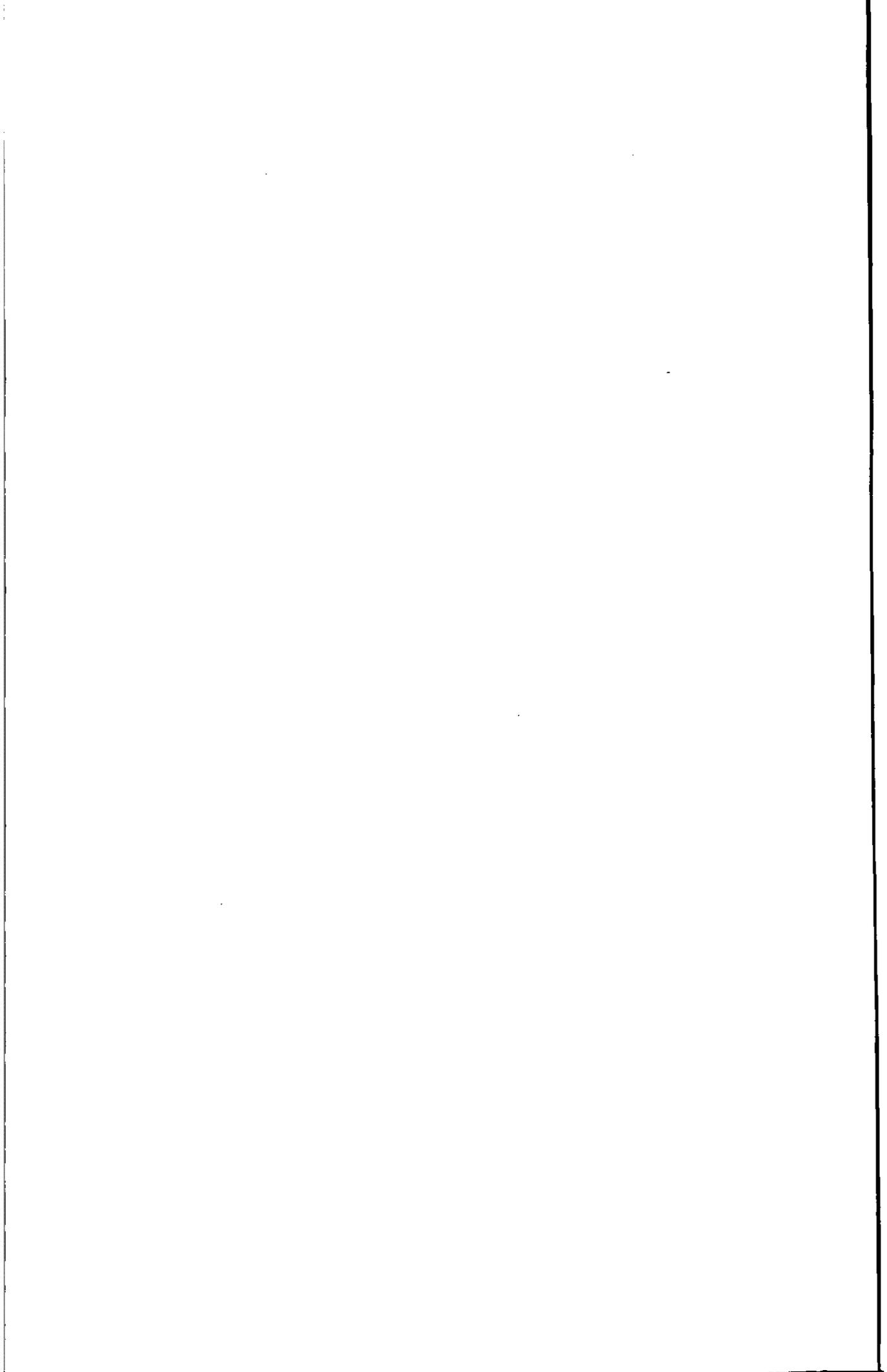
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**«Gedanken ohne Inhalt sind leer,
Anschauungen ohne Begriffe sind blind»
«Theories [thoughts] without empirical content
are empty, empirical knowledge without concepts is blind»**

(Kant, 1781[1974]: 98)



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Acronyms & Abbreviations

ARRC	ACE Rapid Reaction Corp
AWACS	Airborne Warning and Control System
C/OSCE	Conference/Organisation for Security and Cooperation in Europe
CDU	Christian Democratic Union (Germany)
CFSP	Common Foreign and Security Policy
CJTF	Combined Joint Task Force
CSBMs	Confidence and Security Building Measures
EC/U	European Community/Union
EER	<i>East European Report</i>
EMU	European Monetary Union
EP	European Parliament
EPC	European Political Cooperation
ER	<i>European Report</i>
ESDI	European Security and Defence Identity
FAZ	<i>Frankfurter Allgemeine Zeitung</i>
FDP	Free Democratic Party (Germany)
FRY	Federal Republic of Yugoslavia
FYROM	Former Yugoslav Republic of Macedonia
ICFY	International Conference on Former Yugoslavia
IGC	Intergovernmental Conference
IGO	Intergovernmental Organisation
IMF	International Monetary Fund
JNA	<i>Jugoslovenska Narodna Armija</i> (Yugoslav People's Army)
MEP	Member of the European Parliament
MOU	Memorandum of Understanding
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organisation
NFZ	no-fly-zone
PfP	Partnership for Peace
RoE	Rules of Engagement
RSK	Republic of Serbian Krjina
SEA	Single European Act
SFRY	Socialist Federal Republic of Yugoslavia

SPD	Social Democratic Party (Germany)
SRBH	Serb Republic of Bosnia-Herzegovina
TEU	Treaty on the European Union (or Maastricht Treaty)
UN	United Nations
UNHCR	United Nations High Committee for Refugees
UK	United Kingdom
UNPROFOR	United Nations Protection Force
US	United States
USSR	Union of Soviet Socialist Republics
WEU	Western European Union

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Florence, July 1998

Sonia Lucarelli

1. INTRODUCTION

On June 26, 1991, after some forty-six years without a war in Europe, violent conflict erupted in the territory of the Socialist Federal Republic of Yugoslavia. The war started in Slovenia, but soon involved Croatia, reaching a nadir of violence and destruction in the tragedy that took place in Bosnia-Herzegovina. It took more than four years of atrocities before a peace agreement was finally negotiated in Dayton (Ohio - US) in November 1995 and eventually signed in Paris on December 14 of the same year. The Yugoslav conflict shocked the civilised West because the violence was on such a scale that it seemed equal to that of Hitler's pogroms. Day after day, revelations of internment camps, mass exterminations, ethnic cleansing and the systematic rape of women as a weapon of war appeared on the television screen and in the newspapers of Yugoslavia's shocked Western neighbours.

At the beginning of the conflict, the international community reacted immediately, although it failed to prevent it from taking place.¹ Unfortunately, due to the excessive enthusiasm which characterised the mood of policy-makers and political analysts in the immediate post-Cold War period,² a key 1990 report by the American Central Intelligence Agency (CIA), that warned of the dangers of a violent dissolution of Yugoslavia, was completely ignored.

The initial diplomatic steps were entirely European and performed through European institutions. The European Community (EC)³ and the Conference for Security and Cooperation in Europe (CSCE)⁴ were anxious, like all international organisations in the post-Cold War

¹ In this work the nebulous term "international community" is conventionally used to refer to the states, international organisations and other international actors which, because they broadly share common values and purposes, contribute to the collective regulation of international security.

² It is worth admitting that the notions of "Cold War" and "post-Cold War" are not as clear-cut as they are presented here. First, the degree of polarisation around the two main security "poles" was not constant during the so-called Cold War. Second, the actual end of the Cold War cannot be connected to a specific event or date, rather it was the result of a rapid process of transformation for which many different interpretations have been provided. There is, nevertheless, a tendency to identify the 1989-fall of the Berlin Wall or the failed *coup d'état* in the USSR in August 1991 (Gorbachev, 1991; Rummel (ed.), 1992: 11) as the 'beginning of a new epoch' (Gorbachev, 1991: 31). In this work the expression "fall of the wall" will be used because of its metaphoric power in relating the end of the Cold War to the re-unification of the two blocks in which Europe was divided.

³ On 1 November, 1993, the "European Community" (EC) officially became "European Union" (EU).

⁴ On 1 January 1995 the "Conference for Security and Cooperation in Europe" (CSCE) officially became "Organisation for Security and Cooperation in Europe" (OSCE).

period, to define their respective roles in the changing international environment. As a result, they acted quickly to become the main managers of the new conflict. Indeed, the United States (US) and the United Nations (UN) quite deliberately held back, while the Europeans quickly claimed it as "the hour of Europe".

From the vantage point of Brussels, the enterprise seemed initially easier at the outset than it actually turned out to be. The profound nature of the conflict was clearly misunderstood, with the result that the eventual characterisation of the Yugoslav war as an "inter-ethnic conflict" was a simplification, if not a complication, that had serious consequences upon the effectiveness of the conflict management. Furthermore, the failure to prevent the conflict and then to stop it once it had started contributed to the self-sustaining nature of the war and its escalation which made finding a solution to the conflict ever more difficult. Moreover, because it was a domestic (or communal) conflict, it had several characteristics which made it extremely difficult to handle. Indeed, the extremely uncooperative attitude of the parties involved lasted until the very end, even during the implementation of the Dayton Peace Agreement.

Furthermore, even though all these impediments, and they were many, prevented a solution to the conflict, it cannot be denied that the failure of the international community to bring the fighting to a rapid end was also for reasons that had little to do with the specific characteristics of the Yugoslav conflict itself and more to do with the interests and perceptions of the international actors who were involved. The European Community (later European Union) was one of the main, if not the prime, institutional actor involved in the international response to the Yugoslav war. Therefore, it is necessary to study the role of the EC in order to gain a better understanding of the international management of this conflict.

Although already well-studied and much criticised, the European response to the Yugoslav conflict, it has been rarely fully described. Therefore, the objective of this work is to investigate more thoroughly than ever before, the dynamics which led to certain decisions by placing of the European reaction to the war within the context of conflict management, the tools used, the timing of specific action, and the degree of "collectivity" vs. "individuality" of the action itself. Having established the main characteristics of conflict management, this work then introduces the theoretical framework through which an explanation of these characteristics can be provided.

In fact, a further limitation within most that examines the current literature of the European response to the Yugoslav imbroglio is the lack of an explicit theoretical context. Most works explain European management of the conflict without explicitly setting out beforehand the theoretical tools by which such an explanation is made, or the methodology adopted. This is a serious limitation that this thesis seeks to overcome by utilising two branches of the literature which are normally kept apart, i.e. the historical record of the conflict in ex-Yugoslavia, and IR

theoretical literature on state behaviour in foreign policy.

The choice of the theoretical perspective adopted herein resulted from an analysis of, and reasons for, European behaviour in ex-Yugoslavia in so much as it could not be fully understood without an explicit reference to the interests and perceptions of the main EC member states: Britain, France and Germany. Indeed, these interests were vital for understanding and explaining the international reaction to the Yugoslav conflict. The theories which seemed to offer the closest theoretical relationship between policy development by practitioners and theoretical traditions were those belonging to the rationalistic research tradition. This is perhaps because Western policy-makers are themselves trained from the beginning in a rationalistic logic, and tend to have a realist perspective on reality.

Therefore, in order to understand the factors that, for the most part, influenced and shaped the interests and perceptions of these three states, this work employs the theoretical tools from what has been called a "research tradition" (Laudan, 1977), what Robert Keohane refers to as "rationalist", as opposed to "reflective" (Keohane, 1988), paradigm. Equally, within this research tradition more than one approach is adopted. In this work, therefore, reference is made to the rationalistic "neo-neo-synthesis" (Wæver, 1994), i.e. the effort to improve the neorealist approach by combining it with elements drawn from the neoliberal tradition. More explicitly, reference is made to Waltz's neorealism (Waltz, 1979), Keohane's neoliberal institutionalism - or rational - institutionalism (Keohane, 1989; Keohane, Nye, Hoffmann (eds.), 1993) and Moravcsik's liberal intergovernmentalism (Moravcsik, 1992) in order to make sense of the position of the EC member states at various times during the management of the Yugoslav conflict.

The debate between neorealists and neoliberal institutionalists was given a great stimulus by the end of the Cold War and by the lively debate then opened on the role of international institutions as factors of peace and stability.⁵ In 1990 John Mearsheimer wrote an article in *International Security* in which, by applying neorealist analytical tools to the new European situation, he depicted a gloomy future for European states, which he believed would return to a dangerous situation of state versus state. In "Back to the Future", the telling title of Mearsheimer's article, due to the changed international political scene, international institutions would and could not function as effective instruments for cooperation and the stabilisation of peace. As a result, Europe, he believed, was condemned to a dark and conflictual future. However, whilst an intense debate over Mearsheimer's theses took place, the international

⁵ On this issue, and more in general on the debate on IR which took place at the end of the Cold War see: Gaddis, 1992/3; Allan & Goldman (eds.), 1992; Hopf & Gaddis, 1993; Keohane & Martin, 1995; Lebow, 1994; Mearsheimer, 1994/5; 1995; Waltz, 1993; Wendt, 1995.

organisations themselves undertook a major process of adjustment in order to better cope with the changed international political framework, evidencing a determination to prove Mearsheimer's theses wrong. Indeed, only three years thereafter, an analysis of the impact of institutions on cooperation and stabilisation in Europe enabled Robert Keohane, Joseph Nye and Stanley Hoffmann (eds.), 1993) to edit a book which firmly establishing an opposing thesis to that of "Back to the Future". They claimed that the high level of institutionalisation in Western Europe was a crucial element for stability in the area and potentially a tool for the promotion of peace in neighbouring Eastern and Central European states (Keohane, Nye, Hoffmann (eds.), 1993).

However, the aftermath of the Cold War has "proven" neither the neorealist thesis, nor that of post-Cold War neoliberal enthusiasts. On the other hand, international institutions continued to exist and, indeed, develop, but the much-heralded and hoped for "New World Order" was not established. The behaviour of the institutions was mainly shaped by the interests and perceptions of the member states at various levels. It is most important, therefore, to understand how these interests and perceptions were shaped and what role membership of international institutions (as sources of both opportunities and constraints) played in the definition of states' interests and perceptions.

The theoretical approaches adopted in this work offer alternative, although complementary, ideas about the factors which mostly influence state behaviour in foreign policy. Neorealism focuses on a state's rational calculations about relative gains at the systemic level. Rational institutionalism focuses on the impact of the institutional framework on a state's decision-making, while liberal intergovernmentalism attaches more importance to domestic concerns of the decision-maker and its calculations concerning internal power. Therefore, when applied to the case herein, each approach accounts for the interests and preferences of the member states in the various debates in a different manner. It is, therefore, possible to evaluate the relative influence of each set of factors and, thereby, assess the relative explanatory power of each of the three approaches. At the same time, however, because the three approaches represent three facets of the same research tradition, it is also possible to assess the relative explanatory power of the research tradition itself. As a matter of fact, contrary to what the theoretical debates *within* the rationalist research tradition suggest (for instance the debate about *absolute vs. relative gains*) this work shows that it is indeed possible to use the expression "research tradition". This is because the three main components (neorealism, rational institutionalism, liberal intergovernmentalism) share a substantial part of their ontological and epistemological assumptions and indeed reinforce each other on the basis of the principles of "complementarity" and "conditionality". Therefore, the theoretical perspective of this thesis is original because it binds three theoretical approaches into a coherent research tradition that are

not usually regarded as belonging to the same “paradigm”.

Furthermore, the traditional theoretical terms of reference herein are used not in the conventional way, i.e. the application of theory to empirical data for the sake of a simple explanation, nor as an exercise in testing theory, because this thesis employs both approaches simultaneously. Indeed, the thesis seeks not only a theoretically-grounded explanation of empirical data, but also an evaluation of the relative explanatory power of the research tradition, as well as that is its three facets.

As with the case of Puchala's metaphor (Puchala, 1972)⁶ the three approaches offer a different description of the object under examination (an elephant, in Puchala's metaphor, and state's behaviour in foreign policy, in the case of the three approaches) on the basis of what they focus their attention upon (parts of an elephant, in the case of Puchala's blind men, factors influencing states' foreign policy behaviour, in the case of the rationalistic approaches proposed herein). This because in the case of the three blind men a composition of the three descriptions would offer a wider and more precise description of the animal. Is it possible to affirm the same thing about the three theoretical approaches and their cumulative capacity to explain and understand the behaviour of states? Moreover, what is the relative interpretative power of each of them and of the research programme as such? What is still missing? How and with what results is this neo-neo-synthesis applicable? Those are some of the questions this work aims to answer while making sense of the European management of the Yugoslav crisis. Indeed, whilst such a use of theory and empirical data is ambitious, it is valid given the context of the framework of the thesis.

To that end, the adequacy and effectiveness of the research tradition and of each approach will be assessed according to Laudan's guidelines, i.e. how many empirical problems does each approach solve in comparison with its counterparts. As a matter of fact, Laudan states that the evaluation of a theory must be made “within a comparative context” (Laudan, 1977: 120), i.e. what counts most is a theory's relative, rather than its absolute, explanatory value.

In this work the relative explanatory value of the three approaches will be assessed by applying them to the same empirical problem: the explanation of the European response to the Yugoslav conflict. By adopting this method it will be possible to draw conclusions about the explanatory power of the theoretical tradition itself. As a matter of fact, Laudan himself reinforces this, “the fortunes of a research tradition are linked closely to the problem-solving effectiveness of its constituent theories” (Laudan, 1977: 83).

⁶ According to Puchala's metaphor (Puchala, 1972), each blind men is requested to describe an elephant by touching it. Each of them then offers a different description of the elephant based only on the description of the part of the animal that each of them investigated.

Therefore, to re-iterate, the objectives of this thesis can be thus summarised:

1. to contribute further knowledge to the debate over European management of the Yugoslav crisis *per se*, by providing a chronological account of the diplomatic reaction to the Yugoslav crisis in terms of: a) the choice of arena for crisis management; and b) the type of action taken (diplomatic/coercive, proactive/reactive/preventive, individual/collective);
2. to provide a theoretically-grounded interpretation of the position of the European "powers" in the bargain process; and
3. to draw conclusions about:
 - a. the relative interpretative power of competing, yet complementary, theoretical perspectives,
 - b. the possibility of combining them into a theoretical synthesis, and
 - c. the strengths and weaknesses of such a synthesis explaining events such as the crisis in ex-Yugoslavia.

To achieve those objectives the thesis analyses the position of France, Britain and Germany's position in the two major debates that shaped the main thrust of the European response to the Yugoslav conflict. First, the debate over recognition of Slovenia and Croatia as independent states in 1991. Second, the debate over military intervention that took place throughout the management of the conflict. In methodological terms, a set of questions were drawn from the theoretical approach to guide the analysis of the behaviour of Britain, France, and Germany's behaviour during the management of the crisis. These questions are listed below for the sake of clarity; they have been framed given the theoretical approach adopted (as it is shown in Part II).

The questions are as follows:

Did institutions matter?

1. Did the European Community/Union function as an instrument of state strategies (traditional function)?

- did it provide individual member states with an arena in which to exercise influence?
- did it represent an instrument for balancing against or for replacing other institutions?

2. Did the European Community/Union function as a constraint on state strategies?

- did it make the interests of its member states and their preferences more predictable to the others ?
- did it facilitate agreement when there were diverging interests (but common prospects of

gain)?

3. Did the European Community/Union effect state strategies as a "source of intrinsic value"?

Did domestic politics and its interaction with international politics matter?

4. How much were decision-makers significantly constrained (including impelled) by the media and public opinion?

5. Did they use domestic politics as an argument to justify their position when bargaining at the European Community/Union level?

6. did they use the European Community/Union as an argument to justify their position when presenting issues of foreign policy in the domestic arena?

Structure of the thesis

The thesis is organised into three distinct parts. Part I deals with the "what" and "how" questions of crisis management, Part II establishes the theoretical lens, while Part III explains the "why" of such management by examining its characteristics. More in detail:

Part I provides a description of the European response to the conflict from the beginning of armed conflict (June 1991) to the military campaign which precluded to the Dayton negotiations (August 1995). The chronological reconstruction of the management of the conflict focuses on the institutional framework, and the characteristics of the main decisions in terms of timing, coercivity and collectivity of action. On the basis of the first criterion (arena of conflict management) three phases of international response to the crisis are defined, each with its own characteristics in terms of the other three criteria listed above (timing, coercivity of action, collectivity of action). An evaluation of the characteristics of the management of the Yugoslav crisis concludes Part I.

Part II introduces the theoretical framework used herein to explain the characteristics of the crisis management techniques examined in Part I. This theoretical section frames the research programme by placing it within the context of Waltz's neorealism, Keohane's rational institutionalism and Moravcsik's liberal intergovernmentalism. This is because the three approaches are regarded as the primary facets of a neo-neo-synthesis which has taken place within International Relations, despite the protests of some, mainly neorealist, scholars. To

achieve this objective, each chapter analyses one of the three approaches in relation to the others and focuses on its key elements. The analysis also challenges critics of both the rational research tradition, and its three main components.

Part III gives a detailed account of the main characteristics of the management of the Yugoslav crisis through the theoretical lens provided by the theoretical approaches. First, it clarifies the application of the theoretical framework employed in this work. Second, it reconstructs the international framework that developed at the time when the crisis began, with the aim of introducing the reader to the atmosphere that prevailed during those years, to show how the actual decisions by European states to involve themselves in the Yugoslavian imbroglio was dictated by concerns about the institutional framework, as well as being a function of the post-Cold War enthusiasm that was so prevalent at the time. Finally, the two main debates, the recognition of Slovenia and Croatia, and the debate on military intervention, are analysed through the theoretical lens of the rationalist research tradition.

The final chapter, then, recapitulates the conclusions drawn at the end of each part and draws lessons from the overall work.

PART I

THE "WHAT" AND "HOW" IN THE EUROPEAN MANAGEMENT OF THE YUGOSLAV CONFLICT. AN ACCOUNT

2. INTRODUCTION

In this part the thesis accounts for the "what" and "how" of the European reaction to the Yugoslav conflict.

First, the thesis describes the actual management of the Yugoslav conflict and its main characteristics in terms of:

1. the arena of conflict management: (EC/U, UN);
2. tools used or threatened (diplomatic/coercive⁷);
3. the timing of the actions: (preventive/reactive/proactive⁸);
4. degree of "collectivity" vs. "individuality" of the action.⁹

The first criterium will be used to identify different phases in the management of the Yugoslav conflict. Criteria two to four, on the other hand, will be used at the end of this section, in order to sum up the main characteristics of European management of the conflict in the period under analysis.

The account is limited to the period between June 1991 and August 1995. June 1991 saw the beginning of war in Slovenia (and therefore in the SFRY). In August 1995 the resolute

⁷ *Diplomatic action* employs verbal declarations as the main instrument of behaviour, whilst a *coercive action* uses force or the threat of force, in order to achieve a specific objective.

⁸ *Reactive action* is a reaction to a certain event or course of events, that have already taken place, in order to punish an actor's behaviour or deter it from continuing with such behaviour. *Proactive action* is designed to provoke an event, or course of events, before they take place; whilst *preventive action* prevents an event or course of events.

The timing and/or immediate aim of the various actions differed between three cases, although this distinction is more analytical than "real". Moreover, an action often incorporated all three characteristics together; i.e. to punish unacceptable activities, and to force a guilty party guilty party to agree to a settlement in order to prevent an extension of such activities to other areas. Nevertheless, it is still useful to make such an analytical distinction because it provides a further tool with which to understand the main characteristics of crisis or conflict management.

⁹ *Collective action* is performed by a group of states who agree to take a common position in the management of a conflict. *Individual action* is that of one member of a "conflict management coalition"; it represents defection from common action. A well known metaphor of the two types of action is Rousseau's stug hunt (see Waltz, 1959: 167-8).

military campaign which precluded to the Dayton negotiations (November 1995) started. However, with the formation of the so-called Contact Group in April 1994, the European-led management of the conflict (and direct EU involvement) effectively come to an end. Indeed, the creation of the Contact Group extended the legitimation for management of the conflict beyond the institutional *fora* established by both the EU and the UN.

The European management of the conflict in the period June 1991-August 1995 can be divided into three phases depending on which arena of conflict management was pre-dominant:

- Phase One: *June 1991-January 1992, "The hour of Europe"*: the management of the Yugoslav conflict was almost entirely in the hands of the European Community, which tried to broker a political settlement under the auspices and the legitimation provided first by the CSCE (until September 1991), then by the UN.

- Phase Two: *January 1992 - April 1994, "EC/U-UN burden sharing"*. The EC/U and the UN co-manage the Yugoslav conflict, mainly through the co-sponsored Conference on Yugoslavia.

- Phase Three: *April 1994 - August 1995: NATO, The Contact Group and American Leadership*. The formation of the Contact Group led to direct US and Russian involvement. The assertiveness of the US since April 1995 led significant change in the management of the Yugoslav conflict. However, the effects of such changes however, became explicit in the Summer of 1995, when peace-enforcement was introduced as part of the international response to the Yugoslav imbroglio.

Tab. 1. *Phases in the management of the Yugoslav Conflict(s)*

Phase	Conflict managed	Institutional arena of conflict management
<p>Phase One June 1991- January 1992</p>	<p>Intra-Yugoslav wars: * Slovenia-JNA/Serbia (June 26-July 8, 1991) * Croatia-JNA/Serbia (since July 1991)</p> <p>Tension threatened to extend the conflict to other Yugoslav areas and/ or other Eastern European states</p>	<p>Europe (EC; CSCE)</p>
<p>Phase Two Jan. 1992-April 1994</p>	<p>Intra-SFRY wars: * intra-Croatia * intra-Bosnia-Herzegovina * Serbs vs. Muslims * Serbs vs. Croats * Croats vs. Muslims (since March 1992)</p> <p>Tension threatened to extend the conflict to other Yugoslav areas and/ or other Eastern European states</p>	<p>international (EC/U + UN)</p>
<p>Phase 3 April 1994 - November 1995</p>	<p>* intra-Bosnia-Herzegovina * Serbs vs. Muslims * Serbs vs. Croats * Croats vs. Muslims</p> <p>Tension threatened to extend the conflict to other Yugoslav areas and/ or other Eastern European states</p>	<p>international (EU + UN + NATO)</p>

3. THE "WHAT" IN THE EUROPEAN RESPONSE TO THE YUGOSLAV CONFLICTS

3.1. Prelude: Clear Signals of Crisis Fall on Deaf Ears

By 1989, Western Europe was receiving clear signals of a serious political crisis in the Socialist Federal Republic of Yugoslavia.¹⁰ The 1986 Memorandum of the Serb Academy of Arts and Sciences, the 1987 putsch within the Serb Communist Party - through which Milosevic took control, his attempts in 1988 to increase control over the Kosovo Serbs and Montenegrins, and the 1989 constitutional changes signalled ominous developments. The Serbian leadership was clearly using post-communist nationalism to develop expansionist, hegemonic plans (Silber & Little, 1995; Genscher, 1995). At the time, socio-economic conditions in the SFRY enabled extreme nationalism to develop. Economic decline and widespread political fragmentation within Europe (Woodward, 1995) certainly contributed to demands for new and alternative forms of self-identification. Nationalism not only provided the former communist leaders with a new cloak of authority, it also legitimised their hold on power, and provided "the people" with a focus for self-identification (partially old, partially new) which marked the public mood.

In autumn 1989, Slovenia changed the constitution of the republic to include its right to secede unilaterally, as well as the exclusive right to both impose a state of emergency and to authorise the presence or movement of military troops within the republic's borders. During the winter of 1990, tension between Slovenia and Serbia intensified to such a point that even academic contacts between the research communities of the two republics declined¹¹. Slovenians and Croats abandoned the Yugoslavian League of Communists, which was eventually disbanded. Moreover, anti-communists won local elections throughout the country. Milosevic, himself, having won the elections in Serbia, transformed the Communist Party into a Socialist Party. In March 1990, a "state of emergency" was declared in Kosovo and at a secret meeting in July Albanian deputies in Kosovo proclaimed their separation from Serbia.¹² In

¹⁰ For an analysis of the nationalities "break up" period 1980-1991: Bennett, 1995; Crnobrnja, 1994: 1-78; Garde, 1992; Magas, 1993; Piziali, 1991, Woodward, 1995: 82-145; Cviic, 1991; Privitera, 1993; Silber & Little, 1995: 29-168. For a background on the Yugoslav history, see: Akhavam & Howse (eds.), 1995; Banac, 1984; Garde, 1992; Pavlowitch, 1988; Bianchini, 1993; Ramet, 1992b; Crnobrnja, 1994: 81-159. On the Balkans history, see: Polonsky, 1975; Jelavich, 1984; Castellan, 1991.

¹¹ Interviews with former Yugoslavian Professors at the Universities of Sarajevo, Belgrade and Zagreb (Sanremo, December 1992, and Vienna, June 1993).

¹² On the situation in Kosovo at the time, see the *Financial Times* "Special Survey on

October, the Slovenian government annulled 30 federal laws, whilst in December 1990, Slovenian and Croatian fears led to an agreement to coordinate their security and defence policies. However, soon thereafter, the Croatian leader Franjo Tudjman met Milosevic and was assured of a peaceful resolution to their dispute, provided that Croatia would guarantee neutrality in the event of a Serbian-Slovenian conflict (Ramet, 1992a: 86). Given these conditions, the result of the Slovenian referendum on December 23rd that saw an overwhelming majority vote in favour of independence, signalled the war that was to come.

As early as November 1990 there were signs that Yugoslavia was going to disintegrate into war within 18 months. The report stated, "the Yugoslav experiment has failed and the country will break up, [...] with ethnic violence and unrest which could lead to civil war"¹³. Furthermore, George Kennan had forecasted the violent dissolution of the SFRY as early as 1989/1990 when he wrote in the Summer 1989: "I think events in Yugoslavia are going to turn violent and to confront the Western countries, especially the United States, with one of their biggest foreign policy problems of the next few years" (in Danner, 1997a: 60). However, in spite of such signs, during that period Western diplomats preferred to believe that the Yugoslav federation could still be saved. They pinned their hopes on the success of the programme of reforms that federal Prime Minister Ante Markovic introduced, aimed at decentralising powers in the fields of taxation and foreign policy (Eyal, 1993: 1).¹⁴ In early 1991, Belgrade was in the process of re-negotiating with the World Bank and the EC a rescheduling of the \$1 billion debt repayment, as well as a new \$2.5 billion loan (Zucconi, 1996). Yugoslavia's desperate need for international financial assistance, as well as the faith that Europeans placed in the virtues of economic integration, made the EC believe that by supporting Markovic's economic reforms, and the re-organisation of the country into a loose confederation similar to the EC itself, it would be possible to avoid a violent dissolution of the country.

Negotiations between the six Yugoslav republics to re-define the shape of the federation continued throughout the winter of 1990-1991. Slovenia and Croatia, pushed hard for a decisive decentralisation of power and threatened to dissociate from the Yugoslav federation unless an agreement was reached by June 26.

In February the Serb-populated Krajina region of Croatia declared its independence, and in

Yugoslavia", 6/7/1990. On inter-ethnic problems in Kosovo, see: Dogo, 1992; Bozzo & Belli, 1997; Allain, 1993; Bianchini, 1990; Salla, 1995.

¹³ Reported in *The New York Times*, 28/11/1990.

¹⁴ On the economic situation in Yugoslavia in 1990 and Markovic's programme of economic reforms, see the *Financial Times* "Survey on Yugoslavia", 6/7/1990. On the economic roots of disintegration and the economic consequences of it, see: Uvalic, 1992.

March decided to secede from Croatia to join Serbia. In May, it was Croatia's turn, when an overwhelming majority voted for the independence of the republic. As a result, the EC threatened to suspend the Second Financial Protocol and negotiations on the EC-Yugoslavia association agreement, unless a halt was called to demands of independence. Unfortunately it was by then too late.

On June 6, Macedonia and Bosnia-Herzegovina put forward a plan for a compromise between Serbia's federalist aspirations and the confederalist aspirations of Slovenia and Croatia.¹⁵ Ironically, on the very first day of armed conflict, the Yugoslav legislature judged the plan as "a solid basis for the continuation of negotiations on Yugoslavia's future organisation" (Ramet, 1992a: 85). Slovenia and Croatia declared their decision to become independent and sovereign states on June 15. The "international community", apparently incapable of understanding the extent of the problem, limited its reaction to supporting the unity and integrity of the country.¹⁶ At its June 20 meeting in Berlin, the CSCE Council agreed to support the democratic development and the "territorial integrity and unity of Yugoslavia" (*The Guardian*, 28/6/1991). During a visit to Belgrade, the US Secretary of State, James Baker, suggested that the two Republics should avoid unilateral steps. Meanwhile, the EC member states, at a meeting in Luxembourg, decided not to recognise any unilateral declaration of independence by Slovenia and Croatia.

However, the federal parliament of the SFRY rejected the Slovenian declaration of "dissociation", and the federal Prime Minister Markovic proposed a joint declaration to safeguard the internal and external borders of Yugoslavia. Nevertheless, on June 25, Slovenia and Croatia officially declared their independence. The federal parliament and government reacted by ordering the federal police and the Yugoslav People's Army (JNA) to safeguard the federation's borders. The following day, June 26, the JNA intervened in Slovenia. This signalled the actual beginning of the Yugoslav wars¹⁷.

¹⁵ The text of the main documents on institutional reforms in Yugoslavia has been re-printed in Spand (ed.), 1992: 181-207.

¹⁶ One of the reasons for European miscalculation was attributed by Prof. Joseph Marko to a "cultural gap" between the Balkans and Western Europe (interview, Florence October 1995). German Former Foreign Minister, Genscher, explains the Western European position as a result of a 'habit' to believe that, strategically, a united Yugoslavia was essential (Genscher, 1995).

¹⁷ There is a growing body of literature on this. Therefore, one of the objectives of the bibliography at the end is to provide a general overview of most of the articles and books which have been published on the Yugoslav conflict and its international management. Among them, Anderson, 1995; Defarges, 1992; Eyal, 1993; Garde, 1992 and 1995; Gow & Smith, 1992; Heuven & Siccama, 1992; Jakobsen, 1995a, 1995b; Jørgensen, 1993; Lucarelli, 1997b; Owen,

3.2. "The Hour of Europe". EC Efforts to Broker a Political Settlement (June 1991 - January 1992).

In the first phase of the management of the Yugoslav conflict, both the UN and the United States, which had emerged from the (second) Gulf war as the new pillars of international order, assumed a low profile. UN Secretary-General, Pérez de Cuéllar, stated that "Slovenia is not an independent UN member [...], the UN has no role in Yugoslavia [unless the EC and CSCE efforts fail]" (Steinberg, 1994), a statement which was echoed by the US ambassador to the UN. The US's attitude was well expressed by a senior official who said: "After all, it's not our problem, it's a European problem" (*Financial Times*, 29-30/6/1991). "Europe" did, indeed, immediately take a leading role, reacting with both "diplomatic" and "collective" action.

On June 27, Austria initiated action by the recently-established CSCE Conflict Prevention Centre¹⁸ in Vienna, under Chapter 17 of the Paris Charter. The following day, the European Council (EC heads of state and government) decided to send the "Troika" (Italy, Luxembourg, Belgium)¹⁹ on a *bons officies* mission to Yugoslavia to support Austria's request to activate the emergency mechanism of the CSCE. The Council also froze EC economic aid to Yugoslavia. Soon thereafter, on July 3, the CSCE member states suggested the establishment of an EC observers mission (involving other CSCE states) to monitor the cease-fire. Another CSCE mission, designed to act as a mediator between the warring parties, was also proposed at the

1995a and 1995b; Ramet, 1992; Silber & Little, 1995; Steinberg, 1994; Weller, 1992; Woodward, 1995; Wynaendts, 1993; Zametica, 1992, Zucconi, 1996; Zimmermann, 1996; Gow, 1997. For a specific analysis of the JNA's role in the Yugoslav wars see Gow, 1992. This presentation of events is primarily based on the works quoted above as well as the Eastern European Report, the European Report, Keesing's Record of World Events, and major European newspapers such as *Le Monde*, *The Guardian*, *The Independent*, *La Repubblica*, etc. For a chronological, more detailed description of the international reaction to the Yugoslav wars until April 1994 by the same author, see: Lucarelli, 1995a.

¹⁸ The first debate about the possibility of creating an institution for the prevention of conflicts within the CSCE, took place in March 1989, at the opening of negotiations on the Confidence and Security Building Measures (CSBM) in Vienna. The eventual decision to establish the Conflict Prevention Centre, and its role, was adopted at the Paris Summit of the CSCE, in November 1990. On the Conflict Prevention Centre, see: Greco, 1992 and 1994a. On the CSCE/OSCE's role in the European security system, see: Anderson, 1995: 328-336; Barberini & Ronzitti (eds.), 1992; Bothe, Ronzitti & Rosas (eds.), 1997; Greco (ed.), 1995; Lucas (ed.), 1993. Specifically on the CSCE/OSCE's performance in ex-Yugoslavia, see: Bloed, 1996; Remacle, 1992, 1993; Sica, 1997; Zaagman, 1992; Weitz, 1992.

¹⁹ The EC Troika consists of the Foreign Minister of the country which holds the Presidency, the country that precedes it and the one which follows (with a rotation system of six months according to alphabetic order). The Italy-Luxembourg-Netherlands Troika changed on July 1st to Luxembourg-Netherlands-Portugal, as the Netherlands took over the Presidency.

CSCE's July 3 meeting²⁰.

Two days later, the Twelve decided to launch a new Troika mission, as well as place an embargo on all military material that was soon followed by the United States as a precursor to a suspension of EC aid to all the Yugoslav Republics. The efforts of the EC Troika led to the first truce, but it was weak and lasted only a few days. However, even this modest success created a wide sense of euphoria about the possible future role of the EC.

Furthermore, on the basis of this truce, the Troika mission negotiated the Brioni Agreement on July 7, according to which Serb, Slovenian and Croatian central governments were required to sign a "Common Declaration on the Peaceful Resolution of the Yugoslav Crisis". As a consequence of the Brioni Agreement, Slovenia and Croatia agreed to suspend their declaration of independence for three months, whilst all parties promised to refrain from unilateral acts (*Le Monde*, 7/10/1991). The Accord was eventually adopted by the Federal Presidency and on July 18 the JNA withdrew from Slovenia. In effect, Belgrade had recognised the *de facto* independence of the country.²¹ To the Europeans it appeared to be a genuine diplomatic victory.

However, in spite of the document explicit requirement that observers be sent to both Slovenia and Croatia, the initial deliberations of the EC Foreign Ministers focused only upon the deployment of a small team of EC observers to Slovenia²², when the real need was for observers in Croatia. As it happened, the end of the war in Slovenia saw hostilities in Croatia intensify, where no EC observers were deployed.

The Community then began a period of intense diplomatic activity to avoid the extension of the conflict to Croatia, but it was too late. Unfortunately, neither the meeting of the Yugoslav leaders in Ohrid (July 22), nor discussions in Brussels with Markovic and Loncar (respectively, Federal Prime Minister and Foreign Affairs Minister) prevented tensions from increasing.

²⁰ A *condition sine qua non* for the mission of the CSCE Good Offices was the agreement of the Yugoslav authorities, a condition that the Soviet Union demanded if the CSCE was to be involved.

²¹ Serbia (later the FRY together with Montenegro) officially recognised the independence of Slovenia in August 1992.

²² The observers mission included representatives from all of the EC nations and from the EC Commission. The German proposal to include representatives of other CSCE countries was initially rejected. However, under strong pressure from the UK, the observers were forbade from carrying any form of weapon, and their mission was to be financed by national governments, *not* from EC funds (*Agence France Presse*, 10/7/1991; *Le Figaro*, 11/7/1991). The mandate of the mission was initially limited to Slovenia, but the Brioni Declaration indicated the possible extension it to Croatia.

A week later, the Twelve decided to extend the EC observer mission to Croatia, undertake a new mission of the Troika to Yugoslavia, and suggested that mixed patrols (Federal Army plus Croat Police) take place in Croatia, in order to implement the cease-fire. However, the most controversial military issue was French Foreign Minister, Roland Dumas's proposal to send a lightly-armed WEU peace-keeping force to Yugoslavia. The idea was first presented within the EC framework and then debated by the nine members of the WEU. The proposal had the support of the WEU's Secretary-General (*The Times*, 29-30/7/1991) and the Netherlands, but faced strong opposition from the British Foreign Secretary, Douglas Hurd. Furthermore, the initiative also posed a series of juridical problems, such as finding a legitimate justification for EC intervention, balancing the different membership of the EC and the WEU and unequivocal legitimation by the UN, difficulties which were skilfully used by those who wanted to prevent the initiative taking place. Britain, Spain, Greece and Germany²³ were particularly opposed to the plan. The issue of military intervention was destined to become the main debate amongst the coalition charged with conflict management (for an analysis of this debate, see Chapter 11).

On August 6, the EC Foreign Ministers met in The Hague to discuss the Franco-German proposal to call upon the UN to intervene on the basis of article 39 of the UN Charter. However, direct involvement of the UN in the management of the conflict, whilst proposed by France, Britain and Belgium, was directly opposed by Russia and China.

However, on the diplomatic front, the Twelve were able to agree on what was perhaps the most important initiative of this first phase of the management of the conflict, the organisation of the "London Conference", which was sponsored entirely by the European Community.²⁴ The Conference was chaired by former NATO Secretary-General, Lord Peter Carrington, begun on September 7, and hosted the representatives of the six former Yugoslav republics as well as the European mediators²⁵.

²³ In fact, Germany did not oppose the initiative *per se*, but rather the actual participation of German troops in an out-of-NATO-area operation.

²⁴ The same proposal, which had been put forward by Britain and the EC a short time earlier under the auspices of the CSCE, failed due to a Yugoslavia veto. The CSCE could only demand that "some form of negotiations" begin by August 15 (*Le Monde*, 19/8/1991). However, the EC member states then decided to hold a Conference that would serve as a vehicle for the EC's mediating efforts, outside of the CSCE framework, thereby avoiding the CSCE's many institutional obstacles and promoting the European Community as an international actor.

The speeches, papers, and declarations of principle that emerges from the London Conference can be found in Owen, 1995b.

²⁵ The absence of representation from the "elected" parliaments of the self-proclaimed independent areas within the republics was denounced by the European Parliament, which

Under French pressure, the EC member states decided that the European mediator should be supported by an "Arbitration Committee" composed of five experts (two named by Yugoslavia and three by the EC), and chaired by Judge Robert Badinter.

At the same meeting, the Twelve decided to adopt a carrot & stick approach by threatening the use of sanctions against Serbia if it did not cooperate on a cease-fire due to begin on September 1. Furthermore, both Germany and Italy threatened to recognise Slovenia and Croatia if this condition was not met (*Financial Times*, 4/9/1991). "The hour of recognition for Slovenia and Croatia" declared Genscher in early September, "approaches with each minute fired by cannons and tanks. We cannot witness these events without taking action" (Edwards 1992: 178).

However, these "sticks" were accompanied by the "carrot" of some 1 million ECU emergency aid that would be delivered to the victims of the war, but only on the condition that dialogue was resumed (EC Commission decision of September 5).

However, the initial successes of the international community were marred by a process of broken cease-fires and the extension of the conflict to Croatia itself, where no preventive measures had been taken. Furthermore, the possibility of a further extension of the war to Bosnia-Herzegovina (where local conflicts had already occurred), Kosovo, Vojvodine and Macedonia (all which called for recognition of their "independence" from Serbia, Croatia and Yugoslavia respectively) seemed increasingly high. Moreover, if what was happening in Yugoslavia was a powder keg for security in the whole Balkan area, developments in Macedonia threatened to involve an EC member state directly, namely Greece.

Greece re-asserted its historical rights to both the name and some of the symbols chosen for the former Yugoslav republic, and denounced Macedonia's constitution as representing a direct threat to Greek territory. Furthermore, Greece also accused Bulgaria of having secret claims to Macedonian territory, and declared that the Bulgarian recognition of the country "endangers security and stability in the Balkans" (A. Samaras, Greek Foreign Minister, quoted in Ramsfield 1992a: 88)²⁶. As a result, the Macedonian question began to divide EC member states from the

issued Resolution 209 (11/9/91) stating that "a legitimate representation of democratically elected parliaments of Kosovo and Vojvodine should be allowed to take part [in the peace conference.]" Taking a similar position, the Dutch junior Foreign Minister, Dankert, warned his former MEP colleagues of the importance of ensuring "that the different groups [...] are able to express their views" (Strasbourg, September 10. Reported in *European Report* - ER - 170 I, 2). However, such broader representation failed to take place either at the London Conference or at a later conference sponsored by the EC and the UN.

²⁶ Bulgaria recognised the Macedonian *state*, but not the Macedonian *nation*, because she considered Macedonians as "Southern Bulgarians". Moreover, Sofia affirmed that diplomatic relations with Skopje would be established only if it recognised that no Macedonian minorities existed in Bulgaria, which was not the case in the Perin region.

moment Macedonia re-asserted its independence.

At this point, with armed conflict reaching the very borders of EC member states (Italy and Greece) and threatening to become wider, the failure of the signed agreements and the evident ineffectiveness of the peace conference, led to a dangerous situation. As a result, various European countries reiterated their call for UN intervention. On September 17, Austria, who was temporary member of the UN Security Council at the time, formally called upon the UN to organise a peace-keeping force (*The Guardian*, 19/9/1991). France, who was chairing the UN Security Council, proposed an arms embargo and the creation of a UN emergency force under Chapter VII of the UN Charter, that was based on the precedent created by Resolution 688 during the Gulf Crisis (*Le Monde*, 24/9/91).²⁷ Germany sympathised with the idea (Genscher, 1995: 949-950), but Britain vetoed it; yet once again disagreement over how to use the "tools" of collective security led to inaction.

However, the repeated calls for UN legitimation of some of the EC decisions could no longer wait, especially when France, the most europhile of the UN Security Council member states, was committed to "bringing the UN in".

Thus, when Resolution 713 was adopted by the UN Security Council on September 25, the involvement of the UN in the management of the Yugoslav conflict formally began. The Resolution formally endorsed the EC's peace-building efforts, invited the UN Secretary-General to consult with the Yugoslavian government and report back to the Security Council²⁸. It also imposed an arms embargo on Yugoslavia, as requested by the EC. This is of particular interest because for the first time in the EC's history a decision to impose an arms embargo came first from the EC and was only *then* endorsed by a UN Security Council Resolution. Indeed, the EC had acted for the first time as a "regional agency" of the UN thus setting its agenda.

The failure of the Brioni agreement, however, became ever more evident by early October, when the JNA, at the time almost entirely in Serb hands, launched a major offensive were

²⁷ It is interesting here to note at this juncture that France proposed to extend to the Yugoslavian situation the innovative interpretation of UN Articles that had been applied to Northern Iraq in which humanitarian concerns and the provisions of the UN Charter for countering threats to international peace and security were combined (such a link had already been made during the humanitarian intervention in Somalia as a result of Res. 794 of 3 December 1992). For further information on humanitarian intervention in the post-Cold War international system, see Knudsen, 1997.

²⁸ In application of Resolution 713, in October 1991 the UN Secretary-General Pérez de Cuéllar appointed former United States' Secretary of State, Cyrus Vance, as his personal envoy to Yugoslavia. In the United States, Vance affirmed that Yugoslavia represented a threat to international peace, and thus demanded further UN action (*The Guardian*, 29/10/91).

carried out in the Dubrovnik region. By October 3, the city was besieged, three days later Serb forces were only 30 Km from Zagreb, when they bombed the palace of the Croatian President, Franjo Tudjman. Furthermore, on October 3, the Yugoslav Federal Presidency, i.e. Serbia and Montenegro because Croatia, Slovenia, Bosnia-Herzegovina and Macedonia were not present, decided to use all the constitutional powers available to it in order to re-establish peace under the terms of articles 316 and 317 of the 1972 Yugoslavian constitution (*Le Monde*, 4/10/1992). Due to the collegiate nature of the body, it was, in effect, a Serb take-over.

The EC Foreign Ministers responded with more of a diplomatic "carrot & stick" approach. On the one hand, they threatened economic sanctions, such as the suspension of the economic cooperation treaty, and the expulsion of Yugoslavia from the list of "preferred nations" if hostilities were not over by October 7 (the day when suspension of Slovenia's and Croatia's declaration of independence was due to finish). On the other, they timed eventual recognition of independence to force compliance from the defecting republics: "a political solution", they stated, "should be sought in the perspective of recognition of the independence of those republics wishing it *once peace negotiations are completed*" (ER 1710: I, 2; emphasis added). The result of EC intervention was a brief truce, the eighth since the beginning of the fighting.

On October 18, in an extraordinary plenary session of the peace conference, Van den Broek (as President of the European Community) and Lord Carrington proposed a comprehensive plan for the future institutional shape of Yugoslavia. It called for a "free association of sovereign and independent republics" allowing for the recognition of independence for all republics "within the existing boundaries".²⁹ The proposal was accepted by the leaders of all the republics except Slobodan Milosevic (*The Guardian*, 29/10/91).

Serbia became increasingly hostile to EC mediation which was regarded as "too aggressive and partial" (ER 1712: I, 3). However, at this point the EC was still the only "manager" of the Yugoslav conflict, even if its position was reinforced by juridical international legitimisation from both the CSCE and the UN. Moreover, the United States and the USSR declared their support for the European Community and its member states in applying the CSCE mandate to mediate for a peaceful solution of the Yugoslav conflict (United States/USSR joint *communiqué*

²⁹ The agreement stated that each independent republic was required to guarantee the protection of human rights as well as ethnic and national groups. The document also proposed the creation of a common internal market and monetary system, on the model of the EC. Moreover, cooperation on foreign and security policy was also promoted. The agreement also proposed the creation of several central institutions including a council of ministers, court of justice and a parliament, modelled to some extent on EC institutions. For an overview of the peace plans put forward by the international mediators, see: Corti, 1996; Owen, 1995a.

presented at the peace conference)³⁰.

As a counter-proposal to the Van den Broek/Carrington plan, the Serbs proposed the creation of a "mini-Yugoslavia", that would incorporate those republics favourable to such an initiative, as well as the "Serb autonomous regions" of Croatia and Bosnia-Herzegovina. Shortly thereafter, on October 24, the Bosnian-Serbs created their own Assembly and proposed a referendum to ascertain whether the Bosnian-Serbs were prepared to remain part of the Yugoslavian state. On October 15, Bosnia-Herzegovina declared independence, which led directly to three of the four Serb enclaves in the republic (Bosanska, Krajina, Herzegovina) cutting link with Bosnia-Herzegovina and placing themselves under federal legislation. The fourth Serb enclave, Romanja, declared that it would begin a process of disassociation from the rest of Bosnia-Herzegovina. The risk of an escalation of ethnic-hostility in Bosnia-Herzegovina was now a reality.

In response, the EC issued a declaration condemning repeated Serbian attacks on Croat cities. At their October 28 meeting, the EC announced a range of trade sanctions to have immediate effect and called for a UN-imposed oil embargo (which the EC could not impose single-handed) "against any republic that will not accept the plan by November 5" (*The Guardian*, 29/10/91). This assertive European attitude, designed to show leadership by setting the agenda for the management of the Yugoslav conflict, was, in effect, an *ultimatum* to Serbia, the only republic that had not as yet accepted the plan that had emerged from the peace conference. "If one party refuses to accept the peace plan, the EC may implement the retaliatory measures decided on October 6", said EC Council President Van der Broek (ER 1715: I, 4).³¹

The threat worked at least superficially, because Serbia withdrew from its position and accepted the plan agreed at the peace conference. However, a few days later the JNA launched a major offensive against Vukovar. The EC Council responded by applying economic sanctions³², and refused the recognition of any party without general agreement. The EC also reiterated its call for a UN-imposed oil embargo. Moreover, all the EC measures were endorsed

³⁰ However, according to reliable Italian diplomatic sources, "the Russians had been present in Yugoslavia since the beginning, which was the reason for which eventually the United States decided to get involved as well" (private interview, Rome, 18 October, 1995).

³¹ At the same time, however, the European mediators started to work on a new peace plan, which did not include the re-establishment of Kosovo's and Vojvodina's autonomy. The plan was presented to the representatives of the six republics on October 31.

³² The sanctions included the suspension of the trade and cooperation agreement, limits to Yugoslav textile exports, and the expulsion of Yugoslavia from the list of "preferred nations". Compensatory measures were also proposed for those Republics that would accept the EC's plan.

by the NATO summit which took place in Rome on November 8.

Eventually, on November 27, the UN Security Council overcame the strong resistance of the non-aligned countries and adopted Resolution 721 that proposed a reconsideration by the parties of the Secretary-General's recommendation that the deployment of a peace-keeping force should be conditional upon respect for cease-fire agreement (*The Guardian*, 28/11/91). However, the deployment of a UN peace-keeping force still remained only a distant possibility.

Indeed in spite of the West's emphasis on the principle of Yugoslavia's unity, it became all too clear that the country was going to collapse. When, on November 19, Vukovar capitulated after a three month siege, Croatia denounced the weakness of the EC's observers and decided to recall its representative at the Federal Presidency, Mesic. Upon resigning (a resignation which was back-dated with effect from October 8), he stated that, as far as he was concerned, Yugoslavia no longer existed (Riva & Ventura, 1992). In reality, the destruction of Yugoslavia as a unitary state had been apparent to EC leaders as early as September 1991. Indeed, French President François Mitterrand stated at the time: "Yugoslavia no longer exists in its original form [...], a partition has been achieved from the express desire of two Republics" (Wood, 1993). Moreover, Badinter's Committee issued a statement, on December 7, affirming that: "la République socialiste fédérative de Yougoslavie est engagée dans un processus de dissolution"³³. However, France, as well as most of the other EC member states, continued to oppose recognition of the two secessionist Republics on the ground that it would worsen the conflict. At the beginning of December, Germany, supported by Italy and Denmark, reiterated its intention to recognise Slovenia and Croatia by Christmas unless an agreement was reached by December 10. As a result, a split in the Western camp emerged leading Pérez de Cuéllar and Lord Carrington, supported by the United States and Britain, to vehemently oppose the German proposal declaring that it would exacerbate an already worsening conflict. Moreover, several EC leaders (including French Foreign Minister, Roland Dumas) warned that a unilateral action by Germany would contradict the recent Maastricht Treaty provision for an EU Common Foreign and Security Policy (CFSP).

Gradually, in much the same way as the principle of "unity" of the country had been quietly dropped, the EC's view of the conflict also changed. At the outset the conflict was read as a civil war, with no party more responsible than any other, but by December 1991 it was clear that the Serbian leadership bore prime responsibility for the war. Symptomatic of this shift in the interpretation of the conflict (from civil war to a possible war of aggression) was the EC

³³ Badinter Commission Opinion No. 1 is reprinted in *European Journal of International Law*, 3, 1992: 182. Further opinions of the Badinter Commission on the recognition of former Yugoslav states (opinions No. 4-10) are reprinted in *European Journal of International Law*, IV, 1, 1993: 74-91.

decision, of December 2, to abolish economic sanctions against all the Yugoslav republics except Serbia and Montenegro (Marten, 1992). In fact, only Serbia opposed the peace process, whilst at one and same time, usurping power within the key-institutions of the Socialist Federal Republic of Yugoslavia.

On December 16, the EC Foreign Ministers adopted two texts regarding "recognition policy" (a general one, and one specifically on Yugoslavia)³⁴, and confirmed that by January 15 they would examine any demands for recognition which arrived before December 23. The *sine qua non* was that candidate-states were required to respect individual and minority rights, the rule of law, the democratic process, the existing borders (unless changes were peacefully negotiated), the previously signed commitments regarding disarmament, nuclear non-proliferation, regional security, and stability. The Arbitration Committee would judge whether the candidates were able and prepared to conform to these criteria.³⁵ However, although Germany had agreed with the EC decision, it began to implement an informal recognition policy immediately after the meeting (*Washington Post*, 20/12/1991). Furthermore, on December 17 Germany's Foreign Minister, Hans-Dietrich Genscher, announced Germany's intention to recognise Slovenia and Croatia regardless of the Badinter Committee's report. On December 23, Germany recognised Slovenia and Croatia, although the formal recognition was postponed until January 15.

Only on January 14, 1992, the Badinter Commission gave its opinion on the question of recognition. Slovenia and Macedonia, it said, met the conditions unconditionally, Croatia would be recognised only if it reviewed the special status of its Serb minority, and Bosnia-Herzegovina would be recognised if an internationally-monitored referendum in the country demonstrated that the majority of its population was in favour of independence. However, the Badinter report notwithstanding, the EC Foreign Ministers agreed unanimously to recognise both Slovenia and Croatia, while delaying any action towards Bosnia-Herzegovina and Macedonia.³⁶ With the recognition of the two republics, the conflict legally assumed an

³⁴ The two texts have been reprinted, among others, in *European Journal of International Law*, IV, 1, 1993: 72-73.

³⁵ Greece obtained the insertion of a paragraph in the document which, although there was no explicit reference to any particular case, invited Macedonia to guarantee constitutionally and politically the absence of any territorial claim on Greece and to abstain from any hostile form of propaganda against that state, including the use of a name which for the Greeks would imply territorial demands. Serbia promptly protested against the EC decision, and denounced it as a violation of the UN Charter (*The Times*, 18/12/91).

³⁶ France and Britain announced that they would delay any exchange of ambassadors with Croatia until it acted to protect human rights (*Washington Post*, 16/1/92). The recognition of Macedonia was delayed by the strong opposition of Greece. However, EC recognition was immediately followed by New Zealand, Australia, Poland,

international character which improved the possibility for intervention. Although it is unfair to state (as many have done) that the unilateral recognition of Slovenia and Croatia by Germany actually caused the beginning of the inter-ethnic conflicts in Bosnia-Herzegovina, it was certainly the case that recognition accelerated a process of dissolution in Bosnia-Herzegovina that was already underway. Serious tensions had been reported well before recognition of Slovenia and Croatia. Recognition, possibly, gave further impetus to a process that had already started.

Meanwhile, the Europeans continued to debate the possible deployment of a peace-keeping force to supervise the cease-fire, whilst had been proposed by France but steadfastly opposed by Britain. The initial proposal for a WEU force was eventually rejected, in any case, by the forces on the ground who, disillusioned by European performance, demanded the presence of UN Blue Helmets. However, the different factions demanded different force-packages based on their interests on the battle-field. In November, for example, both Croatia and the Serb-dominated Federal Presidency urged the deployment of UN peace-keeping forces. However, whilst Croatia wanted them on its borders, the Presidency demanded that they be stationed between the fighting forces, a position that would have protected Serb territorial gains. This manipulation of the international community's peace efforts by the different parties was a constant throughout the management of the Yugoslav conflict.

To satisfy conflicting demands, UN Security Council passed Resolution 724 on December 15 which established the deployment of a small group of military personnel in order to prepare for an eventual peace-keeping operation. On January 6, the UN Secretary-General, Boutros Boutros Ghali, announced the immediate departure of some fifty UN military observers (*Financial Times*, 15/1/92). Within two days, UN Security Council Resolution 727 officially sanctioned the mission, which included, for the first time, Russian forces .

3.3. "EC/U-UN Burden Sharing" (January 1992 - April 1994).

On the same day that the UN passed Resolution 724, an EC helicopter with five observers (four Italians and one French) was shot down by the Federal Army. Western European public opinion reacted and for the first time a realisation dawned about the reality of managing a conflict in war-conditions. As a result, the EC's observer mission was suspended.

Meanwhile, the deployment of UN blue helmets was delayed due to the rejection of the

Switzerland, Austria, Malta, Hungary, Canada. Bulgaria recognised all four republics. Ukraine, the Baltic States, the Vatican, and Ireland had already recognised Slovenia and Croatia before January 15.

peace plan by the leader of Krajina-Serbs, Milan Babic. It was only on February 17 that Babic declared himself ready to accept the UN plan provided that Krajina became part of the political management of the conflict. Furthermore, following repeated assurances of Croat cooperation with UN efforts, Cyrus Vance suggested the deployment of some 12,000 or 13,000 UN peace-keepers (*New York Times*, 13/2/92) and on February 21, the UN Security Council passed Resolution 743, which established, for a period of one year, the deployment of the second largest UN peace-keeping force ever authorised, the UN Protection Force (UNPROFOR)³⁷.

However, when the March 1 referendum on independence took place in Bosnia-Herzegovina (a demand of the Badinter Committee as a condition for recognition) war broke out in Bosnia-Herzegovina. Shortly after the referendum the first barricades were erected in Sarajevo. The referendum had been boycotted by the Bosnian Serbs and won, as a result, easily by the pro-independence party.³⁸ However, it established a precedent as various cities with an Albanian majority in the South of Serbia also held a poll on political and cultural autonomy. Soon thereafter, pacifist demonstrations took place in Belgrade where the tension was still high.

As the Bosnian powder keg seemed about to explode, the European mediator, Lord Carrington, responded by convening a separate peace conference on Bosnia-Herzegovina, which opened in Brussels on March 30. Lord Carrington proposed an institutional reform programme for Bosnia-Herzegovina in which he suggested the creation of a bicameral system

³⁷ Initially UNPROFOR was composed of some 11,000 military personnel and 3,000 civilians. Its mission was to supervise the cease-fire, the withdrawal of JNA, the demobilisation of paramilitary forces in four "UN Protected Areas" (UNPAs), and to facilitate the return home of the refugees. It was also required to protect the Serb enclaves in Croatia. The deployment of UNPROFOR, composed of forces from some 30 countries under the command of the Indian General S. Nambiar, started in March, but the authorisation for full deployment was not granted until the UN Security Council Resolution 749 on April 7. Deployment itself took place between May 15, in sector East, and June 20, in sector West. The initial one-year mandate in Bosnia-Herzegovina was subsequently extended on numerous occasions.

On the role of the UN in ex-Yugoslavia, see: Cohen & Stamkoski, 1995; Berkowitz, 1994; Boutros Ghali, 1992, 1993, 1995; Gentile, 1996; Morillon, 1993; Clesson & Findlay, 1994; Dizdarevic & Riva, 1995; Eknes, 1995; Freudenschuß, 1994: 501-512; Gow, 1995; Higgins, 1993; Macinnis, 1995; MacKenzie, 1993; Petrovic & Condorelli, 1992; Tharoor, 1995a; UN Reference Paper 23/1/1995; Warreport special issues 1994 and 1995b. On the demilitarisation component of UNPROFOR peace mission in Croatia and Bosnia-Herzegovina, see: Ekwall-Uebelhart & Raevsky, 1996. For a background on UN involvement in civil conflicts and UN peace-keeping, see: Barravecchia, 1995; Berdal, 1993; Cappelli, 1996; Dobbie, 1994; Donald (ed.), 1995; Durch (ed.), 1993; Eide (ed.), 1995; Mackinlay, 1990 and 1994; Tharoor, 1995b. More specifically on humanitarian intervention: Andreopoulos, 1996. Weiss & Campbell, 1991

³⁸ About 67% of the population of Bosnia-Herzegovina went to vote, with some 90% of the voters opting for independence (Marten, 1992).

including a Chamber of Citizens and a Chamber which would have equal representation from the three constituent ethnic communities.³⁹ Unfortunately, this diplomatic effort was too little, too late.

The March 18 agreement in principle on the re-organisation of the country was the first of a lengthy series of broken agreements. By March 23, violent fighting had broken out in Bosnia on two fronts, first between Bosnian-Serbs and Bosnian-Muslims, and then between Bosnian-Serbs and Bosnian-Croats. The President of Bosnia-Herzegovina demanded the withdrawal of the Federal Army and of Serb paramilitary forces, and called for an immediate cease-fire.

On April 6, under strong pressure from both Slovenia and the European Parliament, the EC Foreign Ministers decided to recognise Bosnia-Herzegovina, although it was delayed for a day to make sure it coincided with that of the United States⁴⁰. Unfortunately, this decision was not well thought through, unlike the recognition of Slovenia and Croatia. On the same day, Bosnian-Serbs demanded that the EC recognise the self-proclaimed "Serb Republic of Bosnia-Herzegovina", as well as its accession to the CSCE. As a result, Yugoslavia ceased to exist on April 27, when Serbia and Montenegro accepted the dissolution of the country by formally announcing the constitution of the Federal Republic of Yugoslavia (FRY), which was to include only the two republics⁴¹. The announcement was made by the parliament of the Socialist Federal Republic of Yugoslavia, which gave its agreement to the independence of the other four republics.

However, on the battle field the situation was worsening and atrocities by Serb forces in Bosnia-Herzegovina were becoming even more apparent. The seriousness of the fighting eventually convinced the UN Security Council to pass Resolution 749 (April 7, 1992), which authorised the full deployment of UNPROFOR and called upon the warring factions in Bosnia-Herzegovina to cooperate with on-going EC mediation efforts. A few days afterwards, the UN Security Council requested the Secretary-General to send Cyrus Vance to Bosnia-Herzegovina.

³⁹ This plan is also known as "Cutileiro Plan", from the name of the Ambassador who actually negotiated it. José Cutileiro was in charge of the exchange of communication and information between the peace conference and the Portuguese Presidency of the European Community. The text of the plan has been reproduced in Owen, 1995b. For a detailed description of the negotiations which led to the definition of the Cutileiro plan and to the March 18 agreement, see: Wynaendts, 1993: 159-166.

⁴⁰ The United States recognised Bosnia-Herzegovina, Slovenia and Croatia on April 7 (*Financial Times*, 7/4/92). The three entered the UN General Assembly on May 22. On United States policy in Yugoslavia, see: Brenner, 1992, 1996; Heuven, 1994; Johnsen, 1996; Rynning, 1994; Sray, 1995; Zimmerman, 1995 and 1996; *Wireless files*, 1991-1995; Woehrel & Kim, 1994; Bert, 1997; Hutchings, 1997; Danner, 1997a, 1997b.

⁴¹ Montenegro had voted on March 20 to remain in a Yugoslav Federal state.

As a result, the reactive, diplomatic, collective *type* of conflict management that had so characterised the "European" management of the conflict, continued into the third phase of conflict management.

For its part, the EC set Serbia a deadline (April 29) for the end of military support for Serb nationalists in Bosnia. However, not only was the deadline completely ignored, on May 2, the Serb Federal Army kidnapped the President of the Bosnian Republic, Alija Izetbegovic, and held him for twenty-four hours. In effect, the EC "bluff" had been called, and it failed to respond to a blatant violation of the deadline. On the contrary, as a face-saving measure they agreed to a plan for humanitarian aid and assistance that was proposed by the French Foreign Minister, Roland Dumas. The plan called for the delivery of humanitarian aid through an aerial bridge to Sarajevo (from Germany, Austria and Italy), the deployment of a UN observer mission, and more UN troops for the protection of hospitals and other humanitarian facilities.

The European reaction reflected the EC position throughout its management of the Yugoslav conflict, i.e. a series of empty threats allied to the wide use of humanitarian aid as a substitute for "real" policy. However, even the use of humanitarian action as the line of least resistance was soon to show its limitations.

Some diplomatic action was also taken. The EC member states and the United States recalled their ambassadors from Belgrade and forced through the expulsion of the Yugoslav delegation from the CSCE. However, the extension of UNPROFOR to Bosnia-Herzegovina, was not agreed. The UN Security Council argued that continuing fighting was preventing the deployment of UN peace-keepers. Moreover, Boutros Boutros Ghali declared in his report that the deployment of an EC peace-keeping force would still be more appropriate. The UN Secretary-General as well as the Americans continued to back a "European" management of the conflict, in order to limit the direct involvement of both the UN and the United States.

Even, when on May 14, horrific events took place in Sarajevo and forced the EC, the Red Cross and UN headquarters to leave the city, the UN Security Council refused to send a peace-keeping force to Bosnia-Herzegovina. Indeed, Resolution 752 simply called on all the external parties to stop interfering in Bosnia-Herzegovina. The only part of the Resolution that was of import was that an explicit reference was made for the first time to the on-going practice of "ethnic cleansing"⁴². As a matter of fact, the Helsinki Watch (1992: 63) reported that "after Serbian forces have occupied territory in Bosnia Hercegovina, brutal measures have been taken

⁴² The concept was formalised in 1986 as part of the aforementioned Memorandum of the Belgrade Academy. One of its drafters was none other than the forthcoming FRY's President, Cosic. Although the text did not explicitly mention "ethnic cleansing", it is considered the key document in the development of such practice in the Yugoslav wars, especially in the Bosnian conflict.

to 'ethnically clean' the area of non-Serbs [...], thereby creating an ethnically homogenous area. The 'cleansing' of such areas usually involves the execution, detention, confinement to ghetto areas, and the forcible displacement and/or deportation of non-Serbs, most frequently Muslims, and, to a less extent, Croats. Hundreds of thousands of civilians have been victims of the 'ethnic cleansing practice'. As the conflict went on, however, the practice has not confined only to the 'genocidal act' committed by Serbs. Concentration camps and ethnic cleansing was being committed by all sides.⁴³

The fighting in Sarajevo was of an unprecedented level of savagery. When the children's hospital was bombed, the UN Security Council was forced to impose serious economic sanctions on both Serbia and Montenegro. Resolution 757 (May 30, 1992) duly imposed an embargo on all trade other than in medical goods and foodstuffs, placed a ban on all flights, and excluded the two republics from sporting and cultural events, as well as scientific and technical cooperation⁴⁴. Thus, Resolution 757 recognised Serbia and Montenegro as bearing the main responsibility for the tragic events taking place in Bosnia-Herzegovina.

The deployment of UN troops in Bosnia-Herzegovina was not completed until June. It was initially successful, and gained the agreement of Serb forces to place Sarajevo airport under the UNPROFOR's control for the purposes of humanitarian aid (*East European Report* ⁴⁵, July-August, 1992). Consequently, part of the UNPROFOR force was used to supervise the withdrawal of heavy military equipment from the area surrounding the airport (Resolution 758, June 8, 1992), and its troop-levels were increased (Resolution 761, June 29, 1992). However, the military involvement of UN troops was limited to the supervising of the agreement and to supporting humanitarian aid convoys.

On the contrary, calls for military intervention continued to arrive from Bosnia-Herzegovina. The President of the collective Bosnian Presidency, Alija Izetbegovic, asked the WEU (June 4, 1992), the UN (June 22, 1992) and the CSCE (July 10, 1992) for military intervention in Bosnia-Herzegovina (*EER*, July-August, 1992). He received no reply other than a few declarations that affirmed the urgent need for humanitarian aid to be sent to Sarajevo (WEU Council of Ministers, June 19) and the recognition that Serbia bore the main responsibility for the conflict in Bosnia-Herzegovina (European Council, Lisbon, June 26, 1992).

⁴³ For further information on ethnic cleansing in former Yugoslavia: Cigar, 1995; Minear et al., 1995; Paul, 1995; Petrovic, 1994 and 1995.

⁴⁴ For an interesting evaluation on the failure of the sanctions-policy in Yugoslavia: Dimitrijevic & Pejic, 1995; Dimitrijevic, 1996.

⁴⁵ From here on, *East European Report* = EER.

The French President, François Mitterrand, proposed setting up an international conference under UN auspices which, he explained, would have more weight than one promoted by the EC, as well as the advantage of including the non-EC neighbours of the former-Yugoslavia. Britain, Belgium and Denmark initially rejected the proposal but eventually reconsidered their decision and by the end of July, UK Prime Minister, John Major announced that an international conference on Yugoslavia would be convened by August 26-8, 1992.

However, on June 28, the EC collective management of the conflict suffered a major split. Mitterrand undertook a six-hour surprise visit to Sarajevo, and only consulted, although with little advanced notice, the Spanish and German Prime Ministers, Mario Soares and Helmut Kohl. He justified his action by stating "International institutions are very slow monuments to move. Therefore, I believe in the symbolic force of acts" (*Liberation*, 29/6/92). The trip was clearly designed to inform both the Serbs and French public opinion that France was not prepared to tolerate the arrogant behaviour of the Serbs any longer.

Prior to the European Council meeting in Lisbon, France had maintained a cautious position on the Yugoslav conflict, refusing to recognise any party in the conflict as bearing the main responsibility. In Lisbon, however, Mitterrand declared, for the first time, "Serbia is now the aggressor, even if the origin of the conflict is more remote" (*Liberation*, Special Sarajevo, 10, November 1992). The immediate success of Mitterrand's trip, Serb forces withdrew from Sarajevo Airport, led to high hopes because, although the cease-fire was only temporary, the EC was able to establish an air-bridge between Split, Zagreb (where the humanitarian aid was stocked) and Sarajevo⁴⁶.

A week later, WEU Foreign Ministers decided to begin monitoring the UN embargo on Serbia by sending naval forces (from Italy, France, Spain and Portugal) to the Adriatic Sea. They also decided to take steps towards opening a land link to Sarajevo in order to increase the flow of humanitarian aid (*The Times*, 11/7/92; Marten, 1992). Moreover, NATO agreed to coordinate its monitoring efforts with those of the WEU, by despatching to the Adriatic a contingent drawn from the Standing Naval Force of the Mediterranean (STANAVMED), including ships from Italy, Greece, Turkey, the United States, Germany, the Netherlands, Spain and Britain, as well as AWACs aircraft (Marten, 1992). The WEU-NATO mission came under a joint Italian command, and was given the authority to monitor the embargo, although

⁴⁶ Twenty aircraft were provided by various EC member states, and more than 120 million ECUs were added to the 49 millions already designated for humanitarian aid. On July 2, the UN Secretary-General, Boutros Boutros Ghali, announced that a further 1500 French, Egyptian and Ukrainian soldiers would join the UN forces in Sarajevo. The composition of the troops was intended to reflect the religious mix of Bosnia-Herzegovina's population (EER, July-August, 1992).

not to enforce it.

The debate over a military involvement also appeared to have been resolved, albeit tacitly, with an agreement on a minimal use of military tools and Rules of Engagement (RoE). The mission objective was to ensure delivery of humanitarian aid, supervision of agreements and imposed sanctions. In reality, even these limited aims were not achieved because the military supervision on which the "international managers" agreed, was more image than substance because the troops were refused permission to respond to fire with fire. Furthermore, within the UN, Boutros Boutros Ghali denounced the Security Council for paying too much attention to the problems of Europe as compared to those of developing countries, such as Somalia (*New York Times*, 24/7/92 and 3/8/92).

However, the impetus to control the situation in ex-Yugoslavia was given a push by two different, but alarming, revelations. On July 29, the United Nations High Committee for Refugees (UNHCR), in Geneva, within the framework of a conference on Yugoslav refugees, announced that the estimated number of refugees that had fled since the beginning of the war was some 2.3 million. Germany, who was already hosting by far the largest contingent of refugees, demanded that other European countries accept refugees as well. France and Britain, worried about a mass exodus, countered this by proposing an international effort to ensure that refugees remained in areas near to their original homes. However, it was too little, too late because the question of war-refugees began to threaten the position of European leaders as public opinion began to demand more direct action.

Furthermore, there was another compelling reason for maintaining a European engagement in the management of the Yugoslav conflict. On August 2, 1992, the American newspaper *New York Newsday* (2/8/92) disclosed the existence of internment camps and of a UN blue helmets "memorandum" on the subject dated July 3. As a result, public opinion became actually sensitive in the West about atrocities in the former Yugoslavia. Television became full of awful images, journalists denounced UNPROFOR, the UNHCR and other international bodies admitted knowing about the camps as early as June 1992. On August 6, in an article in the *New York Times*, ex-British Prime Minister, Margareth Thatcher, urged a rapid NATO intervention in Bosnia-Herzegovina to re-establish the territorial integrity of the country (*New York Times*, 6/8/92).⁴⁷ Even the Vatican made known its support for intervention in Bosnia. Unfortunately little was done because, the position of the various members of the UN Security Council differed over the type and scale of military intervention. The United States, on one hand,

⁴⁷ On NATO's involvement and on the relationship between the UN and NATO in ex-Yugoslavia, see: Anderson, 1995; Eide & Solli, 1995; Leurdjik, 1994; 1996; 1997; Schulte, 1997.

proposed a large scale intervention, whilst France and Britain were in favour of limiting it to the protection of humanitarian aid.

Then, a third threat developed. The European media raised public awareness about the possibility of a rise in integralism within the Bosnian Muslims as a consequence of their weak position in the conflict and of the low level of support they had received from the west in particular. Meanwhile, the Organisation of the Islamic Conference called frequently for the international community to help the Muslim community in Bosnia-Herzegovina. Therefore, at the beginning of August, the OIC charged five countries with the responsibility for negotiating with the Security Council on the question of Bosnia-Herzegovina's Muslims. The representatives of the five states demanded the use of force against the Serb troops under article 42 of the UN Charter, as well as the lifting of the arms embargo on the republic of Bosnia-Herzegovina.

By way of response to wave of recent revelations about the internment camps, the UN Security Council issued Resolution 771 (August 13, 1992), which focused on "ethnic cleansing" and all the other major violations of international humanitarian law that have been committed in Bosnia-Herzegovina. It called for the opening of camps, prisons and detention centres to the International Committee of the Red Cross, and demanded member states and humanitarian organisations collect data on the violations of International humanitarian law that had taken place. Meanwhile, at the request of the United States, the UN Commission for Human Rights elected Mateus T. Mazowiecki, the former Prime Minister of Poland, as special *rapporteur* with specific responsibility for the violation of human rights in former Yugoslavia. On the same day, the UN, for the first time, called explicitly "upon all states, or regional organisations, to take *all necessary measures* to ensure that the UN and other humanitarian organisations were able to deliver humanitarian assistance to Sarajevo and the rest of Bosnia-Herzegovina" (Resolution 770, emphasis added).

However humanitarian aid and military intervention were already inextricably linked. The Resolution encapsulated this very problem and, as a result, could not be implemented due to the lack of consensus on what strategy to adopt in order to implement it. On September 2, NATO member states decided to support action, under the auspices of the UN Charter, to protect humanitarian aid to Bosnia-Herzegovina, whether delivered by road or rail. The UN Security Council gave its authorisation and adopted Resolution 776 which extended the UNPROFOR mandate and the number of troops in order to support all humanitarian actions (Marten, 1992). However, the hottest question, whether or not the Blue Helmets were permitted to use force, was avoided.

In London, on August 26, the EC/UN co-sponsored peace conference, the International Conference on Former Yugoslavia (ICFY), began its work. The Conference was attended by

the Presidents of all six former Yugoslav republics and the Prime Minister of the FRY (which seemed to imply an implicit recognition by them of the 'third Yugoslavia'), while representatives of the Serb Republic of Bosnia-Herzegovina, Bosnian-Croats, Kosovo Albanians and Vajvodina Hungarians attended as observers. The Foreign Ministers of the United States, Russia, Japan, China, Turkey, Canada, Switzerland and the former Yugoslavia's immediate neighbours, as well as representatives of the EC Commission, CSCE, International Committee from the Red Cross and ICO took also part in the Conference.

The ICFY was co-chaired by John Major, for the EC, and Boutros Boutros Ghali, for the UN. The new mediators were the former Foreign Minister and leader of Britain's Social Democrat Party, David Owen⁴⁸, for the EC, and for the UN the former US Secretary of State and UN Secretary-General's envoy to Yugoslavia, Cyrus Vance. The document, which resulted from the meeting, called for the establishment of intensive and permanent negotiations in Geneva by September 3, by means of six working groups; three of them to be chaired by the EC and three by the UN.⁴⁹ Solemn agreements were signed between the warring factions, and by September 12, Bosnian-Serbs started placing their heavy weaponry under UNPROFOR control. However, a fresh outbreak of fighting in Sarajevo in the middle of September jeopardised the Geneva talks.

Faced with the continuing conflict in Bosnia-Herzegovina, the EC Foreign Ministers declared on September 12 their support for a French proposal for the creation of an Air-Exclusion Zone over Bosnia-Herzegovina, and called on the UN to exclude the FRY from all UN bodies.⁵⁰

New revelations regarding the situation in the detention camps and the on-going practice of ethnic cleansing emerged (see first Mazowiecki's report and the astonishing report published by

⁴⁸ The replacement of Carrington is rather easy to explain. He wanted to leave, partly because he felt betrayed by EC ministers, and partly because his mission had failed (see Carrington, 1992).

Lord Owen provided an account of his experience in former-Yugoslavia in his book *Balkan Odyssey*, 1995.

⁴⁹ On the establishment of the Conference, see: Owen, 1995a: Ch.. 2. Details of the ICFY's diplomatic activity, see: Owen, 1995b.

⁵⁰ On September 22 1992, Yugoslavia was expelled from all UN bodies and on December 14 it also ceased to be a member of the IMF. Three months later it was also expelled from the International Bank for Reconstruction and Development (IBRD). At the same time, the five former Yugoslav republics were invited to join the IMF and the World Bank (ER 1842: V, 12). Former Yugoslavia, due to its disintegration, dropped out of OECD on December 3 (ER 1816: V, 10). Soon thereafter, the newly recognised republics of the former Yugoslavia joined the IMF and agreed to take a portion of Yugoslavia's debt (ER 1852: V, 9).

the CSCE Committee of Senior Officials) and led to renewed demands for the use of force. On September 16, the European Parliament passed an amendment supporting the use of force to protect convoys and, if necessary, to procure Serbian weapons (ER 1806: supplement).

Meanwhile, both on the battle field and at the negotiating table, another conflict emerged in Bosnia-Herzegovina. The solidarity that had been established between Muslims and Croats, and which had been an integral part of previous agreements⁵¹, collapsed in the face of conflict and differing positions taken by the two factions on the future of Bosnia-Herzegovina. As a result, Croats demanded the partition of the state,⁵² whilst the Muslims fought hard to keep it united. Furthermore, at the reopening of the Geneva talks, on September 30, the Croat and Yugoslav (FRY's) Presidents, Franjo Tudjman and Dobrica Cosic, jointly declared the "normalisation of relations" between their two countries. It appeared as if the Croats and Serbs were making a Machiavellian "partnership for partition" at the expense of the Muslims.

The stakes were raised further when the Bosnian leader, Alija Izetbegovic, on September 22, demanded that the UN establish an international tribunal on war crimes in the former Yugoslavia. In the days that followed, the United States submitted to the UN Security Council a long list of documented violations of humanitarian law in the former Yugoslavia, which was expected to form the basis for the prosecution of war crimes (EER, Nov.-Dec., 1992). Moreover, the American press revealed that some 3,000 Muslim prisoners had been massacred near Brcko by the Serb militia between May and June 1992. The French Foreign Minister Dumas asked the UN and the EC to hold an inquiry into the massacre and on October 6, the UN Security Council Resolution 780 duly set up a commission of inquiry into the war crimes committed in the former Yugoslavia.

In the meantime, EC efforts continued. First, the EC Commission approved an additional 120 million ECUs-emergency aid to refugees and displaced persons in the region. Second, the EC Foreign Ministers put forward the Dumas idea of a ban on flights by issuing a political declaration calling for a No-Fly-Zone (NFZ) over Bosnia-Herzegovina. Karadzic immediately threatened to walk out of the Geneva Peace Conference if the UN adopted a Resolution banning military flights over Bosnia-Herzegovina.

⁵¹ On 19 May 1992, Croats and Muslims signed an agreement on the formation of a Croat Bosnian confederation. On June 17, the Bosnian and Croat authorities signed a military alliance (EER, July-August, 1992).

⁵² On 3 July 1992, The "Croatian Community of Herzeg-Bosna" proclaimed its independence from, and control of, 25% of Bosnia-Herzegovina's territory. Mostar was declared its capital and Mate Boban its leader. The Bosnian Government reacted by declaring the act unconstitutional, whilst Radovan Karadzic, the Bosnian-Serb leader, welcomed the new state (EER, July-August, 1992). On Radovan Karadzic, see: Mian, 1996.

On October 2, the US President, George Bush, announced that he was prepared to send forces to establish an air exclusion zone over Bosnia-Herzegovina. Eventually, on October 9, the UN Security Council adopted Resolution 781, imposing a NFZ over Bosnia. Nonetheless, the Resolution did not include any authorisation to militarily enforce the ban. The United States, had indeed urged that the Resolution permit the shooting down of hostile planes, but France and Britain, ever conscious of their troops on the ground in Bosnia-Herzegovina, advocated a more moderate approach.

Meanwhile, at the negotiations table, on October 27, the international mediators Vance and Owen proposed a peace plan based on the creation of seven to ten autonomous provinces within a single Bosnian state. According to the spokesman of the co-chairmen, Fred Eckhard, the proposed constitution for Bosnia-Herzegovina was designed to safeguard the sovereignty of Bosnia-Herzegovina (as the Muslims demanded), whilst guaranteeing a broad degree of autonomy to the provincial governments (to satisfy the Serbs and Croats). The plan also provided for the decentralisation of the state within its international borders (i.e. those it had as a republic of the Socialist Federal Republic of Yugoslavia). The autonomous provinces would not have a legal personality, and would be drawn "taking into account ethnic, geographical [...], historical, communication [...], economic viability and other important factors". "Three major ethnic groups (national/religious), as well as a group of 'others'", were to be recognised in the Constitution.⁵³ Needless to say, the plan was immediately criticised by many Western observers for the legitimation it provided to an internal division of the country along ethnic lines (and, implicitly, to the process of ethnic cleansing)⁵⁴. Karadzic, also rejected it and proposed

⁵³ The governmental structure of Bosnia-Herzegovina envisaged in the original version of the plan included a two-Chamber parliament, a collective Presidency with a rotating President *among the groups*, a Government constituted on the principle of group balance, a Judiciary system based on the group rotation principle. According to the draft constitution for Bosnia-Herzegovina, the parliament was to be composed of a Lower House elected by proportional rule on the whole territory of the state, and an Upper House appointed by and from within the provincial Governments. The Prime Minister was to be elected by the Lower House and he would appoint the Ministers with the approval of the Presidency, taking into account group balance, and ensuring that Foreign and Defence Ministers came from different groups. The draft Constitution also included a list of state/province competencies, and an explicit reference to the respect of minority rights (with a list of international Human Rights Treaties and other instruments that were also to be respected).

On the ill-fated Vance-Owen Peace Plan the perspective of a practitioner is provided by Owen, 1995a: 89-146. A more critical perspective is offered, among others, by Silber & Little, 1995: 306-322 and 321, footnote 2; Woodward, 1995.

⁵⁴ Among the various and numerous criticisms of the plan, it is worth quoting at least those contained in the document prepared by the delegation of the Helsinki Watch to the peace conference that was presented to the international mediators in January 1993. The plan, states the document, widely recognises and ratifies the result of the war and the policy of ethnic

as alternative a Bosnian confederation with three nation states designed to confirm Serb gains on the ground⁵⁵.

However, masses of refugees continued to arrive in Western Europe as a result of the ongoing policy of ethnic cleansing and the dismantling of some internment camps in Bosnia-Herzegovina. Mazowiecki confirmed that nearly 15,000 people were still trapped in these camps at the time, camps that the London Conference had already demanded closed (ER 1811: V, 9). As a temporary solution, the President of the International Committee of the Red Cross, Cornelio Sammaruga, proposed the creation of protected areas designed to receive civilians from the camps.

On November 13, the UN published a list of companies and ships, mostly Greek, Maltese, Italian and Egyptian, that had violated the embargo by delivering large quantities of petroleum products to the Montenegrin port of Bar. With Resolution 787, the UN Security Council reinforced the monitoring of sanctions against Serbia and Montenegro.⁵⁶ Consequently, following UN Resolution 787, on November 18, the NATO Council agreed in principle to allow closer inspections of shipping movements in the Adriatic Sea. NATO forces were to act in cooperation and coordination with those of the WEU and other countries.

However, most diplomats recognised that the majority of the goods reaching Serbia and Montenegro were transported via the Danube or by land (ER 1814: V, 6). Another EC observer mission was announced and, on December 15, eight unarmed EC observers travelled to the border between former Yugoslavia and Hungary before reporting back to the EC Presidency and the CSCE (ER 1822: V, 6).

Meanwhile, the efforts of mediation and conciliation continued. Greece made a series of

cleansing. The division of Bosnia-Herzegovina into ten provinces would probably have led to the creation of "ethnically pure" mini-states, and paid not attention to intra-province minorities. Furthermore, the discussion over the shape of the internal borders worsened because the warring factions wanted to arrive at the negotiation table holding the largest possible area of conquered territory so as to have it recognised on paper. The negotiation process in general gave international legal power and credibility to Warlords such as Karadzic, Boban, Milosevic, Tudjman, etc. No say was granted to the civic movements and/or inter-ethnic forces. On the whole, the plan was far more favourable to Serbs and Croats than to Muslims. This could implied the future integralisation of Bosnian-Muslims and the danger of an integralist Muslim state, supported by the Islamic world, at the very heart of Europe.

⁵⁵ After their successes in central Bosnia, Serb forces switched their offensive into northern Bosnia.

The paper containing the Bosnian Serb proposal of arrangement for the Bosnia-Herzegovina has been reproduced in Owen, 1995b.

⁵⁶ The Resolution banned the transit through the FRY of crude oil, raw material for the production of energy and motors of all kinds. It also asked the countries on the Adriatic coast or the Danube to hold up all merchandise and to check cargoes and for their destination.

contacts with European capitals with an offer to mediate (ER 1816: V, 10), but peace settlement in the short-term seemed unlikely. On the contrary, speaking before the European Parliament's Foreign Affairs Committee, E. Ganic, a member of Bosnia-Herzegovina's Presidency, asked the international community to arm his people, and to clarify what the UN role in the area was supposed to be. Indeed, despite repeated threats to use military force, the most recent of which had come from David Owen on November 26, when he confirmed that the UN Security Council was prepared to intervene if Serbia continued to infringe the NFZ in Bosnia-Herzegovina (ER 1816: V, 10) , it was clear that the West had no real intention of reinforcing its declarations with military force.

On December 11-12, the Twelve, meeting in Edinburgh, expressed a range of different positions over possible military action against Serbia but continued to give priority to a political solution of the conflict. They called upon the UN to examine repeated violations by Serb aircraft of the NFZ. However, on December 14, 1992, just after the EC Summit and immediately before the CSCE ministerial meeting, France went a step further asking the UN Security Council to authorise *a stricter enforcement* of the NFZ.

At the three ministerial meetings held the week before Christmas, that of the CSCE in Stockholm, NATO in Brussels and the Peace Conference in Geneva, nothing was achieved other than to highlight the deep divisions amongst the Western powers over the sending of military forces to enforce UN Resolutions. British Prime Minister, John Major, at the EC-Canada Summit in Canada, called for caution before becoming directly involved in the conflict, and stressed that any decision would have to pass through the UN Security Council. Belgium was also hesitant about using force to enforce the NFZ. On the other hand, the United States, France and the Netherlands declared themselves ready and willing to send fighter aircraft for the purpose. In response, the leader of the Bosnian-Serbs, Radovan Karadzic, in a letter to the then EC President John Major, threatened reprisals against the UN Blue helmets if a UN Resolution on the use of force was passed (ER 1822: V, 6). The year ended with an international community impotent, hesitant and divided over the Bosnian tragedy.

Unfortunately, nor did the new year bring an end to the conflict any closer. New and shocking revelations emerged that sexual violations of Muslim women were being used as a weapon of war. Indeed, evidence was provided by EC observers and Amnesty International (*Keesing's Record of World Events*.: 39278⁵⁷).

At the re-opening of the Geneva talks on January 4, only the Croats had agreed to sign up the Vance-Owen Plan. Muslims feared that the cease-fire would endorse the military situation

⁵⁷ From here on, "*Keesing's*: progressive page-number".

on the ground, thus giving a clear advantage to the Serbs, whilst Bosnian-Serbs rejected the principle of a unitary state, demanding the division of Bosnia-Herzegovina into three separated states. Upon their return from Belgrade, Vance and Owen confirmed that no progress had been made. On January 10, they gave the Bosnian-Serb leader Karadzic until the morning of January 12 to accept the proposed peace plan completely, although they issued no *ultimatum*. On January 12, under heavy pressure from Milosevic and the FRY President, Cosic, Karadzic provisionally agreed to the constitutional proposal for Bosnia-Herzegovina, on the condition that it was approved by the Bosnian-Serb parliament (Keesing's: 39278). However, in spite of this conditional consent to the plan, Karadzic insisted that he would hold onto the corridor linking "his" territories to Serbia, a corridor which, under the plan, would be returned to Croatia (ER 1828: V, 9).

On January 13, the EC Foreign Ministers, met in Paris and declared that if the Bosnian-Serbs did not accept, *unconditionally*, the draft constitution for Bosnia-Herzegovina within six days, the EC and its member states would take *all necessary measures to isolate Serbia and Montenegro completely*. Furthermore, the UN would be asked to take appropriate measures to enforce the implementation of Resolution 781, and the NFZ over Bosnia. However, yet again the UN Security Council and in particular France, the United States, Britain, and Spain, was unable to reach agreement on the possibility of military enforcement of the NFZ. Moreover, Russia expressed its reservations and asked that the proposal on peace-enforcement be presented to the other members of the Security Council only after rejection of the peace-plan by the Bosnian-Serb "parliament" at its 19 January vote on the issue.

Eventually, on January 20, the "parliamentary assembly" of the self-proclaimed Serb Republic of Bosnia-Herzegovina accepted the constitutional principles for Bosnia-Herzegovina. Karadzic had, in any case, already accepted two of the three points of the peace plan (constitutional principles and cease-fire arrangements, but not the map of Bosnia-Herzegovina). Indeed, only the Bosnian-Croat leader, Boban, accepted them all.

Meanwhile the Croat-Serb war continued with violent battles in the "pink area" around Zara, in the Krajina of Knin (a territory in southern Croatia, controlled by Serbs), in eastern Slavonia and Barania. Tudjman justified his massive attack on the UN-protected area of Krajina as necessary to safeguard its inhabitants, but the intensity and the scale of the attacks demonstrated that the military aim was territorial conquest. The EC member states responded by issuing the routine-demand calling on Croatia to stop hostilities around Zadar (ER 1830: V, 8). The UN Security Council also issued a Resolution threatening "opportune measures" if Croat troops were not withdrawn (Keesing's: 39279). Germany also demanded that Croatia immediately halted its offensive. However, as a result of the long record and dismal of empty threats that had been issued by the West, the *ultimata* had no longer effect. The Croat troops continued their

offensive in central Bosnia for two more weeks, with the objective of establishing political and military control over the Muslim-populated areas assigned to the Muslims by the Vance/Owen plan. Croat officials also sought to control the distribution of humanitarian aid by international relief workers (*Herald Tribune*, 4/2/93). Indeed, the strategy of diverting aid-convoys from one ethnic group to another was a constant feature of the Yugoslav wars. Serbs, as well as Croats and Muslims, frequently halted international aid convoys in order to starve civilians of the opposing groups (*Independent*, 15/2/93).

New problems for the Vance/Owen plan emerged within the Western coalition, as a newly-assertive United States Administration expressed major reservations about the plan⁵⁸. This led Izetbegovic to reinforce his opposition to the plan, and Karadzic to withdraw his agreement from two of its three sections. Owen immediately reacted by accusing Clinton of having blocked a negotiated solution to the conflict and, thereby, raising hopes in the Muslim government in Sarajevo for an American military intervention. In response, Clinton denied that there was any plan for military intervention in Bosnia, however he reserved the right to implement the strategy that he proposed in the election campaign, i.e. to arm the Muslims and bomb the Serbs, if diplomatic efforts failed to bring peace. Eventually, on February 15, the United States finally gave their approval to the Vance/Owen plan.

This lack of cohesion within "the conflict management coalition", coupled with confusion about the actual role that the international community should play in Yugoslavia, did not help to resolve the conflict. However, the main failing was the clear lack of a common will to back declarations with military action. This caused immense harm. As a result, threats were not longer credible anymore, and, thus, ineffective. Therefore, no agreed division of territory was lasting, being rather a negotiating position depending on who was winning. Unfortunately, the uncertainty of action shown by the conflict management coalition only served to exacerbate conflict.

Renewed calls for military intervention followed a resumption of fighting in Bosnia-Herzegovina that was led mainly by Serb forces. On February 28, in a message to the Serbian President Milosevic, Clinton warned that, in the event of any Serbian-led conflict in Kosovo the US would be ready and willing to "send military force against the Serbs in Kosovo and further afield in Serbia" (Keesing's: 39376). In reality, US ground forces remained outside

⁵⁸ Clinton criticised the Vance/Owen plan as being disadvantageous to the Muslims and proposed modifying it with a six point plan, and seeking the support of Russia to press on the Serbs to accept it (*La Repubblica*, 6/2/93). The proposed plan endorsed the following steps: a) creation of a commission to monitor human rights in Bosnia; b) tightening of the international economic sanctions against Serbia; c) creation of an international war crimes tribunal; d) commitment to enforce an eventual agreement; e) warning to Serbia that the United States Administration would not tolerate any aggression against Kosovo (*Harald Tribune*, 10/2/93).

Bosnia and there was no intention to send them in. On March 3, the EC and its member states issued a declaration condemning atrocities committed by Serbian forces but made no reference to any possible military intervention. Simultaneously, the new Danish Presidency of the EC Council, in its opening statement to the European Parliament, expressed its disapproval of any form of military intervention in Yugoslavia. However, in early March, EC Commissioner Van Den Broek hinted that military intervention might prove necessary if a political solution was not found (ER 1841: V, 4).

Furthermore, the situation on the ground placed Gen. Morillon, Commander of UN forces in Bosnia-Herzegovina, in a difficult position. When the Bosnian Army Commander, Gen. Halilovic, broke the unilateral cease-fire declared by Izetbegovic, Morillon secured an agreement for the evacuation of Muslims from the areas under siege. Unfortunately, this created an impression in the West that the Serbs were getting exactly what they wanted by the evacuation of Muslims from zones that the Serbs had declared for their own. However, when, on March 11, a UN convoy transporting wounded from Konjevic Polje failed, thousands of Muslims were forced to move to Srebrenica. As a result, Gen. Morillon entered the town and promised to remain there until the Serb siege was lifted. This assertive attitude, and Gen. Morillon's repeated calls for the use of force, were believed to be the main reasons for his removal from command.

Strengthened by the victories on the battle-field, the Serbs stalled and repeated their "reservations" about the Vance-Owen plan, even when Muslim and Croat leaders agreed to sign it unconditionally. Even including the "map", that had been only slightly revised since the January version. Consequently, the EC threatened "the total isolation of Serbia and Montenegro", if Bosnian-Serbs continued to refuse to accept the agreement (Keesing's: 39375).

The self-proclaimed Bosnia-Serb Assembly rejected the Vance/Owen plan because of the discrepancy between the territory attributed to the Serbs (43%) and that occupied by their forces (70%) (*The Guardian*, 10/4/93). However, the United States, Britain, France and Spain agreed to postpone a UN Security Council decision on strengthening sanctions until April 26, after the Russian referendum, following a Russian request (ER 1851: I, 2). The Russians had initially opposed the United States and its determination to tighten sanctions against the FRY, but eventually, following its request for financial support at the G7 in Tokyo, Russia joined the other members in calling for tougher sanctions (Keesing's: 39426/8). Indeed, on April 17, when dramatic events took place in Srebrenica and the UN Security Council was forced to consider strengthening sanctions against the FRY (UN Resolution 820), Russia simply abstained.

Frequent violations of the NFZ had been recorded since its imposition over Bosnia-

Herzegovina, although no enforcement measures had been implemented to enforce it. Eventually, on March 31, the UN Security Council passed Resolution 816 allowing NATO aircraft to shoot down any aircraft that violated the ban. Concerned about possible long-term implications of the manoeuvre, NATO endorsed UN Resolution 816 but only with strict RoE. Serb aircraft that violated the ban would first be warned and then shot down only if they continued to ignore the warning. Moreover, Serbian ground forces could not be attacked under these RoE.

At 2.00 PM on April 12, NATO's *Operation Deny Flight* was deployed in the skies over Bosnia. United States F15's, French *Mirage's* and Dutch F16's took off from various Italian bases and were joined by British Sea Harriers operating from an aircraft carrier in the Adriatic. Shortly thereafter, British *Tornado*, as well as Turkish aircraft, joined the operation⁵⁹. The mission, the first ever NATO forces, and under the command of General Rossetti, was to engage any hostile aircraft from breaking the UN imposed NFZ on Bosnia.

However, in spite of appearances, uncertainty in Western policy over the use of force in Bosnia was by no means over. On April 23, Clinton, supported by a Congress majority, declared that a decision to bomb Serbian heavy artillery positions in Bosnia would be taken within ten days. The day after, EC Foreign Ministers, meeting in Copenhagen, stated, for the first time, that they were prepared to use force if the Serbs continued to reject the peace plan. Even Britain's Foreign Secretary Douglas Hurd, after consultations with the US Secretary of State, Warren Christopher, withdrew his reservations about a joint military action. However, as a result of a further rejection of the Vance/Owen plan by the self-styled Bosnian-Serb Assembly (the plan that had been conditionally accepted by Karadzic), the EC limited itself to implementing further anti-Serb sanctions under the terms of UN Resolution 820⁶⁰. For its part, the United States government announced the freezing of all US business in the FRY as well as the freezing of all Yugoslav assets in the US. However, the Administration made conflicting statements about the possibility of military intervention. Whilst, on the one hand, the US pushed the Europeans to make selective air strikes, on the other hand, Clinton stated that this action would not in itself resolve the problem (*Il Corriere della Sera*, 27/4/93). Moreover, the United States Congress favoured the lifting of the UN arms embargo on the Bosnian-Muslims,

⁵⁹ In reaction, Greece banned Turkish flights over its air-space.

⁶⁰ The new measures included a ban on the internal transport of goods, except for humanitarian aid approved by the UN; a ban on Yugoslav naval traffic on the Danube and in the Adriatic, outside territorial waters; a control on foreign transport on the river; the freezing of FRY's property abroad; the confiscation of Serbian means of transport abroad and foreign means of transports suspected of breaking the embargo; a ban on all services, financial or other, with Yugoslavia, except telecommunications, mail, and legal matters (*La Repubblica*, 25-26/4/93).

and the implementation of air strikes, as opposed to the reinforcement of sanctions and increased diplomatic pressure, whilst in Europe, only Germany favoured the idea of lifting the arms embargo. Indeed, all EC states opposed both the re-armament of the Muslims and limited air strikes (Keesing's: 39426). Consequently, on April 27, the Joint Chiefs of Staff of the NATO member states (excluding France) made no mention of the possibility of air strikes against Serbian forces in Bosnia (ER 1855). Significantly, Vincent, chairman of the NATO Military Committee, attacked Western politicians and demanded that they should first clarify their intentions in Bosnia-Herzegovina before deciding on any military action (Keesing's: 39426).

Due to the weakness of these threats, Serb irregular forces continued their offensive, entering the Bosnian-Muslim enclave near Bihac, and attacking the north eastern town of Gorazde, Gradacac, as well as villages near Brcko. Troop movements were also reported near Tuzla, where thousands of Muslims had fled when escaping from Srebrenica. As a result, French UN troops in Bihac received orders from the UN to protect the 300,000 Muslim civilians encamped there (Keesing's: 39426). However on April 28, the French government announced that it would consider recalling its 5,000 troops from ex-Yugoslavia if the UN did not clarify its role and improve its organisation on the field.⁶¹

Throughout the month of April, the intense diplomatic activity in Geneva convinced Slobodan Milosevic to put pressure on the Bosnian-Serbs to make them accept the Vance/Owen plan. The Russian envoy to the peace talks, as well as the Greek Prime minister and UN officials, played a very active role in this diplomatic effort. Indeed, the role of a newly-assertive Russia (whose government had been strengthened by the results from the April 26 referendum) was important in convincing Milosevic that it would be in his best interest to "cooperate". Equally, it was clear in his interest to see international legitimacy restored and by exploiting the fact that memory in international politics is short. In any case, the Bosnian-Serbs had already achieved their military aims, although they continued to lack any political recognition of their conquests. Consequently, Milosevic not only took a more conciliatory line towards the Western mediators, he also put pressure on Karadzic to endorse the Vance/Owen plan.

However, in spite of Milosevic's pressure and Russia's new, more assertive role, the Bosnian-Serb Assembly, on May 5 1993, rejected the plan that Karadzic had conditionally accepted yet again. At this point, the US Secretary of State, Warren Christopher, flew to Brussels to try to win European support for a possible use of force in Bosnia. Once there, he faced strong opposition, particularly from the French and the British, to either the bombing of

⁶¹ France had already threatened to recall Gen. Morillon, UN Commander in Bosnia-Herzegovina, early in April (Keesing's: 39427).

the Serbs positions in Bosnia-Herzegovina or the lifting of the arms embargo against the Muslims. The EC Foreign Ministers placed, instead, their faith in Milosevic's changed attitude and rejected United States proposals for the use of force against Serb targets in Bosnia-Herzegovina or the relaxation of the arms embargo on the Muslims. They issued a political statement denouncing the Bosnian-Serb referendum as "invalid" (ER 1860) and called upon the United States and Russia to deploy ground-based forces in Bosnia. They also called on the Croats to stop their offensive in Bosnia-Herzegovina (ER 1858: V, 6).

Meanwhile the UN Security Council declared Sarajevo, Tuzla, Zepa, Gorazde and Srebrenica "protected zones", and ordered all parties concerned to ensure that they were kept free from "armed attacks or any other hostile act", and to allow UN military observers to monitor the situation (Resolution 824). UN workers on the ground reacted strongly, fearing that such areas would become "ethnically pure ghettos".

Before the West's hesitant response, Karadzic had called for talks with the Croats and Muslims on the division of Bosnia-Herzegovina into three separate states (Keesing's: 39470/1). In effect, Karadzic's aims had been partially endorsed by the so-called "Washington Agreement", between France, the United States, Russia, Spain and Britain on May 22. The joint action plan was aimed at "containing" the fighting within Bosnia-Herzegovina and safeguarding the UN "safe areas".⁶²

The plan itself was fiercely criticised by most Western analysts, who judged it as a *de facto* recognition of Serb and Croat military achievements on the battle field, at the expense of the Muslim population (Keesing's: 39469). The plan was also attacked as an implicit renunciation of both the Vance/Owen plan and the military option. Significantly, Karadzic called the agreement a "more realistic approach" by the West. Hard-line Serbian nationalists were also

⁶² The Washington agreement included the following points: (i) maintenance of UN economic sanctions on the FRY "until the necessary conditions" were met, including the withdrawal of Bosnian-Serb forces; (ii) the deployment of monitors (including aerial surveillance) and technical assistance to seal the Serbia-Bosnia border and guarantee Bosnian-Serb compliance with the international peace process; (iii) the expansion of "safe areas" and possible inclusion of Russian troops within the UNPROFOR; (iv) the maintenance of the NFZ; (v) the rapid establishment of a War Crimes Tribunal on former Yugoslavia; (vi) the continuation of the no-better-specified "Vance-Owen process" for a negotiated agreement; (vii) the deterrence of Croatia from helping Bosnian-Croat forces in their fight against Bosnian-Muslims; (viii) an increase in the number of monitors in Macedonia and the mainly-Albanian province of Kosovo-Motohija in Serbia. No act of aggression versus Macedonia, Kosovo or other areas where minorities lived would be tolerated. However, no declaration of independence by those areas would be tolerated either; (ix) leaving open the possibility of taking new and tougher measures (Keesing's: 39469).

enthusiastic about the plan (Keesing's: 39471), although Milosevic was more cautious⁶³. Izetbegovic was completely hostile to the agreement.

In the days that followed, further clarification and disagreements over how to implement the plan emerged in the West. On May 24, in Copenhagen, the EC "Troika" stated that the joint plan was to be conceived only as part of efforts to save lives (ER 1861). However, both within the European Council and the North Atlantic Council, grave doubts were expressed by the Dutch, Turkish, German and Italian representatives. Germany and Italy were particularly critical because they had not been previously consulted about the plan (Keesing's: 39470). Criticisms also came from the European Parliament (ER 1863) and the EC Commissioner for External Relations, Hans Van den Broek, whose statements appeared to be more in line with the proposals of the United States' Administration than the European Council⁶⁴.

Meanwhile, in early June, the European Commission announced new measures in the field of humanitarian aid. 25 million ECUs were granted to the ex-Yugoslav republic of Macedonia within the context of the PHARE programme, in addition to the 25 million that had already been given (ER 1864). 3.7 million ECUs were also provided to support independent media, the radio-ship *Brod*, the journals *Oslobodenje*, *Monitor*, *Vreme*, *Borba* and *Radio B 92* (ER 1865). Unfortunately, the support for the free media whilst welcome but was too little, too late. Indeed, if it had been offered earlier, as part of the conflict prevention package, it could have limited the ultra-nationalists and their manipulation of the media, thereby limiting the spread of nationalistic sentiment in both Serbia and Croatia.

In keeping with the Washington Agreement, the UN Security Council adopted Resolution 827 (May 25) which established an International War Tribunal for War Crimes committed in the former Yugoslavia between January 1, 1991 and a date to be decided by the UN Security Council once peace was restored (Keesing's: 39470).⁶⁵

⁶³ Milosevic agreed on the maintenance of the sanctions against the Bosnian-Serbs, but ruled out the possibility of deploying international observers on the Bosnia-Serbia border as had been proposed by the May 22 agreement.

⁶⁴ On June 3, Van Den Broek asserted: "[in case] Serbs do not wish to cooperate, we will have to choose between the use of armed force, air or other strike, or decide to allow Muslims to procure weapons with which to defend themselves". The EC failure in the management of the Yugoslav conflict, he stated, had already caused serious damage to the image of the institution (ER 1864: V, 14).

⁶⁵ The Tribunal was formally entitled the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. On this subject, see: Aldrich, 1996; Brien, 1993; Lattanzi, 1995; Meron, 1993 and 1995; *Monitoring the International War Crimes Tribunal*; *Warreport* Special Issue 1995a; Morris & Scharf, 1995; Owen, 1995b; Shraga &

Eventually, on June 4, the UN responded to continuing Serb attacks upon UN-proclaimed "safe areas" and humanitarian convoys, with Resolution 836, which allowed UNPROFOR to use force, including air power, in response to attacks (Keesing's: 39471). However, neither the EC member states nor the United States were prepared to resolve the key issues of financial contributions to the NATO mission, nor the size of the military force itself. Furthermore, being unwilling themselves to supply extra contingents, they discussed the possibility of asking the Scandinavian countries, moderate Muslims states, Russia and other Eastern European states to send troops to Bosnia-Herzegovina. Moreover, Christopher reminded the Europeans that the United States was ready to provide air support to UNPROFOR *only* "when a negotiated settlement between the warring factions has been achieved" (ER 1866: V, 10).⁶⁶

On June 18, 1993, the UN Security Council passed Resolution 845 which called on Macedonia and Greece to reach a settlement over the name for the ex-Yugoslav republic by the end of September. The question of Macedonia had remained unresolved for a significant period. In spite of Badinter's report, the former Yugoslav republic had not been recognised by the EC due to strong Greek opposition. On the basis of the principles under which Greece refused to recognise Macedonia's independence, i.e. the symbol on the flag and use of a traditionally Greek name, Greece had started a *de facto* embargo⁶⁷. Negotiations, mainly conducted within the EC framework, had been going on since the Macedonia's request for recognition. On October 5, the EC Foreign Ministers appeared to have reached agreement on a compromise name of the *Former Yugoslav Republic of Macedonia - FYROM*⁶⁸ (ER 1801: I, 2-3). Unfortunately, agreement proved elusive.

The UN had recognised Macedonia's independence in February 1993. On December 16, 1993 six EU member states, Denmark, France, Germany, Italy, the Netherlands and Britain, established diplomatic relations with Macedonia under the name of FYROM. Greece declared the action "a bad blow to European solidarity" (ER 1911: V, 6). On October 22 Greece restated

Zacklin, 1994; Vierucci, 1995. Of useful consultation is the UN Secretary-General's report on the UN Tribunal's dispositions as preview by paragraph 2 of UN Resolution 808 (UN doc. S/25704, 3/5/1993).

⁶⁶ The United States provided its first ground forces on June 10, 1992, 300 troops to be sent in Macedonia under NATO's command (Keesing's: 39518).

⁶⁷ European Commission President Jacques Delors judged Athens' decision to close the port of Thessaloniki (thereby isolating Macedonia) as "neither good for the European construction nor for the *esprit de famille*" (Reuters, 17/2/1991, reported in Anderson, 1995: 345).

⁶⁸ From then on, the agreed title FYROM was used on all customs documents, even though it did not imply official diplomatic recognition. In this thesis the acronyms "FYROM" will be used for the sake and of brevity to indicate the self-proclaimed independent republic that in the Socialist Federal Republic of Yugoslavia corresponded to the name of "Macedonia".

its willingness to allow the transit of goods and fuel to the "FYROM", although by Spring 1994 the issue remained under discussion when Greece was taken before the European Court of Justice, on April 16, 1994, on the basis of Art. 225 of the Treaty of Rome.

Furthermore, the internal EU division between Greece and its partners was not only over the Macedonian issue, but also repeated Greek violation of the sanctions against the FRY. On June 9, 1993 following a scoop by the Danish newspaper *Jyske Vestkysten*, some Members of the European Parliament (MEPs) called upon the EU Commission to investigate a Greek firm, probably supported by EC structural funds, suspected of having sold military equipment to Serbia. Moreover, on July 5, in Copenhagen, the Vice President of the CSCE Parliamentary Assembly, back from a visit to the ex-Yugoslavia, directly accused Greece of having broken the embargo against Serbia, and asked for Greece's exclusion from the EC if it failed to apply the sanctions to the letter. Greece opposed the sanction on Serbia, on the basis that they were, in Foreign Minister Pangalos's words, "ineffective and unilateral" (ER 1905: V, 7).

Meanwhile, Western troops were facing repeated attacks by Croat troops in the Serb-inhabited areas of Croatia. On June 19, a referendum took place on the unification of the "Republic of Serbian Krajina" (RSK) with the neighbouring "Serbian Republic of Bosnia-Herzegovina" and with "other Serbian lands", and the establishment of a unitary Serb state (Keesing's: 39518). Not surprisingly, this provoked a violent reaction from the Croat authorities. Whilst, the reaction of EC member states was as weak as ever. There was a qualified majority decision to impose economic sanctions on Croatia, but the idea was abandoned due to the opposition of Germany and Holland who believed that it would worsen conditions for the hundred of thousands of mainly Muslim refugees now living in Croatia (ER 1877: V, 9).

At the same time, the continuing siege of Sarajevo was threatening negotiations because Izetbegovic refused to participate in the Geneva talks until the Serb siege was lifted.

Eventually, after reinforcing UNPROFOR troops in the safe areas, NATO's North Atlantic Council (NAC) held a two-day meeting in Brussels and reached agreement over an extensive re-interpretation of UN Resolution 836. This allowed for the eventual use of air strikes not only to defend UN troops in Bosnia, but, following a proposal by the United States, also to attack Serb artillery positions around Sarajevo.⁶⁹ The decision could have been a real turning point in

⁶⁹ President Clinton declared himself satisfied by NATO's decision, while Russia's special envoy defined the initiative as coming "at a very bad time in the negotiation" (Keesing's: 39604). France and Canada, which, unlike the United States, had ground troops in Bosnia-Herzegovina, expressed concern for their forces. UN Secretary-General Boutros Ghali recalled that any eventual use of air power had to be coordinated by and conforming with the UN plan (*Agence Europe*, 5/8/93).

the management of the conflict. Unfortunately, a week later, NATO's North Atlantic Council retreated from the decision, and, according to *The Guardian* (10/8/1993), "tacitly acknowledged that the alliance lacked the political will for air strikes". In its new *communiqué*, the Council stated that any air strikes would be limited to the support of humanitarian relief and "must not be interpreted as a decision to intervene militarily in the conflict".

In spite of this, Serb troops started to withdraw from the mountains surrounding Sarajevo mainly as a result of NATO's threats and the talks that had been held at Sarajevo Airport between Gen. Briquemont (UN Commander in Bosnia-Herzegovina), Gen. Mladic (Commander of Serb forces in Bosnia-Herzegovina) and Gen. Delic (Commander of the Muslim-led Bosnian army). On August 15, Gen. Briquemont announced the complete withdrawal of the Serb troops from the Mounts Bjelasnica and Igman.

As a result, on August 16, the Geneva talks resumed and the three party leaders agreed that Sarajevo should be demilitarised (except for the UN presence) and placed under UN control for two years. An administrator would be appointed by the UN Secretary-General and assisted by a multi-ethnic advisory body. However, serious disagreement remained over the issue of territory⁷⁰. In the wake of this agreement, Owen and Stoltenberg (the new mediator appointed by the UN to replace Cyrus Vance) presented a new peace plan for Bosnia-Herzegovina that proposed a tripartite division of the country into ethnically based communities.⁷¹ In territorial terms, the so-called "Union of Three Republics Plan" (Owen, 1995a) assigned to the Muslims (previously 44% of the Bosnian population) 30% of Bosnia-Herzegovina in four blocks of land connected by corridors, along with control of a part of Brcko to ensure access to the waterfront on the River Sava. Mostar, it was proposed, would be put under EC administration. The Serbs (who originally made up 30% of the population, but who now controlled 70% of Bosnia-Herzegovina) would receive 52.5% of the territory, and Croats (originally 17% of the population) would control 17.5% (Keesing's: 39604).

The Bosnian-Serb Assembly accepted the Union of Three Republics plan by 55 votes to 14,

⁷⁰ The main object of contention remained the territories around the Muslim enclaves of Gorazde, Zepa and Srebrenica, areas that had been mostly Muslim before the war but that were now mainly Serb-controlled, i.e. central Bosnia, the cities of Mostar, Brcko, Bihac, as well as the Bosnian access to the Adriatic Sea and the Sava river.

⁷¹ In fact, the plan resulted from close negotiations between Owen, Stoltenberg and the Yugoslav leaders in June 1993. These meetings, reveals Owen (1995: 190-1), laid the foundations for three plans: The Union of Three Republics Plan (summer 1993), the EC Action Plan (November 1993), and the Contact Group Plan (July 1994). All the plans gave the Serbs their own contiguous area for a Serb Republic within the federation of Bosnia-Herzegovina. For a detailed description of the negotiations which led to the formulation of each plan and to their eventual failure, see: Owen, 1995a: Chapters 5-7.

Bosnian-Croats agreed on the plan conditional upon acceptance of it by the other two groups and the correction of "injustices committed against the Croat nation" (Keesing's: 39605). The Bosnian Assembly was divided on the issue, with the result that the plan was only conditionally accepted⁷². One of the conditional points was that the United States and NATO should guarantee the deal (Keesing's: 39605) because the fighting parties, and the Muslims above all, no longer trusted EC member states. Unfortunately, the dispute over particular areas, yet again, resulted in the failure of negotiations.

The European Parliament criticised the conduct of the mediators, yet again, and called upon Owen to account for his role in the peace negotiations (99 voted in favour, 73 against and 4 abstentions; ER 1890). Moreover, they adopted a Resolution supporting military intervention under the auspices of the UN in order to enforce UN Resolutions (ER 1886: V, 13).⁷³ The position assumed by the European Parliament was a further confirmation of the major differences of opinion held by European Parliament and the EC Commission, on the one hand, and the EC Council on the other⁷⁴.

⁷² The conditional factors being (i) that the mediators should restore the basic principles of the 1992 London Conference which included the rejection of territorial conquest by either force or ethnic cleansing; (ii) that the map should incorporate those principles, especially in eastern Bosnia (so that Muslims would regain towns that formerly had a Muslim-majority, and which were now under Serb control as well as having access to the Adriatic Sea through the Croat-held port of Neum); and (iii) that the United States and NATO guarantee the deal (Keesing's: 39605).

⁷³ The European Parliament also agreed to the Bosnian request for access to the Adriatic Sea and for territorial corridors linking central Bosnia and other Muslim enclaves. The European Parliament also demanded sanctions against Croatia, which was continuing to support attacks against the Bosnian Muslims (ER 1886: V, 13). At the beginning of 1994, the European Parliament went further demanding the removal of Lord Owen from his position. However, the EU member states immediately issued a declaration renewing their support for Owen (ER 1920: V, 6): apparently, there was no generally acceptable alternative.

⁷⁴ Even if this is not the focus of the analysis, I cannot resist a brief digression. It is difficult, but nevertheless interesting, to analyse the reasons for the assertiveness of the European Parliament and the EC/U Commission. Some commentators believe the "great declarations" of the European Parliament were simply due to the fact that they were "declarations" and nothing more because the European Parliament lacks the political power to enforce them. It is also worth considering the composition of the parliament. Its composition and organisation led Eurodeputies to reason more in terms of their political position than in "national terms" (although MEPs tend to behave in a different manner if the decision is perceived as "vital" by their own national governments, as in the case of Greek MEPs on the Macedonian question). However, even if this might be true for *this* European Parliament, would it work for a more right-wing European Parliament as the next one might be?

As far as the Commission was concerned, its role in the European response to the Yugoslav conflict was limited by its own position within the EU as a whole. For example, the Commission was very active in proposing and providing new financial aid for the victims of the

After months of intense fighting in Mostar, and calls for the EC to administer of it, the city was eventually destroyed by the Croats. To compound matters, a new attack in Sarajevo killed several children as they were coming out of school. The strategy of the Serbs and Croats, aimed at unifying, respectively, all Serb and Croat territories, finally led the British Foreign Secretary, Douglas Hurd, to threaten to withdraw Britain's peace-keeping troops (Keesing's: 39784). The EU Foreign Ministers, then, agreed to a Franco-German proposal to conditionally lift sanctions against Serbia, in return for territorial concessions (i.e. 3%-4% more territory to the Muslims) and an agreement of *modus vivendi* and confidence-building measures in Krajina (ER 1904: V, 9-10). On December 10-11, 1993 the European Council reinforced this "carrot-like-strategy".⁷⁵ However, when, on December 21, Milosevic and Tudjman agreed to assign more territory to the Muslims, Izetbegovic refused the deal because it was "too late" (Keesing's: 39606) -which seemed to underscore Owen's assertion that the Bosnian government preferred a military, rather than a diplomatic, solution to the conflict (Keesing's: 39785). Moreover, on December 20, the UN General Assembly unanimously passed a Resolution urging the UN Security Council to lift the arms embargo on the Bosnian government and to prevent FRY from supporting the Bosnian-Serbs with arms (Keesing's: 39785).

However, the inconsistency of the international community and its clear unwillingness to use force enabled the fighting parties to "call bluff" any time a threat was made. At the beginning of January 1994, in an interview on the BBC, Owen threatened the withdrawal of UN troops from Bosnia if negotiations did not progress. A week later, the NATO allies approved a plan for selective air attacks against Serb military strongholds in order to re-open the airport of Tuzla to relieve Canadian forces trapped in Srebrenica (ER 1917: V, 10).⁷⁶ In spite

war. However, the Commissioner for Foreign Affairs, Hans Van den Broek, frequently disagreed with the overall management of the conflict and did not hesitate to express his disapproval, which often led to confusion within the coalition over the conflict management strategy and, thereby, the effectiveness of its response. Furthermore, Van den Broek's assertiveness rose some questions about the possible future role of the Foreign Affairs Commissioner and his DGI A responsible for External Relations.

⁷⁵ At the negotiating table, the Serbian side still refused to concede more territory to Bosnian-Muslim, in spite of the fact that the Muslims demand for one third of Bosnia-Herzegovina's territory and access to the sea was regarded as legitimate and fair by EU leaders (ER 1910: document).

⁷⁶ Several reports suggest that the question of Bosnian safe areas was put on NATO's agenda due to French insistence. As a matter of fact, many countries, Britain above all, were concerned for the safety of their troops on the ground and United States officials were even reported to be "annoyed" by French insistence on this matter (Keesing's: 39606). The Russian *Duma*, for its part, passed a motion, on January 21, warning of the dangers of air strikes and calling for a lifting of sanctions against Serbia.

of this, the Croat and Serb troops intensified their own air attacks, violating the NFZ repeatedly. On January 13, Izetbegovic declared that the 33.3% of the Bosnian territory agreed at the negotiating table was "totally insufficient" for the Muslims.

A further signal of the international community's unwillingness to use force was the replacement, on January 18, of the French Gen. Cot, Commander in Chief of UNPROFOR troops. This followed Cot's request for authority to take military action in Bosnia-Herzegovina. As a result, Boutros Boutros Ghali demanded that the French government remove the General of his post (*La Repubblica*, 19/1/94).

Furthermore, by late January 1994, the United States suddenly took an anti-intervention attitude, claiming that it was impossible for outsiders to stop a civil war (Clinton, January 24, reported in *La Repubblica*, 26/1/93). This marked a clear *volte face* and clashed openly with previous US denunciations of Serb responsibility. Furthermore, on January 26, an increasingly-assertive Russia proposed the use of sanctions as a carrot rather than a stick. The Russians proposed a cease-fire that would be followed by a lifting of sanctions if the parties respected the agreement. The proposal was welcomed by the Greek Foreign Minister, Papoulias, who had been calling for equal treatment of the factions for a long time. The United States Administration did not oppose the initiative but considered it premature to be talking about the lifting of sanctions. President Izetbegovic opposed this demanding the immediate lifting of the arms embargo against the Muslims, the bombing of Serb strongholds, and the replacement of departing Western troops with Islamic soldiers. EU Commissioner Van den Broek, speaking before the European Parliament's Commission on foreign affairs and security, also called for a lifting of the arms embargo on Muslims should EU and UN efforts fail (ER 1921: V, 8).

However, on February 3, the death of dozens of civilians following a Serb bomb attack on a market place in Sarajevo galvanised the international community, leading the United States and Russia to act more decisively, although not yet in unison, to try to end to the siege of the city. The day afterwards, Boutros Boutros Ghali formally asked for confirmation that NATO would immediately execute any future request for air strikes against Serb artillery "responsible for attacks to civilian targets" in and around Sarajevo (Keesing's: 39870).⁷⁷ On February 9, NATO ambassadors agreed to Boutros Boutros Ghali's request and gave a ten-day ultimatum to the Bosnian-Serbs to withdraw, or place under UN control, all their heavy weaponry in a 20 Km zone around Sarajevo. Air strikes would be carried out against any Serb-controlled heavy

⁷⁷ The legal basis for such an action lay in UN Security Council Resolution 836, which authorised UNPROFOR "to take the necessary measures, including the use of force, in reply to bombardments against the safe areas" which had been established by UN Security Council Resolution 824 (May, 1993).

weapon that remained in the "exclusion zone" by midnight of February 20.⁷⁸

Following the NATO ultimatum, on February 12, Sarajevo enjoyed its first casualty-free day in 22 months (Keesing's: 39870). However, the implementation of the ultimatum was confused because of diverging "ideas" about who should control Serb heavy weapons, NATO or the UN, i.e. "delivery of" or "monitoring on" (see *Washington Post*, 16/2/94). By February 17, only 20% of estimated armaments were under UN control. Furthermore, although the Russian representative to the UN had agreed to Boutros Boutros Ghali being empowered to order eventual air strikes (February 10) On February 18, Churkin said that any air strike would lead to "all-out-war". Moreover, Boris Yeltsin warned the German Chancellor, Helmut Kohl, that his country would not allow attempts "to resolve the problems of Bosnia without Russia"⁷⁹.

On February 17, Churkin, met Karadzic in Pale and gained Serb agreement to an immediate withdrawal of Bosnian-Serbs troops from the "exclusion zone" and their replacement with 800 Russian troops. According to a UN official the Russian initiative was "unilateral and [had] nothing to do with the UN" (*Independent*, 18/2/94). The first 400 Russian troops arrived in Sarajevo on February 20 to be "greeted by jubilant crowds of Serbs" (Keesing's: 39871).

Despite the only partial withdrawal of all Serb heavy weaponry at the time of the NATO deadline, the UN Secretary-General's Special Representative for Yugoslavia, Yasushi Akashi, declared that sufficient progress had been made and that "there [was] no need for air strikes" (Keesing's: 39871).

UN Commander Michael Rose, then, called for an extension of the same "tactical model" to other areas of conflict, such as Mostar, or, as France and Britain demanded, the reopening of Tuzla Airport (*Financial Times*, 23/2/1994). Both Clinton and Churkin remained cautious about a further threat of force (Keesing's: 39871). However, at a meeting in Bonn, on February 22, the Netherlands, Denmark, and Belgium proposed an extension of the ultimatum strategy to all cities under Serb siege, a move which was opposed by Russia. The United States

⁷⁸ NATO's ultimatum was criticised by Greece, Romania and Hungary. Hungarians were reported to have changed their attitude towards the FRY in exchange for concessions over the autonomy to Vajvodina, the Serb province mainly inhabited by ethnic Hungarians (Keesing's: 39870). Russia expressed grave doubts, while countries with troops in the field feared Serb retaliation (as was threatened by Serbian opposition politicians) - (Keesing's: 39870). The European Parliament adopted a Resolution expressing support for the NATO ultimatum, in spite of the fierce opposition of the Greek MEPs who objected to any military action could lead to a dangerous escalation of the conflict (ER 1925: V, 5).

⁷⁹ Russia's newly discovered assertive behaviour seemed to be linked both to the growing pro-Serb sentiment among Russian nationalists, i.e. Zhirinovsky, and to Russian concerns that its role in international politics had been neglected (Keesing's: 39870).

and France, whilst favouring a firm strategy, rejected a Sarajevo-like ultimatum. Britain's Foreign Minister, Douglas Hurd, felt that the UN should tailor its plans to each specific area (ER 1928: V, 9). The EU Foreign Ministers eventually decided that the successes obtained were "sufficient" (ER 1928: V, 9). The EU Foreign Minister's declaration also stated that it was important for the EU to maintain a united front so as not to weaken their action. Once again, political *coordination* had prevailed over military *action* !

However, on February 28, NATO aircraft shot on a plane violating the NFZ over Bosnia-Herzegovina, thereby taking the first aggressive military action, not only in Western management of the Yugoslav conflict, but also in NATO's history. Unfortunately, however, this action did not signal the end of the West's inconsistent management of the conflict.

Eventually, however, the Americans decided to take a more active role in Bosnia. US diplomats proposed a new round of talks among the leaders of the three Bosnian communities. On March 1, at the end of a three-day meeting in Washington, the leaders of Croatian-Croats, Bosnian-Muslims and Bosnian-Croats, declared that they had reached a provisional agreement on the future of Bosnia-Herzegovina (Keesing's: 39926). Further talks, took place in Vienna between March 4-12, and led to a 52-page constitution which was eventually signed on March 26.⁸⁰ The agreement proposed the creation of a federation for Bosnia's Muslims and Croats, and a "preliminary agreement on the establishment of a confederation" linking the planned Bosnian federation to a loose confederation with Croatia.⁸¹

Unfortunately, the new agreement, did not result in a stable cease-fire. On the contrary, the situation in the areas around Maglaj, Mostar and Vitez, "towns which should already be under protection", worsened a resolution by the European Parliament noted (ER 1934: V, 2).⁸² On

⁸⁰ It is reported that the US offered significant 'financial incentives' to Croatia and Bosnia-Herzegovina in order to obtain their cooperation (Keesing's: 39926). Furthermore, the US showed international leadership which the Europeans could not. As Croatian Foreign Minister Mate Ganic said at the signing ceremony at the State Department, "there is nothing like the great moral leadership of the United States" (Anderson, 1995: 349). An excellent account of the process which lead to the agreement can be found in Silber & Little, 1995: 354-359.

⁸¹ The plan envisaged a federation divided into Swiss-like cantons, with a strong central Government responsible for defence, foreign affairs and economic policy. It proposed the annual rotation of the Prime Minister ship and the Presidency between the two main ethnic groups. They also agreed to the creation of a "Confederative Council" with an annually-rotating chair. Moreover, under the agreement Bosnia-Herzegovina and Croatia were to take steps towards the formation of a common market and monetary union.

⁸² Peter Kessler, a UN spokesman, described the Serb refusal to allow aid to reach the Maglaj, which had been under Serb siege since May 1993, as a strategy of "ethnic cleansing by starvation". The 100,000 Muslim inhabitants were surviving on food supplies dropped by UN

March 3, UN Secretary-General's Special Representative for Yugoslavia, Yasushi Akashi, requested the presence of 10,650 more peace-keepers in Bosnia-Herzegovina. The British government, in a striking change of attitude, immediately offered 900 extra troops. A few weeks later, despite the opposition of the Bosnian-Serbs, Boutros Boutros Ghali authorised the deployment of Turkish troops in Bosnia under the UN flag.⁸³ However, the US vetoed the plan for the dispatch of further 8,500 multinational peace-keepers in Bosnia-Herzegovina on the basis of cost, agreeing only to the 3,500⁸⁴ (Keesing's: 39926).

On March 12, a series of incidents led to the death of French soldiers, including a Serb bombardment of French positions by Serb heavy weapons, which prompted French peace-keepers in the Muslim enclave of Bihac, to request air support. However, three hours passed before the request was met, which raised doubts about the real capacity of the UN to provide air support to the UNPROFOR troops. Indeed, the UN chain of command was at best cumbersome and required, first, the approval of the Commander of the UN forces in Bosnia-Herzegovina, Gen. Rose, then, the Commander of the UN forces in former Yugoslavia, Gen. Cot, and finally Akashi (Keesing's: 39926). Thanks to Russian mediation Tuzla Airport reopened for the first time since its forced closure by Serb troops in 1992, to allow the landing of a UN-aid aircraft (Keesing's: 39926).

Meanwhile, the world witnessed the agony of the "protected area" around Gorazde. On April 1, 1994, the Serbs attacked the city and bombed it for ten days before UNPROFOR Commander, Gen. Rose, ordered the first ground assault in NATO's history. On April 10, after weeks of reluctance to cross the so-called "Mogadishu line" between peace-keeping and peace-

aircraft (Keesing's: 39926). Furthermore, new Serb bombardments on the UN-proclaimed "safe haven" of Gorazde, in eastern Bosnia-Herzegovina, took place shortly thereafter. A spokesman of the UNHCR office in Sarajevo reported that Serb "ethnic cleansing" against the Muslim population was continuing in the Northern town of Banja Luka and the surrounding area.

⁸³ Greece immediately expressed its opposition, considering the UN decision as a "deviation from the basic principles of the UNPROFOR constitution". The Greek representative at the UN stated that Turkey was not only occupying part of Cyprus, but was also a Balkan state with interests in the former Yugoslavia. The Greek Government did not exclude the possibility of sending its own troops to ex-Yugoslavia if Turkish personnel joined UNPROFOR (ER 1937: V, 11).

⁸⁴ The *Guardian* on April 1, reported that the total number of UN troops, military observers and police in ex-Yugoslavia at the time was some 31,334; 14,400 in Bosnia-Herzegovina, 14,000 in Croatia and 1,000 in Macedonia (Keesing's: 39927). The *Financial Times* on April 2 reported that the UN was considering the dispatch of 800 Ukrainian peace-keepers to Gorazde and the reinforcement of the French peace-keeping contingent in Bihac. About the 30% of the total cost of the UN operations, which was estimated to be about US \$ 1,000 million per year, was paid for by the US. However, the US already owed c. \$80 million to the UN.

enforcement, General Rose eventually sought and was granted Akashi's approval for a NATO bombardment of Serb positions around Gorazde. However, NATO air strikes did not immediately deter the Bosnian Serbs and Commander Gen. Mladic warned Rose that no UN official would leave Serb territory alive (Silber & Little, 1995: 364). Eventually, Serb forces in Gorazde took 150 UN personnel hostage, whilst the Serbs in the north launched a reprisal artillery attack on Tuzla. When, on April 15 and 16, the Serbs launched the final assault upon the town, Rose called for NATO "close air support", Akashi at first over-ruled the request, then agreed, but called off the planned air-strikes due to Russian mediation. At this point the Serbs, forgetting their promises to Churkin, entered Gorazde. General Rose, then, secretly ordered his men to leave the town.

The Gorazde defeat opened one of the deepest crises in the history of the Atlantic Alliance, and tested the Anglo-American "special relationship". Under US pressure, Boutros Boutros Ghali, then, asked NATO to use air power to deter further attacks (Silber & Little, 1995: 369). However, due to internal division, the North Atlantic Council announced that it would "take some days" before an answer could be given. Yet again, US demands for air strikes clashed with the interests and fears of those countries who had troops on the ground. Rarely had Britain and France taken such a common stand against the US.

On April 18, EU Foreign Ministers meeting at the European Council in Luxembourg, adopted a declaration condemning Serb aggression against Gorazde and calling for an immediate and unconditional cease-fire in and around the town. The Resolution also called for a coordinated and unified stance on the Bosnian conflict by the EU, US, Russia and the UN. The basis for such a joint position was offered by broad principles established by the EU peace plan, which called for Bosnia-Herzegovina to remain intact, with jurisdiction split on the basis of land-held, i.e. fix 33% to Bosnians, 17% to Croats and the rest to Serbs. The Resolution stated that the plan was still applicable because it was both relatively flexible and perfectly compatible with the Croat-Muslim accord of March 18, and the Serb-Croat accord in Krajina. During the same meeting, the EU Foreign Ministers instructed Owen to contact US, Russian and UN officials on the question, and confirm Koshnik as the EU administrator in Mostar (ER 1944: V, 11).

However, if the Europeans wanted close cooperation with the US and Russia, they had to accept their being fully involved in the management of the Bosnia conflict (Owen, 1995a: 275). As early as March 15, US Special Envoy to former Yugoslavia (1993-4), Charles Redman, had held meetings to brief French, German, and British experts on the Croat-Muslim negotiations. This was further evidence that whilst the US was prepared to involve some of the Europeans they were not prepared for all Twelve members of the Union, nor, indeed, the Troika, which included the Greeks (Owen, 1995a: 276). French and British involvement was vital, not only

because of their importance in Europe, but also because they were permanent members of the UN Security Council. Germany had to be involved due to its crucial importance to Europe and its influence over Eastern and Central Europe. However, how an *ad hoc* group, that matched neither the EU Troika, nor the permanent members of the UN Security Council be justified? This was resolved by presenting the new group as a team of experienced diplomats specifically chosen by the Co-Chairmen to represent the ICFY in the proximity talks with Redman and Churkin. In reality the three were to be chosen by Juppé for France, Hurd for Britain and Kinkel for Germany (Owen, 1995a: 276; private interview at the *Quay d'Orsay*, September 1995).

On April 19, Owen issued a COREU in effect establishing the Contact Group, and on April 26, in London, the first meeting of the group took place. This marked the end of the European management of the Yugoslav conflict and the beginning of what some have seen as a possible "*embryon de directoire*" (Vernet, 1995: 132)⁸⁵. Significantly, the ICFY co-chairmen participated only in the latter part of the meeting at which the Contact Group agreed its 51/49% plan, i.e. when the final communiqué had already been finalised (Owen, 1995a: 279).

3.4. NATO, the Contact Group and American Leadership (April 1994 - November 1995)

Following further Serb violations of the February 9 cease-fire in Sarajevo, the Atlantic Alliance reached an internal compromise when it issued an ultimatum warning the Serbs to pull back their troops and heavy weaponry from around Sarajevo respectively by April 23 and 26, otherwise they would face air strikes. However, in spite of clear evidence that the Serbs were not fulfilling these conditions, Akashi still did not authorise air strikes and, at the indignation of NATO's Secretary-General, Manfred Woerner, deliberately cut contact (Silber & Little, 1995: 370). Eventually agreements were reached, both in Sarajevo and in Gorazde (where a company of 150 Ukrainians had been dispatched). However, the conflict highlighted the deep divisions within the international community, as well as the initial split in the Serbian front. As a matter of fact, Milosevic was putting distance between himself and Karadzic, and started a domestic media campaign which blamed the Bosnian Serb leader for murder and destruction in Bosnia.⁸⁶

⁸⁵ On this point, it is interesting to observe that the Contact Group had the same composition of the so-called "4+2 group" which negotiated Germany's re-unification (Cf. Vernet, 1995: 137).

⁸⁶ On the gradual estrangement of Milosevic and Karadzic, see: Owen, 1995a: Chapter 8.

Furthermore, the crisis in Gorazde made the problems in the UN-NATO relationship even more apparent. In August 1993 the UN and NATO had reached a compromise over the use of air-strikes. Under the terms of the agreement, the Commander-in-Chief of NATO's Southern Command and the UN Commander were to make joint decisions on air-strikes, once they had received the authorisation of their respective organisations. However, due to the differing interpretations of air-strikes by the two organisations, and the length of the procedure to reach such a decision, the use of this military tool proved difficult. In February 1994, in order to demonstrate NATO's resolve to use air-strikes in a more flexible way, the NAC delegated authority to launch air-strikes to its Southern Commander Adm. Smith. For his part, Akashi affirmed that air strikes could be called by either the UN or NATO, whilst "close air support" was to be requested only by the UN command, whilst both parties had to agree before such actions could be undertaken (*Nouvelles Atlantiques*, XXVIII, 2597, 16/2/1994: note 66). This "dual-key system", in fact created more problems than it solved. Moreover, disagreement between the two organisations, was not resolved even following the detailed agreement of 28 October 1994, which satisfied some of NATO's requests (i.e. the warning of imminent air strikes and an increase in the number of targets for each operation) but maintained the "dual-key system". It was only with the July 1995 decision of the UN Secretary-General to delegate authority over air-strikes to the UN Force Commander, Gen. Janvier, that the procedure became smoother.

On July 5, the Contact Group presented a plan which allocated 51% of Bosnia-Herzegovina to the new Bosnia Croat-Muslim Federation, and 49% to the Bosnian Serbs. The plan included punitive clauses if it was not accepted within 15 days, and incentives if it was. Even Serbia itself was threatened with further sanctions and with the possibility of the lifting the arms embargo against the Muslims, should the peace plan be rejected by the Bosnian Serbs.

However, when the Pale Assembly rejected the plan, the government in Belgrade strongly denounced the abuses of the Karadzic regime and announced the closure of its borders with Bosnia (the blockade was to enter into force on August 4). Following this, the Contact Group proposed and obtained, the deployment of 100 extra monitors to be placed on the border between Serbia and Bosnia (which took place from September 1994), in exchange for an easing of the trade sanctions. Indeed, on the basis of the first report by the monitors, in October, the Security Council suspended part of the sanctions imposed on Serbia.

The failure of the peace plan re-opened the profound disagreements within the Contact Group. As a consequence of strong Congressional pressure, US President Clinton announced, on August 15, that the US would lift the arms embargo by November 15 if the Serbs failed to agree to the peace plan by 15 October 1994. France and Britain strongly opposed such an option and threatened to withdraw their troops on the ground, as did Russia (Owen, 1995a:

284). Meanwhile, UNPROFOR announced that plans for the withdrawal of UN troops were ready.

In October 1994, Clinton was still pushing for the lifting of the embargo on the Muslims. On November 3, the UN General Assembly also called for the lifting of sanctions to be adopted by the Security Council (UNGA Res. 49/10). Eventually, in spite of the serious damage that was being done to the transatlantic partnership, Clinton announced, on November 11, that the US would unilaterally withdraw from the monitoring of the arms embargo on the Bosnian government, although not the embargo itself. Clinton was clearly under pressure from two conflicting demands. On the one side, he had to deal with extreme Republican proposals in Congress, whilst on the other, he risked putting the Atlantic Alliance under severe strain. Not surprisingly, the decision alarmed all the states with troops on the ground who reacted by unanimously criticising the decision (*New York Times*, 12/11/1994).

In fact, NATO was emerging as the central instrument of Western policy in ex-Yugoslavia, although its actual room for manoeuvre was severely limited by the presence of UN troops in the field and the concerns of their respective countries. In mid-November 1994, Bosnian Serbs, supported by Croat Serbs and rebel Muslims, launched a counter-offensive to stop an advance by Bosnian Muslim troops in Bihac, and surrounded the town. As a result of a UN request, NATO undertook air strikes on November 21 against the Krajina region of Croatia from which Serb flights departed.⁸⁷ In response Bosnian Serbs took 50 Canadian peace-keepers hostage and made them lie bound on an air-field, and trapped around further 1000 blue helmets near Bihac. The images of the detainees on TV shocked international public opinion and deepened divisions within the Contact Group. In the US, Republicans in Congress called for a complete withdrawal of UNPROFOR in order to allow complete freedom of manoeuvre by NATO, a position that gained ground in the US press. Moreover, Clinton faced strong internal opposition when, upon endorsing European claims, decided to place the cohesion of the Alliance above that of the safety of the Bihac pocket. In fact, France and Britain broke ranks and warned that a strategic intervention in Bihac would put the UN at odds with NATO, and that, in such a case, they would support the UN. This was not the result, as the *Frankfurter Allgemeine Zeitung* (FAZ) affirmed, of a pro-Serb French and British to balance to pro-German Croatia (Owen, 1995a: 306), but simply the result of the concern that the two countries had for the safety of their ground troops.

In reality, the Bihac issue had already led to acrimony between the two organisations. In early December 1994, NATO Secretary-General, Willy Claes, confirmed that NATO would *not*

⁸⁷ For a summary of the use of air power by NATO on behalf of UNPROFOR in 1994, see: Findlay, 1995: 75, table 2.3.

take part in future operations that suffered from the same stringent conditions as those imposed upon operations in Bosnia (Zucconi, 1995: 227). As a result, both NATO and the UN were now blamed for inaction. NATO was asked to complete its preparation of plans for UNPROFOR's withdrawal. However, at the beginning of December, as a result of an escalation in fighting, France and Britain declared their intention to maintain their troops on the ground. Furthermore, on December 20, the military commanders of states with troops in Bosnia agreed to increase the number of blue helmets and to improve their equipment. By the end of 1994, however, a split emerged in the European position within the Contact Group, as Germany shifted its stance towards that of the US (Owen, 1995a: 301). Germany's fear of a deterioration in its relations with the US, and in general EU-US relations, yet again played a role in the German attitude, as they had done in the NATO-WEU dispute of 1991.

On the diplomatic front, the end of December saw the signature of two US-orchestrated cease-fire agreements, negotiated by former US President Jimmy Carter, which included a Serb commitment to re-open Sarajevo Airport as well as the roads to the city (the latter being part of a further deal agreed on January 11, 1995). The Bosnian Serbs found themselves facing unprecedented difficulties due to a changing balance of forces on the ground. In fact, the Bosnian Army was growing stronger by the day and the Bosnian military alliance with Croatian forces, although weak, was holding (Borden & Caplan, 1996: 211). Furthermore, although there is evidence support from Belgrade for the Bosnian Serbs, as early as August 1994, Milosevic stopped intervening openly on Karadzic's side.

While Bosnian Muslims were slowly growing stronger, the Croats were increasingly impatient with UN behaviour in Krajina and preparing to retake the Serb-held territory, if necessary by force, as Tudjman declared in a January 23 interview for *Der Spiegel* (Borden & Caplan, 1996: 205). For these reasons, on January 12, Tudjman communicated to the UN that Croatia would not renew UNPROFOR's mandate in Croatia, which was due to expire on March 31, 1995. When the "Zagreb-4 Group" (the UN, Russia, the US and the EU) proposed a plan for Krajina, granting autonomy for Serbs-held territory within a unitary Croat state, Croat authorities rejected the plan as "unacceptable" (Borden & Caplan, 1996: 205). It was clear that the March 29, 1994 cease-fire agreement between the Croatian government and Croatian Serbs was breaking down. To make the situation even more complicated, in late February/beginning of March, Croatian Serbs and Bosnian Serbs agreed on a mutual defence pact, at the same time that Croatia and the Croat-Muslim Bosnian Federation announced a new military alliance (*OMRI Daily Digest*, 21/2/1995; *International Herald Tribune*, 7/3/1995). On March 31, following Tudjman's demands, the UN reorganised its peace-keeping operations in Croatia by launching the *UN Confidence Restoration Operation* (UNCRO) charged with controlling Croatia's borders and assisting the return of Croatian refugees to the Krajina region

(UNSC Res. 981).

Meanwhile in Bosnia, the conflict around Bihac continued, and it became clear that the January cease-fire would be violated soon. Moreover, negotiations over the Contact Group peace plan were also stalling as Karadzic refused to agree to a plan which gave the Serbs far less territory that they actually occupied. In a desperate attempt to get the Bosnian Serbs to agree to the plan, and following a US attempt to convince Karadzic directly, the US and its European partners offered Belgrade a two-month lifting of the sanctions in exchange of its mediating with the Bosnian Serbs, enforcing of its arms embargo on them, and the recognising ex-Yugoslavia's successor states (*Financial Times*, 15/2/1995). Milosevic refused to recognise Bosnia-Herzegovina and continued to supply the Bosnian Serbs with arms, although, at the same time, he fuelled internal divisions in the Bosnian Serb camp, particularly between Karadzic and Mladic (Borden & Caplan, 1996: 212). Another thrust in the new US strategy, included the support strengthening of Croatia in order to balance regional power, even though it run the risk of a complete split within the already fragile Croat-Muslim federation in Bosnia⁸⁸. Eventually, in March, the cease-fire in Bosnia collapsed completely.

Unfortunately, the situation worsened in May 1995. On May 1, even before the deployment of UNCRO, the Croatian Army launched *Operation Flash* against Western Slavonia (one of the UNPAs). The offensive, which was justified as a response to Serb attacks on transport on the Zagreb-Belgrade road, was successfully completed within three days and led to the forced migration of thousands of Serbs from the area. The action, which was condemned by US Ambassador to Zagreb, Peter Galbraith, seemed to have been supported by the supply of US arms to Croatia (*Financial Times*, 14/12/1995). Strengthened by its success, and by the fact that the Croat Serbs had not received Belgrade's help, Tudjman threatened on June 9 to make further attacks on rebel Serbs in any of the UNPAs that did not accept Croatian sovereignty. The Krajinan leadership reacted instead by announcing a general mobilisation and prepared itself to face further attacks.

In early May, the situation also deteriorated in Bosnia, where the UN and NATO again quarrelled when Akashi refused to allow NATO air strikes against Serb forces around Sarajevo, as had been requested by UN Commanders in the field. Both France and the US condemned vehemently the UN Secretary-General's failure to respond, and demanded that he review UN peace-keeping operations in Bosnia. On May 31, Boutros Boutros Ghali proposed four alternatives: maintain current operations, use air strikes, pull out or scale down (Burden &

⁸⁸ In reality the situation in Mostar continued to be difficult and the republic of Herceg-Bosna functioned in effect as a separate entity from the rest of Bosnia-Herzegovina and as an appendix of Croatia.

Caplan, 1996: 214). This divided the Contact Group. France and Britain feared that a pull out under these conditions would have been too risky for their soldiers on the ground and wanted to wait for a break in the conflict. In France, the then recently-elected President, Jacques Chirac, moved French policy in Bosnia closer to peace-enforcement. Russia also preferred the maintenance of peace-keeping, while the US favoured a greater use of limited NATO air strikes in order to press the Bosnian Serbs to agree to the peace plan. Interestingly, the US Administration itself was internally divided over what policy to adopt in ex-Yugoslavia.

Despite the internal differences, and as Serb shelling of Sarajevo continued, the UN Commander, Gen. Smith, on May 25, issued an ultimatum to all sides and eventually called for air strikes. NATO responded promptly, and the Bosnian Serbs reacted by launching attacks on Sarajevo, Tuzla, Srebrenica and Bihac. Furthermore, as Karadzic had threatened, hundreds of UN soldiers were taken hostage. This led to the deepest crisis faced by the UN since its engagement in ex-Yugoslavia. France criticised NATO strikes as being "ill-prepared" and threatened the withdrawal of all French troops if UNPROFOR was not strengthened. Britain, re-stated its disapproval of the operation, but announced that further fresh troops would be sent to Bosnia (Owen, 1995a: Chapter 8).

The television images of the hostages went around the world and decreased what little credibility the UN and NATO had left. The EU mediator, David Owen, then resigned (as he had indicated since January 25) and was replaced by Carl Bildt on June 12. By the end of June, all the hostages had been released mainly due to the mediation of Slobodan Milosevic and the work of Western diplomats.

The hostage crisis forced a substantial rethinking of the UN's and NATO's involvement in ex-Yugoslavia. In the middle of the crisis, on June 3, NATO and the WEU ministers agreed to create a "Rapid Reaction Force" of 14,000 troops wearing national uniforms but operating within the UN military structure. These fresh troops (whose deployment was authorised by UNSC Res. 998, 16/6/1995) were provided mainly by France and Britain.

However, UN defeats on the ground were not over. On July 6, 1995, the Serb Army launched a massive offensive against the poorly-defended "safe area" of Srebrenica, where 42,000 Bosnians, mostly Muslims, were sheltering. The Dutch peace-keepers in the town repeatedly called for close air support, but UN Commander General Janvier refused the requests. In less than two days, the Serbs entered the enclave, took 32 Dutch soldiers hostages and used them to prevent NATO air strikes. When Srebrenica fell, UN troops left along with much of the Muslim population, although all men of fighting-age were deported to detention camps by the Serbs. Evidence of mass executions and abuses emerged as a result of US satellite

surveillance and interviews with the refugees.⁸⁹ Eventually, on July 27, 1995, the Hague Tribunal on Former Yugoslavia charged Karadzic and Mladic with genocide and crimes against humanity.

Chirac was livid and declared that France was ready to reconquer Srebrenica by force and that it was the duty of the West to stop such Nazi-style crimes (*The Guardian*, 15/7/1995). Britain and the US took a more hesitant attitude. On July 25, Zepa also fell, and similar abuses took place. Angered by such "world hypocrisy", Tadeusz Mazowiecki, the UN Special Rapporteur on human rights in the former Yugoslavia, resigned (*WarReport*, 35, July/Aug. 1995: 16).

However, before these tragic events, the Contact Group and UNPROFOR representatives, present at the conference which had opened in London on July 21, pressed Boutros Boutros Ghali to revise the "double-key system". On July 25, the Secretary-General agreed to lift his and Akashi's veto power over air strikes, leaving it entirely to the UN Commanders in Bosnia-Herzegovina and Croatia. Furthermore, NATO threatened air strikes to protect the remaining safe areas (Keesing's: 40690). Gradually, NATO's role in the former Yugoslavia shifted from one of UN "subcontractor", to that of a more active participant defining its own rules of engagement, mission and mandates (Schulte, 1997: 20).

However, the situation worsened when a serious threat to the Transatlantic Alliance emerged in late July, when the US Congress and the Senate debated a bill, promoted by Senator Bob Dole, which favoured a US unilateral lifting of the arms embargo on the Bosnian government. Clinton vetoed it within ten days, but by then it had raised the European criticisms and concerns.

Then, a significant diplomatic switch took place in the West policy. After the fall of Srebrenica, Clinton realised that he had "to do something". Some three weeks later, the Croats received a "green light" from the US for their attack on Serb rebels in Krajina, which took place between August 4-9, 1995.⁹⁰ At the end of August, following the massacre of civilians by a Serb mortar shell in Sarajevo, NATO launched two weeks of intensive bombing.

It is clear that more than one factor led to the diplomatic switch in August 1995. In the US, Bob Dole's pressure on Clinton was becoming difficult to resist, especially as it would place Clinton in a difficult position during his election campaign. Second, France and Britain were threatening to withdraw their troops by November 1995 had a solution not be found. This

⁸⁹ The atrocities committed in Srebrenica have been documented in Helsinki Watch, 1995; Honeg & Both, 1997; Rohde, 1997.

⁹⁰ The attack led to the largest exodus of the war began (Borden & Caplan, 1996: 209). A final bout of ethnic cleansing took place, both in Croatia and in Bosnia.

would have forced the US to intervene directly because, if not, it would “kill the US position of strength in the world”, as President Clinton put it (quoted in Woodward B, 1996: 261). Third, the defeat confronting the international community in Bosnia, also endangered the credibility of the international institutions in which the US had invested its power in a multilateral world, i.e. NATO and the UN.

All these considerations, allied the fact that the situation on the battle field had evolved in such a way, made the “imposition of peace” a necessity (due to the re-established military balance between the parties and the fact that most of the territorial aims of the Serbs had been achieved). Finally, the changed position of France and Britain on the use of airforce convinced Clinton to take a more forceful line against the Bosnian Serbs.⁹¹

Why did the Europeans change their policy in the summer of 1995? There are several reasons but the events in Srebrenica and the images of blue helmets being held hostage by the Serbs were probably the most influential. “Enough is enough” seems to have been the reaction of Chirac and Major. The recent deployment of the Rapid Reaction Force, also, made it easier for French and British troops on the ground to be re-deployed quickly into safer areas.

Following the attack, US Assistant of State, Richard Holbrooke, launched a new peace plan based upon that of the Contact Group. The plan, which returned some enclaves to the Serbs, and an area around Sarajevo to the Muslims, enjoyed significant international support, although it did not stop the fighting. On August 28 a Serb mortar killed 37 people in a market place in Sarajevo. As a direct consequence, NATO launched *Operation Deliberate Force*, the largest military operation in the history of the organisation. It was a massive and systematic operation that witnessed the participation of both air and ground power, and led to immediate results. From then on, although there were some difficulties, the parties became more cooperative and in September agreed to a US-led peace process, the first result of which was the Dayton Peace Agreement of November 21, 1995.⁹²

⁹¹ On the US's eventual decision to take a tougher action in Bosnia, see: Woodward B., 1996; Zimmermann, 1996; Hutchings, 1997.

⁹² The Dayton Peace Agreement was initialed on November 21 1995 and is reproduced in UN doc. A/50/790-S/1995/999; the version of the document signed in Paris on December 14 1995 appears in *International Legal Materials*, XXXV, 89, 1996. The second version differs only in so much as some minor errors, which appeared in the initial version, were corrected. For a critical review of the Agreement and its implementation, see Lukic & Lynch, 1996; Calic, 1996; Garde, 1996; Lucarelli, 1997c; Rose, 1996; Schaer, 1996. On September 1995, following two years of international mediation, also Greece and Macedonia also signed an accord which started the normalisation of relations between the two countries, although it did not resolve the dispute over the name of the former Yugoslav republic.

4. "HOW" IN THE MANAGEMENT OF THE YUGOSLAV CONFLICT(S): SUMMING UP

A rapid survey of the "European" reaction to the Yugoslav conflict shows that the *type* of conflict management undertaken changed little in spite of the constant shifting in the institutional management. That is, the *type* of reactions that took place to the events in ex-Yugoslavia did not change substantially in spite of the shift from European only management (phase 1) to a far greater international management, with the UN, and, later on, the United States and Russia assuming a much more assertive role (phase 3). The continued maintenance of the type of reaction invalidates the assertion that the "EC failure" was due to both a lack of instruments and inexperience. In fact, as the UN, the United States and Russia entered the scene, there was no longer a lack of tools and expertise. What was lacking, however, was a strong demand for a *particular* solution to the conflict, and an actual will to *use all means* to find a solution.

By analysing the European management of the Yugoslav wars in terms of:

1. tools used or threatened (diplomatic/coercive);
2. the timing of the actions: (preventive/reactive/proactive);
3. degree of "collectivity" vs. "individuality" of the action;

the following, tentative, conclusions can be drawn:

Most of the actions undertaken were of a *diplomatic* nature. From the beginning, the EC presented its efforts as a form of "mediation", and used coercive tools only in order to obtain agreement on its mediating role. *Coercive action* took two forms in the first two phases, i.e. the threat of economic sanctions against those parties that did not cooperate with EC's efforts (i.e. Serbia), and the recognition of Slovenia and Croatia. This approach threatened not only Serbia's declared interests, but also the very principles upon which the EC-Conference itself was based. It is interesting to note that the threat of recognition was used as a coercive tool in spite of the fact that the EC Conference was based on an entirely opposing principle (i.e. the maintenance of the unity of Yugoslavia).

Further tension between stated principles and actual action concerned the apportioning of responsibility in the Bosnian conflict. The fact that all parties were equally responsible for the war in Bosnia-Herzegovina, was not reflected because Serbia was the only actor to have sanctions directed only against it.

Furthermore, not only did the use of coercive diplomacy come late and, worst of all, without any real willingness to use force, it was mainly used to force the parties to agree to a peace plan proposed by the international mediators. The use of the titles "mediate" and "mediator" was

misleading, because the use of coercive diplomacy to enforce agreements proposed by the "international mediators" went beyond both traditional mediation and conciliation efforts. Even more confusing was the use of the term "arbitration" in respect of the function of the Badinter Committee. In fact, the task of the Committee was to provide consulting facilities for the Chairman of the peace conference. In reality the opinion of the Committee was not sought by the warring factions, as was usually the case in a process of arbitration, but by a third party. Moreover, it had no binding value, as was demonstrated in the cases of the recognition of both Croatia and Macedonia. Indeed, these are not just terminological problems, they reflected the confusion that existed over the role of the "international community" in ex-Yugoslavia. Furthermore, the management of the Yugoslav conflict also demonstrated an objective difficulty in making a clear distinction between "peace-keeping", "peace-making" and "peace-enforcing", especially in situations such as a civil conflict.

With regard to the tools used in the management of the Yugoslav conflict, "humanitarian aid" requires further consideration. Not only was humanitarian aid frequently the primary focus of the international community's action (and, given this less ambitious perspective, relatively successful) but it was also used as a *tool* of conflict management. Indeed, it was used (a) *in the place* of other types of action/intervention, (b) as a "carrot" in a coercive action, but also (c) as a "stick", when relief operations were suspended as a form of reprisal against the continuation of fighting or the violation of an agreement. An example of this "use" of humanitarian aid as a form of conflict management was the decision of the UN High Commissioner for Refugee, Ogata, to suspend relief operations in all the Serb-controlled areas of Bosnia-Herzegovina and Sarajevo as a protest against the failure of all the warring factions to respect humanitarian principles (Keasing's: 39327).

However, what had initially appeared as a low-cost/high-image pay-off policy, the use of humanitarian aid soon became unavoidably linked to other types of action. In spite of the new methods that were developed to ensure humanitarian aid got through without the need to provide for military defence convoys, such as air-drops by the United States, France and Germany, the problem of military support remained.

The link between humanitarian aid and military intervention had a double edge. If, on the one hand, humanitarian aid required further military involvement, on the other hand, it was also used by the international community as an excuse for a low military profile, given the damage that the higher profile could cause to civilians. Furthermore, what was presented to European public opinion as "humanitarian assistance/intervention", in reality was limited to the delivery of humanitarian relief supplies, a valid yet more limited aim. The EC excelled in the area of financial aid, providing 13 million ECUs in 1991, and 277 million ECUs in 1992 (ER 1840: V, 14). As a result, the EC gave by far the largest amount of direct aid to former Yugoslavia,

almost 50% of the entire budget of the UNHCR. On March 3, 1993, a further tranche of aid was granted taking the total amount to 350 million ECUs (ER 1850). The supply of aid and its frequent use by the EC as a form of response to the Yugoslav tragedy can be attributed to the nature of the Community, i.e. it is primarily an economic actor. It also provided a means by which the member states could demonstrate that at least some form of action was being undertaken. In simple terms, the EC's claim that it lacked the tools as a justification of its weak performance in Yugoslavia does not stand up examinations because of the wide range of possible tools at its disposal if only the member states had been prepared to use them.

A further characteristic of the European response to the Yugoslav conflict was the almost complete absence of preventive action. From the very beginning there was no attempt to prevent the probable violent dissolution of the Socialist Federal Republic of Yugoslavia. During the management of the conflict there were decisions taken aimed at preventing a course of events, as demonstrated by the disastrous delay in the deployment of both EC observer missions and UNPROFOR in Croatia and Bosnia-Herzegovina. Furthermore, even when observer missions or peace-keeping troops were sent to crucial areas with a preventive aim, they were unable to carry out their mission.

A third characteristic of the European reaction to the Yugoslav wars was the policy of *collectivity of action*, sometimes "collectivity at any cost". This "collectivity" was maintained even when one part defected, as was the case with Germany's recognition of Slovenia and Croatia, and the Mitterrand's surprise visit to Sarajevo. Interestingly the EC countries supported Lord Owen as the European mediator in spite of the criticisms directed against him. Table 2 shows the impact of the principle of "collectivity by all means" on the response to the conflicts, i.e. inaction in cases of disagreement and re-alignment in cases of defection.

This stress on collectivity of action by the main EC/U member states provides an interesting basis for understanding the European management of the Yugoslav conflict. The very fact that the members of the EC decided to act together, to speak as the Community and to perform a task which was not specifically the responsibility of the EC, allied to the effort they made to save the principle of "collectivity" of action, in spite of the consequences for the conflict itself, suggests that, in broad terms, EC membership did matter.

In other words, a chronological account of the European reaction to the Yugoslav wars suggests that its main characteristics (diplomatic/reactive/collective) were a function of the interests and perceptions of the main states involved in conflict management. Thus, the European response to the Yugoslav tragedy cannot be understood and/or explained without

examining the position of France, Britain and Germany on the key issues.

The next chapter provides a theoretical analysis of the European performance in ex-Yugoslavia from a more informative perspective.

Tab. 2. *Collective and individual actions in the management of the Yugoslav conflict(s)*

<p>Phase 1. "EC-team"</p> <ul style="list-style-type: none">• debate about type of military tool (NATO vs. WEU) → inaction• Greek disagreement over the recognition of Macedonia → inaction• debate about the recognition of Slovenia's and Croatia's independence → Germany's defection → EC's recognition
<p>Phases 2+3. "EC+UN/Multilateral team"</p> <ul style="list-style-type: none">• France's defection from collective mediation → EC endorsement of Mitterrand's results• Greece's disagreement over the recognition of Macedonia → initial inaction by the EU, then the UN's implicit recognition of the FYROM → EC recognition diplomatic relations with FYROM but acceptance of its flag or symbols (following Greek complaints). Greece's unilateral imposition of a <i>de facto</i> embargo on Macedonia on the basis of art. 113 (i.e. the endangering of the economies of the other member states) not as a defection from a collective foreign policy (Greece defends its action on the basis of art. 224 - threat to fundamental national values).• debate over the type of military tool (NATO vs. WEU) → long time of inaction and eventual use of both for the monitoring mission on the Adriatic, and of NATO for the NFZ mission (later legitimised by the UN Security Council decision to use force).

PART II

BEYOND FACTS, WHAT THEORY?

THE NEO-NEO-SYNTHESIS: A FEW NOTES ON A THEORETICAL DEBATE

5. INTRODUCTION

The main objective of this thesis is to understand and explain the response of the EU member states to the Yugoslav conflict. This event can be explained differently according to the perspective adopted, i.e. according to the theoretical framework of reference, as well as both the questions it raises, and the findings it offers to answer those questions. Thus, the theoretical choice strongly influences the explanation of the event under analysis. In other words, "where one stands depends on where one sits" (Jervis, 1976: 17).

The function of a "theory" is to provide an explicit framework for research, pointing at the relevant unit/s and level/s of analysis, in order to explain/describe empirical data (cf. Hollis & Smith, 1990). The "theoretical knife" (Pirsig, 1981) cuts slices of "reality" in order to make sense of the whole. Consequently, limits upon a theoretically-informed analysis are unavoidable, i.e. different knives used by different observers cut off different slices of the whole. The real danger does not come from the intrinsic limits of an analytical perspective *per se*, but from a failure to express beforehand just *what* this perspective is, i.e. what knife is being used.

Although a theoretically-informed analysis is constrained by its own premises, if the analyst is conscious of the analytical framework, it will be possible to evaluate to what extent this enables an understanding of the event under examination. Or, at least, the analyst will draw tentative, not absolute, conclusions from the analysis. Moreover, any pseudo "a-theoretical" analysis is less useful for scientific development because it makes it extremely difficult to develop. Equally, *ad hoc* theorisation also mitigates against cumulative research practice. This a long time has been a problem with studies on the European Community, due to *ad hoc* theories or "pre-theories". Indeed, the theory of European integration has evolved over the years in partial isolation from the wider corpus of International Relations theory. Nowadays, the *ad hoc*ness of European integration studies is widely criticised. Functionalism and neo-functionalism have been accused of unacceptable *ad hoc*ness impeding the development of proper theory (Jørgensen, 1992; Holland, 1991; Keohane & Hoffmann, 1990).

Even an analysis of the role of the European Community in international relations (EPC, now CFSP studies) has suffered from a certain detachment from International Relations theory. It might be true that the EPC/CFSP "cannot bear the weight of a large theoretical construction built upon its foundations" (Hill, 1988: 212), but it can be analysed by applying vast theoretical methods constructed elsewhere. Today, some of the "grand theories" of International Relations (such as realism, in its multiple forms) are being applied to the analysis of the European Community/Union's foreign policy in a range of ways. The specific features of these applications vary according to the researcher's epistemological and ontological choice, as well as on the level of analysis adopted. Choices, however, which frequently are not spelled out explicitly, with significant consequences for the results of the research in terms of the control of both its results and implications⁹³.

If the study of the European Community/Union has been long characterised by *ad hoc* theorisation and still fails frequently from an explicit explanation of its theoretical and metatheoretical assumptions, most of the literature on the European reaction to the Yugoslav conflict suffers from a complete absence of theoretical questions. The case has been used primarily to produce policy-oriented works with implicit theoretical assumptions. In fact, the violent fragmentation of former Yugoslavia is fertile ground for International Relations scholars, because it offers an empirical, bounded case study for many different theoretical questions. The nature and the origin of the conflict(s) which took place in the former SFRY, the "ethnic" components of these conflicts, the efficacy of the tools used by third parties to prevent and manage the conflicts, are but a few of the many aspects of the Yugoslav conflict in which theoretically-grounded research is useful.

This work adopts an unusual perspective because the main focus of research is not the Yugoslav conflict(s) *per se*, nor is the management of the conflict used for the sake of developing or testing general theories of conflict management. The primary focus, instead, is the response of three influential European states to crisis and war in ex-Yugoslavia. The aim of research is to underline the main factors that influenced and shaped the response of these three

⁹³ The failure to express the meta-theoretical foundations of the approach adopted is partly due to a difficulty in clearly distinguishing the different types of epistemology (is "explaining" so clearly distinguishable from "understanding"?), different types of ontology (are agency and structure mutually exclusive or mutually inclusive?), different levels of analysis (does the problem exist separate from the ontological problem or are the two functions of the same problem?). However, the lack of interest of most research to its meta-theoretical assumptions is also due to the wide belief, which is not shared herein, that this type of preoccupation is an excessive and useless weight to carry while undertaking "real" research. On epistemological and ontological aspects of research, see: Hollis & Smith, 1990, 1991, 1992; Wendt, 1987, 1992b; Dessler, 1989; Buzan, Jones & Little, 1993; on the "level of analysis" problem, see: Waltz, 1959; Singer, 1969; Carlsnaes, 1992.

countries within an institutionalised international environment. In particular, this work aims to analyse to what extent membership in the European Community/Union of these states, and their domestic concerns, influenced their behaviour towards the Yugoslav imbroglio. The main intellectual thrust of the thesis, therefore, is state foreign policy behaviour within an institutionalised international context. At the same time, however, it should be recalled that this thesis "turns theory around", i.e. instead of using theory to explain events alone, it also uses events to test the explanatory power of three strands of theory.

Among the various theoretical approaches available, the thesis uses the theoretical "tools" of the so-called "rationalistic" (Keohane, 1992) research tradition based upon Waltz's neorealism, Keohane's rational institutionalism and Moravcsik's liberal intergovernmentalism. This is not because they are self-evidently the only available tools, but because they offer the closest theoretical relationship between policy development by practitioners and theoretical traditions. This is because Western policy-makers are themselves trained from the beginning in the school of realism⁹⁴.

The three approaches, although differing in many respects, and invariably claiming a separate identity in contrast to one another, also share a substantial part of their ontological assumptions and, therefore, can be treated as developments of the same research tradition. In effect, they are the results of a theoretical synthesis between neo-realism and neo-liberalism, the so-called "neo-neo-synthesis" (Nye, 1988).

However, whilst belonging to the same research tradition and the function of a new approach resulting from a theoretical synthesis, the three approaches shed light on different factors influencing foreign policy behaviour. Therefore, the reason this theoretical tradition has been selected is based on what is common and different within the three facets (approaches).

For each of the three approaches, the state is still the main actor in international politics, an assumption that seems to meet the theoretical requirements of any analysis of the performance of the European Union in foreign policy. Indeed, such an analysis, cannot successfully be undertaken without an a priori, although by no means exclusive, reference to the member states, their interests and perceptions. Although their sovereignty might be partially transferred (James, 1991), or changed (Christiansen, 1994; MacCormik, 1993; Keohane, 1993b) states continue to be the key variable for understanding the shape and performance of the European Community/Union foreign policy. This was also the case in the management of the Yugoslav crisis. Moreover, the decision to get involved in the crisis, as well as the main characteristics of its management, cannot be understood without an explicit reference to the EC's position in the international system at the time, as well as the impact of the European Community/Union's

⁹⁴ I am indebted to Julian Lindley-French for this point.

internal debate on the decisions of the member states towards the Yugoslav crisis.

The second-most important ontological assumption of the three perspectives here adopted, includes the rationality of the actors, which matches an assumption herein that a politicologic analysis cannot but assume the rationality of the actors in order to provide a plausible understanding of their behaviour. However, it is "bounded rationality" because in reality actors do not control all the implications of their behaviour (Giddens, 1985) and do not always act on the basis of a rational calculation. However, that does not mean that they are not rational.

Within the chosen research tradition, therefore, the difference between them actually enriches the theoretical framework of reference and provides an opportunity to examine, as an alternative, different factors influencing the interests, preferences and, eventually, behaviour of the states. Indeed, if traditional neorealism focuses on a state's interests in terms of relative gains, rational institutionalism introduces the impact of institutional membership upon a state's definition of its own interests. Liberal intergovernmentalism, develops this by analysing the inter-relationship between domestic and international "interests" of the key decision-makers in a state when making sense of a state's action in foreign policy situations which imply the need for bargaining.

The combination of these three perspectives provides a set of elements which are indispensable to the understanding of a state's behaviour within a highly institutionalised international framework, i.e. the focus on a state's concerns about its *relative* power *vis à vis* other states, the impact of international institutions upon the perceptions and interests of its member states, and the double pressure which is exerted upon the key decision-makers in a state by the international institutionalised and domestic framework.

At the same time, the contending views of the three approaches over the emergence of cooperation in international politics can be empirically contrasted with the degree of cooperation within the European Community/Union over the formulation of a common position towards Yugoslavia.

Therefore, this work satisfies two interests, one empirical and the other theoretical. Thus, whilst trying to make sense of the European response to the Yugoslav conflict, the analysis also provides evidence of the relative explanatory power (or "interpretative" power, to use a "softer" word) of both the three approaches themselves and of the rationalistic research tradition as a whole.

In the next section, the main aspects of the rationalistic research tradition and its three components are introduced. Through this approach it is possible to formulate some guiding-questions that will influence the empirical analysis developed in Part III.

6. THE RATIONALISTIC RESEARCH TRADITION, THE "NEO-NEO- SYNTHESIS" AND ALL THAT

The end of the Cold War not only opened up a new chapter of international relations, but also re-charged the theoretical debate within International Relations. Alongside the now traditional debate between rationalists and reflectivists (Keohane, 1988), a new version of an old infra-rationalist debate re-emerged (Baldwin (ed.), 1993; 1990).

Indeed, the story of International Relations itself can best be understood as a series of successive debates characterised by the different forms of relationships among the debaters themselves, as well as the theme of disagreement and the main combatants. In the "classical" literature⁹⁵, the first debate was that between the realists and the idealists, which occurred in the 1930s and early 1940s, but which was not clearly defined until the early 1950s. The second debate was of a methodological nature *par excellence* between realism and behavioralism in the 1950s, and 1960s, although not systematically documented until 1966 (Wæver, 1994: 6). The third debate was the well-known "inter-paradigm debate" that occurred between realism, pluralism and radicalism, with the main emphasis on the realist-pluralist dispute over the nature of international politics. The inter-paradigm debate was given its name in the early 1980s, but had emerged during the 1970s. As the paradigms of the inter-paradigmatic debate became ever more interchangeable and attempts at synthesising them developed, the synthesis itself found its main "enemy" in the reflectivist approach. However, according to Ole Wæver (1994), the fourth debate, i.e. rationalists versus reflectivists, is in decline, as attempts at synthesising the two positions into a coherent whole have developed. It might be too early to talk about synthesising "rationalistic" and "reflective" approaches, but the influence that each school of thought has on the other clearly establishes the basis for their future convergence⁹⁶.

However, the debates between rationalists and reflectivists and the so-called intra-paradigm debate do differ quite substantially. The first debate envisages two completely different

⁹⁵ Among other surveys of theory-development in International Relations, see: Rosenau, 1982; Alker & Biersteker, 1984; Wæver, 1994; Banks, 1994, 1985; Holsti, 1985; Groom, 1988; Guzzini, 1992; Viotti & Kauppi, 1993.

⁹⁶ Such as the unprecedented attention devoted by some leading "rationalists" to the role of values and ideas in foreign policy (Goldstein & Keohane, 1993), which can be read as a reaction against the many criticisms from the reflectivists. A similar influence has been exerted upon both the historical approach and the sociological approach to theory-building (Hoffmann, 1987).

Reflectivists shape their arguments mainly in opposition to rationalists, thereby taking them into account.

conceptions of research in International Relations confronting each other, “rationalist” and “reflectivist”, “modern” or “post-modern”, “positivist” or “post-positivist”, depending on which labels are applied to the debaters.⁹⁷ They also differ substantially as far as their ontological and epistemological assumptions are concerned. However, these differences have been stressed to an excessive degree within the academic debate. This thesis would contend with Michael Brecher that the debate between positivists and post-modernists tends to be an example of the theoretical intolerance of the International Relations discipline, i.e. the debate “evokes the intolerance of a new, aspiring orthodoxy that knows *the truth* [...] and assumes the right [...] to impose the truth on their less fortunate brethren who have not yet seen the light!” (Brecher, 1995: 6).

This does not seem to apply to the debate between neorealists and rational institutionalists, the so-called “relative vs. absolute gains” debate. In reality the “relative vs. absolute gains” dispute is but *one* aspect of a much broader debate that is under discussion herein. The main point of divergence between the two contenders lies in the importance they attribute to international institutions as sources of interests and preferences for member states, an importance that is stressed by rational institutionalists and yet dismissed by neorealists⁹⁸. In this debate, the two main poles basically share their fundamental ontological assumptions and, therefore, they may be considered part of the same theoretical tradition. However, neorealists and rational institutionalists have radically different perceptions of what the debate is about. From a neorealist point of view, the debate is about completely opposed understandings of world politics, whilst from a rational institutionalist point of view the debate is about the recognition of the principle of the “conditional value of theoretical approaches”. To some extent, the latter is a “non-debate” for the rational institutionalists, because they subsume neorealist claims within a wider framework and with conditional assumptions. Put simply, the dispute appears to be between those who accept the “neo-neo-synthesis” and those who do not.

The neo-neo-synthesis occurred when two of the three implacably opposed “paradigms” of the 1970s developed into “more compatible” versions. On the one hand, the “realism” of Hans Morgenthau and Henry Kissinger was replaced by the more economical, minimalist “neo-realism” of Kenneth Waltz (1979) and Robert Gilpin (1981). On the other hand, liberal theory

⁹⁷ In many cases the two labels “post-modern” and “reflectivist” are used interchangeably, as both differ from the “modernism” or “positivism” of the rationalistic approach. On reflectivist approaches to the study of Europe, see: Jørgensen (ed.), 1996.

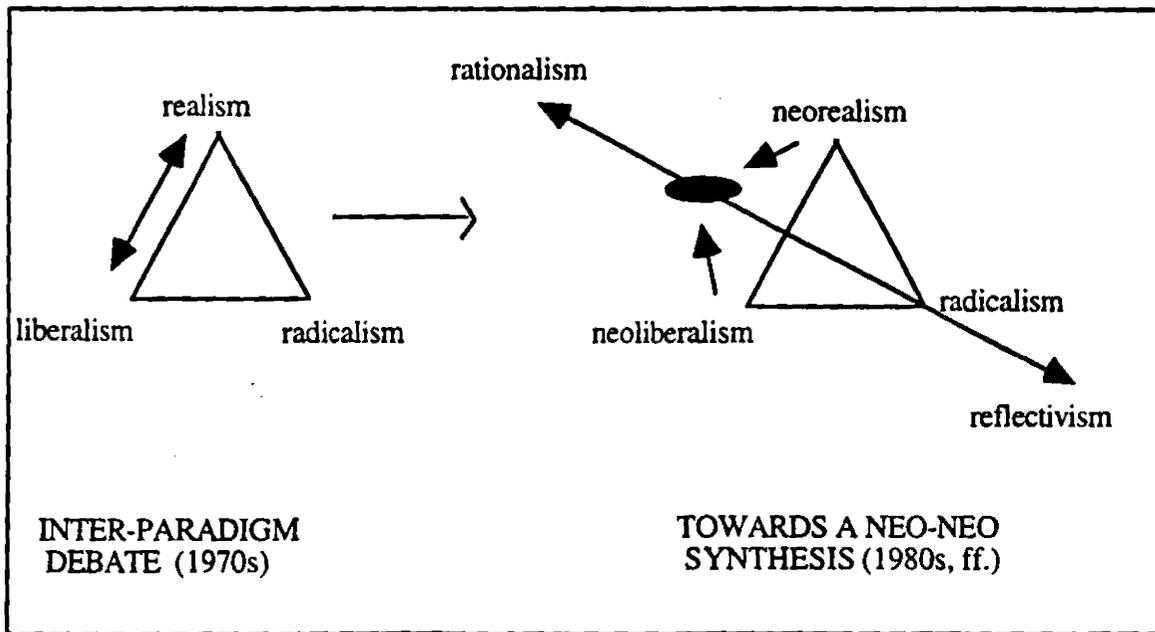
⁹⁸ For further reading on the intra-rationalist debate Baldwin (ed.), 1993, provides a review of articles by scholars of the two schools as well as an excellent confrontation between Grieco and Keohane.

experienced a similar development, by partially renouncing a general interpretation of the nature of international relations, and by concentrating on the impact of institutions on a state's incentives. This process of self-restraint towards a more anti-metaphysical, theoretical minimalism rendered (neo)realism and (neo)liberalism "increasingly compatible" (Wæver, 1994: 13). This led to the development of a research tradition common to the two "neos", i.e. the neo-neo-synthesis and a wider "rationalist" research tradition.

In order to render the synthesis possible, both the realist and the liberal paradigms severely constrained themselves and were, as a result, criticised for oversimplification. Indeed, the realist attention to history and human behaviour, and the liberal attention to ethics and non-state actors, are but a few of the elements that the "neos" abandoned in the name of "a more scientific" approach. However, these "classical" issues were re-discovered by the reflectivists, the opponents of the rationalists in the post-modern debate.

Figure One shows a schematic analysis of the inter-paradigm debate and its evolution towards the so-called neo-neo-synthesis.

Fig. 1. *Inter-paradigm debate and neo-neo-synthesis in International Relations* (source: Wæver, 1994: 13-14)



The remaining points of divergence between neorealists and rational institutionalists have nothing to do with the huge differences between their original "paradigms" in so much as the intra-neo-neo-synthesis debate has nothing to do with the inter-paradigm debate (Baldwin (ed.), 1993; Wæver, 1994). A glance at this debate gives an idea of how the various

perspectives within the rationalist research tradition share substantial parts of their ontologies and yet maintain a different focus.

However, before proceeding with an account of the rationalistic research tradition in three of its forms, a terminological clarification is necessary. The term “paradigm” is a Kuhnian derivation (Kuhn, 1962), although in International Relations it only became “autonomous” in the 1980s, when it began to be widely used to refer to three approaches considered incompatible. The three approaches - alternatively called realism or mercantilism, pluralism or interdependence or world society, marxism or radicalism or globalism (Wæver, 1994) - were referred to as “paradigms” and their interaction “inter-paradigm debate” (Banks, 1985) with a simplistic translation of terminology from natural to social sciences. In the translation, Kuhn's concept of scientific evolution as the passage from a dominant paradigm to another got lost. International Relations theorists used Kuhn's concept to “stereotype” the state of the debate in the discipline. The “paradigmisation” of International Relations theory was later criticised, not only for the mis-use of the concept of “paradigm”, but also (and mainly) for trapping the debate within the theoretical boxes it imposed (Guzzini, 1992). However, an elastic use of the term remains useful because it permits the identification of common cognitive features within a set of theories, and different cognitive features between sets of theories.

The same function is achieved by alternative concepts that were developed by critics of Kuhn in philosophy and history of science, for example, the “research programme” of Lakatos (1970) or Laudan's “research tradition” (Laudan, 1977). They all identify a set of theories that have common “hard core assumptions” (Lakatos, 1970). This thesis opts for “research tradition” because this expression seems less contaminated by common usage.

6.1. Neorealism and Neoliberal Institutionalism. Terms of a Theoretical Debate

The neorealism (or “structural realism”) label covers all those works that, starting with Waltz (1979), reformulate classical realist theory in order to render it more “systematic” and “rigorous”⁹⁹. The focus of this approach is on the effect that the *structure* of the international

⁹⁹ Classical realist literature is almost inexhaustive, and it is only worth identifying a few of the “Greats”. H. Morgenthau (1948) is probably the leading figure of modern classical realism. Before his masterpiece *Politics Among Nations*, was preceded by some important “realist” works, among them: Schuman, 1933; Nicholson, 1939; Carr, 1939/46; Niebuhr, 1940; Herz, 1941; Spykman, 1942; Wight, 1946; Waltz, 1959. Followed Morgenthau's work: Kennan, 1951; Butterfield, 1953; Kissinger, 1957; Aron, 1962. Waltz's *Theory of International Politics* (1979) is considered the seminal work of neorealism.

system has on the behaviour of states. States are the main actors in the international system, behave as unitary and rational actors.

In calculating the strategy to adopt in an interactive system, states are mainly concerned with relative, rather than absolute, gains - that is, states are "positional" (Grieco, 1988; 1993). At the core of this approach is the intrinsically anarchic nature of the international system. Consequently, the behaviour of each state is explained mainly by relative power and security concerns. Thus, one state's efforts to achieve "security", by definition, are perceived as threats by other states, which, as a reaction, take similar positions. This is known as a "security dilemma". Resolution to the "security dilemma" is achieved by a balance of power (Waltz, 1979) or the hegemony of a super-ordinate Power (Cf. Gilpin, 1981; Waltz, 1993: 77). Within this general conception of world politics there is no place for a major role by international institutions because they do not influence greatly relations among states. On the contrary, neorealists believe that their existence and development can only be interpreted in state-centric terms (Grieco, 1993).

On the other side of the debate one finds **neoliberal institutionalism**, also referred to as **rational institutionalism**¹⁰⁰, the latest version of *liberal institutionalism*. As Grieco (1988) summarises, rational institutionalism has appeared in four forms: *functionalist theory* in the 1940s and early 1950s (see Mitrany, 1966; Haas, 1964); *neofunctional regional integration theory*, in the 1950s and 1960s (see Haas, 1958; Nye, 1971); *interdependence theory*, in the 1970s (see Cooper, 1972; Keohane & Nye, 1977); and *new liberal institutionalism*, from the 1980s onwards.

Rational institutionalism developed as an attempt to account for change in world politics. Their main research question was as follows: if international institutions merely reflect a certain balance of power, why do they continue to exist when such a balance changes? Therefore, in analysing the relationship between international institutions and state strategies, the focus shifted from the impact of state interests on international institutions, to the influence of

Many other more recent works adopt, more or less, a realist or neorealist logic, although they are frequently revised with respect to the "classics"; therefore, there is little to be gained by the review of all this literature. For general overviews see Vasquez, 1983; Keohane (ed.), 1986; Smith, 1986; James, 1989; Guzzini, 1992, 1993; Buzan, Jones & Little, 1993, Forde, 1995; Fozouni, 1995.

¹⁰⁰ In the following section the two terms will be used interchangeably. However, Keohane himself observes, "rational institutionalism" fits better with Keohane's more recent approach than "neoliberal institutionalism", especially since the "neoliberal" label provoked some harsh criticisms. However, states Keohane, rational/neoliberal institutionalism share with liberalism the basic idea that man-made institutions affect the way groups of individuals take collective decisions. At the systemic level, this means that state-centric international institutions affect the way states make decisions. Therefore, like liberalism, a neoliberal institutional political world is not a static nor a cyclical place, but rather a progressive *process*.

international institutions on state strategies and inter-state bargaining (international institutions <--> state strategies). However, before exploring rational institutionalism further, it would be useful to clarify the term "international institution".

The term "institution" has been used and abused by a wide range of disciplines, not least International Relations, where the concept is used not only to indicate organisations such as the World Bank or the UN, but also to refer to patterns of behaviour, such as cooperation, and to denote rules of political conduct. In the literature, the meaning of "institution" ranges from a *general pattern or categorisation of activity to a particular man-made arrangement, formally or informally organised, with their related frameworks of rules and norms* (Keohane, 1988: 383)¹⁰¹.

Robert Keohane¹⁰² and other leading scholars of the institutionalist school of thought, deliberately omit institutions that are merely categories of activity, in order to focus on *specific institutions and practices* (Keohane, 1988: 384). This approach is, therefore, adopted herein. In particular, the thesis considers the relationship between an institution, i.e. the European Community, and its member states. This typically neoliberal/rational institutionalist approach faces two major criticisms.

First, this definition of "institution" is criticised for missing the point of what a relevant international institution actually is. Indeed, according to the reflectivists, "institutions are fundamentally cognitive entities that do not exist apart from actors' ideas about how the world works" (Wendt, 1992a: 399). According to this perspective, the institutions of world politics under examination are not, or at least not primarily, formal international organisations such as the European Community, the United Nations or specific regimes, but the norms which make

¹⁰¹ For an overview of the literature on international institutions in International Relations, see: Kratochwil & Ruggie, 1986; Rochester, 1986; Keohane, 1988, Wendt & Duvall, 1989. Kratochwil & Ruggie's article focuses on international organisations and international regimes and proposes an alternative, more interpretative approach to the latter, although this is considered dangerously inconsistent on epistemological and ontological ground. Keohane's article traces a dividing line in the literature on international institutions. On the one side there are the "rationalistic" theories whilst on the other "reflective" approaches. Rochester characterised the development of international organisations as a specific field of study in International Relations. He also includes "regimes" in the picture and strongly criticises the concept as well as the related idea of "hegemonic stability". For other work on "regimes", see: Krasner, 1982, Krasner (ed.) 1983; Young, 1980, 1987; Keohane, 1984; Strange, 1982; Haggard & Simmons, 1987; Cesa, 1990. On "hegemonic stability theory": Kindleberger, 1973; Keohane, 1980; Snidal, 1985; Webb & Krasner, 1989; Guzzini, 1992: 163-178.

¹⁰² It might be worth clarifying that this thesis uses only a small and, as yet, most recent of the production of Robert Keohane, who has contributed to the development of three influential concepts: transnationalism or interdependence, international regimes, international institutionalism (Suhr, 1995; see also: Keohane, 1989: chapter 2).

sense of international politics and their actors, above all sovereignty, diplomacy and war (Bull, 1977; Mac Cormik, 1993; Walker & Mendlovitz, 1990).

Indeed, although it is undeniably important to analyse the impact of "cognitive institutions" upon an actor's behaviour in world politics, this does not imply that an analysis of the role of the membership within *formal institutions* is not worth studying.

Second, it treats this (formal) institution as a framework for international cooperation thereby denying its uniqueness (Webb, 1977: 17). Indeed, that should be precisely the challenge for EC scholars, i.e. contributing to the general improvement of International Relations theory by applying also to the Community broader theoretical frameworks than those specifically created for such institutions and which risk suffering from dangerous *ad hoc*ery.

International Institutionalism's concept of institution and institutional function was originally developed by international political economy (Keohane, 1984). However, it soon started to focus upon the emergence and maintenance of cooperation in more traditional areas of international relations, and, by so doing, entered the realist domain, i.e. foreign policy and international security.

However, rather than presenting itself as a radically different perspective on world politics to that of neorealism, rational institutionalism developed as an attempt to modify structural realism, i.e. to better reflect observed reality. This is the reason why it is also called "modified structural realism".

In fact, institutionalists claimed that structural realism was a good starting point for explaining the outcomes of conflicts because both neorealism's focus on interests and power, and the rationality of actors were considered central to an understanding of how states deal with each other. However, in the rational institutionalist argument, the neorealist concept of power is difficult to measure, states "interests" are unspecified, and there is an exaggerated view of the fungibility of power resources. For this reason neoliberal institutionalists focused on at developing a modified structural research program by retaining some of the parsimony characteristic of structural realism, and its emphasis on incentives and constraints within the international system, whilst trying to adapt it to explain contemporary reality more effectively (Keohane, 1989: 59-63).

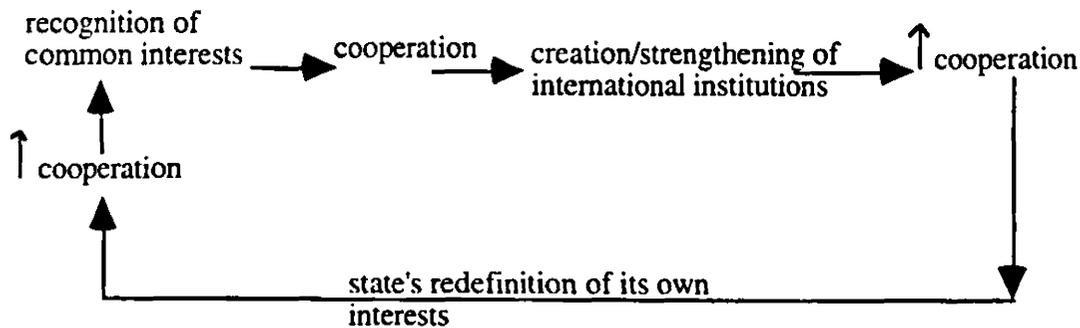
Furthermore, although it shares neorealism's basic ontological assumptions regarding the state as the main, rational actor in world politics¹⁰³, rational institutionalism added a new

¹⁰³ In the pluralist tradition of neoliberalism the focus of research was on non-governmental actors. In more recent developments the state has become the main actor whilst non-governmental actors only play a secondary role. As far as the rationality argument is concerned, rational institutionalists, like sophisticated realists, adopt a "soft" concept of rationality

dimension, that of international institutions as agents of possible cooperation. According to rational institutionalists, state interests are neither given (as for neorealists), nor simply a result of a state's domestic economic and political interests (as in the "pluralist paradigm"¹⁰⁴). Instead, they are also determined by the presence of efficient international institutions which: a) create both constraints on and opportunities for state behaviour; b) legitimise collective norms and rules; c) affect a state's perceptions of both its role and the motivations of the others.

In other words, although the causal impact of states upon international institutions is stronger than *vice versa*, institutionalisation may challenge some of the implications of a lack of world government (i.e. anarchy). In other words, the difficulty of cooperation and the implicit conflictual nature of world politics. Indeed, international institutions not only presuppose a complementarity of interests, which promote cooperation (as in pluralist or liberal thinking), but most importantly they facilitate cooperation through a self-reinforcing, positive-sum dynamic (see fig. 2).

Fig. 2 Representation of the "institution-building virtuous circle"



Therefore, rational institutionalism adopts the concept of *spillover* that was developed and

according to which states make calculations in order to maximise their expected value given a set of consistently ordered objectives. As a result, neither perfect, nor complete information, nor unchanging actor's preferences are assumed.

¹⁰⁴ In this paper the terms liberalism and pluralism are interchangeable to indicate what is conventionally known as the second paradigm of the inter-paradigm debate. Needless to say, this implies the rejection of any substantial difference between the two terms as well as the originality of the contributions of authors who are regarded as adherents to each paradigm. However, this is the price that any systematic analysis of International Relations has to pay. The concept of International Relations as a succession of grand debates and periods of synthesis does not and cannot say everything about the *real* amount and sophistication of the literature produced in the discipline, but does enable an understanding of at least some of the most important issues that are disputed.

refined by the neo-functional school between 1955 and 1975 (Haas, 1958; Schmitter, 1971; Lindberg, 1963; Lindberg & Scheingold (eds.), 1971; Puchala, 1972; Nye (ed.), 1968), but keeps only the essence of the concept, dismissing the technicalities elaborated by neo-functionalists as well as their idea of the automatic, graduated and incremental deepening of the process of integration.

In a rational institutionalist perspective, therefore, because the actual level of institutionalisation differs between *different states* and *issue-areas*, the impact of international institutions on cooperation also differs according to the level of institutionalisation within a geographical region and the issue area concerned. Where the level of institutionalisation is higher, international institutions help to promote cooperation which in turn influences states interests and preferences. Indeed, Keohane and Hoffmann (1993) distinguish six functions, or roles, of international institutions in post-Cold War Europe:

A) International institutions affect incentives for state behaviour by creating both constraints and opportunities for state action. International institutions may work both:

- | | |
|--|--|
| 1) as instruments of state strategies (traditional function) | a) providing member states with arenas in which to exercise influence;
b) providing member states with instruments to balance against or replace other institutions. |
| 2) as constraints on state strategies | c) making the interests and preference of a member state more predictable to the other members ¹⁰⁵ ;
d) facilitating agreement in the case of diverging interests, but where there exist a common prospect of gain;
e) fostering member states strategies of co-optation, and facilitating non-member states strategies of anticipatory adaptation; |

B) International institutions affect state preferences:

- 3) as a source of intrinsic value.

¹⁰⁵ As a matter of fact, an institutionalised forum of interaction creates patterns of communication which provide the member states with further clues about partners' interests, the preferences and, eventually, behaviour. When this opportunity is reduced as a result of member states convening certain signals rather than others (thereby instrumentalising the international institution), member states use the institutional membership to exercise power (traditional function).

Function (A) challenges one of the strongest criticisms levelled against the rationalistic research tradition, namely taking state's interests as given, and "not addressing how these are produced by [inter-state] interaction" (Wendt, 1992a: 182).

Function (B) challenges, at least tentatively, a further criticism moved to rationalists by "constructivists" (Wind, 1996), i.e. that rationalists dismiss the "constructive" aspect of institutions, that is their relevance to an actor's preference-formation (Sandholtz, 1993).

In reality, function (B) of international institutions, i.e. international institutions as sources of intrinsic value, is somewhat exceptional in the rationalistic view. In his opening speech at the annual meeting of the International Studies Association in 1988, Keohane emphasised that the rationalistic approach focused on the fact that institutions affect patterns of cost by reducing transaction-costs. For reflectivists "Institutions do not merely reflect the preferences and power of the units constituting them; the institutions themselves shape those preferences and that power. Institutions are therefore *constitutive* of actors as well as vice versa" (Keohane, 1988, in Der Derian (ed.), 1995: 283, emphasis in the text). In Keohane's speech, thus, the attention to values and preferences seemed to be a reflectivists' prerogative.

However, in *After the Cold War* (1993) Robert Keohane, Joseph Nye and Stanley Hoffmann made an explicit reference to the impact of institutionalisation on preference formation, stating that international institutions not only effect state interests by creating opportunity and placing constraints on state behaviour, but also affect state *preferences*, becoming sources of intrinsic value. A further step in this direction was made by Goldstein and Keohane's book *Ideas & Foreign Policy* (1993), in which the authors integrated a rationalistic perspective with an analysis of how ideas and beliefs effect political decisions of rational actors. The authors recognise the reflectivist position that ideas and interests are not intrinsically separate, but that it is possible to infer the impact of the former on the latter. Goldstein and Keohane also analysed the relationship between ideas and institutions and supported Keohane and Hoffmann's sixth role of institutions by stating that ideas play a discernible role in foreign policy when "embedded in institutions", by specifying policy choices (Goldstein & Keohane, 1993: 13). Furthermore, the authors recognise that, "when institutions intervene, the impact of ideas may be prolonged for decades or even generations" (p. 20).

However, this approach to ideas and beliefs is still considered insufficient by scholars of the reflectivist school, who reject the rationalist tradition of linking the role of ideas in foreign policy to a concept of instrumental rationality, rather than communicative rationality, which by definition misses an important point (Risse-Kappen, 1995). Furthermore, rationalists do not take into account the changes in preference which are part of institutional dynamics. There is,

therefore, an implicit criticism of rational institutionalism because it is incapable of accounting for institutional change, i.e. it is "static" (Risse-Kappen, 1995), as well as of contextual analysis, i.e. it is a-historical (Steinmo, Thelen & Longstreth (eds.), 1992). The a-contextual character of neoliberal institutionalism is clear also in the fact that it fails to capture the asymmetric impact of international institutions on weaker and stronger states. Usually stronger states are less effected by membership in international institutions than are weaker states. Moreover, stronger states have the capability to use international institutions as arenas in which they can exercise influence, whilst smaller and weaker states are far less capable to do so. However this thesis will demonstrate that state membership in international institutions affect stronger states also.

It is worth noting that the static nature and a-contextualisation of rational institutionalism is also inherited by neorealism. However, compared with the traditional neorealist approach, rational institutionalism introduces elements which represent an important move forward towards a richer and more useful theoretical paradigm. To re-iterate, the focus on the impact of formal international institutions on both state interests and preferences creates an important dynamic in what is, essentially, a static framework.

Furthermore, recent rationalist attention upon the role of ideas and values in foreign policy may be seen as an important concession to subjective epistemology and perhaps even a first step to enhancing the dialogue between rationalists and reflectivists, the two poles of the fourth theoretical debate in International Relations, which are presently "at war" (Wæver, 1994: 16).

Indeed, five of the six roles of international institutions listed above, including the impact on state preferences, will be tested herein against the role of the European Community in shaping the policies of the member states in ex-Yugoslavia.¹⁰⁶

Returning to the "inter-rationalistic" debate, between neorealists and rational institutionalists, it is clear that the two perspectives share a consistent part of their ontology and function being part of the same research tradition. In particular, rational institutionalism represents an attempt to improve and correct neorealism by synthesising elements from the pluralist/liberal tradition. As a result, it leads to an approach to world politics based on the concept of "conditionality". On the basis of a cognitive idea of science, the promoters of the neo-neo-synthesis noticed that both neorealists and neoliberals offer a partial understanding of world politics, in that both offered a perspective on international relations, but neither of them offered a complete picture of it. Therefore, because they both attempt to describe the same reality, it should be

¹⁰⁶ The capacity of an international institution to foster member state strategies of co-optation and non-member states strategies of anticipatory adaptation is excluded from analysis because it is not relevant to the case study herein (in which the focus is on the interaction among member states only).

theoretically possible to find the conditions under which one or the other works better, although what eventually emerged out of such synthesis was far closer to the neorealism than to pluralism¹⁰⁷.

However, the points of divergence between what are now conceived as two parts of the same research tradition (the original neorealist position and that of the rational institutionalists) continue to exist, and concern precisely the principle of conditionality. Without recognition of the commensurability and complementarity of the various perspectives that make up the synthesis, the synthesis itself is simply not possible. The internal debate within the neo-neo-synthesis, which to some appears as little more than “hair splitting”¹⁰⁸, has five main points of disagreement:

1. *The consequences of anarchy.* In the neorealist vision, the anarchic nature of world politics has constraining effects upon inter-state cooperation which international institutions are unable to mitigate (Grieco, 1988: 486). Neorealists claim that there is a strong link between anarchy, security, and the relative gain problem that prevents cooperation (Grieco, 1993: 316). Thus, as a result of the anarchic nature of the international system, international cooperation is “harder to achieve, more difficult to maintain, and more dependent on state power” than rational institutionalists affirm (Grieco, 1993). For their part, the rational-institutionalists do not dismiss the strong constraints on cooperation imposed by anarchy, but affirm that cooperation among nations is still possible, given mutual interest to have long-term relationships between the actors, and agreement upon standard norms of behaviour, based on the principle of reciprocity. If these conditions are met, international institutions facilitate and promote cooperation by providing opportunities for negotiation, diminishing uncertainty by improving information, and, thus, affecting expectations, i.e. confirming neoliberal institutionalist expectations.¹⁰⁹ If these circumstances are not met, international relations approximates to little more than a series of zero-sum games, with states avoiding durable arrangements, i.e. confirming neorealist expectations (Keohane, 1989: 18).

¹⁰⁷ Among the main criticism of the neoliberal institutionalist and liberal intergovernmentalist positions is over the mis-use of the term “liberalism”. In reality, they claim, both Keohane and Moravcsik, misunderstand and mis-use the concept and literature on liberalism. Further on this point Long, 1994.

¹⁰⁸ Talking about the many forms in which realism has appeared in International Relations and the debate over their differences, James Der Derian states: “when measured against the literal blood-letting that has been done in realism’s name, the debate over the differences seems obscenely academic” ! (Der Derian (ed.), 1995: 2).

¹⁰⁹ In game-theoretical terms, institutions allow *players* to re-iterate *games* that otherwise would have sub-optimal *equilibria*, such as the Prisoner’s Dilemma.

2. *Intentions vs. capabilities.* Neorealists like Grieco (1988) stress that uncertainty about the future intentions and interests of other states leads a state to pay more attention to capabilities. On the contrary, neoliberals stress the importance of perceptions of another state interests and intentions. According to Keohane, state perceptions and expectations are as fundamental to world politics as are their power resources (Keohane, 1989: 9)

3. The two schools diverge also on the type of calculation they attribute to the states as rational actors, i.e. do *relative or absolute gains* play the more important role in a state's strategic calculations? Neorealists stress the importance of relative gains, whilst neoliberals emphasise the importance of absolute gains. However, the "conditionality" characteristic of neoliberalism does enable it to consider both types of calculation as possible in that relative gains may be important motivating forces for states, "but only when gains in one period alter power relations in another, and when there is some likelihood that subsequent advantages in power may be used against oneself" (Keohane, 1993a: 275). Therefore, states evaluate not only another state's, or states', gains in capabilities, but also their own expectations of the intentions of the other units in the system.

In other words, the two schools of thought have different expectations about the range of variation in the coefficient of state sensitivity to gaps in payoffs. Neorealists expect it to vary, but always be positive (Grieco, 1990: 47; 1993: 323-324); institutionalists, on the other hand, expect it to be potentially negative as well, such as in the case of stable alliances, or zero, when concern about relative gains is negligible (Keohane, 1993a: 279)¹¹⁰.

4. A fourth area of partial disagreement concerns *state priorities*. Neorealists emphasise the importance of military security, while neoliberals that of economic issues. Both assume state goals. As Keohane (1993) points out, neither approach is good at predicting interests. For this reason, both Keohane (1993a: 298) and Grieco (1993: 337) recognise the importance of a unit-level analysis in order to compensate for the undeniable limitations of their system-level approaches. Andrew Moravcsik builds on this, by developing a theory of preference-formation on the basis of a neoliberal approach to world politics.

5. The last area of disagreement, which has already emerged in the preceding four, concerns

¹¹⁰ The real essence of "conditionality" rests on the degree to which states value the future. In Game Theory this degree is measured by the "discount factor". According to the "Folk Theorem", in a iterated game, *if players discount the future sufficiently little*, that is, if they consider future payoffs as important as present ones, there exists a Nash equilibrium of the infinitely repeated game which is also Pareto optimal. More simply, if future possible payoffs are considered equal to present ones, the player will consider the equilibrium in the reiterated game more than today's equilibrium (according to an unconventional logic, "better an egg tomorrow than a hen today"!). On the Folk Theorem and revisions of the same: Aumann & Shapley, 1976; Fudenberg & Maskin, 1986.

the *importance of international institutions* in world politics. In spite of the common conception of the state as the main actor in world politics, both approaches recognise the variety of institutions and international regimes which have appeared since 1945, but differ significantly over the influence they attribute to them. For neorealists, institutional membership is a further element for member states to exercise power politics. Rational institutionalists, on the other hand, regard institutional membership as a constraint upon state behaviour because it effects state incentives and also preferences.

The following tables provide a synthesised summary of the main points of convergence and divergence of structural realism (i.e. neorealism) and its modified version, neoliberal/rational institutionalism.

Tab. 3. *Neorealism and rational institutionalism: main areas of agreement*

1. *States are the main actors* in foreign policy.
2. They are treated as *unitary* and
3. *rational* actors.
4. Their decisions are *influenced by the structure of the international environment* to which they belong.
5. Their preferences are taken as given.
6. "positivist" approach to research, i.e. it is possible to show the existence of general laws which guide the functioning of world politics. Their theory is not contextualised.

Tab.4. *Neorealism and rational institutionalism: main areas of disagreement*

THEORY AREA OF DISAGREEMENT	neo-realists	neo-liberal institutionalists
1. The consequences of anarchy on inter-state cooperation	anarchy has a <i>strong negative influence</i> on inter-state cooperation	the <i>negative influence</i> of anarchy on cooperation <i>can be mitigated by</i> the existence of efficient <i>international institutions</i>
2. intentions vs. capabilities	states pay more attention to <i>capabilities</i> when acting in foreign policy	states pay more attention to <i>intentions</i> when acting in foreign policy. Perceptions/misperceptions play a crucial role
3. type of rational calculation	states pay more attention to <i>relative gains</i>	states pay more attention to <i>absolute gains</i>
4. states' priorities	<i>security issues</i>	<i>economic issues</i>
5. the importance of international institutions in world politics	institutions are mainly a <i>tools</i> in the hands of the state	institutions <i>can affect states' interests and perceptions and thereby action</i>

6.2. A Domestic-level Analysis. A further step in the Rationalistic Research Tradition

Keohane claims that a systemic theory, such as neorealism or his modified version of it, is preliminary to any lower-level analysis because it provides a general framework of action, and because it “generates testable implications about behaviour on an a priori basis and, therefore, comes closer than interpretative description to meeting the requirements for scientific knowledge of neopositivist philosophers of science such as Lakatos” (Keohane, 1989: 61). However, like any systemic theory, neorealism in its various modified forms suffers from a major weakness in that it does not account for the impact of domestic politics and internal-external interactions on state behaviour. “Both rationalistic and [...] reflective approaches”,

wrote Keohane in 1988, "share a common blind spot: neither pays sufficient attention to domestic politics" (Keohane, 1988, now in Der Derian (ed.), 1995: 300).

Actually, "the black box" has been opened many times in International Relations,¹¹¹ but not often so that an analysis of domestic factors in foreign policy would be compatible with system-level theories. Andrew Moravcsik (1994) draws on the literature which analyses the interaction between domestic politics and foreign policy (Putnam, 1988; Evans, Jakobson & Putnam (eds.), 1993). Furthermore, Moravcsik creates a model of foreign policy behaviour applied to EC/U member states.

In particular, Moravcsik adopts a "principal-agent model", focusing on two sets of domestic political actors, the executive, i.e. the "Chief-of-Government" (a single agent)¹¹², and societal groups, which vary within states and across issues and circumstances (multiple principals). The relationship between the two, he states, cannot be understood without reference to the international level of bargaining. In fact, Moravcsik claims that theories of domestic politics which fail to take into account the international level of bargaining, lack a key-element for understanding both domestic and international politics. At the same time, system-level theories cannot properly account for state behaviour in world politics, as they pay insufficient attention to domestic bargaining which is necessary to develop a theory of preference formation. The optimal theoretical perspective, he appears to believe, combines the two levels in a dynamic way, so that the interaction between them becomes clear. In this Moravcsik adopts Putnam's "two-level game" or "double-edge diplomacy" model (Putnam 1988; Evans, Jakobson, Putnam (eds.), 1993) with minor revisions. Where he does make an original contribution his analysis of how the model applies to the European Community/Union

From a theoretical point of view, liberal intergovernmentalism aims at integrating within a single framework two types of general international relations theory: a liberal theory of national preference formation and an intergovernmentalist analysis of interstate bargaining and institutional creation (Moravcsik, 1993a: 482).

¹¹¹ On the interaction between domestic politics and foreign policy, see, among many others, Barnett, 1990; Eichenberg, 1989; Snyder, 1991; Zakaria, 1992.

¹¹² It would be unfair to Moravcsik to say he was concerned with the so-called "Chief-of-Government". In fact, his "Chief-of-Government" is used for sake of theoretical elegance in that it can mean different things in different political systems. In his 1994 paper, Moravcsik clarified, although perhaps not with enough emphasis, that "by executive it is meant the head of state or government [...] or the highest responsible political authority [...] in a particular issue area" (p. 4). "Whether the executive or a minister has a dominant influence over the issue will depend on the domestic system" (p. 66, endnote 6).

However, in order to avoid any misunderstanding, perhaps "Institutional Decision-maker" rather than the misleading "Chief-of-Government", would be more useful.

The "liberal component" of Moravcsik's model consists of a theory of preference formation which is "liberal in inspiration", in that it focuses on state-society interplay. The "intergovernmentalist component" consists of a theory of international bargaining which takes place in institutional *fora*. Whether or not liberal institutionalism's inspiration is actually liberal is not of interest here (Long, 1994). What is of interest is an understanding of what Moravcsik means by "societal groups" that influence foreign policy: which groups articulate preferences that the government aggregates? That question will be dealt with later.

Moravcsik's basic model considers both societal group (or principal) and executive (agent) as unitary, rational actors with a defined set of preferences. Their interaction, in a democratic society, is characterised by their relative control over certain key domestic political resources and functions: a) initiative and authority to place issues on the political agenda; b) institutions, the legal procedure of decision-making; c) information, political and technical knowledge; d) ideas, the supply of legitimate ideological justification for specific policies.

At the systemic level, the participation of states within an international institutional framework alters the relationship between the executive and the societal group interested in the issue concerned at the international level (Moravcsik, 1994: 6; Keohane, 1984: 87ff). In particular, the institutional, informational and ideological context in which domestic politics is made is altered by international institutions because they reallocate resources. This process generally favours those who participate directly in international negotiations and institutions, i.e. most often, though not invariably, the "institutional decision-maker" (or "executive", as Moravcsik calls it). Furthermore, the shift in domestic power resources towards the decision-maker is then fed back into the international bargaining process, facilitating international cooperation. Moreover, if the institutional decision-maker succeeds in loosening domestic constraints through international bargaining, there is further incentive to seek international cooperation. This attention to the domestic framework, claims Moravcsik, helps to interpret the "virtuous circle" of international institution-building better than traditional functionalist regime theory¹¹³.

¹¹³ In Keohane's view, international institutions pre-suppose complementary interests which support cooperation and, most important of all, facilitate and promote cooperation through self-reinforcing dynamics. For Keohane, as for other functionalists, it is "rational" for state decision-makers to enter this "virtuous circle" of institutionalisation. Moravcsik believes that the functionalist analysis fails to grasp sufficiently the profound reasons that makes international cooperation attractive to state executives. In fact, their attraction to international bargaining lies in the relative gains the institutional decision-maker can obtain back in the domestic arena from such a process. "Where principal-agent 'slack' exists", claims Moravcsik, "the functional benefits of international institution-building are likely to accrue disproportionately to those domestic actors who participate directly in international regimes" (Moravcsik, 1994: 8). It is interesting to note that Moravcsik makes no distinction between "international negotiations",

As we have seen, the redistribution of resources, which eventually leads to the empowerment of the “executive”, à la Moravcsik, can occur because four possible mechanisms, transferring control of domestic agendas (*initiative*), modifying decision-making procedures (*institutions*), enlarging informational asymmetries [...] (*information*), and multiplying the domestic ideological justifications for policies (*ideas*) (Moravcsik, 1994: 1).

The power of *initiative* in international bargaining is held primarily in the hands of the institutional decision-maker. Other domestic groups “rarely develop full-fledged alternatives to the national negotiating position” (Moravcsik, 1994: 9). In other words, international bargaining offers the executive “gatekeeping power”, that is the power to veto alternative less-preferred proposals that emerge from domestic opposition. Furthermore, the executive can artificially enhance its “gatekeeping power” by structuring the formal request for domestic ratification in terms which make the choice of a preferred option more probable. The “Chief of Government” can present his position as the only one that is feasible, and propose it at a time of high domestic political support for the government.

The type and degree of that domestic political support depends on the type of issue under international negotiation and on the domestic *institutional* procedures for ratification of international agreements. However, usually the procedure of international institutions restrict opportunities for serious domestic opposition on the ground that it may be too costly to “reject, amend or block ratification of and compliance with decisions reached by national executives in international fora” (Moravcsik, 1994: 11).

A further way in which international cooperation, and international institutions, can strengthen the “executive” in Moravcsik’s model, is by creating domestic *informational* asymmetries in its favour. Regime theory and rational institutionalism recognise the role of institutions as enhancers of information, but fail to highlight the uneven distribution of marginal information *within* the state. As a result, informational asymmetry enables the executive to manipulate domestic perception by “selectively releasing vital information” (Moravcsik, 1994: 13). In particular, executives can manipulate: a) the importance of the issue, b) the expected consequences of negotiation, and c) the political constraints which shape the institutional decision-maker’s position in negotiations (that is by presenting the position as “necessary” or unavoidable or the result of international circumstances, in order to limit a decision-maker’s responsibility).

The final way in which international negotiations, and international institutions, enhance the institutional decision-maker’s domestic power according to Moravcsik, is by providing an ideological justification for a state foreign policy. The institutional decision-maker occupies a

“international cooperation”, “international institutions” and “regimes”, thereby not taking into sufficient consideration the literature which attach different meanings to these terms.

privileged position of influence over ideas introduced into the domestic debate, especially those regarding foreign policy and international relations. Moreover, institutions enhance this privilege by making ideological justifications for common policy more difficult to challenge (Moravcsik, 1994: 15).

Fig. 3 Representation of Moravcsik's liberal intergovernmentalist approach

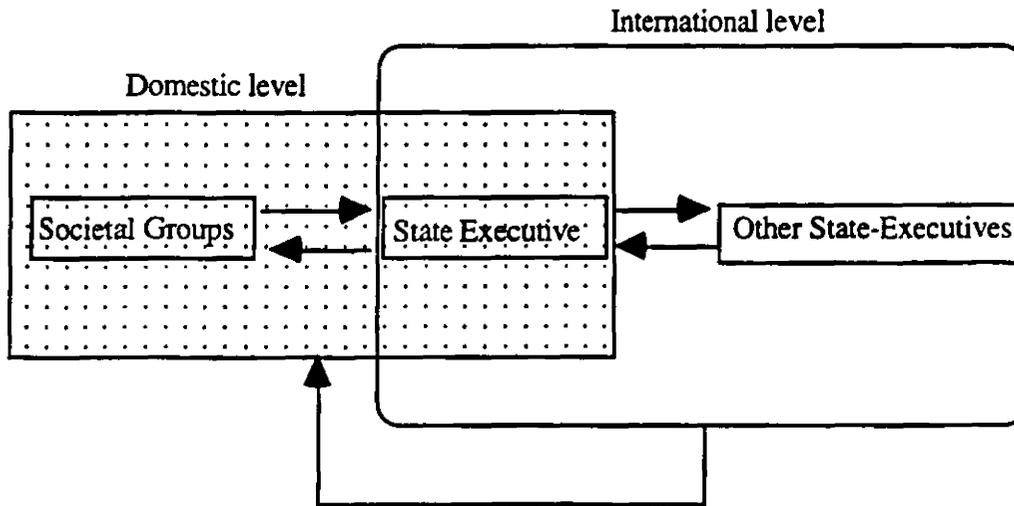
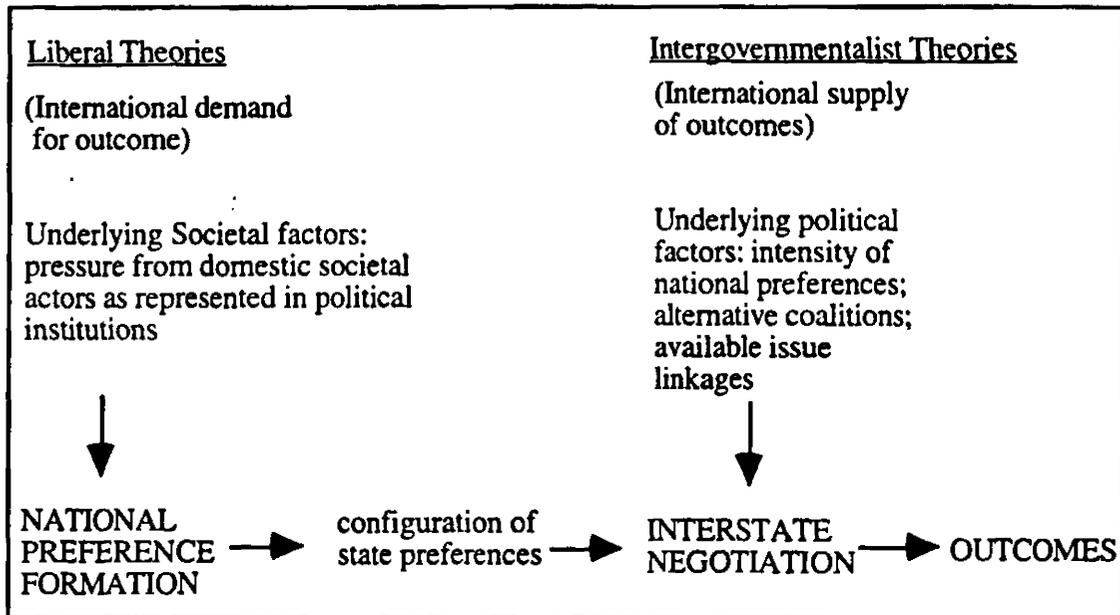


Fig. 4 Liberal and intergovernmentalist elements of liberal intergovernmentalism (from: Moravcsik, 1993: 482)



When Moravcsik applies his model to the European Union, his objective is to account for major decisions in the history of the institution. The Community, states Moravcsik, functions like other international regimes (in that it increases the efficiency of bargaining), but cannot be explained entirely on the basis of regime theory (1993a: 517). Two other functions of the Community must be considered, i.e. the pooling and delegating of national sovereignty, and its impact upon the domestic power of the institutional decision-maker. In particular, the EC, according to Moravcsik, provides "an extraordinary centralisation of domestic power in the hands of national executives" (1994: 15). Furthermore, rather than "domesticating" international politics, the European Community/Union "internationalises" domestic politics. There are two basic points wrong with this argument. First, as Moravcsik claims, what has been traditionally referred to as the "domestication of foreign policy" (the increasing attention of international negotiators to what are traditionally domestic political issues, such as economic welfare etc.) is better characterised as an "internationalisation of domestic politics". Second, as Moravcsik implies but does not state, the process of international bargaining is partially the result of an executive's domestic political aims. In fact, "executives are more concerned about domestic politics and [...] exploit international negotiations and institutions [to gain relative power and freedom of manoeuvre in the domestic political game]" (Moravcsik, 1994: 2).

In his widely criticised *Why the European Community Strengthens the State: Domestic Politics and International Cooperation* (1994), Moravcsik shows how all four mechanisms through which the institutional decision-maker's domestic power is enhanced by international institutions apply to the EC, be it at historical turning-points for the EC or in everyday legislation. This is certainly not the place to discuss all the debate that Moravcsik has provoked, but it is worth a few comments.

Moravcsik identifies four steps in the EC integration process in order to "test" his theory against a "critical case", such as the EC. The EC, which is frequently considered a partially supranational institution, as Moravcsik argues, provides the state executive with incentives to employ the two-level game in order to enhance its own power *vis à vis* domestic opponents. This position underlines the weakness of the widespread conviction that the EC diffuses domestic power. Moreover, it also shows the myopic nature of the so-called "European democratic deficit" argument, because a certain degree of democratic deficit is beneficial to the efficiency of its decision-making machinery. Indeed, it has characterised European integration from the very beginning.

Finally, as far as regime theory is concerned (Krasner (ed.), 1983; Keohane, 1984), Moravcsik attacks its lack of attention to the interplay that takes place between the international and the domestic levels of analysis. According to Moravcsik, the domestic aims of the executive have a significant influence on the nature of international cooperation and the shape

of international negotiations within institutional frameworks (Moravcsik, 1994: 58-59).

In synthesis, according to Moravcsik, "membership in international [institutions] cannot simply be reduced to the interplay of state preferences and power. International negotiations and institutions have a subtle reciprocal effect on domestic decision-making in the nation-states that participate in them. [...] participation in international negotiations and membership in international institutions alters not just national strategies, as current analysis of regimes suggest, but the domestic politics that underlies the process of national interest formation" (Moravcsik, 1994: 65).

Tables 5 and 6 synthesise the assumptions Moravcsik's inherent liberal intergovernmentalism and juxtaposes them in relation to Waltz's neorealism and Keohane's rational institutionalism (compare with tab. 3 and tab. 4).

Tab. 5 Moravcsik's liberal intergovernmentalism in relation to neorealism and rational institutionalism: Main areas of partial or complete agreement.

1. "positivist" approach to research: it is possible to show the existence of general laws which guide the functioning of world politics. Theory is not contextualised.
2. States are the main actors in foreign policy, although other actors exist.
3. States are not unitary actors, but the "Chief-of-Government" can be considered as the representing the state in foreign policy.
4. The "Chief-of-Government"/state is rational.

Tab. 6 Moravcsik's liberal intergovernmentalism in relation to neorealism and rational institutionalism: Main area of disagreement:

The "Chief-of-Government"/state's preferences are not determined simply by the structure of the international system and the state's position in the system, but by the interaction between the state's interests at the international level and the Chief of Government's interests at the domestic level. The game between the two-levels of interaction eventually shapes the Chief of Government/state behaviour at the international bargaining table.

Before proceeding with a *operationalisation* of the theoretical approaches, it is necessary to make a few other salient points. In fact, Moravcsik's reference to domestic groups and constraints upon the Chief of Government's actions are not sufficiently clarified to enable empirical application. As far as domestic constraints on the state decision-maker are concerned, the focus herein is on the role of "public opinion" and its effects upon foreign policy¹¹⁴.

What exactly is meant by the term public opinion? Philip Powlick identifies five groups of people that, according to the officials' position, constitute "public opinion": a) élites; b) interest groups, c) news media, d) elected representatives; e) general, or mass, public (Powlick, 1995). The news media are by far the group most referred to as the indicator of public opinion (Cohen, 1963; Powlick, 1995). That is the indicator of the mood of national public opinion as perceived by national decision-makers, and the group that will be most used for the empirical investigation in the thesis.

The type of influence which the five groups above exert on the "institutional decision-maker", can be of following types: direct bottom-up (Page & Shapiro, 1983), direct top-down type (when the public is manipulated by the decision-making élite), and of indirect (such as public opinion's influence upon coalition-building processes among the élite group - Risse-Kappen, 1991). It is clear that a top-down representation of the relationship between public opinion and foreign policy concurs with the realist approach to the study of foreign policy. Moravcsik's approach, although not denying elements of bottom-up and coalition-building types of influence, tends to place more emphasis on a top-down process. However, the thesis will consider both bottom-up and top-down types of influence. The domestic framework demands from national public constituencies and special interest groups can represent a significant constraint on foreign policy action that can influence foreign policy efficacy. The way (and the extent to which) public opinion can influence foreign policy depends, to a large extent, on the characteristics of a particular state, especially its degree of centralisation and the level in polarisation of its society (Risse-Kappen, 1991).

Ultimately, the performance of a state's foreign policy depends upon the interaction between constraints and opportunities that come from both the international institutionalised context of which the state is part, and its domestic political environment.

¹¹⁴ On the role of public opinion in foreign policy: Hinckley, 1992; Risse-Kappen, 1991; Russett, 1990; Powlick, 1995; Holsti, 1992.

7. MATCHING THEORY WITH FACTS

The central contention to this thesis is to apply the rationalistic tradition in its three primary facets to the case-study. Therefore, the thesis will adopt the common ontological assumptions and evaluate the relative interpretative power of particular assumption of the three perspectives. This analysis will enable the thesis to establish the very existence of a neo-neo-synthesis, as well as its strengths and weaknesses.

Needless to say, the perspectives adopted herein are not the only ones that could satisfy the empirical requirements. However, they not only provide an interesting point of departure, but are the predominant theoretical assumptions of foreign policy practitioners in the West.

Before applying the theoretical framework to the case-study, it might be worth clarifying the way in which the thesis well endeavour to combine theory with "facts". To re-iterate, the general aim is to understand and explain the European response to the Yugoslav crisis. For this purpose a series of debates have been selected that characterised the reaction of the European Community (then, Union) to the crisis. Within each debate, in line with the rationalistic perspective, the primary focus will be on the major member states, i.e. France, Britain and Germany, as the main actors. At this point the objective is to understand the behaviour of the member states bearing in mind three sets of influences on state interests and perceptions, i.e. the relative power, the influence of institutional membership within the European Union and the interaction between domestic and international constraints. These influencing factors, in turn, become the focus of one of the three rationalistic theoretical perspectives. As a result, an assessment of the relative interpretative power of each factor offers also a general assessment of how the three perspectives work in each specific case. However, as far as generalisations on the value of these theories are concerned, only a tentative assessment is possible because one case study is an insufficient control group for the positing of reasoned generalisations. However, some basic assertions about the value of these theoretical perspectives, and their interaction in a wider synthesis, will be dealt with in the conclusion.

In order to apply the theoretical framework in the thesis to the case study and to evaluate the relative explanatory power of the three facets of the "rationalistic tradition", the case study will be challenged with the following questions, that are drawn directly from the theoretical framework of reference¹¹⁵. The questions can be summarised:

¹¹⁵ The questions are drawn directly from the theories used in this study. However, as the theories reported in the theoretical part are generally referred to inter-state cooperation, they are not all applicable to the case under examination. For this reason the questions proposed here are drawn from a *selection* of the theoretical statements presented previously.

Did institutions matter?

1. Did the European Community/Union function as an instrument of state strategies (traditional function)?

- did it provide individual member states with an arena in which to exercise influence?
- did it represent an instrument for balancing against or for replacing other institutions?

2. Did the European Community/Union function as a constraint on state strategies?

- did it make the interests of its member states and their preferences more predictable to the others ?
- did it facilitate agreement when there were diverging interests (but common prospects of gain)?

3. Did the European Community/Union effect state strategies as a “source of intrinsic value”?

Did domestic politics and its interaction with international politics matter?

4. How much were decision-makers significantly constrained (including impelled) by the media and public opinion?

5. Did they use domestic politics as an argument to justify their position when bargaining at the European Community/Union level?

6. did they use the European Community/Union as an argument to justify their position when presenting issues of foreign policy in the domestic arena?

Part II aims at providing an analysis of France's, Britain's and Germany's response to the Yugoslav conflict though which a response to the above questions can be provided.

PART III

THE EUROPEAN RESPONSE TO THE YUGOSLAV CRISIS: A POLITICAL FAILURE IN SEARCH OF A SCHOLARLY EXPLANATION

8. INTRODUCTION

This part will analyse the most significant steps in the European management of the Yugoslav crisis through the analytical lens of the neo-neo-synthesis.

The specific decisions/debates under examination will be as follows: (a) the recognition of Slovenia and Croatia; and (b) the discussion on military involvement in ex-Yugoslavia.

The reasons for this choice are multiple. When Europe's hour had arrived, the Europeans could not agree on the two most important questions, recognition and military intervention.

The recognition of Slovenia and Croatia was a turning point in the attitude of the Community towards the conflict because it represented a shift of emphasis on the principle of self-determination, and led to the internationalisation of the conflict. Furthermore, the decision not only changed the nature of the conflict from "domestic" to "international", but regarded as one of the most important defections from the collective action agreed by the European states involved in ex-Yugoslavia.

As a result, the discussion over military intervention, became the core issue during the entire management of the conflict. It was present, in different forms, throughout the Yugoslav conflicts, with the international community continually divided over the means and aims of military intervention.

Therefore, these two issues were chosen because they are central to an understanding of the European management of the Yugoslav conflicts, thus a better understanding of the dynamics that led to these decisions will improve understanding of the European response to the wars in ex-Yugoslavia.

Chapter 9 will set the context within the European political situation during the post-Cold War period, with particular reference to the time the Yugoslav war started; whilst Chapters 10 and 11 will analyse, respectively, the debate on the recognition of Slovenia and Croatia, and the debate over military intervention.

9. SETTING THE CONTEXT

The end of the Cold war appeared to open a new chapter in world politics, as the international system moved away from deterrence, towards a more positive concept of peace.

Indeed, a heady euphoria ensued until events in the former Yugoslavia showed that the end of what had been a predictable, manageable and stable system had left in its place an increasingly uncertain international framework, characterised by both increasing fragmentation and nationalism tendencies. Moreover, the end of the Cold War led to renewed belief in the role of international organisations, particularly within the European context. The US seemed unwilling to continue playing the role of “world policeman” (at least, in absence of direct US interests), whilst the UN was calling for burden-sharing of security within regional contexts. In this environment Western Europe not only *needed to*, but *wanted to*, define a role for itself in the management of European crises and local wars.

Thus, international organisations urgently needed to adapt to the changed international context. This was particularly the case for defence organisations, such as NATO and the WEU, which had to undertake a more global role within a changing security context. The fall of the Berlin Wall had moved the security goal posts for *all* international organisations, be it the CSCE, the UN or the European Community.

9.1. Post-Cold War Institutional Adaptation in Western Europe...

In 1990, NATO began to think about its role in the post-Cold War era. Indeed, the *New Alliance Strategic Concept* of November 1991, the creation of new institutional frameworks such as the North Atlantic Cooperation Council (NACC, December 1991), and the “Partnership for Peace” programme (PfP, December 1994), as well as the Berlin decision on the implementation of the Combined Joint Task Forces (CJTF, June 1996) were significant steps towards a redefinition of NATO's role within the post-Cold War European security structure.¹¹⁶ A further step was the proposed enlargement of the Alliance eastward, for which

¹¹⁶ The change in threat perception and NATO's response to them was modelled over several years and meetings, from the London Declaration (on East-West cooperation, July 1990), the Rome Declaration on Peace and Cooperation and the definition of the New Alliance's Strategic Concept (November 1991), the establishment of the North Atlantic Cooperation Council (NACC, December 1991), the increased attention to inter-institutional relations (CSCE/OSCE-NATO; UN-NATO; WEU-NATO), the launch of the “Partnership for Peace” programme (PfP, December 1994) and the Berlin Summit decision about the implementation of the Combined

the PfP and post-Dayton operations in ex-Yugoslavia (given the multinational nature of IFOR) represented significant steps forward. As a result, Poland, Hungary, and the Czech Republic were invited to begin accession negotiations in June 1997.

The WEU, like NATO, had to adapt its "security concept" to the post-Cold War environment by transforming itself, a process which started with the institutionalisation of its role in the Maastricht Treaty as a security and defence arm of the EU which was adopted in December 1991, the Petersberg Declaration of June 1992, and continued with discussions at the EU's Intergovernmental Conference (IGC) at which the Maastricht Treaty was revised prior to the Amsterdam Treaty of June 1996.¹¹⁷ In the same way, the two Gulf wars and the Yugoslav conflict appeared to open a new era for the WEU.

The CSCE was also faced by a thoroughgoing review of its role and status. In January 1995 it became a regional security agency in accordance with the UN Charter (changing its name to the Organisation for Security and Cooperation in Europe - OSCE). The organisation revised both its institutional structure and the means by which to deal with ethnic conflicts¹¹⁸. However, this intensive process of institutionalisation was not reflected by its performance in the field of crisis management and conflict resolution¹¹⁹.

As far as the UN is concerned, the greatest post-Cold War change was in its role as a

Joint Task Forces (CJTF) in June 1996. The most important features of NATO's evolution was its developing role in crisis management and conflict prevention, new tasks which took the Alliance beyond its traditional function as a collective defence alliance.

On international institutions after the Cold War, see: Anderson, 1995; Carnovale (ed.), 1995; Nerlich, 1995. On NATO's post-Cold War evolution see, among others: Brenner (ed.), 1998; Drew, 1995; US Library of Congress, 12 June 1991; 20 July 1994; 15 September 1995; Sloan, 1995; McCalla, 1996.

¹¹⁷ As part of this evolution, the WEU established closer links with the UN and OSCE (Petersberg Declaration; WEU Defence Ministers meeting, Bonn June 1992), the European Union (Maastricht Treaty), and with NATO (especially through cooperation that took place in the field in ex-Yugoslavia, and through the agreement over implementation of CJTF. From an operational point of view, for missions such as peace-keeping and humanitarian aid, WEU can now count upon the "forces answerable to the WEU" (FAWEU; Lisbon Declaration, May 1995, par. 5), such as the Eurocorps, the Euroforce, the Euromarforce and the UK's 24th Airmobile Brigade. On WEU's evolution in the post Cold War: Martin & Roper (eds.), 1995; Jørgensen, 1997. On defence and security in Western Europe in the post-Cold War, see Lindley-French, 1997.

¹¹⁸ Examples of OSCE conflict resolution are the Minsk group, established for the Nagorno-Karabak conflict, the long term missions in Moldavia, Macedonia, Georgia, Estonia, Tagikistan, Bosnia-Herzegovina, composed of military and non-military experts, and the work of the High Commissioner for National Minorities and ODIHR.

¹¹⁹ On C/OSCE developments in the post Cold War, see: Anderson, 1995: 328-336; Barberini & Ronzitti (eds.), 1992; Ghebali, 1995; Greco (ed.), 1995; Möttola, 1997; Lucas (ed.), 1993.

legitimator of conflict management operations and intervention in internal conflicts. The *de facto* paralysis of the Security Council as a result of the veto power of its permanent members was substantially overcome with the disappearance of East-West confrontation. This also allowed a considerable re-interpretation of Chapters VI and VII of the UN Charter which contains the provisions for UN action in conflict management. The UN became more active in the management of numerous conflicts, and developed a wider concept of peace-keeping,¹²⁰ as well as further principles for legitimate intervention in a sovereign state¹²¹. An interesting development also took place between the UN and regional organisations and/or other agencies involved in peace-keeping/making operations. In particular, a form of sub-contracting took place in which the UN "contracted" NATO during the management of the Yugoslav conflict and in the post-conflict period (Schulte, 1997; Leurdijk, 1997; Eide & Solli, 1995). A further issue under discussion when the Yugoslav conflict started, was the reform of the UN Security Council. The main issue was the question of whether Germany and Japan should become permanent members of the Security Council, in recognition of their *status* as Great Powers.

When Yugoslavia began to disintegrate, Western Europe was only just beginning to examine the need for such structural institutional change. Since 1989, the well-worn issue of a European Security System had taken on new life within the context of the more general discussion over a *New World Order*¹²², a large part of which focused on the "Western Security System"¹²³.

¹²⁰ Peace-keeping was the area of UN activity of conflict management most effected by the post-1989. "Peace-keeping" (that was not even included in the UN Charter) was known as the interpositional deployment of forces (i.e. Cyprus, the Sinai and the Golan Heights), its meaning was then enlarged to include both a more robust type of operation, closer to peace-making and/or peace-enforcement (i.e. the Blue Helmets in Bosnia and Somalia), and the deployment of military and non-military forces within the framework of a peace-building effort (i.e. El Salvador). On the terms "peace-keeping", "peace"-making, "peace-building etc., see: Boutros-Ghali, 1992, 1993, 1995.

The literature on UN peace-keeping is somewhat extensive. Among the many books and articles, see: Barravecchia, 1995; Berdal, 1993, 1994; Damrosch et al., 1994; Dobbie, 1994; Donald (ed.), 1995; Durch (ed.), 1993; Eide (ed.), 1995; Mackinlay, 1990 and 1994; James, 1990; Tharoor, 1995b; Warner (ed.), 1995.

¹²¹ As far as the latter point is concerned, the conflict between the principle of a state's sovereignty and intervention in the name of human rights has yet to be solved once for all. However evolution towards an acceptance of the principle of "humanitarian intervention" has taken place. On humanitarian intervention, see: Andreopoulos, 1996; Damrosch et al., 1994: 329-336. Weiss & Campbell, 1991.

¹²² In March 1991, US President George Bush launched his idea of a New World Order, built, as he put it, upon the principles of justice and fair play and the protection of human rights. Since then the concept has been widely used (and abused). At the time of the second Gulf war, and shortly afterwards, "post-Cold War" and "New World Order" were used interchangeably. In reality, however, they refer to two substantially different aspects of international politics. In

The proposals for a New Security System ranged from making the UN a sort of supranational world body, to various forms of Collective Security (Rosecrance, 1992; Kupchan & Kupchan, 1991), a transatlantic "mutual security" pact, NATO revisited (Brenner, 1993) and the sharing of security responsibilities between the United States and the European powers. What was clear, however, was that Europe remained a key strategic area, and the major European states key actors in the game.

Within this context, the European Community was the pivotal institutional actor. Not surprisingly, the traditionally more Europhile amongst its member states saw the possibility of enhancing the Community's role in international politics. However, institutional development was still needed to make the Community capable of undertaking such a role. Furthermore, one of the most significant events of the post-Cold War era directly effected both the Community's internal equilibrium and the need for an institutional response: the re-unification of Germany (October 1990)¹²⁴.

The re-unification of Germany was perceived by the other members of the Community, especially France, as a possible threat to the political equilibrium of Western Europe. At the "Two Plus Four" negotiations (the two Germanies, plus France, Britain, the US and the USSR), France and Britain "behaved like little citadels of privilege" (Smyser, 1994), frightened that a united Germany would threaten their perceived prominence in Europe and their privileged position at the UN Security Council, that they had enjoyed since 1945. It was self-evident that the new Germany, with a population of over 80 million, a strong economy and close relationships with both Central and Eastern European Countries (CEEC), was designated to become the largest and economically most powerful state in the Community. Furthermore,

fact, the very idea of a post-Cold War era reflects a structural change in the international system and a re-distribution of power and threat perception amongst main actors. "New World Order", on the other hand, refers to a basic change at the level of implicit and explicit norms which govern the behaviour of international actors. The main idea being recognition of the fundamental principles of international law and the institutions (mainly the UN) due to monitor the respect of such principles. Nowadays, the idea of a "New World Order" has been abandoned in favour of the less demanding "post-bipolar system".

¹²³ Specifically focused on a "the shape of the new Europe": Buffotot (ed.), 1993; Carnovale (ed.), 1995; Crouch & Marquand (eds.), 1992; David, 1992; Evera, 1990/1; Ghebali, 1992; Hopmann, 1994; Lucas (ed.), 1993; Rummel (ed.), 1992; Seidelmann, 1992; Telò (ed.), 1992; Treverton, 1992; Wallace, 1992.

¹²⁴ Many books and articles summarising and analysing the process of re-unification have now appeared. Among them, see: Anderson & Goodman, 1993; Bortfeldt, 1993; *German Politics and Society*, 30, 1993, special issue; Pond, 1993; Spence, 1992; Szabo, 1993; Zelikow & Rice, 1995. For a German insight perspective, see the *memoires* of Foreign Minister Genscher (Genscher, 1995), of his personal advisers Richard Kiessier and Frank Elbe (Kiessier & Elbe, 1993), and of Chancellor Helmut Kohl's adviser Horst Teltschik (Teltschik, 1991).

Germany's geographical position, together with its historical tendency towards hegemony over Eastern Europe, raised concerns among its Western European partners.

Chancellor Helmut Kohl and Foreign Minister Hans-Dietrich Genscher responded to such worries by reassuring their partners that the process of German re-unification would take place within in the framework of the Helsinki Final Act and that it would not affect Germany's institutional commitments, especially within the European Community¹²⁵.

Germany's re-unification strengthened a traditional French conviction that further European integration was needed in order to keep Germany under collective, institutional control (Tiersky, 1992; Hoadley, 1995; Haywood, 1993). Concern about the consequences of Germany re-unification appeared in the French press as early as 1990. The fact that "an economically super-powerful Germany, politically dominant in Central Europe, [could reduce France to] a secondary role" (*Le Point*, 5/3/90) drove France to push hard for a deal in which Germany's re-unification and European integration were to be conceived as two faces of the same coin. The Germans readily agreed to the proposal.

However, the deal did not satisfy the British, who considered the Community an inadequate barrier against Germany nationalism. Indeed, the fact that Germany was seriously committed to European integration and the construction of a federal Europe was not considered by British officials "wholly convincing, given that the structure of the European Community tended to favour German dominance"¹²⁶. "Federalism" for the British seemed to be a by-word for centralism.

Within this context, the two most important issues effecting the process of European integration were European monetary union (EMU) and a common foreign and security policy (CFSP). Monetary union was designed to provide Europe with a single currency and a central bank, whilst a CFSP would enhance the Community's supranational decision-making powers in the field of foreign and security policy.¹²⁷ In December 1990 two intergovernmental

¹²⁵ See for example the Kohl and Genscher speech "Europe - every German's Future", delivered at the World Economic Forum in Davos, March 1990 (reproduced in *European Affairs*, Spring 1990), or Kohl's speech "Our Future in Europe", given on the occasion of the award of an Honorary Doctorate by the University of Edinburgh (Spence, 1992: 161, endnote 3).

¹²⁶ A note to that effect was made by Bernard Lovell, Prime Minister Thatcher's foreign policy adviser in the context of a private meeting organised by the foreign minister in March 1990 in order to assess the implications of German unity (reported in Spence, 1992: 137).

¹²⁷ On the debate over the EU's CFSP and on the initial implementation of the Maastricht Treaty provisions on the CFSP, see: Hill & Smith 1996; Grunert (ed.), 1995; Martin & Roper (eds.), 1995; Regelsberger, de Scoutheete & Wessels (eds.), 1996.

conferences started work revising the 1957 Rome Treaty of the European Community. Thus, when the war started in the SFRY, the member states of the EC were in a process of bargaining over the future of the Community in the two most important areas both for the international status of the Community and for its internal structure.

The decision to move from a mechanism of monetary coordination, such as the EMS, to monetary union was a highly important one, not only because a common currency is a traditional characteristic of a unitary *state*, but also because it implied the creation of common monetary institutions and shared economic and social standards among the various member states.

The other major field of debate within the Community in 1991 was that of the so-called "Second Pillar" and its Common Foreign and Security Policy. CFSP had not been explicitly considered in the previous Treaties of the Community. However, the then six member states rapidly developed (already by 1959) forms of political coordination in the field of foreign policy. In 1970, the so-called "Luxembourg Report" established European Political Cooperation (EPC)¹²⁸ which, although applied in practice, had no legal basis during its first seventeen years. Indeed, EPC was founded on a sort of Gentlemen's agreements "of diplomats, for diplomats" (Nuttall, 1992: 11). These included the 1970 Luxembourg Report, the 1973 Copenhagen Report, and the 1981 London Report. It was only in 1987, with the Single European Act (SEA), that EPC finally acquired a legal status (Dehousse & Weiler, 1990; De Ruyt, 1987). However, although the SEA clearly indicated a desire to move beyond EPC, it did not confer to such a structure any specific competence in foreign policy. Indeed, the SEA only collocated within a single legal document all the existing principles and procedures of EPC.

The IGC on Political Union which opened in December 1990 discussed the possibility of developing EPC within the context of Political Union, and enlarging its sphere of competences in order to include areas that traditionally had been under the direct control of the member states. The issue was highly significant, given the importance that states attached to an independent foreign policy. Furthermore, the idea of having a "common defence policy" as well made things even more complicated, given the reluctance of states to cede authority in such sensitive areas, and given the different preferences amongst the member states about the possible institutional solutions (WEU vs. NATO).

At the IGCs, France, the historical "motor" of the process of European integration, pushed

¹²⁸ For an account of the functioning of the EPC, see: Hill (ed.), 1983; Ifestos, 1987; Nuttall, 1988, 1989, 1992; Monar, 1991; Pijpers, 1990; Pijpers, Regelsberger & Wessels (eds.), 1988; Schoutheete, 1986.

hard for further European integration. History seemed to offer a significant opportunity to the creation of powerful European institutions able to counter-balance the international role of the United States. Furthermore, in France's view a re-unified Germany should be tied as closely as possible to the European Community and further integration would discourage German isolationism and preserve the Franco-German axis (Cole, 1993).¹²⁹ For these reasons, France was in favour of further integration in both the economic and political fields, but at the same time wanted to maintain a certain degree of intergovernmentalism to satisfy France's traditional, Gaullist idea of "state". France wanted to deepen the CFSP through the creation of a common defence capacity because it would satisfy three of the most important aims of French diplomacy, i.e. disentangle European security from United States leadership, anchor Germany firmly to the Western Alliance (the European Pillar of the Atlantic Alliance), and ensure France achieved the military leadership of a "European army".

Under pressure to reassure its partners about its European vocation despite the re-unification, Germany agreed to an acceleration of EMU on condition that a strict list of economic criteria and a rigid timetable were met. Furthermore, Germany also requested also that its partners agreed to an advancement of European Political Union (for example, by increasing the number of issues decided by majority voting in the Council of Ministers, increasing the powers of the European Parliament, etc.). Germany's positive attitude towards deepening, however, differed from that of France revealing differences between the two countries' view of Europe. The French concept of European Community could not bare the weight of a federal structure, that was so far removed from the French concept of state to be acceptable. To German leaders the old idea of a European federation came natural because it was a mirror-image of the decentralised structure of Germany itself.

Britain, on the other hand, was unexpectedly close to France on the institutional form of the Union because both French President, François Mitterrand, and British Premier, John Major, were determined to limit the supranational aspirations of the European Commission and Parliament, and prevent a federal union. Unfortunately, although Margaret Thatcher's successor in Downing Street, John Major, sounded more European than his predecessor, Britain's position on the issue of deepening the process of European integration continued to be, at best, reluctant. Thus, the main concern of Britain at both the IGCs was to ensure that the next European Treaty would not introduce more supra-nationalism and an unacceptable transfer of sovereignty from the member states to the Community institutions. Britain was particularly cautious with regard to a common foreign and security policy because the UK feared it would

¹²⁹ On France's reaction to German re-unification, see: Cole, 1993; Morgan, 1991; Morizet, 1990.

weaken Britain's "special relationship" with the United States and NATO. On this issue Britain's position was opposite to that of France.

9.2. ...and Post-Cold War Influence on the Community's decision to get involved in Yugoslavia

Clearly, the violent dissolution of Yugoslavia arrived at a moment of significant internal change within the European Community. Great things were expected from Western Europe, both by its Eastern neighbours and the United States, as well as by the Western Europeans themselves. As Part I demonstrated, at the beginning of the Yugoslav war, the main European states proposed the European Community as the main "manager" of the conflict and sought legal legitimation for this from the CSCE, i.e. a "European" body, rather than from the UN. However, the Community was neither an agency legally authorised to enforce international law¹³⁰, nor a Superpower, whose action could be legitimated by its hegemonic role. The EC was simply an unusual international institution, involved in a delicate process of internal, as well as external, self-definition. Moreover, in this undefined framework, a clear linkage appeared between the management of the Yugoslav crisis and this process of internal and external definition of the European Community's role. Not surprisingly, in both these processes the leading member states were the key actors.

When the first truce was negotiated by the Community Troika, Luxembourg's Foreign Minister Jacques Poos (who represented the Presidency of the European Community at the time) enthusiastically affirmed: "this is the hour of Europe. [The days of stymied political coordination are] pre-history" (quoted in Anderson, 1995: 340)¹³¹.

Indeed, it was the first time that the European Community undertook the exclusive

¹³⁰ With regard to the legal framework within which the Community operated in the Yugoslav crisis, it is sufficient at this juncture to remember that it acted with the dual authority accorded it by the CSCE and an enabling resolution from the UN Security Council. The CSCE's self-definition of "regional security arrangement" under Charter VIII of the UN Charter in June 1992 reinforced the Community's status as a mandated collective security agent.

An interesting example of the European Community taking a *political* step in crisis management, was shown by the arms embargo on Yugoslavia. On September 1991, France, who was chairing the UNSC, demanded that the UN endorse the Community proposal for an arms embargo. As a consequence, on September 25, the UNSC agreed Resolution 713 imposing the embargo and endorsing the European Community's peace-making efforts.

¹³¹ On the same occasion the Italian Foreign Minister Gianni De Michelis said, "it is a good sign for the future of the political union" (Steinberg, 1994).

management of a war situation.¹³² But why was this? It was clear that the June 1991 war in Slovenia could not be considered a direct threat to all the member states. Some states, such as Germany, Italy and Greece, might have had a stronger perception of threat¹³³, but most of the others had more incentives not to intervene in the management of the crisis. In the case of Britain and Spain, for instance, there was a domestic incentive to abstain from intervening because it would create an unwelcome precedent for interference in a state's internal affairs. However, that raises a further important question. Why did the member states of the EC decide to intervene in Yugoslavia in 1991?

Rather than resulting from the perception of a direct threat to the entire community, the Yugoslav conflict was conceived of as a way to re-define the European Community's role within the changing international and European security system. This was in keeping with a general belief at the time that was highly positive about the future shape of world politics. The European states, with France in the lead, had repeatedly shown a willingness to develop European institutions. Moreover, the debate over a European CFSP was continuing at the time when the post-Gulf War US seemed unwilling to continue paying for the European security. The Yugoslav conflict, therefore, offered an opportunity to overcome the lack of cohesion Europe had shown in the Gulf as well as establish a precedent for future European roles in international relations. Therefore, the European Community shaped the interests and preferences of its member states. Indeed, it is reasonable to assert that if the Intergovernmental Conferences on Political Union had not been underway at the time, the Twelve would have reacted more cautiously. Furthermore, even if we assume that the "reason for intervening

¹³² Actually, there are several earlier examples of crises in which the European Community has played a role (i.e. Yom Kippur 1973; Cyprus 1974, Poland 1980; Falklands/Malvinas 1982; Gulf 1990). However, in those cases, unless directly involved (such as during the Falklands conflict because of UK membership of the EC), the Community limited its intervention to few simple diplomatic statements and steps, but at no points led management. For an historical account of how the EPC functioned during international crises: Ginsberg, 1989; Hill, 1992; Nuttal, 1992; Winn, 1997; Jørgensen (ed.), 1997.

¹³³ In the case of Germany, geopolitical analysis read German historic aims in the area (Korinman, 1993). Domestic analyses focus on Slovenian/Croat and industrial lobbies working in the country (Stark, 1992: 341) and to the social consequences of mass migration. In the case of Italy, geopolitical explanations refer to Italy's interests in re-gaining Istria, or at least re-negotiating the Osimo agreement, and to recent regional and national cooperation, such as Alpe Adria and the Pentagonal/Hexagonal (Nuti, 1993: 3). Domestic explanations emphasise the threat felt by Italian people living near the border with Yugoslavia, the existence of Slovenian minorities in Italy and Italian minorities in Istria (Zametica, 1992: 48), as well as the social consequences of a mass-immigration. In the case of Greece, geopolitical analyses read Greece's interests at intervening as dictated by ancient aims over a greater Greece and on the historical friendship with Serbia (Pettifer, 1992), while domestic researches tend to enlighten the generally-perceived threat of an extension of the conflict to the entire Balkans.

[..was the] sense of responsibility felt by most decision-makers [for the maintenance of order in Europe]" (Schmidt, 1994: 20), this sense of responsibility was more a function of membership of the European Community than of national policy. This is demonstrated by the initial emphasis placed on involving European institutions and working collectively.

10. THE RECOGNITION OF SLOVENIA AND CROATIA¹³⁴

“Having regained its unity and sovereignty Germany intends to play a major role in a region with which it has always had close ties” (*Le Monde*, 4 July 1992)

“A unilateral German move would have destructive consequences for the unification of Europe. A policy based on reason must be maintained even in the face of strong domestic opposition” (H. Kohl, 18 September 1991)

“...it should be noted that the interest the German government takes in the Yugoslavia conflict rises and falls with domestic pressure” (Jakobsen, 1995: 405)

It is no exaggeration to say that the recognition of Slovenia and Croatia is the most debated question of the whole European response to the Yugoslav conflict. Germany's early recognition of Slovenia and Croatia represented the first great breach in the collective management of the crisis by the European coalition as well as a sign of renewed Great Power rivalry¹³⁵. Therefore, this chapter analyses the reasons for Germany's attitude over the recognition issue and France and Britain's response to Germany's behaviour, within the context of the questions posited at the beginning of this Part III.

10.1. The Facts

When tension between the republics of the SFRY rose to a dangerous level, in early 1991, Germany agreed with the European Community policy of supporting to Yugoslav Prime Minister Ante Markovic and his economic reforms. Faithful in the virtues of economic integration, the European Community in April 1991 offered Yugoslavia credits and an association agreement. In May 1991 the EC supported the transformation of the country into a loose confederation, based on the model of the European Community itself, with the objective of maintaining a unified Yugoslav state.

A pro-Yugoslavia position was, at the time, shared by the majority of member states of the

¹³⁴ Part of this chapter, i.e. Germany's attitude to the recognition issue, appeared as an article in Spring 1997, see Lucarelli, 1997a.

¹³⁵ The term “early recognition” is debatable, because Germany repeatedly postponed recognition. However, the phrase will be used herein to refer to the German decision to recognise Slovenia and Croatia earlier than its Western European partners.

European Community and the United States¹³⁶. Indeed, Western Powers were concerned about the potentially contagious effect on other states with minority problems (such as those in the USSR) of the recognition of new states in the Balkans.

Up until June 1991, Germany agreed with the “wait and see” approach of the EC (Zametica, 1992) with the Foreign Minister, Hans-Dietrich Genscher, calling simply for the suspension of Slovenia's and Croatia's declaration of independence to ensure space for negotiation. Indeed, Genscher drafted himself a document supporting the unity of Yugoslavia that was approved by the CSCE Council of Ministers on June 20 (De Michelis, 1994). Moreover, on June 23, the twelve member states of the European Community decided *not* to recognise any unilateral declaration of independence by the two break-away republics. On June 26, immediately after the declaration of independence by Slovenia and Croatia and the beginning of war in the former Yugoslavia, Bonn, along with other western capitals, re-affirmed its rejection of any recognition of independence (Lucarelli, 1995a: 6).

However, by the end of June 1991, Germany had adopted a different position, as various German parliamentarians demanded the recognition of Slovenia and Croatia and the isolation of Serbia. In July, a resolution of the *Bundestag*, demanded that the government recognise Slovenia and Croatia (Zucconi, 1996: 246). At the same time, both Chancellor Kohl and his Foreign Minister Genscher, denounced the behaviour of the Yugoslav People's Army (JNA) and appealed for the right to self-determination. During his trip to Belgrade, on July 1, Genscher re-affirmed that any political solution to the crisis would have to take into account the Helsinki Final Act, the Paris Charter and the recent Berlin Summit of the CSCE (June 20), at which the international community had affirmed the right to self-determination (Genscher, 1995: 938-9). Furthermore, the recognition of the right to self-determination by Croats and Slovenians quickly became presented by the Germans as a moral duty, “We won our unity through the right to self-determination . If we Germans [...] follow a status quo policy and do not recognise the right to self-determination in Slovenia and Croatia, then we have no moral or political credibility. We would start a movement in the European Community to lead to such a recognition” (*Guardian*, 27/1991: 8).

On July 3, before the CSCE meeting that was to discuss the establishment of an observer mission to Croatia, Kohl “instructed” Genscher (at the time chairman of the CSCE's Conflict Prevention Centre) on the position he should take, i.e. continued cooperation with Yugoslavia would depend upon a cessation of threat and the use of force (Crawford, 1993: 19-20). On July 4, 1991, Germany, for the first time, proposed a meeting in the Hague of the Council of

¹³⁶ However, in the Spring of 1991 support for the secessionist republics already began to emerge within Austria, Hungary, Denmark, Germany and the Vatican (Zucconi, 1996).

Ministers so that the European Community could collectively recognise Slovenia and Croatia (Maull, 1995-6: 103).

Throughout July, the German Government pressed its European Community partners for quick recognition of Slovenia and Croatia, on the ground that it was the only way to stop the violence. Thereafter, Genscher used the threat of unilateral German recognition to influence Germany's Community partners and as a deterrent against the Serbs (Zucconi, 1996). On September 4, in the *Bundestag*, Kohl stated, "when dialogue and harmonious coexistence are no longer possible, we must, in line with our understanding of the right to self-determination, consider [...] recognising under international law those republics which no longer wish to belong to Yugoslavia" (Weller, 1992: 586, fn 115).

However, the strong resistance of its European Community partners, especially France (*FAZ*, 6/7/1991), prevented Germany from taking action. On the contrary, Kohl insisted upon a common approach by the EC (Maull, 1995/6: 103). Furthermore, on September 18, 1991, Kohl promised Mitterrand that Germany would not undertake any unilateral action on Yugoslavia, whilst Mitterrand, for his part, accepted the principle of Slovenia's and Croatia's right to self-determination (Jakobsen, 1995b).¹³⁷ Furthermore, on September 20, Genscher reiterated his belief that a common EC position over the recognition issue, saying that, "we believe it decisive to be in line with France" (Genscher, 1995: 950-1, author's translation here and elsewhere).

Even the decision to establish an Advisory Committee in order to provide advice to the Chairman of the Peace Conference, Lord Carrington, on the recognition issue was little more than a concession to French diplomacy (De Michelis, 1994: 134) as well as agreement between France and Germany (Genscher, 1995: 947).

The shift by the European Community towards recognition became clear on October 10, when the member states decided that they would suspend a decision for two months, at the end of a negotiating process and within the framework of a broader agreement (Genscher, 1995: 953). However, Genscher took that decision to imply a *carte blanche* over recognition from December 10 on (Crawford, 1993: 25). Thus the October 10 decision was then presented by Germany as justification for its recognition of Slovenia and Croatia on December 23, recognition that from December 10 on was not only policy, but a duty (German Foreign Ministry Position Paper on Recognition, March 10, 1995; my interviews at the *Auswärtiges Amt*, October, 1995). Furthermore, in his memoirs, Genscher recalls that Van den Broek, (at the time President of the EC) in an interview to *Die Presse* (18/10/1991), confirmed that

¹³⁷ "If Croatia wants to secede [...] - stated Mitterrand - I don't see any reason why Yugoslavia should prevent it" (Edwards, 1992: 176, footnote 16).

recognition would be decided in two months if the war did not come to an end (Genscher, 1995: 955).

Nevertheless German pressure on the Community for recognition of Slovenia and Croatia continued, although still with the aim of achieving a general consensus. After the Brioni agreement expired, the fighting worsened in Croatia, in November 1991. By this time, Italy, who had initially been in favour of maintaining a unified Yugoslavia, slowly moved towards a pro-recognition position¹³⁸.

In mid-November, at the Christian Democratic Union's (CDU) convention in Dresden, Kohl promised that Slovenia and Croatia would be recognised by Christmas 1991. "The Croats will not be left alone" he stated (*International Herald Tribune*, 18/12/1). In early December, Germany, supported by Italy and Denmark, reiterated its intention to recognise Slovenia and Croatia by Christmas unless an agreement was reached by December 10. Equally, from as early as October 1991, the Community slowly changed course and began to accuse Serbia as bearing the main responsibility for the war in Yugoslavia¹³⁹, and by December 2 the only trade sanctions the EC maintained were against Serbia and Montenegro.

However, the European Community was still seeking an overall political settlement and the recognition of independence was part of that strategy. Indeed it was one of the "carrots" used for Slovenia and Croatia and one of the "sticks" used against the Serbs that Community mediator Lord Carrington employed at the negotiating table (Carrington, 1992). Germany's insistence on maintaining the possibility of unilateral recognition left Carrington fearing dangerous consequences for the negotiating process within the International Conference (Owen, 1995a: 343). Indeed, in Carrington's view, any unilateral recognition would only have worsened relations with the Serbs (Wynaendts, 1993: 150), who were already complaining about the advice of the Badinter Commission which said that the SFRY was engaged in a process of dissolution. For this reason, and his conviction that the unity of Yugoslavia could be preserved¹⁴⁰, Carrington called upon the Twelve to maintain a common position supporting a

¹³⁸ In an article published in *Limes*, 1/94, former Italian Foreign Minister Gianni De Michelis explained Italy's political readjustment as being part of a strategy to keep Germany committed to the common position of the European Community (De Michelis, 1994: 233). On the Italian role in ex-Yugoslavia, see: Caccamo, 1992; Dassù, 1994a; 1994b; Greco, 1994b and 1994c; Mirakian, 1995; Nuti, 1993; Varsori, 1993.

¹³⁹ See the "declaration on Dubrovnik" of October 27, 1991, and the denouncement therein contained of the behaviour of the Federal Army as well as the October 28 declaration condemning the uncooperative Serb behaviour at the negotiating table (Favaretto & Greco (eds.), 1997: 29, footnote 10).

¹⁴⁰ Interview with Ambassador Henry Wynaendts, Paris, September 1995.

unified Yugoslav state.

Expressions of concern over possible unilateral recognition also came from UN Secretary-General Javier Perez de Cuellar, US Deputy Secretary of State, Lawrence S. Eagleburger, and the UN's mediator to Yugoslavia, Cyrus Vance (Zucconi, 1996: 247). Moreover, France and Britain tried to prevent Germany from going alone and making an *Alleingang* (solo attempt) by drafting a UN resolution that stated that no country should take unilateral action that could worsen the Yugoslav situation. However, on December 14, at the UN Security Council debate on the draft resolution, France and Britain backed away from their position in the face of German determination to stand firm in spite of any UN resolution. Thus, a "retreat was necessary to avoid a serious political crisis within the European Community" (Zucconi, 1996: 247). Furthermore, from December 13 until the European Council decision on recognition (December 16), Germany pressed relentlessly to secure an agreement with its European Community partners, especially France. Genscher lobbied his fellow foreign ministers and their heads of state with numerous phone calls and personal contacts (Crawford, 1993: 29).

At the meeting Britain, the Netherlands and France (and Lord Carrington, who also attended the meeting) continued to oppose recognition. Carrington warned, "as strongly as [he] possibly could" that "early recognition would torpedo the [peace] conference" (Silber & Little, 1995: 220). Whilst Genscher, who was in constant telephone contact with Kohl during the entire meeting (De Michelis, 1994: 234), insisted that a common position for an overall settlement of the conflict (thereby postponing recognition of the break-away republics) would be surrender in the face of Serb aggression (Genscher, 1995:960-1). The German Foreign Minister adopted a twin track. He insisted on the principle of self-determination that had been sanctioned by Helsinki, whilst at the same time highlighted the difficulties the German government faced resisting domestic pressure for recognition¹⁴¹ (De Michelis, 1994: 134).

As a result, the meeting was a tense and difficult one. On the one hand, there was an inflexible Germany prepared, if necessary, to recognise Slovenia and Croatia unilaterally, on the other, a group, led by France and Britain who vehemently opposed recognition outside a global settlement of the conflict, but who were also concerned about the implications of breaking the unity of the "European front". Relations were particularly tense especially between Genscher and French Foreign Minister, Dumas, who replied to Genscher's inflexible position by saying: "OK, everyone keeps his position. For the moment we will not recognise Slovenia and Croatia" (De Michelis, 1994: 134). Genscher also tried to reassure the others with the

¹⁴¹ A further argument highlighted in the official German document on recognition was that on December 10 the two-month deadline set by Van den Broek for the suspension of recognition had expired (Germany Foreign Ministry Position Paper on Recognition, 10 March 1993).

positive advice from Judge Tomuschat, charged by the federal government with evaluating the status of minorities in Croatia. "The Badinter Committee will surely reach the same conclusion [on the excellent protection of minorities guaranteed in the Croat constitution]", Genscher told his colleagues (Genscher, 1995: 960-1), and the latter, according to Genscher, did not object to Germany's eventual recognition of Slovenia and Croatia by Christmas: "I repeated my question again, because I believed it important that the Federal Government respect the deadline without breaking the agreement of the Twelve, but even on this second occasion my question was not contradicted" (Genscher, 1995: 960-1).

Eventually, at 3.30 AM on December 17, a compromise was reached. The Twelve agreed to common recognition being formally granted on January 15, but only for those republics meeting very specific conditions. Two compromise declarations, one of a general nature for the new states in Eastern Europe, and one with particular reference to Yugoslavia¹⁴², set conditions for eligibility for recognition. The applicants were required to submit their request by December 23, with a decision on recognition being made on 15 January 1992 on the basis of advice from the Badinter Commission¹⁴³.

Nevertheless, and against the wishes of the US Administration (Simic, 1992: 76), Genscher went ahead on December 17 and announced that recognition was now "automatic" because both republics fulfilled the required conditions. Therefore, Germany would recognise Slovenia and Croatia in spite of any advice to the contrary from the Badinter Commission (Crawford, 1993: 31).

On December 19, the German Federal Government decided that it would formally recognise Slovenia and Croatia (Axt, 1995: 224). Four days later, the governments of the two republics received a letter in which German President Richard von Weizsäcker recognised the two new states. The formal recognition, however, was postponed until January 15 to be in line with the rest of the European Community.

Kohl described it as "a great triumph of German foreign policy" (Zametica, 1992: 65; *Der Spiegel*, 23/12/1991), but it caused enormous problems to the image of cohesion within the European Community, which had just moved towards enhanced cooperation in the field by including the Common Foreign and Security Policy in the Maastricht Treaty. As Heuven puts it,

¹⁴² A valuable juridical perspective on the recognition issue is in Rich, 1993; Türk, 1993; Weller, 1992: 586-596.

¹⁴³ De Michelis explains the introduction of a legal framework, at the centre of which stood the Badinter Commission, as a concession to French diplomacy and a way to give Vance time to negotiate a settlement for Croatia (De Michelis, 1994: 134). However, the idea of a conditional recognition had been supported by Germany as well since the beginning of its pro-recognition attitude.

“The German decision to take early action alone hit Europe like a bombshell” (Heuven, 1993: 61-62) and raised fears of a new assertive foreign policy by the recently re-united Germany. Moreover, it gave the impression that Germany had an anti-Serb, pro-Croat policy¹⁴⁴. Thus, Germany's *Alleingang* impacted strongly upon continuation of the conflict management programme and restricted any further German role in ex-Yugoslavia. Furthermore, German recognition of Slovenia and Croatia was blamed, although wrongly, for the war in Bosnia-Herzegovina. Peter Viggo Jakobsen argues convincingly that internal inter-group tension had emerged in Bosnia long before the recognition of Slovenia and Croatia. The Serbo-Slovene and Serbo-Croat wars of Summer 1991 had exacerbated those tensions, which the October 4 EC plan undoubtedly worsened when it offered recognition “to those republics wishing it”.

Germany's recognition was followed on January 15 by that of the European Community partners as a whole, even if in private they felt strongly about what they regarded as German defection.¹⁴⁵

10.2. How to Explain Germany's *Alleingang* ?

What was the reason for Germany's shift in preference from June 1991 on? Why did Germany unilaterally recognise Slovenia and Croatia at the very moment when the European Community as a whole had accepted the disintegration of Yugoslavia as a *fait accompli*? Can Germany's unilateral recognition be regarded in any way as an attempt to regain an independent and powerful role in Eastern Europe, regardless of the Western European institutions (Carr, 1995)? In other words, does the German *Alleingang* indicate a “return to pre-1945 great power rivalry” in keeping with Mearsheimer's gloomy predications (Mearsheimer, 1990)? Indeed, do “power politics” explain Germany's unilateral recognition of Slovenia and Croatia? By recognising Slovenia and Croatia before its European Community partners, was Germany evincing a growing disaffection towards European integration? To what extent did Germany “use” the Community as an arena in which to exercise its authority and to what extent was its room of manoeuvre in foreign policy constrained by its membership of the EC? What was the role of

¹⁴⁴ Silber & Little (1995: 221) report that “Croats began to sing [...] *Danke Deutschland* [...] and in Split, a popular quayside café in the old city waterfront changed its name to *Café Genscher*”!

¹⁴⁵ Years later, Mitterrand continued to state that “recognition without a preliminary agreement had been a serious mistake”, whilst Roland Dumas affirmed that “Germany was holding a crushing responsibility in the speeding up of the crisis” (quoted in Lepick, 1996: 79).

domestic factors in Germany's decision to recognise Slovenia and Croatia? How did these factors interact with the international interests of the country?

10.2.1. Power Political Explanations

Most of the explanations of Germany recognition and its eventual defection from EC line, refer to historical German territorial aims in the Balkans¹⁴⁶, or to contemporary economic interests in developed Slovenia and Croatia. Another "power political explanation" focuses on Germany's desire to stabilise the East just as the United States have done in Western Europe after World War II (Schwarz, 1994). Most "power political explanations" focus on Germany's renewed interest in the *establishment of a sphere of influence in a new "Mitteleuropa"* in terms of the following:

- a) political/military;
- b) economic;
- c) the creation of a "Pax Germanica" in Central and Eastern Europe.

Political-military interests. According to a many analyses, the end of the Cold War enabled the re-unified Germany to pursue national interests in a way that was impossible between 1945 and 1989 (Carr, 1995). "In the period leading up to Croatian secession", writes T.W. Carr, "there were signs that indicated the re-emergence of the historical axis previously seen in the days of the Holy Roman Empire, the Austro-Hungarian Empire and the Third Reich [...]: the re-appearance of a geopolitical pattern" (Carr, 1995: 10).

In support of this, Germany has certainly rediscovered an historical role in the Balkans. As a result, Germany's "guiding role" of Austro-Hungarian policy in the Balkans, or Hitler's expansionist aims toward the east, have been highlighted as indicators of an expansionist interest by Germany in the Balkans today¹⁴⁷. The essential elements of the old *Mitteleuropa*

¹⁴⁶ An old-fashioned "power politics" explanation of the eventual recognition by Germany's European Community partners was offered by the former Italian Foreign Minister, Gianni De Michelis. In an interview with *L'Espresso* (4/7/1993), De Michelis accused Germany of having "forced" its allies to go along with recognition by threatening to re-open the question of the border with Poland. In his words: "*la Comunità Europea finì per accettare le pressioni tedesche per il riconoscimento di Croazia e Slovenia pur di far passare in secondo piano i propositi revanscisti a Est. In un certo senso, lasciammo 'sfogare' i tedeschi in Jugoslavia purché rinunciassero a creare problemi*" (*L'Espresso*, 4/7/1993).

¹⁴⁷ The recently rediscovered "geopolitical analyses" are particularly fond of a "power-politics" interpretation of Germany's recognition of Slovenia and Croatia. See Carr, 1995; *Limes*, 1-

project, "from the Rhine to the Bug" (Simic, 1992: 62), or the "Germanisation of Slovenia" as well as the "Croatianisation of the Slav South" (Korinman, 1993: 85), have been presented by Serb propaganda as the aims of today's Germany¹⁴⁸. T.W. Carr goes as far as to say that "if new maps were to be produced of Europe which depict current zones of German economic dominance and military influence, they would bear a striking similarity to maps of the Holy Roman Empire, the Austro-Hungarian Empire, and, more recently, to that of Adolf Hitler's Third Reich in the 1940s" (Carr, 1995: 1). Furthermore, Germany's historical ties with Croatia, which included the Hitlerian support to the Ustascha state in 1941 and the close collaboration of that regime with Nazi Germany, were reported as explanations of Germany's attitude over the recognition issue.

However, such explanations disregard Germany's strong preference for multilateral coordination. Indeed, as Hanns Maull (1995-6) put it, since the end of World War II, Germany has developed the foreign policy of a "civilian power", an approach that has five key elements:

- (i) emphasis on multilateral action, where possible through international institutions;
- (ii) strong normative elements contributing to the definition of national interests and preferences;
- (iii) trust in international law;
- (iv) an obsession with stability; and
- (v) abhorrence of violence as a mean to political ends.

Is it possible that such elements simply disappeared because the Cold War "constraints" (Carr, 1995) evaporated? Is it possible that the structural change brought by the end of Communism negated all the achievements of international institutions during the Cold War? It is certainly true that most of the existing international organisations were conceived and developed during the Cold War to respond to the needs of *that* system, but it is difficult to believe that change in the structure of the system could so quick and easily negate the deep changes in the attitude of the states which that membership of such institutions promotes. As Jeffrey Anderson and John Goodman put it, "institutions embody valued patterns of behaviour that may originally

2/93; 3/94, in particular: Korinman, 1993, 1994; Yerasimos, 1993: 100-101.

¹⁴⁸ Throughout 1990 and 1991, the Serbian press issued anti-German reports complaining about Germany's political and military support for Slovenia and Croatia's secession. On 23 October 1991, *Politica Express* quoted Radovan Karadzic as saying "If the Western alliance wants to sacrifice Serbia [in order to stop German expansionism, Karadzic's wording], war will break out as a result of yet another act of German aggression" (in Crawford, 1993: 52, endnote 96).

Later on Serb paranoia about German ambitions in the region was fuelled by Germany's pressure for international recognition of Slovenia and Croatia. Federal Defence Minister Valjko Kadujevic, acting President of rump Yugoslavia, Branko Kostic and Serbia's representative in the Federal Presidency Borisav Jovic, all talked of the rise of a Fourth Reich (Silber & Little, 1995).

have been grounded in instrumental rationality, but which at some point take on value in and of themselves” (1993, en. 66). In the case of Germany, “in the Cold War period [...] membership [in NATO and the EC] provided instruments for the conduct of West German state strategies; [...] yet, institutions also restructured and ultimately remoulded German interests and [...] played an important role in shaping German interests since the unification” (Anderson & Goodman, 1993: 23-4).

Furthermore, if it is true that history is something that political scientists and politicians must confront, it is also true that historical determinism ignores the human capacity to learn from the past¹⁴⁹. For instance, the “civilian power” nature of German foreign policy in the post-war period was precisely because of its Nazi past. What began as a strategic response to the demands of the victors, slowly became part of the foundations of West Germany foreign policy. In other words, they become “institutionalised norms [which] express a world view that influences behaviour not only directly, by [...]prescribing the ends of action, [...but] also indirectly by offering a way of organising action” (Katzenstein, 1993: 267). The widespread aversion to the use of military force, and the preference for multilateral, when possible, institutional diplomacy are the two main features of West Germany's post-war foreign policy, and “become institutionalised [...] in West German societ[y] and [...in its] new political culture” (Berger, 1991, quoted in Katzenstein, 1993: 292). Indeed, the recognition of Slovenia and Croatia is a case in point.

Historical experiences surely played some role in influencing Germany's position towards Yugoslavia, but not in the way many writers seem to believe. Certainly, Germany's interpretation of the Yugoslav war (as a war of aggression involving territorial re-distribution between ethnic group) and its anti-Serb position were, indeed, influenced by the country's Nazi past. Milosevic's regime was being regarded as dangerously similar to Hitler's. Moreover Milosevic leading role in the conflict with Slovenia and Croatia was perceived in Germany as being similar to Hitler's role in the 1939 invasion of Poland. As Maull puts it, the situation in the SFRY “came quite close to how Germans imagined political life under the Nazi's” (Maull,

¹⁴⁹ Before continuing it might be worth stating that the thesis does not reject *in toto* the importance of interstate historical relationships in the formulation of a state's foreign policy. On the contrary, historical friendships and enemies do play a role in the perceptions of today's decision makers. However, in the case of Germany, whilst it undoubtedly had a pro-Croat attitude during the management of the Yugoslav crisis, it is misleading to attribute this to the close relations between the Ustacha regime and Hitler's Germany fifty years earlier. The reasons for the pro-Croat attitude may have an historical origin but of a very different type. In the words of Hanns Maull: “Slovenia and Croatia have traditionally had German-speaking élites, both are Catholic, Croats form the largest group of the 700,000 or so Yugoslavs living in Germany and are politically well-connected, and most of the millions of German tourists who have visited Yugoslavia have also been to Croatia or Slovenia” (Maull, 1995-6: 111).

1995-6: 111), an interpretation that is supported by many of Genscher's declarations (see Crawford, 1993: 22). Furthermore, contrary to what has been frequently stated, Nazi Germany's experience in the Balkans represented a constraint upon Germany's decisions over the recognition issue, not a guiding-example (Heuven, 1993) precisely because the government was all too conscious of the alarming analogies that Germany's European partners could make.

The thesis will now deal with the other two "power political" explanations for Germany's recognition policy.

Economic interests. The second "power-political" explanation examines the prime characteristic of post-war Germany, that of a "trading state" (Rosecrance, 1986), i.e. Germany recognised Slovenia and Croatia in order to expand its economic power in the area.

Although about half of Germany's substantial investment in Yugoslavia was in Slovenia and Croatia (*New York Times*, 28/6/1991)¹⁵⁰, Germany's economic interests in the area were not in any way comparable to the country's need to maintain good economic relations with the West. In 1991, approximately one-half of Germany's foreign investment was in European Community Member states, whilst a quarter was in the United States. In 1992, about 78% of all exports were to the Western countries. Compared with this the level of export and investment in the East was very low. Therefore, although Germany might have had some economic interests in opening new markets in the East, its greatest economic interest was in the maintenance of a broad Western market (Schwarz, 1994: 100). Furthermore, any rapid improvement in the economic situation of the Balkan states was still some way off. Thus, any demand for German products would remain, at best, limited for some time to come (Axt, 1995: 225). Therefore, it is implausible to explain the strong German pressure on its Community partners by economic reasons, i.e. the risk of endangering intra-Western economic relations was simply not worth paying. Furthermore, the Yugoslav state was heavily indebted to Germany, who was likely to forego any chance of repayment if it dissolved (Maull, 1995-6: 118).

Pax Germanica. The third "power political" explanation is based on the German desire to stabilise the East by extending its control over the area just as the United States stabilised Western Europe after World War II. In this argument Germany's unilateral recognition was a prelude to the re-nationalisation of German foreign policy with the aim of extending a sort of *Pax Germanica* eastward .

¹⁵⁰ In September 1991 *Le Monde Diplomatique* reported that already more than 150 German firms had invested in Slovenia alone.

It is certainly the case that the stabilisation of the East was a security concern Germany (Maull, 1995-6: 118-119) and one of the main arguments put forward by the German government for early recognition. However, even scholars who wanted to see a more "national" definition of Germany's interests recognise that, although "Germany has a strong, specifically national interest in the stabilisation of the East, [...] it is determined to coordinate its East European policy with its partners in the West" (Schwarz, 1994: 102).

Germany's interest in stabilising the East influenced its position on Yugoslavia in two ways: the first directly related to the conclusion of the Yugoslav conflict, whilst the other concerned the situation in the Soviet Union. Indeed, Germany was concerned that Yugoslavia would have a 'domino effect' on the Soviet Union (Maull, 1995-6: 113) and this certainly played a role in the initial German reaction to the conflict. However, such concerns over the possible implications for the USSR lowered, even though the war in Yugoslavia worsened, following the clearly "peaceful" dissolution of the USSR by late August 1991¹⁵¹.

In fact, German concerns over the stabilisation of the situation in Yugoslavia grew steadily from July 1991. Thereafter, the importance of recognising Slovenia and Croatia as a mean of stopping the war was used as an argument in both in the internal debate and by Germany's representatives in all international fora. The Germans interpreted the conflict as an act of aggression and ethnic partition of the territory by the Serb. This argument was used by Germany when it demanded UN economic sanctions on Serbia and Montenegro¹⁵² and was still supported by Genscher three years after recognition: "it became more and more clear", he stated, "that a further delay of recognition would constitute an encouragement [for the Serbs] to continue the war" (Genscher, quoted in Silber & Little, 1995: 219).

That the necessity of recognising Slovenia and Croatia in order to stop "Serb aggression" was present in the thinking of Germany decision makers is confirmed by statements from many officials¹⁵³ and by close observers of Germany foreign policy (Maull, 1995-6). However, can the recognition policy be explained completely by German concerns about the stability of the East? This thesis argues this fails to explain both German efforts to find a common European policy on recognition, and the unilateral action of December 23, 1991.

¹⁵¹ Following the failed coup of August 19, the republics of the USSR began to declare their independence.

¹⁵² See Genscher, telephone call to United States Secretary of State Baker on July 9, 1991 (Carr, 1995: 13).

¹⁵³ Interviews with the German representatives in Brussels (EU and NATO) and at the *Auswärtiges Amt*, Bonn, September-October 1995.

Thus, in order to understand Germany's pro-recognition position, as well as its *Alleingang* on December 23, it is necessary to focus on two sources of pressure and constraint for Germany decision makers, namely domestic politics and the European Community. Until the end of June 1991, Germany, together with its community partners, supported the maintenance of a unitary Yugoslav state. However, soon after the conflict started in Slovenia, Germany gradually shifted towards a pro-recognition policy. Why did this shift in Germany's position occur? The "structural" factors put forward by "power politics explanations" lack sufficient explanatory power.

Hanns Maull (1995-6) put forward three major factors which combined to alter the German government's attitude on recognition: increased domestic pressure, Genscher's visit to Yugoslavia in early July 1991, and the escalation of violence in Croatia. These three elements, however, are by no means equal because the domestic pressure factor seems to have been the most influential with the other two reinforcing this.

10.2.2. A Two-level Explanation

The "domestic pressure" factor

The domestic pressure factor involved two major and two minor lobbies that combined to provide decision-makers with the position of "public opinion". In order of increasing relevance, they were:

- a) the general, or mass, public;
- b) the Croat lobby and the Church;
- c) the media;
- d) the political parties¹⁵⁴.

General, or mass, public opinion emerged from opinion polls and popular demonstrations. Indeed, contrary to the prevailing view (Axt, 1995), it is the domestic factor which seemed to have affected less German decision-makers' perception of public opinion. There is a general and a more specific reason for this. The main over-riding reason was that officials usually pay more attention to the media and the political institutional debate as indicators of the public mood (Cohen, 1963; Powlick, 1995), rather than opinion polls. Another, more specific reason was that mass public attention on the issue of recognition emerged later, following a powerful publicity campaign which will be discussed shortly.

¹⁵⁴ As specified by the groups identified by Powlick as "public opinion" (Powlick, 1995).

Indeed, by July, i.e. when the war had already started, opinion polls showed little interest in the issue and little enthusiasm for recognition¹⁵⁵. It was only later, following intense media coverage, that opinion polls revealed increased public awareness of, and sensitivity to, the war in ex-Yugoslavia¹⁵⁶.

The *Croat lobby*, does not seem to have played a crucial role in the re-definition of Germany's position on recognition either in July, or December 1991. There were some 470,000 Croat workers living in Germany who certainly exerted pressure on Bonn to recognise their fatherland (Stark, 1992: 341). However, there is no evidence of any significant influence from the Croat lobby on Germany's actual policy towards the then-Yugoslavia (interviews at the *Auswärtiges Amt*, October 1995). In fact, if the Croat Community exercised any political pressure at all for recognition of Croatia it was mainly through the CDU and CSU in late 1990-early 1991 (Crawford, 1993: 15). However, it was the SPD which first took the lead in the recognition movement, not the CDU. Therefore, this specific case appears to confirm the basic belief that "the ethnic factor in German interest-group politics is small and its significance should be not exaggerated" (Maull, 1995: 123).

The same is true for the role of *the Church*. Catholic German bishops, who saw Slovenia and Croatia as the pillars of Catholicism in the Balkans, clearly exerted pressure on the two Christian parties, the CDU and CSU (traditionally Catholic)¹⁵⁷. However, because the leading party in the issue was not the CDU/CSU but the SPD (traditionally more Protestant), religious pressure as a factor in Germany's behaviour on recognition should not be overestimated (Axt,

¹⁵⁵ INFAS Meinungsreport, BPA Nachrichtabteilung / Ref. II A5, July 30, 1991; reported in Crawford, 1993: 16.

¹⁵⁶ In November 1991 an opinion poll revealed that 69% of Germans questioned supported full independence for Slovenia and Croatia whilst 65% supported EC trade sanctions (Crawford, 1993: 26).

¹⁵⁷ The Catholic Church in the West became more and more concerned with the fate of the Roman Catholic territories of Yugoslavia and assumed a strong pro-recognition position. Local bishops called on their Western colleagues for support with a letter, dated February 1, 1991, calling for action over the Yugoslav situation. The letter stated that the anti-democratic and neo-communist Belgrade, supported by the Orthodox Church, was intent on destroying the Western cultural democratic traditions of some of the Yugoslav republics ...i.e. Slovenia and Croatia (Carr, 1995: 12).

However, it should be noted that the official position of the Catholic Church (both internationally and in Croatia) changed during the conflict, moving away from what it regarded as Croat nationalism (Pirjevec, 1994).

For an analysis of the role of the Churches in the Yugoslav conflicts, see: Vrcan, 1994; Kuzmanic, 1994; Papini & Petrovic (ed.), 1995: 137-172. On the role of Islamism in the war in Bosnia-Herzegovina: Bougarel, 1995.

1995: 226). Furthermore, it is difficult to believe that the shift in Germany's position towards Yugoslavia in July 1991 would occur, had a huge media campaign not supported the recognition of Slovenia and Croatia; a campaign that started before the main political parties took clear positions on the issue and that was one of the driving forces in crystallising their respective positions on recognition.

From the beginning of 1991, the *German media* began to seriously cover events in Yugoslavia. On February 21, during a parliamentary debate on the Yugoslav conflicts, the *Bundestag*, the first voices in favour of Slovene and Croat independence were heard. By March 1991 a significant press campaign in favour of independence began in popular newspapers such as *Bild Zeitung*, as well as the influential conservative daily newspapers *Die Welt* and *Frankfurter Allgemeine Zeitung*. Famous journalists such as Johann Reissmüller (co-editor of the *FAZ*), Viktor Meier (Balkan specialist on the same newspaper), and Carl-Gustaf Ströhm (commentator for *Die Welt*) supported the right to self-determination of the Slovenians and Croats and, as a result, gained the attention of the political élites. As early as February 26, 1991, Reissmüller, in the *Frankfurter Allgemeine Zeitung*, suggested an analogy between Milosevic and Hitler (Caracciolo, 1994) which later became one of Genscher's main arguments against the aggressive behaviour of the Serbs.

The public, therefore, was influenced not just by the newspaper campaign, but also by the constant re-iteration of the arguments and the daily transmission of the war on TV. The right to self-determination was the main argument of the recognition supporters, followed by the responsibility of the Serbs in the conflict and the need to stop the war, highlighting this responsibility and internationalising the conflict through the recognition of Slovenia and Croatia.

The principle of self-determination for the Slovenians and Croats was presented as a moral "must" by the media and, later, by the politicians who favoured of recognition. The recent, and long awaited, re-unification of the country had been based on the principle of self-determination, so how could Germans deny any other people the same right?

Furthermore, they believed that the recognition of Slovenia and Croatia as independent states would have highlighted accusations against those considered mainly responsible for the war, i.e. the Serbs. Moreover, it was believed that the recognition would enable the UN to intervene with all the means available in an international (rather than domestic) conflict.

On the whole, the media, particularly the press, were largely responsible for creating the public movement in favour of the Slovenian and Croat right to self-determination, and which placed primary responsibility for the conflict on the Serbs. As Heuven states, "there were virtually no exceptions. From liberal intellectuals to conservative supporters of Chancellor

Kohl, public opinion reflected a media barrage of expressive indignation, anger, and outrage. Even [...active] diplomats in Bonn [...] were, as one put it privately, subject each night to harsh criticism at home from their spouses for not doing enough" (Heuven, 1993: 60). However, even before this type of "political propaganda" reached the general public, it was influencing the main political parties and reminding them of how the "principle of self-determination" had been crucial in post-unification elections (in which the CDU's use of the self-determination principle had paid handsomely)¹⁵⁸.

Political parties, finally, played an important role in Germany's attitude in the recognition issue. As late as Spring 1991, when Kohl and Genscher were still supporting the importance placed by the European Community on the unity of Yugoslavia, when the parliamentary opposition favoured independence of Slovenia and Croatia. On February 21, 1991, Ulrich Poppe, deputy with the extreme left (Greens and Alliance 90) made a speech in Parliament condemning the "hegemonic aims of the Serbs", their "violations of human rights" and the right to sovereignty of Slovenians and Croats. However, in spite of some timid applause from the CSU-CSU side, the *Bundestag* remained pro-Yugoslav.

However, voices in favour of recognition emerged within the Social Democratic (SPD) opposition soon afterwards. As early as May 1991, upon his return from Yugoslavia, the number two in the SPD group in the *Bundestag*, Norbert Gansel, declared that Slovenia was ready for independence and invited the German government to stop hiding behind the European Community's "stereotyped declarations", which, he said, hide the Serbo-federal repression and which "amplify and complicate the crisis" (*Frankfurter Allgemeine Zeitung*, 25/5/91, reported in Caracciolo, 1994: 130). On May 27 the much respected former leader of the SPD, Willy Brandt, attacked the pro-Yugoslav positions of the European Community. The centre-right newspaper *Die Welt*, then, reacted against Genscher and the Christian Democratic Union party (CDU)¹⁵⁹ accusing them of letting the left take the initiative in the name of Germany's real interests (*Die Welt*, 28/5/91).

However, a pro-recognition position very quickly gained ground in the CDU and CSU. On June 27, the CDU-CSU parliamentary group abandoned the official "Yugoslavian approach" of

¹⁵⁸ This does not mean that the media created perceptions from nothing, but they used arguments to which German general public and politicians were acutely sensitive (see Heuven, 1993).

¹⁵⁹ At the time the government was made up of a coalition of Christian Democrats (CDU and CSU), the CDU being Chancellor Kohl's party, and the Free Democratic Party (FDP), Genscher's party. The Social Democratic Party (SPD) was in the opposition.

the government to claim the right of self-determination for Slovenians and Croats (*Die Welt*, 2/7/91). As a result, the Free Democratic Party (FDP) found itself “out on a limb” (Maull, 1995-6: 122). Genscher was then pressured to “engineer a tactical realignment” in order to prevent being bypassed by a grand coalition of CDU/CSU and SPD on this issue (Maull, 1995-6: 122; Axt, 1995: 223)¹⁶⁰. Therefore, on July 9, 1991, at the international meeting of the Liberal International in Berlin, the FDP also adopted a pro-recognition position.

By early July, all the political parties support the right to independence of Slovenia and Croatia, in the name of a peoples' right to self-determination. “We won our unity through the right to self-determination [...]”, affirmed CDU Chairman, Volker Rühle on July 3, echoing Kohl's speech some two days earlier, “If we accept the status quo and do not recognise the right of self-determination in Slovenia and Croatia, then we have no moral or political credibility” (*Financial Times*, 4/7/91). As the crisis evolved, however, concern about the political implications of a possible German *Alleingang* was raised by several key-people both in the CDU and the SPD (Maull, 1995-6: 122).

So, why did political parties support a pro-recognition policy? The reason seems to lie in what Beverly Crawford (1993) has referred to as a “bandwagoning effect” on domestic political élites. The CDU had based its campaign in favour of a rapid re-unification of the two Germanys on the principle of self-determination. The SPD, on the contrary, had favoured a gradual process of integration and had focused its attention on the practical problems connected with re-unification. The 1990 elections showed that public sentiment was closer to the CDU positions and, as a result, the SPD reported serious losses. In the case of Yugoslavia, it was perceived that the same principle was at stake and this time the SPD decided to jump on the self-determination bandwagon early. As a result, they started to support the right of Slovenia and Croatia to independence before the CDU, whilst the FDP, as we have seen, could do little more than follow the other two.

A further element which contributed to the political consensus on recognition was the widespread conviction that the recognition of Slovenia and Croatia would internationalise the conflict, thereby enabling UN intervention (*The Economist*, 14/9/91).

Moreover, the pressure exercised by the political parties was reinforced by the *Frankfurter Allgemeine Zeitung* which “cultivated” the pro-recognition issue with an “almost daily bombardment” (Crawford, 1993: 38). This pressure, coupled with the rising assertiveness of the German public, forced the government to shift to a pro-recognition position in July 1991.

¹⁶⁰ Contrary to what Beverley Crawford (1995) claims, it seems that Genscher changed his position before that of his political party, and without informing it (Axt, 1995). Indeed, even the apparatus of the *Auswärtiges Amt* had problems following the Foreign Minister's switch (interviews at the *Auswärtiges Amt*, October 1995; Axt, 1995).

However, why was it as late as December 1991 that finally Germany undertook the *Alleingang*? As early as the first week of July, the Germany position began to diverge from that of the European Community. However, both Kohl and Genscher agreed to maintain multilateral coordination. The strategy adopted was to persuade Germany's European Community partners to agree on recognition and the imposition of sanctions on Serbia. Only when the strategy failed did Kohl threaten to take unilateral steps (*New York Times*, 8/8/91).

However, from September 1991 on, *de facto* fragmentation of Yugoslavia began to be accepted by other European Community member states. Furthermore, one of the main reasons for opposing recognition, the effect that it might have on the USSR, began to disappear as the USSR peacefully (at least until then) re-invented itself as a number of independent states. On December 6, Kohl told Tudjman that he wanted to recognise Croatia along "with the greatest possible number of European Community states before Christmas" (Crawford, 1993: 26). According to Genscher, Germany's leaders understood that the European Community would give a "green-light" to recognition by December 10 because on October 10 the EC has suspended recognition for 2 months. However, the "misunderstanding" thesis is insufficient to explain Germany's unilateral acts, because the European Community partners made it clear at the outset that they would not accept unilateral action. Even so, in spite of the even high internal pressure, Germany avoided unilateral recognition until after the Maastricht treaty had been signed.

If it is clear that the German preference on recognition was due to domestic factors (as the official "position paper" affirms), its stubborn and extended resistance to domestic pressure can only be found "at the European Community level".

"European Community Membership" factor

To re-iterate, coordination with its European partners has long been one of Germany's main priorities in the post-war period, and, contrary to some thinking (Carr, 1995), for the re-unified Germany also (Anderson & Goodman, 1993). As one of Kohl's advisers pointed out, "The *Staatsräson* of a united Germany is its integration in Europe". According to the same official, the amendment of Article 23 of Germany's Basic Law to include commitments to "the realisation of a united Europe" represented "a symbolic act of profound significance" (quoted in Ash, 1993: 385).

Given these premises it is somewhat easy to understand Germany's pro-deepening attitude within the two Intergovernmental Conferences (on Monetary Union, and Common Foreign and Political Union) which were taking place during the first phase of the Yugoslav conflict (December 1990-December 1991). Thus, given the importance for European integration, the German government (as well as politicians from the opposition) was afraid of the potentially

negative consequences for the European process in the event of a German *Alleingang*. Indeed, concern was apparent in various speeches by both Genscher and Kohl, and helps to explain the long resistance by the two men to what was massive domestic pressure for recognition. “A unilateral German move”, Kohl said on September 18, 1991, “would have destructive consequences for the unification of Europe. A policy based on reason must be maintained even in the face of strong domestic opposition” (quoted in Jakobsen, 1995b: 375-6).

Thus, the importance Germany attached to European integration was the main reason for the withholding of recognition until December 23. Why December 23? First, the Maastricht Treaty had by then been signed; second, Germany was able to reach a compromise agreement on December 16 under which its European partners agreed in principle to recognition; third, domestic pressure forced Kohl to fulfil his promise of recognising Croatia before Christmas; fourth, recognition of Croatia had to take place before the report of the Badinter Committee was completed because it was already clear that it would advise against the recognition of Croatia.

It is difficult to over-state the importance attached by Germany to the construction of the European Political Union as defined by the Maastricht Treaty. Indeed, Germany wanted to create a European Political Union even in the economic disadvantages. In fact, the move from the European Monetary System (EMS) to European Monetary Union (EMU) imposed upon Germany “more [economic] disadvantages than advantages” (Anderson & Goodman, 1993: 52).

This is because EMS created, what was in effect, a Deutsche-Mark currency zone in which monetary policy was to a large extent set by the German *Bundesbank* (Grieco, 1995; Smeets, 1990). “Whereas other EMS countries sometimes faced major adjustments when the Bundesbank tightened policy, the Germans needed only consider domestic objectives and consequences” (Sandholtz, 1993: 28). Because of this perceived asymmetry, France proposed in January 1988 to move beyond EMS (Grieco, 1995), by re-activating the old idea of European monetary union¹⁶¹ (Sandholtz, 1993). The creation of a European Central Bank, with a European board in which the *Bundesbank* was but *one* of the members, certainly represented a lessening of German economic dominance. Thus, if EMS was so favourable to Germany, why was it so keen to move towards EMU? Even more so when one considers that moving to EMS not only implied loss of a privileged dominant position in the system, both facing huge costs and uncertainty. As Sandholtz affirms, “on purely economic grounds, German motives for pursuing EMU would remain puzzling [...], German officials could be expected to oppose EMU” because it would decrease German control over economic policy

¹⁶¹ The idea dates back to 1969, was reaffirmed in 1970 by the Werner Report, and had a first result with the creation of the EMS, in 1979.

whilst giving no guarantees on the ability of a European Central Bank to control price stability (Sandholtz, 1993).

Given the circumstances, it becomes clear that economic considerations fail to explain German support for EMU. Was it because of high domestic pressure? The answer is no because whilst European business groups were in favour of EMU and special interest groups were lobbying the governments of the European Community on monetary union¹⁶², it is insufficient to explain the process which led to Maastricht. Indeed, Maastricht had its roots in time long before business groups started to pay attention to the issue. As far as the "general public" was concerned, attention only rose when the initiative was well under way. Furthermore, opinion polls at the time showed public support for monetary union in nearly all member states, even those less enthusiastic for EMU.

So, if the reason for Germany's support of EMU cannot be fully explained by economic considerations or by domestic politics concerns, what was the driving force behind it? Anderson & Goodman provide much of the answer when they say that "German initiatives were not driven by a naive altruism or blind fealty to international institutions¹⁶³. [...However,] alongside with [these] instrumental calculations, the German push for European integration was motivated by a more reflexive rationale based on the logic of institution building" (Anderson & Goodman, 1993: 54-55). Officials believed that EMU could represent the driving force for deeper integration by activating a functional spillover effect¹⁶⁴.

Therefore Germany support for EMU is simply a confirmation of the importance attached by Germany to the European integration process. On this basis, it is evident why Kohl and

¹⁶² This was also the case in Germany, where a Gallup poll in July 1989 revealed that 69% of company presidents were in favour of a common European currency (83% being the percentage for the Community as a whole).

¹⁶³ In fact, Anderson & Goodman continue by saying that Germany would gain influence "from its economic strength and its contributions to the EC budget, which will enable it to build winning coalitions and a decision-making framework increasingly dominated by qualified majority voting" (Anderson & Goodman, 1993: 55).

¹⁶⁴ An alternative, "neorealist" explanation of Germany's support for EMU is provided by Grieco (1995). Germany, claims Grieco, may have accepted the need to provide its partners with effective "voice opportunities" in monetary affairs through EMU because the latter would (a) guarantee prices stability and (b) foster a more effective European coalition against Japan (Grieco, 1995: 38). However, this interpretation seems very weak from both an economic or a political perspective. As a matter of fact, Germany had good reasons to retain trust in the capacity of the *Bundesbank* to maintain price stability as opposed to that of an eventual and unknown European Central Bank. Secondly, the institutional constraints on German economy due to EMU are too important and with too many long-term implications for the actual sovereignty of the state to be justified purely in terms of coalition-building.

Genscher tried so hard to gain Community agreement on recognition before proceeding with it. It is perfectly clear why they waited until after the signature of Maastricht. to act. What is *not* obvious is why Germany acted before the other member states.

It was clear that Croatia would fail to meet the criteria established by the Community for the recognition of new states. This would have meant that the Germans would not have been able to recognise Croatia (by Christmas) as promised. Germany's *Alleingang*, therefore, came in response of both domestic demands and the need to force the other Community partners to proceed with the recognition of Croatia in spite of the Badinter report.

The main reason for withholding recognition, in spite of domestic pressure, disappeared with the signing of the Maastricht Treaty and the agreement in principle of the Community over recognition. On December 17, Kohl took part to the first all-German CDU party convention, in Dresden, and announced the compromise agreement reached at the European Council meeting and his intention to recognise by December 23 any republic which met the conditions set. As a result, he received a rapturous ovation from over 1,000 party delegates. "The fact that we succeeded in winning the support of the rest of the European Community for our initiative", he stated, "testifies our commitment to the common foreign policy which we pledged to pursue at Maastricht" (reported in Crawford, 1993: 33).

However, Germany's early recognition cannot be interpreted only as a response to internal pressures and political strategies, but also as a way of imposing leadership on the other EC member states over the recognition of Croatia. Thus, Germany's action must be interpreted, in game-theoretical terms, as a "hero strategy", not as a "chicken strategy", as Crawford asserts (1993: 29). Indeed, Germany decided to go ahead over recognition betting that its European partners would place the saving of foreign policy coordination (i.e. follow German policy) above the need to maintain their own political strategy (i.e. delay recognition). The characteristics of the game (Rapoport, 1966, 1967; Snyder & Diesing, 1977: 43) make German reasons for unilateral recognition explicit in that the European partners would have had no incentive to recognise Croatia, had Germany not gone ahead alone¹⁶⁵.

10.2.3. Conclusions: The Role of Domestic Politics, International Institutions and "Ideas" in Germany's Decision to Recognise Slovenia and Croatia

This chapter has demonstrated that domestic pressure in favour of recognition, exercised mainly through the media and the major political parties, played a major role in shaping the German

¹⁶⁵ A formalisation of this game is in Lucarelli, 1995b.

government's preference for recognition. This strong preference, however, did not result in German recognition of Slovenia and Croatia until the rest of the Community had also *de facto* agreed to recognising the former republics as independent states. In fact, Community membership influenced German perceptions and decisions on recognition of Slovenia and Croatia both in the sense of saving the Maastricht negotiations and in the belief that policy coordination remained the best option if it was to go ahead with recognition. In this sense, the European Community placed both constraints and opportunities in Germany.

To re-iterate, the "two level game" which Germany's decision-makers had to play severely influenced the behaviour of the country at different stages of the debate. Before June 1991, Germany shared the common European position on the Yugoslav conflict and supported the unity of the Yugoslav state. After Slovenia and Croatia's declaration of independence Genscher explicitly called for its suspension and for a negotiated solution to the conflict (Maull, 1995:102). However, in early July, under strong domestic political pressure from both the media and the main political parties, Germany undertook a significant policy reversal and started to support the independence of Slovenia and Croatia in the name of the right to self-determination. However, the traditional post-war multilateral attitude of the country, and its faith in the future of the European Community, led Germany to avoid unilateral action whilst trying to gain the agreement of its community partners on recognition. Eventually, Germany went ahead with a unilateral move only when such action would not severely endanger the integration process following the signing of the Maastricht Treaty and when an agreement on the principle of recognition had already been reached within the Community. At this point, German leadership was able to assuage domestic calls for recognition and thus responded to internal political concerns. However, in such a way that it restricted the room for manoeuvre of its Community partners in case the Badinter report expressed doubt about Croatia's ability to meet the requirements of recognition.

It is clear, therefore, that the interplay between the two levels provided Germany's decision-makers with both constraints and opportunities. Therefore, it is possible to summarise the role played both by (A) Germany's membership in the European Community and (B) Germany's domestic concerns, and, thus, answer the questions that were posited in the introduction:

Did the European Community matter?

1. Did it function as an instrument of Germany's strategy?

- The EC provided Germany with an *arena in which to exercise influence*. As has been demonstrated, Germany used both the threat of unilateral action, and the eventual unilateral recognition of Croatia, as ways of forcing reluctant partner-states to accommodate Germany's

preferred option. Furthermore, Germany used its bargaining power at the negotiations on EMU in order to force compliance with its policy of recognition. In this respect, rumours about a special deal having been brokered between Germany and Britain at Maastricht appear plausible. The British Prime Minister, Major, could have agreed to follow German recognition of Slovenia and Croatia in exchange for German support over "opt-out" issue at the Maastricht summit (*The Economist*, 18/1/1992: 46)¹⁶⁶. "Softer" interpretations suggest an implicit, rather than an open, deal between Germany and Britain at Maastricht, in which Germany made concessions during the first phase of the Maastricht negotiations in order "to sweeten the inevitability of recognition for London" (Zucconi, 1996: 247). Actually, in the interviews given to this author at both the British Foreign and Commonwealth Office (September 1995) and the German *Auswärtiges Amt* (October, 1995), there was no evidence of any "open" deal between Britain and Germany on the issues of recognition and Maastricht. However, there was some support among diplomats to the idea of an "implicit" deal between the two states.

- As for the second way in which the EC could function as an instrument of Germany's strategy, i.e. representing an instrument to balance against or replace other institutions, this was not the case.

2. Did the European Community function as a constraint on German strategy?

- *EU membership made state interests and preferences more predictable to other members.* The well-known German interest in "deepening" integration certainly made Germany's policy more, although not completely, predictable. However, the reverse is also true because the Community offered a framework to Germans to reinsure its European partners, as well as the United States, about its desire to maintain a multilateral approach. In this sense the Community provided opportunities for German strategy.

- *EU membership influenced the interests of member states, thus facilitating agreement.* Taken all together, the withholding of German recognition, the compromise agreement of December 16 and the collective recognition of January 15 are examples of how the European Community facilitated agreement among its member states, even though initially interests were divergent.

¹⁶⁶ A similar deal has been reported between Germany and Greece in which Greek reluctance to grant recognition to Slovenia and Croatia was apparently overcome by German assurances that it would not demand the recognition of Macedonia (Zucconi, 1996: 247; Axt, 1993: 351-2).

3. Did the European Community *affect German strategy*?

• *The European Community affected German strategy because it affected the very nature of the country's preferences.* Germany's strong commitment to European integration made the Community "a source of intrinsic value" for Germany, which preferred coordination to unilateralism in order to save the Maastricht Treaty. Furthermore, Germany's interest in saving Maastricht (and particularly EMU) cannot be explained in any other way than a recognition of an intrinsic interest in the European integration process. Only in Germany, according to Keohane and Hoffmann, "did state policy rest, to a significant degree, on a belief in the intrinsic value of international institutions" (Keohane & Hoffmann, 1993: 402). The thesis will return to the importance of "ideas" in the German decision to recognise Slovenia and Croatia following an analysis of the importance of domestic politics in this case.

Did Domestic politics matter?

4. *Decision-makers were constrained and compelled by what they perceived as "public opinion".*

In fact, pressure from the media and the political parties provides an explanation for both the shift in the Government's political position in July 1991 and the *Alleingang* of December 1991.

5. *The German government used domestic politics as an argument to justify its position when bargaining at the European Community level.*

De Michelis has reported that, during the December 16 meeting, Genscher made it clear to the representatives of the other member states that his government was facing serious difficulties in the face of intense domestic pressure for recognition (De Michelis, 1994: 134). However, this argument was not the main element employed by the German government to gain the agreement of the European partners. Indeed, both the German media and the political parties focused on Slovenia's and Croatia's right to self-determination, and the role they believed that recognition would play in stopping the war. Factors that the thesis will address again.

6. *Finally, the German government, from the point when internal pressure for recognition emerged, used the argument that Germany's commitment to European integration was paramount and that it represented a deterrent against unilateral action.*

However, this analysis reveals another element, that is frequently neglected by rationalistic approaches, i.e. the role of “values” or “ideas” (Goldstein & Keohane, 1993) in shaping foreign policy. In the case of Germany this is particularly apparent because various studies have shown that “values matter for post-war German foreign policy” (Maull, 1995-6: 116). Peter J. Katzenstein argues that in Germany norms and beliefs are important in explaining internal security policies. Moreover, they are also critical in defining those problems that policy makers seek to address (Katzenstein, 1993).

Therefore, what “values/ideas” influenced German policy over recognition? Two groups of values can be identified that correspond to those identified by Goldstein and Keohane (1993: 12-13) as: (a) “ideas as a road maps”, and (b) “ideas embedded in institutions”. Moreover, the two groups partially overlap when institutionalised beliefs function as “guiding values”.

In the case of the recognition of Slovenia and Croatia, Germany's “guiding values” largely corresponded to the ideas that played a crucial role in both Germany's foreign-policy culture and its behaviour in the post-war period, i.e. the right to self-determination, human rights, and the renunciation of violence as a means of settling political conflicts (Maull, 1995-6: 116). Indeed, the renunciation of violence issue played the main role in the debate on military intervention, whilst the other two drove the domestic debate on recognition.

According to realists, these “beliefs” were just hooks, i.e. ways for decision-makers to propagate and legitimise their interests. However, although this theme remains pivotal, it does not seem to wholly explain the massive attention paid to these themes in the German debate on recognition. Indeed, references to the right to self-determination by Slovenians and Croats emerged earlier in the press than on TV. It was the driving-force of pro-recognition propaganda that was vital because it influenced the general public directly and, as a consequence, the political parties. Thus, had the concept of self-determination not been so personally important to Germans, the media coverage in favour of recognition would have not been so readily accepted by a mass audience.

Furthermore, in the arguments posited by both the media, and the German government, self-determination, never stood on its own because full democratisation and adequate minority rights reinforced the pre-conditions for self-determination. This focus on the respect for these conditions as prerequisites for recognition was further reinforced by the appointment of an Advisory Committee, under the chairmanship of Judge Tomuschat, that was parallel to the one chaired by Judge Badinter.

Therefore, with respect to “guiding values”, it is interesting to note that the German leadership believed they could end the war in Yugoslavia through recognition of Slovenia and Croatia as independent states, squarely placing blame on the Serbs and, thus, allowing the UN

to mount a peace operation. However, it remains difficult to be certain whether the end of the conflict in Yugoslavia was a true interest of Germany's leaders or whether it was merely an excuse to give in to internal pressure. Equally, this particular element, although founded on a misperception that the war could be stopped by recognition, could be found both in the media and the official discourses of Germany's leaders very early in the crisis management process. Furthermore, this rationale for German pressure for recognition continues to be put forward as an explanation by German officials several years later, as well as in private interviews¹⁶⁷. Having said that, it is clear that the main reason for Germany's behaviour during the recognition issue were the result of domestic pressure and the "constraints" placed upon it by membership of the European Community. Equally, it is interesting to see how these two levels of constraints also provided guiding values for actual decision-making.

The lengthy German effort to gain the agreement of its European partners on recognition strongly suggests that a further "guiding value" for its foreign policy was at work, namely European integration as a value in itself. A striking feature of post-war German foreign policy has been the weight that has been attached to multilateralism and international institutions, in particular to the European Community (Anderson & Goodman, 1993; Axt, 1995; Maull, 1995-6).

The postponement of recognition until the Maastricht Treaty was signed as well as the substantial agreement over recognition that was reached underlined the importance attached by Germany to European integration. Even if it was clear that Germany was simply trying to secure its own interests by "saving EMU", such action can only be understood as a value-based action. Indeed, as indicated earlier, in economic terms it was doubtful that EMU offered more advantages than the D-Mark, or that Germany could have foreseen any economic advantage in 1991 by switching from EMS to EMU.

In the words of one "eurosceptic", "in its relations with Brussels Bonn made irresponsible concessions. Thus, the rebate that we agreed for with the British until 1999 will cost us 1.3 million marks per year. [...] Since Germany's re-unification German *eurochéques* to Brussels have risen roughly 12% [...] in spite of the enormous costs of re-unification. [...] Such behaviour has no rational explanation, it is pure europhile ideology" (Watzal, 1994: 107, my translation).

¹⁶⁷ See quotation of Genscher in Silber & Little, 1995: 219; and interviews by the author in Bonn, October 1995.

10.3. Explanations of French and British Concessions on Recognition

From the beginning, France and Britain were in favour of maintaining a united Yugoslavia. This approach was strictly adhered to until September 1991, when the desegregation of the country appeared increasingly unavoidable. Western European states, including France and Britain, started to envisage the independence of the former republics of Yugoslavia within a general agreement on the future of the SFRY.

The EC-sponsored Peace Conference on Yugoslavia, which opened on September 7, reaffirmed that the recognition of the independence of former-Yugoslav republics was possible, but only within the framework of a common agreement (Carrington, 1992: 8). On October 6, following the expiry of the Brioni Agreement, the EC member states again pointed out that “a political solution should be sought in the perspective of recognition of the independence of those Republics wishing it, once peace negotiations are completed” (ER 1710: 1, 2). Furthermore, On October 18, Van den Broek (Chairing the EC Council's Presidency) and Lord Carrington put forward a comprehensive plan for the future institutional structure of Yugoslavia which called for a free association of sovereign and independent Republics, thereby allowing recognition of the independence to all republics, within their existing boundaries, that would agree to the plan.

On November 8, whilst deciding on economic sanctions to be imposed on rump-Yugoslavia (Serbia and Montenegro), the European Community Heads of State and Government affirmed yet again that any recognition of new independent and sovereign States could be envisaged only within the framework of a generally negotiated agreement. One month later, in the face of Germany's declared intention to recognise Slovenia and Croatia by Christmas, the United States, France and Britain strongly opposed the German proposal. In fact, French Foreign Minister Dumas warned that a unilateral German action would be contrary to the spirit of Maastricht.

This was the position that France, Britain and most of the Community member states maintained until December 16, 1991. However, France and Britain began to accept that the SFRY was “engaged in a process of dissolution” (First opinion of the Badinter Committee, author's translation from the French) as early as September. On October 9, in a speech before the French Parliament, French Foreign Minister Dumas confirmed that “Yugoslavia no longer exist[ed]” and that the European Community should “draw the logical conclusions” (*Le Monde*, 10/10/91). Mitterrand echoed his Foreign Minister when he said that Yugoslavia no longer existed in its original form, and that the country had been already divided following the desire of two republics (Wood, 1993). Furthermore, Western European public opinion was

increasingly in favour of self-determination for the Yugoslav Republics, as the EC Commission's Eurobarometer revealed in September 1991 (ER 1709). However, France and Britain were not prepared to allow the partition of the country outside an overall agreement.

Despite all this, and in spite of the European Community's self-styled guidelines for recognition, both countries agreed on the compromise agreement of December 16 and followed Germany's recognition of Croatia on January 15¹⁶⁸. Why was this the case?

10.3.1. France

France had led the anti-recognition party since the beginning of the debate on the issue. When the SFRY showed signs of desegregation, then Prime Minister Edith Cresson repeatedly stressed: "Yugoslavia cannot be part of Europe unless it remains united" (*Le Monde*, 25/5/1991). In June 1991 the French government strongly advocated the need to maintain a unitary Yugoslav state because, as French Foreign Minister Roland Dumas explained, recognition of the partition of the country would lead to a general outbreak of conflict and set a dangerous precedent (*Le Monde*, 27/6/1991). France's hostility towards independence was one of the reasons why the Brioni Agreement (July 1991) included a three-months suspension of Slovenia's and Croatia's declaration of independence (Wood, 1994).

Therefore, as early as July 1991, French and German preferences on the recognition of former Yugoslav republics contrasted sharply. However, the two countries were still able to find compromises. At the end of July, Mitterrand successfully persuaded Kohl to declare that recognition of Slovenia and Croatia was not imminent, and to agree to the establishment of an arbitration commission. In return, Mitterrand rejected the use of force to keep Yugoslavia united, and agreed to the German proposal to organise an international conference on Yugoslavia. The link between the organisation of the conference and the non-recognition of run-away republics was clear when Genscher and Dumas spoke in September 1991. "If it is not possible to bring about a conference", said Genscher, "we will go forward to recognise Croatia" (*Financial Times*, 4/9/1991; reported in Wood, 1994: 133). In response, Dumas warned that "only the peace conference, and not the international recognition of the republics who wish to leave the federation, offers a chance to find a solution" (*Le Monde*, 7/9/1991).

However, the failure weak results of the diplomatic efforts, led Mitterrand to state in

¹⁶⁸ It might be worth recalling, however, that France and Britain announced they would delay any exchange of ambassadors with Croatia until the latter undertook concrete measures for the respect of individual and minority rights (as its President, Tudjman, had guaranteed to do).

September 1991 that Slovenia and Croatia could both, under specific conditions, become independent (*Le Monde*, 13/9/1991). This was re-iterated by the French government in December 1991, at the time when Germany was increasingly pressing for recognition. The recognition of Slovenia's and Croatia's independence, stated Mitterrand to his German partners, was possible but only as part of collective action by the European Community and only after a cease-fire was achieved and a number of fundamental criteria were met, i.e. respect of human rights, settlement of minority issues, frontier problems, etc. (*Le Monde*, 1-2/12/1991).

France basically maintained a "Yugoslavist" position until December 16. Indeed at the December 16 meeting, Genscher found that the strongest resistance to recognition came from his French counterpart, Dumas (De Michelis, 1994). Furthermore, immediately after Germany's unilateral recognition, anxiety about German intentions grew markedly in France. French President François Mitterrand complained about Germany's *Alleingang* and warned that "the days of the 'good Germans' are almost over, [...] the world must brace itself for the worst" (*The Guardian*, 10/1/1992, quoted in Jakobsen, 1995a). Moreover, Daniel Vernet wrote in *Le Monde*: "The lesson to be drawn from the Yugoslavia affair is that Germany will no longer accept European integration as means to contain its potential power. The German question must be given higher priority [...] by Europe and by France" (*Le Monde*, 7/7/91). However, in spite of all this, and in spite of French support for the Badinter Committee, as well as an allegedly pro-Serbs bias, France recognised both Slovenia and Croatia on January 15.

However, before moving on to analyse the reasons for France's recognition of Croatia on January 1991, it is important to briefly analyse the reasons for French opposition to the recognition of Slovenia and Croatia before September 1991.

More than one reason has been put forward to explain French opposition. The main reasons are as follows:

- a) France had a *pro-Serb attitude* from the beginning of the conflict;
- b) France was concerned with the *destabilising effects internally* of the application of the *principle of self-determination*;
- c) France was concerned about the *destabilising effects internationally* of the *principle of self-determination*;
- d) France was *worried about the hegemonic role Germany* could possibly play in the area of the new republics;
- e) France was playing the 'sympathy' card (Wood, 1994: 132) in order to *promote its role as mediator*.

France's pro-Serb attitude. According to this interpretation, the historical ties France had with Serbia shaped the country's pro-Serb (therefore anti-secessionist) position. Since WWI,

France had established warm relationship with Serbia, which was more than it had with the other Yugoslav republics. In November 1991, when Serb responsibility for the war had already been recognised by Mitterrand, the French President, in an interview with the *Frankfurter Allgemeine Zeitung* recalled that "it was Croatia, not Serbia which belonged to the Nazi bloc" (FAZ, 29/11/1991; reported in Macleod, 1995a: 71, footnote 2).

However, the special relationship with the Serbs seems not to have been the most influential element in France's opposition to the recognition of Slovenia and Croatia.

France was also worried about the possible *destabilising effects of the principle of self-determination* to "other cases elsewhere" (Dumas, 5/7/1991, quoted in *The New York Times*, 6/7/91). Indeed, both the separatist movement in Corsica, and the secessionist republics of the USSR, represented threats to the existing relative order¹⁶⁹. In particular, France feared that the implosion of the SFRY could threaten Gorbachev's reform policy in the USSR and, as a result, provoke ethnic and national conflicts in the Soviet Union and, therefore, in other European states (see Lepick, 1996: 77).

France's concern about German hegemony in the region. What seems to have been France's greatest concern in relation to the recognition of Slovenia and Croatia was to prevent a situation in which "that certain regions become too openly subject to foreign [i.e. German] influence" (Dumas, quoted in *Le Monde*, 7/7/91)¹⁷⁰.

Mediation role. Finally, the French government might have wanted to play the same friendship card it tried on Saddam Hussein before the 1991 Gulf War: "the 'sympathy' card was a strategy to promote both peace and French influence through the role of intermediary" (Wood, 1994: 132). In a certain sense France was intent on preserving its international rank by differentiating itself (and its role) from the other states, even though it continued to operate within a multilateral/institutionalised context (see Gow, 1997: 158-166).

However, whatever the reasons were for France's opposition to recognition, it eventually gave in to German pressure. Why was this the case?

One "power-politics" explanation put forward suggests that France might have had an

¹⁶⁹ Supporting this interpretation, see: Anderson, 1995: 343; Moore, 1991: 35; Cviic, 1991/2: 88; *New York Times*, 4/7/91.

¹⁷⁰ Suggesting this interpretation, see: *The Economist*, 13/7/91; *Liberation*, 3/7/91; *International Herald Tribune*, 5/7/91; *Le Monde Diplomatique*, 12/1991: 1; Lepick, 1996: 78.

interest in shifting the main arena of management from the European Community to the UN Security Council. Recognition would internationalise the conflict thereby enabling for new opportunities for intervention by the UN. Such a shift would have transferred the arena of management to an institution in which France played a greater role than Germany, being a permanent member of the Security Council. Therefore, Germany' unilateral action over recognition simply re-ignited France's traditional "German obsession" (Marian, 1992), and the need to undermine German influence over the conflict management.

However, there is a contradiction in France's strategy and its attempts to "keep Germany under control" binding it to "strengthened European Community ties". In fact, any action aimed at shifting management of the Yugoslav conflict from the European Community to the United Nations fundamentally contradicted French efforts at creating an efficient European institution that could deal with security problems without the support of the United States or other extra-European actors.

On the contrary, as has been shown, on December 14, France and Britain preferred to withdraw the UN draft resolution against eventual unilateral recognition on the ground that it would endanger European cohesion in the event of a German *Alleingang*. Furthermore, this explanation was not supported by any official and expert in French foreign policy interviewed for this thesis.

Madame Elizabeth Guigou, French Minister for European Affairs at the time (1990-1993), claimed that the main reason for recognition lay in *domestic political concerns* because Mitterrand could not ignore rising internal pressure as a result of volatile public opinion¹⁷¹. However, this explanation does not seem very convincing.

First, internal pressure over recognition in France was nothing to that in Germany. There were pro-Croat voices present in the press, and, indeed, among the intellectuals,¹⁷² but not to any degree which would have justified France's acceptance of the December 16 agreement, let alone French recognition of Croatia, particularly given the nature of Badinter's report. Domestic

¹⁷¹ Interview, Florence, November 1993.

¹⁷² In Autumn 1991, when Dubrovnik was under fire from Serb artillery, Bernard Kouchner, the French State Secretary for Humanitarian Action, flew to the ancient Raguse with an academic, Jean d'Ormesson, a philosopher, André Glucksmann, and two parliamentarians (one from the government, one from the opposition). The participation of the two intellectuals was to give public visibility to the enterprise (Floquet & Coq, 1993: 86). In the following weeks, the press published a series of Kouchner's articles which sensitised the general public to the need for humanitarian action. On November 24, in *Journal du dimanche*, Kouchner showed his "indignation [...] contre certains chefs d'Etat", and affirmed that "une intervention politique de l'Europe serait véritablement la bienvenue" (Floquet & Coq, 1993: 87).

pressure can explain why France abandoned attempts to keep Yugoslavia united in September 1991, but not its recognition of Croatia in the face of the Badinter recommendations. Significant domestic pressure did not grow, as will be shown, until the war in Bosnia-Herzegovina.

Second, the French government did not give way to pressure over the recognition of Macedonia, despite the strong attention of the media on this issue.

Third, a more “structural” point, the French political system is less sensitive to public pressure than Germany's. French political culture, with its centralised decision-making, make it less susceptible to both domestic and foreign public opinion. Indeed, French officials at the *Quai d'Orsay*, unlike their German counterparts at the *Auswärtiges Amt*, tend to under-estimate domestic and/or international “public opinion”. “A country with an advanced foreign policy should be able to keep its public opinion under control”, a French diplomat said (interview with the author at the *Quai d'Orsay*, September 1995). German officials would regard such a statement as contrary to the very principle of a democracy. This seems to be part of the political culture of these two countries.

With regard to the “structural” elements of the French political system that make it less sensitive to public opinion, it is sufficient here to refer to the role of the French President in foreign policy. The centrality of the Presidency in French foreign policy became ever more evident when Jacques Chirac replaced Mitterrand at the *Elysée*. France's shift in attitude over ex-Yugoslavia in the Summer of 1995 was, to a significant extent, explicable by the change in President (interviews at the *Quay d'Orsay*, September 1995).

In reality, the explanation which seem most satisfactory is, once again, an *institutional* one, resting, as it does, on the importance attached by France to maintaining the coordination of the Community and the Franco-German axis¹⁷³.

In the first place, French and German interest in the construction of the European Union, although based on different reasons (Morgan, 1993), was built on a special relationship between these two countries.

The re-unification of Germany and the possible enlargement of the European Community eastward (which would shift the centre of political gravity of the Community away from France) were two elements in the immediate post-Cold War period that strengthened a long-held

¹⁷³ This explanation is supported by the interpretation of most officials interviewed in Paris, London and Rome by the author (interviews, September-October 1995). This point of view is also shared by many commentators including Lord Owen, who wrote that France and Britain “withdrew their opposition in favour of a deeply damaging EC consensus. [...] maintaining unity among the member states bec[ame] an end in itself” (Owen, 1995: 344).

French conviction that it was vital to keep Germany under collective, institutional control¹⁷⁴.

The French interest in preserving Franco-German coordination, even over the issue of recognition, was reinforced by its continued interaction with Germany during the period July-December 1991. Although France maintained its opposition to recognition, the representatives of the two countries met several times in an attempt to reach a compromise agreement. This was the purpose of the September 18 meeting between Mitterrand and Kohl, that, after French accusations of German hegemony on the issue of unilateral recognition, finished by Kohl reassuring Mitterrand about the centrality of Germany's European approach to the Yugoslav conflict, whilst Mitterrand accepted the principle of Slovenia and Croatia's right to self-determination. Eventually, the meeting was presented as one "between good friends, [... concentrated] on the summit in Maastricht", President Mitterrand said immediately afterwards (*Reuter Newswire - Western Europe*, 18/9/91; quoted in Jakobsen, 1993: 56-7).

Another example of the importance of the Franco-German axis was the agreement of December 16, 1991. The agreement was primarily a compromise between the position of France, nearly irremovable on the issue of human rights and the legal supervision of them, and Germany that was willing to guarantee the Community's recognition of Slovenia and Croatia (De Michelis, 1994).

Moreover, France's interest in preserving Franco-German coordination during the July-December 1991 period was more important than usual, because the negotiations on the Maastricht Treaty were still ongoing. Eventually, when the common EC guidelines on recognition were adopted, on December 16, the Treaty had been signed only a few days earlier. Given this premise, how could France, one of the most "Europhile" of European states, risk an open violation of the principle of "Joint Action" in the field of foreign policy, contained within the Maastricht Treaty? Furthermore, the Maastricht Treaty endorsed some important diplomatic "gains" for France, particularly with regard to European Monetary Union, which would be lost if the Treaty was not ratified. As a matter of fact, two of the French administration's objectives were achieved by the agreement over EMU, (a) the strengthening of French influence over the EMS¹⁷⁵, and, more importantly, (b) locking a unified Germany into stable institutional ties. On this latter point, after the destruction of the Berlin wall, in October 1989, President

¹⁷⁴ See Tiersky, 1992; Waever, 1991; Hoadley, 1995; Haywood, 1993. On French perspectives on the "new" Germany: Morgan, 1991.

¹⁷⁵ To resolve the problem of asymmetrical power within the EMS, as early as the late 1980s, France and Italy had tried to amend EMS rules "to ensure greater equality of responsibility and authority" (Grieco, 1995: 36). Along these lines, the French put forward the idea of an EMU precisely to ensure such an outcome.

Mitterrand launched his campaign for rapid progress towards EMU. In March 1990, after the East German elections, Foreign Minister Roland Dumas suggested "moving up the conference on EMU given the rapid change in Germany" (Sandholtz, 1993: 33). Indeed, "given historical French worries", as Sandholtz observes, "it is not surprising the German unification should increase French interest in strengthening EC ties" (Sandholtz, 1993: 33).

Moreover, the type of EMU agreed at Maastricht clearly served French interests. In May 1992, the then-Prime Minister Pierre Bérégovoy, according to the *Financial Times*, "reminded his compatriots that the Maastricht path represents a path in which France, far from losing independence, can regain a degree of control of monetary affairs at present largely ceded to the Bundesbank" (*Financial Times*, 13/5/92, quoted in Grieco, 1995: 36).

Given all these factors, it appears clear that France's decision to follow Germany's recognition of Croatia in spite of Badinter's advice has its origin in the importance the French placed on saving the Franco-German axis within the Community. Above all, French policy of maintaining of the Franco-German partnership within the European Union could not be endangered by the possibility of a German "defection".

10.3.2. Britain

Britain opposed the recognition of Slovenia and Croatia as much as France. Indeed, like its European partner Britain took a very strong "Yugoslavist" position at the beginning of the conflict, and only gradually became aware of the inevitability of partition within Yugoslavia as the fighting intensified. Like France, Britain gradually accepted the possibility of independence for the former Yugoslav republics but wanted it to take place within the overall framework of a federal Yugoslavia (i.e. the two principles upon which the Peace Conference was founded). Eventually, the UK accepted the December 16 compromise and followed Germany's recognition of Croatia on January 15, 1992. That said, Britain's attitude at the December 16 meeting was already "more relaxed" than that of the French for reasons that become clearer later on.

Britain's stress on the need to maintain a unitary Yugoslav state was based on several factors that have been highlighted by the press and the literature:

a) the risk that recognition would have *destabilising effects upon the internal situation of the UK*, i.e. Northern Ireland¹⁷⁶;

¹⁷⁶ This explanation of Britain's aversion to recognition was put also forward by German Foreign Minister Genscher (*Frankfurter Allgemeine Zeitung*, 5/7/91; Jakobsen, 1993).

- b) the possible *destabilising effects on the former Eastern bloc*, especially on the USSR;
- c) *concern about the US reaction* to recognition by the EC which Washington opposed¹⁷⁷;
- d) the risk that recognition could be interpreted as European willingness to *intervene militarily* with a WEU mission (*Der Spiegel*, 45:37, 1991: 166-8; reported in Jakobsen, 1995b).

British concern for domestic stability. This factor was rather neglected by the British press was rejected by the officials interviewed, and by most of the available literature on the subject. However, it should be noted that the British *did* use the Northern Ireland argument with reference to Yugoslavia when they warned of the dangers of intervening militarily (*The Times*, 27 and 29/7/91; 5-6-7-8/8/91).

Concern for the destabilising effects of recognition on the then-Soviet bloc. This factor, on the other hand, seemed to have played quite an important role in shaping Britain's aversion to recognition¹⁷⁸. Furthermore, they believed that the recognition of Slovenia and Croatia before a general agreement had been reached would have had destabilising effects on Yugoslavia itself, because Belgrade would boycott any such agreement¹⁷⁹.

US's preferences. Britain's so-called "special relationship" with the United States certainly makes it susceptible to the foreign policy preferences of its transatlantic ally. However, it is not easy to evaluate how this special relationship effected Britain's preference for a unitary Yugoslavia and, thereafter, for recognition only within the framework of an overall agreement. What is clear is that the factors which mostly seemed to effect Britain's preferences were, first, its concern for the possible desegregating effect in the entire Balkans region but, above all, in the USSR. Equally, Britain was unwilling to become more involved in what was seen as a

¹⁷⁷ Washington remained against recognition throughout the entire period July-December 1991 and frequently tried to convince Bonn of the dangers of such a political step (Brenner, 1996; *New York Times*, 16/12/91). After December 23, Washington denounced Germany's *Alleingang*, and accused the Germans, in the words of United States Secretary of State Warren Christopher, of having a "particular responsibility [for the war in Bosnia-Herzegovina] because they [had] pressed the Community into recognising Croatia and Slovenia" (*The Times*, 18/6/93). The United States recognised Slovenia and Croatia together with Bosnia-Herzegovina on April 7, 1992.

¹⁷⁸ Interviews at the British Foreign Office, September 1995. As a sample of articles attaching relevance to this factor, see: *The Economist*, 6/7/91; *The New York Times*, 7/7/91; *Financial Times*, 4/7/91.

¹⁷⁹ In this Britain supported Lord Carrington and his efforts to gain the agreement of the fighting parties on an overall peace plan.

dangerous situation such as that of Yugoslavia.

Risk of getting militarily involved. Britain not only wanted to avoid getting militarily involved, but was most determined that *no* European force under WEU be created to exercise peace-keeping efforts in an international[ised] conflict, under the aegis of the UN. Britain saw this as a risk if Slovenia and Croatia became independent outside an overall agreement. As demonstrated earlier, Germany was convinced that the recognition of Croatia would clear the way for an internationalisation of the conflict and thus allow stronger intervention by the West, if the Serbs continued to pursue their military goals. To avoid this, British Prime Minister John Major stated that recognition had to be avoided because it “would raise Croatian hopes that Europe would be willing to intervene militarily” (*Der Spiegel*, 9/9/91, reported in Jakobsen, 1993: 44). Actually, at the time the Balkans were not high in the Foreign and Commonwealth Office's agenda. Furthermore, the British felt that if there was a military intervention, then only the UK and France were equipped to take part in it. Germany could and would not intervene due to constitutional constraints, therefore British and French soldiers would have had to risk their lives defending a “German policy”.

Indeed, Britain was unwilling to proceed with the recognition of Slovenia and Croatia mainly due to the factors above. However, some of them are more relevant than others, among them an unwillingness to be forced into controlling the effects of recognition. Furthermore, Britain was also concerned that a military role through WEU would undermine both NATO and the Anglo-American relationship.¹⁸⁰

Whatever the reasons for Britain's opposition to recognition, it is true that such hostility became less and less strong as the costs of recognition were reduced. The USSR was already disintegrating with no serious threat of imploding violently, whilst the danger of WEU deployment had already been removed. However, the costs of recognition appeared to be less heavy to Britain compared with the perceived gains of accepting the December 16 compromise agreement, and eventual recognition of Croatia.

In fact, when Germany went ahead and recognised Slovenia and Croatia, Britain could not do anything but follow, because *European coordination*, even in the case of Britain, was more

¹⁸⁰ For an excellent analysis of the position of the main European states towards the issue of Western European defence and security, see Lindley-French, 1997.

important than any counter-argument against recognition.¹⁸¹

This impotence of "Joint Action" was stressed by Douglas Hurd before the House of Commons, "There is no prospect of British influence for good in Yugoslavia", he stated, "if it is in rivalry with other European Community powers" (*Independent*, 20/12/91). Political statements do not always reflect real ideas, but the UK did not have any strong reason not to follow German recognition, and a powerful reason to go along... This is particularly the case given Major's had agreement to support the German position on recognition in exchange for Germany's support at the Maastricht Summit (*The Economist*, 18/1/92: 49)¹⁸² "Soft" interpretations suggest an implicit, rather than open, deal between Germany and Britain over Maastricht at which Germany made concessions in the first phase of the Maastricht negotiations "to sweeten the inevitability of recognition for London" (Zucconi, 1996: 247). Actually, during interviews at both the British Foreign and Commonwealth Office (September 1995) and the German *Auswärtiges Amt* (October, 1995), there was no evidence of an open deal between Britain and Germany on the twin issues of recognition and Maastricht, there was some evidence from diplomats for an "implicit" deal between the two states.

An alternative explanation of Britain's changed position over recognition has the UK trying to transfer the main role in the management of the Yugoslav conflict to the UN, where it had the privileged position of being a permanent member of the Security Council (Rynning, 1994: 65). However, in this case, as in the case of France, it is difficult to explain the December 14 withdrawal of the UN draft resolution against unilateral recognition, if Britain had not attached importance to the coordination of Community policy. Indeed, the Maastricht Treaty had, in fact, provided advantages to Britain which the country was not willing to lose. Not only the famous opt-out on the Social Charter and the special arrangements concerning the third stage of EMU, but also a CFSP that had a distinctly intergovernmental character and the principle of subsidiarity reinforced the role of the state within the first pillar of the Union.

¹⁸¹ In reality European coordination was important to the FCO, but it was far less so in the case of the Cabinet Office and the Ministry of Defence, who were amongst the most Eurosceptics.

¹⁸² A similar deal was reported to have been made between Germany and Greece. Greek reluctance to granting recognition to Slovenia and Croatia was apparently overcome by Germany's assurance that it would not push for the recognition of Macedonia (Zucconi, 1996: 247; Axt, 1993: 351-2).

10.3.3 Conclusions: The Role of "Power-politics", Domestic Politics and International Institutions on the French and British Decision to Agree to Germany's *Alleingang*

The recognition issue shows clearly the importance of institution-building within the European Community for the major member states and how it influenced their decisions during the management of the Yugoslav conflict. This was also very much the case with France and Britain, the decision on recognition being strongly influenced by institutional concerns which had nothing to do with the conflict itself. Both the "defecting country", Germany, and its partners were all focused on the Maastricht treaty when they took their decisions. Therefore, the European Community represented for France and Britain a source of both constraints and opportunities also.

Responding to the set of questions put forward at the beginning of Part 3 on the basis of the analysis France's and Britain's acceptance of recognition of December 16, it can be stated that:

The European Community did matter:

1. The European Community *functioned as an instrument of state strategy*, in the sense that:

- *EC/U membership provided both France and Britain with an arena in which to exercise influence.*

France frequently employed the *technique* of "brinkmanship", warning Germany of negative consequences for the Community in the event of a German *Alleingang*. Given the well-established German interest in the European construction and the Franco-German relationship, this policy represented pure brinkmanship (cf. Jakobsen, 1995b). Furthermore, the entire dispute over recognition was complicated by France using the example of Yugoslavia to underline the need for independent European military capabilities (Rynning, 1994). However, in order to develop such a force, France needed functioning Franco-German cooperation. For this reason, during the period July-December 1991 France had an intensive exchange with Bonn, over the issue of recognition, with the result that France eventually agreed to recognition on December 16.

Britain exercised less of its power through the European Community because Britain's institutional focus remains outside of the Community, in the North Atlantic Treaty Organisation. However, Britain was able to get a pay-off and exercise its influence on the construction of the Union by agreeing to a, more or less explicit, trade-off between recognition and concessions it

wanted in the Treaty.

- In this case, as in the previous one, the European Community did not represent an instrument to balance against, or replace, other institutions.

2. The European Community functioned *as a constraint on France and Britain* in the sense that:

- *EC/U membership made state interests and preferences more predictable to other members.*

It is reasonable to conclude that the French and British reaction to the German *Alleingang* was predictable because it happened within an institutional framework in which the rest of the variables were known. The Maastricht Treaty as well as the traditional and close relations between these three member states, made it relatively easy to predict the development of the process of recognition.

- *EC/U membership facilitated agreement in spite of diverging interests.*

The compromise agreement of December 16 and eventual collective recognition on January 15 are clear examples of how the existence of the European Community facilitated agreement within the Community itself.

3. Did *EC/U membership affected the specific nature of French and British preferences?*

It is difficult to evaluate whether the existence of the Community affected the preferences of these two countries as far as Yugoslavia was concerned. This is because in both cases there were no particularly strong preferences that could be resolved institutionally. In reality, neither France, nor Britain had a very strong interest in Yugoslavia. Thus, their initial preference for non-recognition was later abandoned because their preference for collective action was more important than the former. However, this does not tell us anything about the impact of the European institutions on French and British preferences.

What is clear, is that the recognition of Slovenia and Croatia shows yet again that if the Community has become a real "source of intrinsic value" for Germany, it is only partially so for France¹⁸³, and even less so for Britain.

Domestic politics did not matter:

¹⁸³ As Hoadley has noted: "European policy has been, and will continue to be, the cornerstone of French domestic and foreign policy. However, the realisation has stuck that France is no longer essential to the progress and well-being of the Union *but that the Union is essential to that of France*" (Hoadley, 1995: 11, my emphasis).

4. decision-makers were *not significantly constrained by what they perceived as "public opinion"* because both French and British public opinion was less committed to the issue than the German public.

5. *Neither the French, nor the British government used domestic politics as an argument to justify their position when bargaining at the European Community level.* None of them warned of threatening consequences of recognition on their respective separatist movements.

6. Quite the reverse, when French and British politicians presented the December 16 and January 15 decisions in their respective domestic arenas, they focused on the importance of preserving European cohesion.

11. THE DEBATE ON MILITARY INTERVENTION

“Recognising that non-participation [in the NATO enforcement of the no-fly-zone] would weaken France’s influence, the French government agreed to take part in the operation. [...] Mitterrand’s belief in France’s ‘rank’ does not allow for anything else” (Wood, 1994: 145,148).

“Pour protéger les habitants de Sarajevo, nous avons besoin de plus Europe. [...] Ceux qui disent que le *non* à Maastricht est une réponse se trompent et donnent un coup de poignard aux habitants de Sarajevo” (Bernard Kouchner, September 1992, quoted in Floquet & Coq, 1993: 17).

“Generally unpopular European and American leaders, with their focus on domestic problems, may have felt that the risk of doing nothing was less than the risk of intervening” (Sobel, 1996: 155).

This chapter aims at analysing some of the important steps in the debate on military intervention in ex-Yugoslavia, within the framework of the questions listed in the methodological introduction to Part III. A detailed description of the international reaction to the Yugoslav conflict, and of the military intervention debate therein, have been already provided in Part I. Despite the different issues which emerged at different times, the debate on military intervention had at least two main phases each of which had some specific characteristics for each of the states under investigation.

11.1. How to Explain Western European Behaviour in the Military Intervention Debate?

The debate on military intervention in the period June 1991-Summer 1995 had at least two phases:

a) before early 1992; and b) from early 1992 until Summer 1995.

During the first year of crisis management, the main point under debate was the institution under which to send the forces, not action in itself. In July 1991, various European countries first of all Luxembourg and the Netherlands proposed a European interposition force which would “isolate the sources of conflict as far as possible” (WEU Secretary General, Willem Van Eckelen, quoted in Weller, 1992: 575). On July 29, 1991, at a meeting of EC Foreign Ministers that was also attended by representatives of the Yugoslav Federation, French Foreign Minister, Roland Dumas put forward an idea of sending a WEU peace-keeping force to Yugoslavia (*The London Times*, July 29 and 30, 1991). The idea, which was immediately opposed by Britain,

was discussed at the WEU on August 7 but blocked due to strong reservations held by Britain, Spain, and Greece. The same idea, however, was re-introduced by the Netherlands on September 17. Eventually, on September 19, it appeared clear that the Franco-Dutch plan to send a lightly armed force to Yugoslavia was unable to overcome the unyielding stance of the British Foreign Secretary, Douglas Hurd, who considered it "premature".

In this debate, the main European states adopted contrasting positions that more dictated by their institutional preferences than by their concerns for the implications on the battlefield.

The debate assumed a very different character from the beginning of 1992. The recognition of Slovenia and Croatia had already given the conflict an *international* character and most decisions were debated within the UN Security Council. However, neither in this forum nor within the European Community Council of Ministers was the debate about which institution should be used, but rather the *type* of military action that should be undertaken. Except for UNPROFOR, from 1992 on most important military measures were performed through the WEU (monitoring of the arms embargo on the Danube), NATO (*Operation Deny Flight*) or the two of them together (monitoring of the arms embargo in the Adriatic Sea). That is to say that the debate over military intervention was not no longer about NATO vs. WEU. Furthermore, there was an unprecedented general consensus for "risking the least". It is not true that the leading European Member-States substantially disagreed over what policy to adopt in the former Yugoslavia and that impeded the actual definition of a CFSP (see Macleod, 1995a: 70). On the contrary, there was unprecedented agreement between France, Britain and Germany, on the minimal use of force in Bosnia. Symptomatic of this was the indecision over, and the delays to, the enforcement of UN resolutions on the use of force in the field. The deployment of blue helmets, agreed on February 21, 1992 (Resolution 743) received full authorisation only on April 7 (Resolution 749) and was not completed until May-June 1992. The no-fly-zone (NFZ) was established on October 9, 1992 (Resolution 781), but was militarily enforced only on February 1994, after a seemingly endless procession of empty threats. Disagreement became particularly acute between the US (who had no troops in Bosnia-Herzegovina) and the Western Europeans (who did have troops in the field), but not among the Europeans themselves.

The reluctance to pay the cost of a resolution also created the need to establish a limited strategic objectives for conflict management, i.e. : "Containment". However, it was not simply a strategy to deflect attention from Bosnia as one author has claimed (Sudetic, 1997), but a legitimate concern (Bennett, 1995) although certainly one that was insufficient.

How can Western European behaviour in these two phases of the intervention debate be explained?

Clearly any analysis of the origins of France, Britain or Germans policy in the debate over military intervention is a complex enterprise not least because it does not consist of any one single decision but a whole set of different decisions/debates over a significant period of time. For this reason the analysis will focus on one debate only, as well as a general attitude that was prevailing which characterised state behaviour during the two phases under consideration: they can be thus summarised:

- a) the WEU peace-keeping force debate of Summer 1991; and
- b) the minimalist approach of the all involved states from 1992 to Summer 1995.

It is worth underlining that by the term "minimalist approach" there is no implied criticism of alleged European inactivity and or failure in Yugoslavia, but rather a focus upon to stress the limited nature of the military action undertaken as well as the lack of political will to enforce threats with the use of force which characterised international management of the Yugoslav crisis. In fact, if Yugoslavia represents a failure of conflict resolution, it is a failure for the entire international community, not just the EU. As was demonstrated in Part I, the type of crisis management changed substantially in spite of a shift in the main arena of crisis management (from the EC alone, to EC/UN burden sharing, and the contact group *directoire* etc.).

Furthermore, the many accusations that the EC was unable to bring the Yugoslav wars to a rapid end, although having some basis in truth, fail to take into consideration that at the time war started the European institutions were in the process of deep change and a re-definition of role and nature. The EC had not been constructed and developed for the purpose of crisis management and conflict resolution and therefore, lacked on ability to speak with one voice on the area of foreign policy. The nature of the Community in the area of foreign policy was at best that of an intergovernmental organisation, where the main role is played by the member states and thus their capacity and will to act together. Therefore, rather than focus on the often fashionable critique on European ineffectiveness it is more fruitful to endeavour to understand the behaviour of the main EU member states. During the military intervention debate, France, Britain and Germany often behaved in varying ways but all of them, were hesitant before committing themselves to the actual use of military force. The objective of this chapter, therefore, is to provide an understanding of the forms of such hesitant/minimalist behaviour, and of the main factors which influenced it.

How to explain the debate over the WEU peace-keeping force in the Summer 1991? How to account for French, British and German attitude during the second phase of the military intervention debate? What was the influence of power-politics considerations, domestic pressure, and international institutional concerns on the behaviour of Western states in these circumstances? Because full knowledge of the decision-making process is not possible, a reconstruction of this process is based on the available material and the use of deductive

arguments.

11.2. France

France had a rather assertive attitude throughout the entire management of the Yugoslav crisis, especially compared to the other European states. Most of the international community's initiatives, such as the lightly-armed WEU peace-keeping force, the arms embargo, the opening of a co-sponsored Peace Conference, the establishment of a NFZ on Bosnia-Herzegovina, were French. Most of the initiatives were initially opposed by a group of countries led by Britain, but almost always adopted later in the various multilateral *fora*.

However this French activism was characterised by being unevenly distributed across time, and limited in terms of what was regarded as possible military intervention. Undoubtedly, the response of France was constrained by a number of factors, not least by the significant presence of French blue helmets on the ground

It is certainly interesting to investigate France's significant, but bounded, assertiveness. To that end particular attention will be paid to the French proposals for the deployment for WEU peace-keeping troops and its attitude towards the various other proposals of military intervention in Bosnia (i.e. lifting the arms embargo, adopting a "lift & strike" policy etc.) during phase two of the military intervention debate.

In particular, during the WEU peace-keeping force debate there were three interlinked, but analytically separable, issues at stake:

- a) why France was in favour of third party military presence in ex-Yugoslavia from Summer 1991 (if it was);
- a) why France proposed a WEU interposition force, rather than a UN, CSCE or any other type of peace-keeping deployment; and
- c) why France accepted the British veto over its WEU peace-keeping proposal.

These issues will be analysed in Chapter 11.2.1.

As for the second phase of the military intervention debate, those of two main issues of interest:

- a) why was France so active in the military intervention debate? and
- b) why was French assertiveness bounded and limited?

Chapter 11.2.2. will also deal with these last two questions whilst some general conclusions will be proposed at the end of Chapter 11.5.

11.2.1. The WEU Peace-keeping Force Debate (July-September 1991)

On July 24, 1991, French Foreign Minister, Roland Dumas formally put forward the idea of sending a WEU peace-keeping force to Yugoslavia and made a formal proposal to his European colleagues on July 29 (*The London Times*, 29 and 30/7/1991). Although the idea was immediately opposed by a number of European countries, including Britain, the French insisted on the proposal until it became obvious that the British opposition was impossible to overcome. At that point, France started to support the creation of a UN peace-keeping operation.

First, it is questionable whether France was really willing to support a third party military presence in ex-Yugoslavia, because, various factors would have suggested French opposition to the peace-keeping option. These include French *experience of the difficulties of third party military intervention; opposition from French military experts; risk to their soldiers* in such an operation and the consequent risk of critical public opinion. So, why did France propose the deployment of an interposition force?

It has been argued (Howorth, 1994) that it was the result of *domestic pressure*, but this is unlikely because at the time the media had not shown much interest in the events in ex-Yugoslavia. Moreover the debate amongst intellectuals, which was to become very significant in France during the war in Croatia, had yet to catch fire. The war in Bosnia and Croatia had not yet started, so the spectacularly violent images that were to have such an impact had not yet appeared on TV. Although the first period of pressure for military intervention mounted during the summer of 1991 (Howorth, 1994: 113), it was not to such an extent such that it would have led the French to make the WEU proposal (as Howorth claims). Furthermore, as was demonstrated in Chapter 10.3, France is less generally sensitive to public pressure in defining its foreign policy as compared to other European countries.

Therefore, if it was not for reasons of domestic pressure could have it been due to *power-politics*, i.e. French perception that a "true national interest" was at stake, that led France to propose a peace-keeping operation in the then-Yugoslavia? As has been demonstrated, the violent dissolution of the SFRY did not represent threat to the "vital interests" of any Western European state. Thus, the dissolution of Yugoslavia, and the continuation of hostilities therein could not be regarded as an "*intérêt vital*" for France (i.e. an interest which is "attachée la survie de la nation", according to the definition of the White Book on Defence, 1994), but rather an "*intérêt stratégique*" (a category of interests which includes the maintenance of peace in Europe in order to "veiller sur ces intérêts stratégiques [... a fin de] prévenir les menaces contre

[...les] intérêts vitaux”).¹⁸⁴ This “strategic concern”, as was seen in Chapter 10.3.1, was more involved with France's historical friendship with the Serbs, its concerns for international stability (in the USSR and elsewhere) and national stability (i.e. Corsica). However, one of the most important concerns was the fact that a fragmented Yugoslavia would be more subject to German hegemony. Given French sensitivity, after German re-unification France certainly wanted to prevent “certain regions becoming too openly subject to foreign [i.e. “German”] influence” (Dumas, quoted in *Le Monde*, 7/7/91). In the first six months of war, France tried to prevent the fragmentation of the country by proposing various diplomatic tools as well as the deployment of a peace-keeping mission to Yugoslavia, even though such a mission would have been a limited one, with a very restricted mandate.

Why did France also propose *a specifically WEU* peace-keeping mission? It was no coincidence that France attempts at keeping Yugoslavia united were all within the framework of the European Community, and that it proposed the creation of *a specifically WEU* peace-keeping mission. As Part III demonstrated, the Yugoslav war was considered to be “the hour of Europe”; the decision to intervene that was dictated by *institution-building concerns*, at a time, when the fall of the Berlin wall and the negotiations over the Maastricht Treaty made traditionally-Europhile committed to a bright future for the European Union.

As Chapter 10.3.1 showed, France, together with Germany, has traditionally been an engine of the construction of Europe, and it clearly saw in the post-Cold War period an opportunity to develop the European Community in a way that would better serve its interests as a powerful European state. As already been demonstrated, one of the main concerns for France in the post-1990 period, was the creation of further institutional ties to the threatening re-unified Germany. A further political aim was the development of an independent European military capacity that could reduce the dependence upon NATO (and the US) and create an effective European pillar within the Alliance (with France on top) which would counterbalance the disproportionate power of the US in NATO.¹⁸⁵ There is nothing surprising or new in these aims because both have been traditional targets for French foreign policy, although they were re-invigorated post-1989 Europe. During the debate at the two IGCs France was guided by these two major concerns. Thus the foreign policy decisions which the country took at the time could not but be influenced by this general atmosphere.

¹⁸⁴ Quotations from *Livre blanc sur la défense*, 1994: 49, 50.

¹⁸⁵ On France's immediate-post-Cold war strategic concerns, see: Hoffmann, 1992; Kramer, 1991.

In the case of ex-Yugoslavia, as has been shown, France did not have sufficiently strong interests to justify the enthusiasm with which it supported European involvement in the crisis. What Yugoslavia did offer was an opportunity that the French had been waiting for to create, a working operational European security structure that could undertake peace-keeping operations independently of the US. This was way ahead of the game because the WEU incorporated peace-keeping within its security concept only following the Petersberg Declaration of December 1992.

The French proposal, therefore, was dictated more by the need to influence the work of the IGC on the CFSP than by any concerns about the situation on the Yugoslav battlefield. Indeed, if France has actually been convinced of the need for a peace-keeping force, a WEU mission would have been wholly inappropriate, given the lack of readiness of the organisation for operations of this type. Moreover, given France's long experience of this type of operation, it is impossible to believe that the French were unaware of the limited nature of the WEU in 1991 for an operation which had a high risk of "mission creep" (risks which were later confronted by both the UN and NATO). The rationale behind the French proposal was, therefore, focused on *institution building* rather than crisis management.

In fact, several scholars believe that the French proposal was more than a bluff, an excuse for inaction and blame the UK, who would veto the proposal in any case, thereby blocking any action (see Jakobsen, 1995b). Furthermore, the requirement that the cease-fire be respected and the agreement of the fighting parties prior to the deployment of peace-keeping troops (*The Times*, 18/09/1997) were clearly an excuses for inaction, given the continued violation of the various cease-fire agreements and the Serb aversion to a European (i.e. German) operation. Indeed, although France was certainly aware of the difficulties of overcoming both British and Serb resistance to the deployment of WEU troops, this was a bluff too far. In specific terms, the main concern for France was more to do with a confirmation of a relevant role for the WEU in European security, than the risks associated with a peace-keeping operation in Yugoslavia. At that time, the construction of a stronger European Union complete with a military capacity independent from that of the US and NATO was the main political aim of France. Thus, EC inaction in Yugoslavia would have enabled to Eurosceptics to effectively oppose the French. From this perspective France was the greatest promoter of the EC as *the* main institution to deal with the crisis, i.e. as the main institution at the beginning, and then as a *co-manager* (with the UN) once the clear weaknesses of the EC threatened to undermine the credibility of the institution.

In the case of the proposed WEU mission, France's initiative would have served the double purpose keeping Germany quite (one of the German proposals, alongside recognition of Slovenia and Croatia, was the deployment of a peace-keeping force), and providing France with

more cards to play at the IGC over CFSP, where it was trying to promote the idea of a European independent pillar of the Atlantic Alliance being placed in the WEU and not NATO.

Why was it that, although the WEU initiative was so important to France, they proposed it within the EPC framework (where Britain had a veto) and why did France eventually give in to the British veto?

It has been argued that the main reason was to service the bluff France was playing by making a proposal that had few possibilities of being implemented. However, the European issue was important for France at the time, and for thus French could not bluff too openly without endangering the chance that the Community would adopt a coordinated foreign policy. It seems reasonable to assert, therefore, that proposing joint action within the EPC framework was in line with France's overall strategy of *institution-building*.

Therefore could France avoid capitulating to a British veto? In reality, probably not. WEU peace-keeping operation without Britain would have been unthinkable, not only because France simply did not have the forces to mount such an operation alone, but WEU's role would only have been augmented if the British took part in the operation too. Thus, once again, institutional concerns were the central factor.

To summarise, France's concern for a particular form of European integration at the time were the main determinants of French behaviour in this area. The French interests in the ratification of a Maastricht Treaty envisaging an EMU and a CFSP (as shown in Chapter 10.3.1) were mostly dictated by concerns about (both) *relative and absolute gains* end; as had been the case in the past, further integration would place further checks on the German giant next door and allow France to play a leading role in Europe, thus undermining US leadership within the European security framework. The deployment of a WEU peace-keeping force to Yugoslavia would have helped France to achieve this aim. Thus France's behaviour over the WEU issue, must be regarded as a consequence of a strategy designed to enhance the country's relative (*vis-à-vis* the US and Germany) and absolute gains through the definition of a particular institutional framework. Had France not attached importance to the institutional framework defined at Maastricht, its position as far as the EMU and the CFSP were concerned, might have been different, and, therefore also its position on Yugoslavia (which did not represent a direct threat to French security).

11.2.2. France's Bounded Activism (January 1992 - August 1995)

France, more than anyone else, probably exerted the greatest constant pressure for something to be done in the ex-Yugoslavia. French diplomatic activity started at the very beginning of the crisis in the SFRY and continued throughout the management of the conflict(s), giving rise to the establishment of the Badinter Committee, the proposal to send a WEU peace-keeping force, as well as various diplomatic initiatives and international conferences etc. In the military intervention debate, has already been acknowledged France's role in the WEU proposal, its immediate and conspicuous participation in UNPROFOR, its proposal (initially opposed by the US and Britain) to extend UNPROFOR to Bosnia, as well as its activism in the field humanitarian aid, and its eventual agreement to use limited military force (in September 1992, when France voted in favour of Resolution 776, and later, when it supported NATO's ultimatum in Sarajevo in February 1994, etc.), finally, its proposal for the establishment of the NFZ and safe-areas.

However, in spite of this, France at no time supported a policy of full military intervention in order to impose peace. For example France, whilst agreed to the provision of humanitarian convoys with military protection, did not to allow any attacks on the Serbs who were bombing the convoys. Furthermore, for a significant period, France objected to any aerial bombardment of the Serbs and only in February 1994, almost two years after the Serbs siege of Sarajevo, did France agree to NATO's ultimatum.

Moreover, France's proposal for the creation of a NFZ over Bosnia was somewhat different from that of the US. The no-fly-zone *à la française* was meant primarily to *dissuade* Serbian flights by placing observers at all the main airports of Bosnia. The *prohibition* of all flights over Bosnia, and the proposal to shoot dawn planes caught violating the ban were US ideas. Both France and Britain objected on the grounds that such forceful action would put their troops on the ground in danger of retaliation by the Serbs. Resolution 781 (8/10/1992) was ultimately a compromise between the competing French and US ideas of NFZ: flight-ban over Bosnia but with no sanctions in the event of violation. It took a long time before France would agree that the ban had to be enforced and a UN resolution in this regard was passed (UNSC Res. 813, 31/3/1993). Finally, France opposed the US policy option of "lift & strike" precisely because it was first proposed by the US although the French eventually accepted the "strike" side of the proposal, but only after a long time and many frustrations.

Therefore, in order to understand what shaped French behaviour in the second phase of the military intervention debate, it is necessary to analyse why France, was, on the one hand, so active and yet, on the other, its assertiveness remained bounded and limited.

France's activism can be explained in many ways and it certainly has more than one explanation, although some are more appropriate than others.

The primary cause of France's activism was connected to the country's *desire to maintain its international rank as a Great Power*.

France remains one of the greatest contributors to UN peace-keeping missions because it considers it the duty of a Great Power and a way to maintain its international rank. In August 1993, responding to a journalist's question about a possible German seat at the UN Security Council, French then-Foreign Minister Alain Juppé said: "The states which wish to be permanent members must assume the obligations such membership involves, including participation in peace-keeping operations" (Interview in *La Croix*, 26/8/1993, quoted in Howorth, 1994: 110, footnote 11). All the restructuring and rethinking of France's armed forces that has taken place since 1992 (with the *Loi de programmation militaire 1992-1994*, the *Livre blanc* of March 1994, and the restructuring measures foreseen in the *Armée de terre 1997*) have worked towards the objective of casting its military apparatus to the needs of the post-Cold War environment.¹⁸⁶ The White Book on Defence re-started France's international responsibilities and affirmed that "it [France] must contribute actively, surely more than other countries, to the maintenance of peace and the respect of international law in the world" (*Livre blanc sur la défense*, 1994: 49). In specific terms such international responsibilities implied developing capacities to perform peace-keeping, crisis management and conflict resolution operations. Equally, France also wanted an analogous redefinition of the role of the WEU (with the *Petersberg Tasks*), which in France's view was conceived as a framework (i) in which it could exercise its power; (ii) which it could use to counterbalance the predominance of the US in the Transatlantic partnership; (iii) which would effectively contain German power within strong institutional boundaries.

French attempts to re-shape its security apparatus in the post-Cold War, in the same way as its activism during the management of the Yugoslav crisis must be regarded as the result of France's *souci du rang* (Macleod, 1995a: 77), its desire to *tenir son rang* (Wood, 1994: 131). Even France's choice of the institutional framework in which it would have preferred to focus its efforts were dictated by the same preoccupation (see below). Like James Gow (1997), this thesis argues that France's institutional concerns must be regarded to a considerable extent as the result of the country's attempt to maintain its international rank as a Great Power (also - although not exclusively, *vis-à-vis* its European partners, and mainly *vis-à-vis* Germany).

¹⁸⁶ On this issue: Howorth, 1994: 106-111. On France's defence policy in the post-Cold War reality, see: Heisbourg, 1995-6; Schmidt, 1993; Bozo, 1998. On France's evolving NATO policy in the post-Cold War, see: Grand, 1996.

Equally, in the case of its response to the Yugoslav conflict, much of France's behaviour was based upon the country's concern about its international role and status. Core elements of the French strategy aimed at maintaining and/or up-grading its international *rang* were through the definition of a certain international institutional framework as well as the reaffirmation of a specific national identity. These two elements, multilateralism and "the policy of difference" (Gow, 1997: 158-166), might appear to contradict each other (Lepick, 1996: 84) but are, in fact, the two sides of the same coin (*la politique du rang*), and co-existed throughout France's response to the Yugoslav imbroglio.

A *further power-politics explanation* rests on another facet of France's perception of its role in international politics namely, its concern for "*stabilising the East*".¹⁸⁷ Destabilisation of the former Eastern block, through an extension of the Yugoslav conflict to other countries in the area not only represented a threat to security and order in Europe, but might even be regarded as a threat to French interests as a major European power. The main threat to France came from two possible implications that arose from the events in Yugoslavia. The first was the expansion of the conflict to other countries in the area, whilst the second was the loss of credibility of France as a Great Power. The first concern persuaded France to immediately consider the sending of a peace-keeping force to Yugoslavia (first under the WEU and then under the UN) and eventually to accept the results of territorial gains by the Serb by supporting the Vance/Owen peace plan and the partition of Bosnia.¹⁸⁸ The second concern pushed France to adopt a more 'energetic' stance every time a new round of conflict risked a loss of French credibility. It was for these reasons that France eventually agreed to the enforcement of the NFZ, on the use of selective air strikes, and, eventually, on the final, conclusive massive campaign of air strike in August 1995. Indeed, the newly-elected President, Jacques Chirac, was even more sensitive than his predecessor about the 'great' role of France and possible threats to its international credibility.

¹⁸⁷ An example of France's attention to stabilizing Central and Eastern Europe is represented by the French-promoted "Stability Pact", that was launched in June 1993 and that ended in May 1995 with the signature of more than 100 bilateral agreements on the protection of minorities.

¹⁸⁸ In June 1993 Juppé significantly stated: "Force what does it mean? Does it mean the re-conquering of Bosnia, the pushing back of all those who make territorial conquest in defiance of international law, which would take 200,000 men. I don't know of a single state in the world who is ready to do that. It is necessary for the hypocrisy to cease" (*Le Monde*, 29/5/93, reported in Wood, 1994: 147).

Domestic politics explanation. France's public debate over military intervention in the ex-Yugoslavia (and mainly in Bosnia) was one of the liveliest in Europe. It involved a wide range of participants and was characterised by periods of intense public and political *pressure in favour* of military intervention (such as Summer 1991, August 1992, December 1992, Easter 1993 etc.). Each period of intense pressure was usually the emotional response to new revelations about atrocities (such as in August 1992 after the discovery of Serbian concentration camps), new rounds of violent fighting or diplomatic failures (such as in December 1992, after the re-election of Slobodan Milosevic). The support for both multilateral or national use of force in Bosnia was widespread, particularly among the general public (Sobel, 1996). At some points, such as in August 1992, domestic pressure *for* military intervention come close to embracing all political parties (Howorth, 1994).

In reality, there was no clear division amongst the *political parties*, supporters and opponents of the use of force being drawn from across the political spectrum. Most leading politicians were in favour of military intervention, but at the beginning the strong option was supported only by central-liberal Giscardian parties. However, on 9 January 1993, *Le Monde* reported that all the leading politicians in France (with the exception of Simone Veil and Jean-Pierre Chevènement) were in favour of military intervention in Bosnia. Most demanded air strikes on Serb artillery around Sarajevo but ruled out any ground operations (Chirac, Fabius), whilst others went much further calling for air strikes against Serbia and a ground campaign (Millon, de Villers). There were various editorials demanding French-led military intervention (see Helvig J.-M. in *Liberation*, 12/8/1992) and, in general, it was continuously lamented the dreadful situation. However, politicians such as Giscard d'Estaing, Simone Veil and Raymond Barre, eventually adopted a position completely in line with that of the government and supported the decision to focus on humanitarian action via the UN (Howorth, 1994).

That of the *droit d'ingérence* for humanitarian questions was a very important issue in the French debate on the management of the Yugoslav conflicts. This was because France is possibly the European country with the strongest tradition of thought regarding the doctrine of humanitarian intervention.¹⁸⁹ In particular, as Tonny Brems Knudsen notes, France is probably the only country that supports the classical approach to humanitarian intervention, i.e. as a *full-scale* humanitarian intervention *on the just side* (as opposed to the more cautious British doctrine of limited humanitarian intervention, in the form of *wider peace-keeping*). Since the late 1980s, Bernard Kouchner and some of his colleagues in *Médecins sans Frontières* and *Médecins du Monde* (created in the early seventies by a group of doctors led by

¹⁸⁹ For an important analysis of the evolution of European approaches to humanitarian intervention, see Knudsen, 1997.

Kouchner himself) promoted in France the concept of a *devoir d'ingérence* (see: Bettati & Kouchner, 1987). The first actual application of such a *devoir* in the post-Cold War environment took place with the allied intervention in Northern Iraq, in April 1991. The experience of UN Resolution 688, (5/4/1991) which authorised operations inside Iraq to defend the Kurds, was frequently referred during the management of the Yugoslav conflict. The moral and political arguments put forward by Bernard Kouchner (who was at the time French Secretary of State for Humanitarian Action) for a humanitarian intervention in Yugoslavia, were supported by *Le Monde's* international expert, André Fontaine and were eventually accepted by the French leadership too. France became the main supporter of humanitarian action by the UN and one of the main architects behind UN decisions to implement humanitarian activities by force. After UN General Assembly's Resolution 47/121 of 18 December 1992, both Mitterrand and Dumas claimed that a milestone in international law had been reached (*Le Monde*, 9/2/1993; *Paris Match*, 7/1/1993; Howorth, 1994: 115-116). However, France's implementation of humanitarian action in Bosnia encountered criticism from a number of prominent members of *Médecins sans Frontières* who accused France and the other Western European countries of using humanitarian efforts "as an alibi [...] to stand-off in the face of aggression before becoming another, more perverse, argument against military action, which might endanger troops deployed in the field" (Jean (ed.), 1993: 10). The critics called for a more clear cut identification of the side responsible (i.e. the Serbs) and a more forceful stance against it. The 'pseudo-neutral' type of humanitarian intervention that the West was implementing in Bosnia, was regarded by these critics as *de facto* support, a way to contribute to prolong the suffering of the Bosnian population.

Influenced by the right of intervention for humanitarian reasons, France supported from the outset initiatives aimed at protecting the civilian population (such as the safe areas), but did not embrace the concept of more forceful intervention for humanitarian reasons until the Summer of 1995, i.e. when France could overcome resistance to a more decisive use of force.

There were even elements among *the intellectuals* who were in favour of military intervention for humanitarian reasons¹⁹⁰. Another section supported intervention on different grounds (legal/political, as in the case of Milan Kundera or Maurice Douverger), however most intellectuals were in favour of military intervention in Bosnia and contributed to maintaining a high level of national public awareness. Public awareness, then, was very high when the Bosnian case happened to be interlinked with other important national choices, such as the ratification of the Maastricht Treaty. Indeed, during the referendum on the ratification of the

¹⁹⁰ See, for instance, the articles by Bernard-Henry Lévy, André Glucksmann and Pascal Bruckner, respectively on *Le Monde*, 5/1/1993; *Figaro*, 29/6/1992; *Figaro*, 10/8/1992.

Treaty the debate over intervention had a clear impact on the ratification dispute (on the various positions in the debate *Le Figaro*, 13/1/93), with the argument over the defeat of UE in Bosnia being used by both *oui* and *non* parties. Bernard Kouchner, in particular, gave substantial help to the "*oui*" party by reminding French public opinion that "more Europe [was] needed in order to protect the inhabitants of Sarajevo" (in Floquet & Coq, 1993: 17).

The only group that was, at least initially, more averse to intervention was that of the *military*. However, as early as, August 1992, rumours of possible unilateral French military initiative, although immediately denied by Mitterrand and Dumas, led some leading military figures to break rank and call for military intervention in Bosnia. On 6 August 1992, General Jeannou Lacaze intervened in the debate with an article in *Figaro* entitled "*Il faut intervenir*". On August 10, in the same newspaper, General Etienne Copel reinforced Lacaze's stance by arguing that selective air strikes on Serb artillery around Sarajevo would be rather easy to make. Military officials rejected this line and were supported by a vigorous reply from Mitterrand himself (Howorth, 1994: 119). Rifts between Mitterrand and the military, however, were not over and in December 1992 other significant military voices were heard in favour of the use of force against the Serbs. Chief of the General Staff, Admiral Lanxade, publicly expressed his dissatisfaction over the condition of UNPROFOR troops and demanded either further deployments or withdrawal (interview on radio station *Europe 1*, 8/12/1992). The *Elysée Palace* responded by issuing a press communiqué insisting that Admiral Lanxade views were personal opinions and not those of the Chief of Staff.

The growing frustration of the military (especially in relation to the delay of the enforcement of the NFZ), together with the nearly-constant attention of the general public on the Bosnian crisis, contributed to growing on Mitterrand and his government to "cross the Rubicon" of the use of force and agree to the enforcement of the NFZ (although it was postponed again due to Boutros-Ghali's opposition, Wood, 1994: 144).

Although there may have been some relationship between moments of more relevant domestic pressure and France's greater activism, it is misleading to regard France's activism as a mere response to domestic demands. Indeed, Mitterrand's policy never actually crossed the "Rubicon of intervention" completely and continued to rely on a *politique onusienne* even when it was not popular at home. The "domestication of foreign policy"¹⁹¹ in the French case did not appear to go beyond the relevant, but limited, option of humanitarian policy.

¹⁹¹ The "domestication of foreign policy" is defined here in by "the growing need to obtain domestic consensus in support of foreign and security policy decisions" (Schmidt, 1994: 21).

Explanations due to institutional concerns. France, it is worth noting, placed all its efforts within a multilateral context, avoiding any unilateral action.¹⁹² It could have been because France simply could not have done the job alone (Rynning, 1994: 106), but this does not explain sufficiently the French preference for certain institutional frameworks rather than others. Is it possible to assert that through its activism France wanted to promote certain international institutions? This explanation certainly seems to have played a significant role in the debate over the WEU peace-keeping force but did it also throughout the crisis management?

In fact, during phase two of the military intervention debate, France failed to adopt any clear cut strategy which could be regarded as promoting one international institution at the expense of another. What was clear was a significant, although gradual rapprochement of France with the Atlantic Alliance which eventually led France to overcome important elements of De Gaulles's withdrawal from the NATO Integrated Command Structure, in March 1966. From Spring 1993, for instance, French representatives once again sat in the North Atlantic Council and the Military Committee for all questions regarding activities beyond Article 5 in which France was involved. Whilst from December 1995 on, they sat in all the meetings (Bozo, 1995-6). Furthermore, at the January 1994 NATO Summit in Brussels, France agreed to the idea of establishing (although only as an interim measure) Combined Joint Task Forces (CJTF) as a way for the Europeans to intervene in the management of a regional crises, without the US, but using NATO assets. The Brussels Summit recognised the legitimate existence of a European Security and Defence Identity (ESDI) within the NATO framework and an enlarged role for NATO in preventing conflicts and instability in Eastern Europe (at the Summit, NATO launched the Partnership for Peace programme), both initiatives being warmly welcomed in France. Thus, events in ex-Yugoslavia, clearly influenced French policy on NATO.¹⁹³ As demonstrated earlier the initial French emphasis on the EC and the WEU soon had to be abandoned because these institutions were patently unable to deal with such a conflict with the result that France turned to the UN and increasingly towards NATO. It appeared clear to French decision makers that if the country wanted to keep its international position and rank it had to play a significant role in those international organisations able to enforce peace in a conflict situation such as that in the former Yugoslavia. At a time when the US in NATO was demonstrating flexibility towards an ESDI, France was offered an opportunity to engage a strategically important rapprochement with NATO without abandoning its traditional support of

¹⁹² As early as July 1991, Mitterrand stated: "France will not go to war in the Balkans by its own decision. It will apply the decisions of the United Nations" (*Le Monde*, 16/7/1992).

¹⁹³ For further on this point, see Bozo, 1998.

the WEU and a future independent ESDI. For this reason, when the French realised that the enforcement of the NFZ and air strikes against the Serbs around Sarajevo could only be guaranteed by NATO and that any further delay would undermine France's rank and status as a Great Power, they agreed to both NATO air strikes and to participate in the enforcement of the NFZ (Wood, 1994; Macleod, 1995a).

Therefore, the institutional element was less influential in the second phase of the military intervention debate, but still played a role in shaping France's response to the Yugoslav conflicts. Yet again, as in the case of the recognition of Slovenia and Croatia, for France *institutional concerns* are deeply inter-related with power politics concerns both in terms of relative gains (vs. the US and Germany; *soucis du rang*) and of absolute gains (concern for its international status).

The bounded and limited nature of French assertiveness, was also the result of a further broad range of explanations, of which, some have more weight than others.

Domestic constraints? France's limited reaction does not seem to have been due to any lack of domestic support. As has been shown, the public debate in favour of military intervention of some type was more lively in France than in any other country. Domestic support for the actual use of military force was relatively high and the public maintained the same level of support even when the first body-bags came back from the ex-Yugoslavia.

A further *domestic factor* which could have influenced the French attitude in the Yugoslav imbroglio were constraints caused by the "co-habitation" of *un Président de la gauche et en Parlement et un gouvernement de la droite*. France had two years of co-habitation between a left-wing President, Mitterrand, and a right wing-government, under Edouard Balladur. However, despite diverging views on the Yugoslav issue, the country's foreign policy was not paralysed by such co-habitation, on the contrary (Macleod, 1995a: 69-70). As French Foreign Minister Alain Juppé said on 5 September 1994, "France [during the 'cohabitation'] has always spoken with one single voice" (*La politique étrangère de la France. Textes et Documents, septembre-octobre 1994*: 34).

Even the election of a *Président de la droite*, Jacques Chirac, did not seem at first to lead to any departure from Mitterrand's *politique onusienne* (Tardy, 1997). However, in the longer run, Jacques Chirac undertook a more assertive foreign policy, although more within the context of France's nuclear policy than that of its Bosnian policy.¹⁹⁴ Chirac announced at the

¹⁹⁴ In this regard it is interesting to recall Chirac's nuclear policy which led to France's resumption of nuclear testing (Grand, 1997). For a comparison between Mitterrand's and

beginning of his mandate that he would not depart from *les grandes lignes* of foreign policy that had been elaborated by François Mitterrand and, during the period of co-habitation, Alain Juppé (Chirac, "Programme de politique étrangère", 16/3/1995; *Le Monde*, 7/4/1995). As far as Bosnia was concerned, Chirac supported the Contact Group peace plan and endorsed France's policy of humanitarian action via a stronger UNPROFOR. This line was substantially maintained until after the hostage crisis, when the President, for the first time, took command of French contingents in Bosnia and ordered them against resist any aggression to the places under their control, "by all possible means" (*Le Monde*, 30/5/1995). In this occasion the President, in the quality of Chief of the Army, replaced the UN operational authorities and seemed determined to regain the leadership of foreign policy more associated with Presidents of the 5th Republic, particularly General de Gaulle (MacLeod, 1996: 52-57). However, neither this decision, nor France's agreement to the deployment of a Rapid Reaction Force of soldiers in national uniforms (authorised by UNSC Res. 998, 16/6/95) represented a significant departure from France's *politique onusienne*, in that Chirac was dealing with the crisis within the UN framework and avoiding peace-enforcement actions.¹⁹⁵ What had changed, however, was that the deployment of the Rapid Reaction Force could actually facilitate the deployment of UNPROFOR soldiers at risk for air strikes. Furthermore, the hostage experience had profoundly irritated Chirac and made him ready to accept a more forceful reaction by the US and NATO.

Power politics concerns? Or, rather, *lack of* them, given the fact that *the Yugoslav war(s) did not represent a "vital interest"* for France, a "strategic interest". Thus, France had no real incentive to take more than a minimum level of risk with its soldiers on the ground. The pictures of genocide, famine, massacres and rape camps shocked public opinion in all European countries who denounced that something be done, but be not something that might lead a Vietnam-style situation, because a U-turn in public opinion would have always been possible.

The absence, therefore, of a direct threat, persuaded French leaders to rely on external leadership (Sobel, 1996: 156), even the more assertive President Chirac, who was not prepared to fight "to reconquer Srebrenica", in spite of what he said, had the US not taken the lead in the Summer of 1995. France preferred to adopt a policy that was primarily focused on humanitarian

Chirac's foreign policy, see: Moïsi, 1995-6.

¹⁹⁵ UNSC Resolution 998 states explicitly that the RRF does not give the UN a role of peace-enforcement. French representatives would have absolutely denied that, the RRF, had any peace-enforcement function (Tardy, 1997: 145). French defence Minister, Charles Millon, was eager to clarify that neither France, Britain and Belgium would mean the creation of the RRF as a mean to "impose a military solution" (Millon speaking before the Parliament, 6/6/1995, reported in *Propos sur la défense*, juin 1995, LI: 71).

aid, *l'humanitarisme d'Etat*, the implementation of which was carried out by a new *ad hoc* figure: *le Secrétariat d'Etat à l'action humanitaire* (Floquet & Coq, 1993: 16).¹⁹⁶ Such a policy, however, as was shown in Part I, suffered from several shortcomings because it had not been carefully thought through as part of a broader strategic plan for intervention and conflict management.

In fact, the badly planned development of operations on the ground created a highly complex situation in which some of the operations undertaken by the UN, far from helping the situation, created obstacles to further operations by the same organisation (the UNSC issued resolutions condemning one side more than others, whilst UNPROFOR was endeavouring to undertake neutral peace-keeping activities on the ground - see Chapter 4). At the same time, peace-keeping efforts by the UN blocked possible peace-enforcement actions, even though such action continued to be threatened with the result that the credibility of the professionals on the ground and abroad was undermined. Within this context of difficulties caused by a series of cumulative mistakes due to bad planning of the missions, the lack of will of the leading actors made things simply worse.

These considerations shaped French policy in the ex-Yugoslavia more than any alleged friendship with the Serbs. As was demonstrated earlier, France's historical ties to the Serbs soon gave way to open denunciation of them as the groups mainly responsible for the war.

Initially, Paris tried to keep open a diplomatic channel with Belgrade, hoping that they could influence the Serbs. However, when the responsibilities of the Serbs front became more and more evident, France abandoned its policy of placing equal blame on all parties. On June 26, at the Lisbon Conference, Mitterrand blamed Serbia directly for being "the aggressor" (Lepick, 1996: 80). Two days later, on June 28, the French President made a surprise trip to Sarajevo, the main aim of which was to send a clear message to the Serbs that France would no longer support the aggressive and not cooperative behaviour of the Serbs. By the end of 1992, France had agreed to increase pressure on the Serbs and in March 1993 supported the enforcement of the NFZ and proposed the creation of safe-areas, decisions that were primarily aimed at protecting the Muslim population from Serb attacks.

However, throughout the Yugoslav conflict, France tried on several occasions to make diplomatic overtures¹⁹⁷ to Serbia as part of a carrot and, admittedly weak, stick.

¹⁹⁶ The role was given to Bernard Kouchner. For a critical overview of the importance of the "factor Kouchner" in France's *humanitarisme d'Etat* see Floquet & Coq, 1993.

¹⁹⁷ Suffice here to recall the autumn 1993 Franco-German initiative to offer the Serbs the possibility of a progressive easing of sanctions in return for cooperation to end the conflict (see

However, this should not be confused with the generally pro-Serb stance of the French government, but rather as the result of a number of factors, such as the belief that a combined strategy would work better and France's reluctance to use force (a use of force which could have endangered French troops on the ground, both directly and indirectly, through Serb retaliation).

To sum, France's assertive behaviour must be regarded mainly as the result of its attempt to maintain its international rank as a Great Power and a pre-eminent role in European security issues, while trying to minimise the risk. France's bounded and limited assertiveness, was mainly due to the fundamental fact that the Yugoslav wars did not represent a threat to French vital interests. France's concern for the safety of its troops on the ground was real but it would have been overcome earlier than the Summer of 1995 had the country perceived a greater threat from maintaining from keeping the *status quo* than from taking the lead in adopting a forceful stance. What changed in Summer 1995? The fall of Srebrenica and the well-documented massacres that were committed in what was supposedly a UN safe area by the Serbs, in addition to the images of French blue helmets being held hostage by Serbian soldiers. In themselves these events were perceived as real threats to the image that French politicians were trying to project of their country both abroad and within the domestic context. However, the sensitivity of French politicians to the humiliations coming from Bosnia was particularly high at that time because Jacques Chirac, was even more concerned than his predecessor with the image of his country as a Great Power. Furthermore, in Summer 1995, France eventually found in the US the external leadership it had been waiting for in the previous years and which, for a range of reasons, had not come. Ironically, it came from the only country able to provide it, but the very country whose over-mighty role in Europe France objected to.

11.3. Britain

British policy in Bosnia has been heavily criticised in many quarters as one of appeasement and indifference (cf. Sharp, 1992; Gow, 1996). In reality, Britain's contribution to the solution of the Yugoslav conflict was, at worse, uneven. If, on the one hand, the UK contributed most to the diplomatic treatment of the conflict¹⁹⁸, it was also the country which openly opposed Liberation, 25/11/1993).

¹⁹⁸ Suffice to say that Britain maintained throughout the entire period of conflict management active diplomacy at the UN on the Yugoslav question, provided the EC with a small secretariat for the duration of the conference on Yugoslavia, and sent one of the largest contingents of

proposals for the tougher use of force against the non-compliant parties. Why was this so?

Britain is the European country with the strongest tradition of military intervention abroad. Furthermore, it is also a country the public opinion of which is normally strongly in favour of intervention (Towle, 1994: 97). If it is true that “both general British public opinion and the political establishment have less resistance to [...] becom[ing] involved in foreign crises” (Towle, 1994: 94), why did the UK not take the lead in more decisive military action in Bosnia? Public opinion, most of the press (*The Times*, *The Guardian*, *The Independent*, etc.), and elements in all the political parties took a pro-peace enforcement position. So why was the line of the British government so hesitant? Why did it oppose the deployment of a WEU peace-keeping force in July-September 1991, and later rejected US calls for “lift & strike”, as well as the suspension of the military embargo on arms to the Muslims and so on?

Like France, two issues can be analytically distinguished in the WEU peace-keeping debate:

a) Britain's opposition to a peace-keeping operation in the then-Yugoslavia; and b) Britain's opposition to *a WEU* interposition force.

These issues will be dealt with in Chapter 11.3.1, whilst Britain's attitude in the second phase of the military intervention debate will be investigated in Chapter 11.3.2. as a response to the following questions:

- a) Why did Britain eventually agreed to take a full role in UNPROFOR and indeed, because its second greatest contributor?
- b) Why did Britain remain reluctant to the use of more forceful means to bring the fighting to an end?
- c) Can Britain's alignment with the French position be explained only as the need to protect their troops in Bosnia?

Some general conclusions on Britain's behaviour in the military intervention debate will be drawn in Chapter 11.5.

11.3.1. The WEU Peace-keeping Force Debate (July - September 1991)

When France made its proposal in July 1991, Britain immediately rejected the idea of a WEU interposition force and continued to oppose such a possibility until it was clear that the idea had been abandoned, in September 1991. Was Britain vetoing a peace-keeping operation (no matter what hat) or more specifically *a WEU peace-keeping operation* ?

troops to operate with UNPROFOR. Furthermore, the UK facilitated the appointment of two leading figures in the peace process, Peter Carrington and David Owen.

Britain had more than one reason to be reluctant about mounting a peace-keeping operation in Yugoslavia in 1991, although some reasons weighed more than others.

In the first place, and most important of all, *Britain did not feel that it had any serious interests at stake* in ex-Yugoslavia. Naturally, the UK was concerned about stability in the former-Soviet bloc, i.e. the possible consequences of instability in that area (for British businessmen, for possible flows of refugees from the area, the illegal traffic of weapons coming from Eastern Europe and going to reinforce terrorist groups in, for example, Northern Ireland, etc.; cf. Towle, 1994: 96). However, in terms of Britain's *perceived* interests, Yugoslavia could not be compared to the Falklands or the Gulf. Jane Sharp (1993) argues that a more acute analysis would have shown the Foreign Office that there were serious reasons for Britain to intervene actively against what was a *de facto* Serb aggression. Legal and moral reasons for intervention, according to Sharp, were coupled with strategic interests such as that to avoid the exacerbation of the existing tension between the Western Judeo-Christian world and the Muslim countries, the radicalisation of the Muslim Diaspora and the consequent development of a new generation of rootless terrorism (Sharp, 1993: 9). Furthermore, developing Sharp's theme, there were further strategic reasons for early and tough intervention against the Serbs because such action would have functioned as a deterrent to other potential aggressors and ethnic cleansers (both within the ex-Yugoslavia and the rest of the former Soviet bloc), as well as being a serious attempt at preventing a widening of the war in the Balkans.

However, although these strategic concerns were shared by the Foreign Office (as was clear it during the debate over the recognition of Slovenia and Croatia), they did not outweigh the many reasons why Britain was reluctant to become militarily involved in the Balkans. As one officer of the Foreign Office's Research Department admitted that the Balkans "did not figure highly on the Whitehall agenda" at the time.¹⁹⁹

Second, *Britain's experience in foreign intervention* made the country aware of the risks of such an enterprise. As the British military pointed out, peace-keeping is a difficult and risky affair, especially in a country where there is a tradition of guerrilla warfare.²⁰⁰ As Philip Towle points out, "British experience [in peace-keeping operations] was that, even when it prevented

¹⁹⁹ Rynning's interview with Jenny Little of the Foreign Office Research Department, reported in Rynning, 1994: 64.

²⁰⁰ Guerrilla warfare was experienced in Yugoslavia during World War II and became a technique taught to Yugoslav soldiers during Tito's regime, in order to prepare the military for action against invading forces (Towle, 1994: 102).

violence, peace-keeping did not solve the underlying political disputes" (Towle, 1994: 103). On the contrary, sometimes peace-keepers are eventually hated by the warring parties, as was the case when British troops intervened in Northern Ireland (initially welcomed, then hated). The experience in Northern Ireland, claims also former German Foreign Minister Genscher in his memoirs, might have significantly influenced Britain's scepticism over the mounting of a peace-keeping operation in Yugoslavia (Genscher, 1995: 949-950).

Moreover, the WEU operation in Yugoslavia was rejected by Britain because it could establish in Europe an unwelcome precedent for third party intervention in internal disputes. Certainly, it is clear that the *British did not want to set a precedent* on the basis of which the UN, or OSCE or even the EU could claim the right to mount a peace-keeping operation in Northern Ireland. It could well have been for this reason that one of arguments most employed by the British against the initiative was that "there was no juridical foundation" for the deployment of peace-keeping troops without the prior agreement of all the parties.

In reality, the influence of Britain's experience in Northern Ireland as a reason for its reluctance to mount a peace-keeping operation in Yugoslavia was not prominent. Interviews at the Foreign Office and eventual British involvement in ex-Yugoslavia suggest that the above concerns were implicitly present as a background to Britain's policy-formulation, but that they did not, by any means, play the main role in influencing Britain's response to the Yugoslav crisis (cf. also Gow, 1996: 90).

Domestic concern that could have influenced Britain's attitude was the fear of a "*U-turn*" in *British public opinion*. The British government had enough experience of foreign intervention to know that a "U turn" of public opinion was always possible when an operation faced the first difficulties. The British government was due to face general elections in the following spring (elections the result of which was highly uncertain), thus, the last thing that the government must have wanted was to have British soldiers killed, especially in a far-away quarrel that did not represent a direct threat for the country.

That said, evidence suggests that the British public is rather stoic in the face of casualties as long as they are not due to avoidable accidents (Crewe, 1985: 26-29). Therefore, did concern over a "U-tum" in public opinion figure high in the list of concerns which led the British government to oppose military intervention in Yugoslavia? It is probable that such concern provided a background similar to that of the so-called "Irish concern", but it was not pre-eminent, especially because in September 1991 there was no clear perception of the type of war that was about to start in Bosnia. It was only after the war in Bosnia started, especially after the revelations on ethnic cleansing and internment camps, that the actual dangers of third party

intervention in the country could be realistically assessed.

It is probably reasonable to claim, given the substantial lack of perceived vital interests at stake, that domestic concerns such as those listed above, contributed to the conviction that military involvement in Yugoslavia should be avoided. However, they were not the determining factors in Britain's reticence over intervention.

The same can also be said about of another *domestic concern*, i.e. the government's programme of *public expenditure cuts* that included the defence budget. The Ministry of Defence produced a policy plan in 1994, entitled "Option for Change", which foresaw various cuts in UK armed forces (Gow, 1996: 90). However, this did not represent *de facto* any obstacle to eventual and conspicuous British intervention in Bosnia. Quite the reverse, in light of the cost of the deployment in Bosnia, "Options for Change" plan was reviewed and the Defence Premium watered down.

Other elements that contributed to Britain's reluctance to mount a peace-keeping operation was primarily the result of the initial *reading of the conflict by the British as the result of historical animosity*. "The dispute within Yugoslavia", according to Foreign Office Minister Douglas Hogg, "[was] largely ethnic and historic" (Foreign Affairs Committee, 1992: 58). In short, history showed that it paid to keep out of ethnic animosity in the Balkans²⁰¹, and that ethnic conflicts were, in general, difficult to handle. It was only later, when Britain took a slightly different view of the conflict, that the particular responsibilities of the Serbs were recognised.

Having recognised that there were a range of reasons for Britain to avoid becoming militarily involved in Yugoslavia, there was one *particular* reason why the UK would not support the idea of a *WEU* operation. Indeed, it is possible to understand Britain's foreign policy from the information available on the country's foreign policy priorities at the time, particular emphasis must be placed on Britain's *Europolitics*.

British concerns over *European institution building* had two aspects:

- a) the preservation of the primary of NATO in European security and defence; and
- b) a European Union in which the sovereignty of states and the principles of intergovernmentality and subsidiarity were respected, and which was sufficiently integrated to keep Germany bound within institutional ties.

²⁰¹ As Gow (1996: 89) recalls, students of British foreign policy are taught that Disraeli's opposition to a British intervention in the Balkans in the 1870s (against the advice of the opposition leader, Gladstone) proved to be right.

At the time of the French proposal, it was still unclear what role NATO, WEU and the CSCE would or could have in the new European security system. As was underlined earlier (Chapter 11.2.1, *inter alia*), France was trying at to delineate a European institutional system at IGC that could restrain Germany whilst at the same time providing France with the necessary tools to counterbalance the disproportionate power of the US in European security. Thus, a WEU merged into the EU with a crisis management capacity was a fundamental part of France's strategy. Conversely, Britain's opposition to the WEU reflected its traditional opposition to a process of integration which could eventually lead to the formation of an unwelcome federal European State, and the result of Britain's traditional support for NATO and its role in the European security system²⁰².

Britain has traditionally supported a strictly inter-governmental approach to defence and security issues, a position that was reinforced during the 1996 Intergovernmental conference.²⁰³ The merging of the WEU into the EU and the development of the former as the defence and security arm of the EU has traditionally been regarded by Britain as a dangerous step towards the definition of Union that would be "ever closer", i.e. and less intergovernmental, even over security issues. This, coupled with Britain's preference for NATO, made the possibility of a greater role for the WEU in the European security system highly unwelcome.

The reasons why Britain favoured NATO is due to the so-called special relationship with the US, and Britain's greater power (compared with France and Germany) within the Atlantic Alliance rather than the EU/WEU.

As we have seen in the case of the recognition of Slovenia and Croatia, historical ties and patterns of foreign policy tend to have a significant influence on a country's definition of its interests. A state's evaluation of its "national interest" is not only the result of the perception of its position in the "structure of the system" or its calculations as a rational actor in terms of relative or absolute gains *via à vis* other actors in the system, but also the result of patterns of behaviour that might have offered rational advantages in the past, but which cannot resist a pure cost/benefit analysis today. In the case of Germany during the recognition issue, for

²⁰² On Britain's position on European defence policy debate at the time, see: Bailes, 1995; Dan Keohane, 1992; Croft, 1991; Sabin, 1990; Lindley-French, 1997.

²⁰³ The British government's memorandum of March 1995 on European defence issues stated that "the government believes that the nation-state should be the basic building block in constructing the kind of international order we wish to see; [...] that the nation state remains in particular the fundamental entity for cooperation in the field of defence; [...] and that] the basis for European action in defence and security field should be intergovernmental, based on cooperation between the nation states" (quoted in Clark, 1998: 12).

example, the country's experience of cooperation within the Community context proved to have developed a perception of the state's interests that had little to do with rational choice analysis. In the case of Britain, the institutionalised pattern of behaviour which has had the strongest impact on its perception of national interest is that with the US within the framework of the Atlantic Alliance. The preservation of NATO's role in European security, therefore, served not only Britain's interest by providing a framework in which the country enjoyed greater power than France or Germany, but also by enabling Britain to preserve a pattern of foreign policy behaviour that had characterised the country's foreign policy in the previous forty years. Michael Clark shows how Britain has been a "*status quo* power" in world politics since the end of the period of imperialist expansion in the 1890's (1998: 7).²⁰⁴ Thus, Britain's traditional reluctance in the '60s and '70s to accept that the WEU could perform a more substantive role in European defence, and the country's response to Mitterrand's attempt to revitalise the WEU in 1984, are a function of the UK's perception that a stronger WEU would represent a challenge to the unity of NATO (i.e. of the *status quo*) and that such a challenge would bring more costs (political and economic), than advantages. Britain has also maintained this approach towards the WEU in the contemporary debate over the respective roles of NATO and WEU within the European Security Architecture. For this reason, the development of the WEU as a European pillar within NATO is more acceptable to the British than a WEU that is embodiment of a European Security and Defence Identity that would undercut NATO's integrity and predominant role within European security. The CJTF accord²⁰⁵, reinforces the institutional expression of a WEU as a European pillar of NATO within a limited mission, rather than as the embodiment of an actual European Security and Defence Identity.²⁰⁶

Like France, therefore, post-Cold War institutional (re)definition remained a relevant concern for Britain and its position in the WEU peace-keeping dispute. However, it is more difficult to evaluate the impact of this factor, compared with others, because other possible considerations (threat perception, domestic concerns) point in the same direction, i.e. there were no perceived

²⁰⁴ In fact, Clark goes on to say that "Britain is more acutely aware of that which should be preserved rather than that which might be constructed" (Clark, 1998: 9).

²⁰⁵ The concept of CJTF was announced at the Brussels NATO Summit in January 1994, and codified at the Berlin NATO Ministerial Meeting in June 1996. On British ideas about the functioning of the CJTF, see Clark, 1998: 22-25.

²⁰⁶ It could be added that Britain's approach to European security since the 70s has been different from that of France particularly over the development of a pan-European institutional form of security and cooperation. In Britain's view, the CSCE (then OSCE) could be a useful forum of communication, but could not have a role in the maintenance and enforcement of collective security (Clark, 1998: 8 and 36 endnote 5).

significant incentives for Britain to undertake a military operation in Yugoslavia at the time.

11.3.2. Britain's Reluctant Intervention (January 1992 - August 1995)

As was demonstrated earlier (Chapter 10.3.2, *inter alia*), during the first phase of the international response to the Yugoslav crisis (June-December 1991) Britain was very reluctant to become militarily involved in a "far away" quarrel in the ex-Yugoslavia. The UK initially rejected the French idea of a *force d'interposition*, and then declined to participate in UNPROFOR until August 1991, with the result that the first British troops arrived in Bosnia in October 1991.

Finally, in August 1992, the UK agreed to take part in the UN mission in Bosnia (France had made a similar decision over deployment in Croatia in April 1992). The mission, as John Major made clear, would have a strict mandate limiting itself to protecting humanitarian convoys, and moreover, the force would be withdrawn at the first sign of involvement in war activities (Macleod, 1995b: 92). However, as Foreign Minister Douglas Hurd had already acknowledged, it was easier to get *in* than to get *out*²⁰⁷.

Throughout the entire management of the conflict Britain remained coherent in its approach that was characterised by a diplomatic activism but consistent and significant opposition to the use of force. Even more than France, Britain opposed any use of UN troops for peace-enforcement actions, or any peace-enforcement operation which could endanger UNPROFOR soldiers. Britain always made it clear that the creation of the No Fly Zone and the safe-areas were either instruments to compel the parties to agree to a peace plan or means to protect the civilian population, not means by which the international community could intervene in support of one side or another. In particular, Britain was highly critical of the US attitude, because the respected reference to the use of force by the Americans could lead the Muslims to have unrealistic expectations over imminent forceful action by the West.

Furthermore, like France, Britain initially opposed air-strikes, but, unlike France, the UK continued to have major reservations about the use of air power even after the Sarajevo ultimatum of February 1994. On that occasion, the British government re-iterated its reluctance to the air power but eventually aligned itself with the French.

It is, therefore, interesting to examine why Britain eventually contributed so significantly to UNPROFOR (and aligned with France), but remained reluctant to use more forceful means to bring the fighting to an end.

²⁰⁷ Foreign Broadcast Information Service (FBIS) - WEU - 92 - 125, 29 June 1992: 17.

Despite strong initial resistance by the UK to participation in a peace-keeping operation in ex-Yugoslavia (see Chapter 11.3.1.), Britain eventually agreed to contribute to UNPROFOR, thus becoming actively involved in the management of the Yugoslav war(s). Why was this so?

Domestic public pressure? Britain has an unbroken tradition of foreign intervention which is accepted as quite normal by British citizens. For this reason British the people are generally ready to accept the involvement of British troops in an external dispute if it is considered in the interest of/ and a responsibility of the UK.

In August 1990, just before the second Gulf war, about 83% of the British public and all main political parties supported military intervention in the Middle East (Schmidt, 1994: 22). In the case of the former-Yugoslavia, the *British public's support* for military intervention (including British participation) was similarly high only over the use of force to protect humanitarian aid, whilst over use of force to enforce cease-fire, to separate the warring factions or impose a solution public support was less high, yet still appreciable (about 63% on average supported it).²⁰⁸ Therefore, domestic pressure in favour of military intervention in Bosnia whilst high, was no higher than in France, nor higher than the Gulf war, for instance.

Amongst *politicians*, there was a similar nearly-general consensus about sending British troops to Bosnia, although a very small group within the Labour party condemned the government's decision as "too little, too late" (Schmidt, 1994: 23). The government, in effect, had the support of most of the Parliament for its decision to send British troops to Bosnia. However, there was no real political pressure for this to be done.

The pressure, such as it was, came from *the press*, which continually called for peace-enforcement (although with varying levels of commitment between the different journals; see Towle, 1994: 100). Therefore, although Britain's participation was supported and even demanded for by British domestic constituencies, this call was insufficient to explain Britain's active involvement in UNPROFOR. What does seem to have played a major role, however, was Britain's sense of responsibility as a Great Power:

Power-politics explanation. Like France, the main reason for Britain's eventual decision to become directly and significantly involved in UN operations in the ex-Yugoslavia was the country's concern about its international *status*. Contrary to France, Britain is more interested in upholding its international *status* than its international *rank*, i.e. it is more interested in having "influence" rather than actual "power" (see Touraine & Sabin, 1990: 37). In other words, Britain places more importance on participation with other Great Powers (i.e. the

²⁰⁸ See Sobel, 1996, tables 6.13 and 6.14 at pp. 176-177.

US) in decision-making than competing with them for leadership (Macleod, 1995b: 96). The only way for a state to participate in the decision-making process is to take part in the operations on which the community of Great Powers decides, in other words, to assume international responsibilities. If "Britain [still] plays a central role in world affairs" stated Douglas Hurd in April 1992 "[it is because ...] we earn it through active diplomacy and a *willingness to shoulder our share of responsibilities*" (*London Guardian*, 29/4/1992, my emphasis). Therefore participation in UN peace-keeping operations is one of the main responsibilities a Great Powers must fulfil if it wants to maintain its international status. It was mainly for this reason that Britain tried to block a UN operation at the beginning, because it would have required UK involvement. However, when UN intervention became inevitable, Britain actively contributed to UNPROFOR, thereby accomplishing its international responsibilities.²⁰⁹ As one official of the UK Ministry of Defence made clear in June 1993, Britain's UN seat would be at risk if the country did not exercise those international responsibilities which are associated with that role (Schmidt, 1994: 16). A similar claim was implicit within the 1993 Defence *White Paper* that justified Britain's extensive involvement in peace-keeping operations on the basis that it was precisely this type of involvement that was expected from a permanent member of the UN Security Council (British Ministry of Defence, 1993: 48). Furthermore, participation in UNPROFOR, given the limited mandate of the mission, provided Britain with guarantees about the likely level of difficulties and casualties. Indeed, Britain would have been perfectly prepared to accept a wider mandate, had the US been prepared to deploy its troops on the ground.

Thus, Britain's main preoccupation in Bosnia was to avoid an extension of the conflict and the engagement of their troops beyond that of humanitarian intervention, why was this so?

Power-politics explanation. There was no real vital national interest at stake in the ex-Yugoslavia. As was shown earlier, Yugoslavia was not a top priority for Britain in 1991 and never represented a threat to a "vital" national interest at any time thereafter. Indeed, the violent dissolution of Yugoslavia did not represent any threat to British territory, nor was it a threat to the security of Britain and its allies. However, it was defined as a third type of threat by the Foreign and Commonwealth Office, i.e. a threat to Britain's interest in the maintenance of peace and international stability (Foreign and Commonwealth Office, 1994: 10-13).

Britain's traditional security policy orientation, which which focused on US-British relations and concerned mainly with stability and 'order' in Central Europe remained active in the first

²⁰⁹ See Malcom Rifkind's emphasis on the concept of "responsibility" in Rifkind, 1993. On Britain's foreign and defence policy dilemmas in the post-Cold War environment, see: Quinlan, 1992; Sabin, 1993, Wallace, 1992; White, 1992a, 1992b.

half of the 1990s. Because of this traditional security orientation the Yugoslav war was perceived as a far away imbroglio for which Britain felt no particular responsibility compared with other members of the international community. As Malcom Rifkind pointed out, the peaceful resolution of the Yugoslav war(s) was perceived by Britain as a burden to be shared across the entire international community²¹⁰.

Commenting on the reasons for international intervention in the Gulf and in Yugoslavia, British Foreign Secretary, Douglas Hurd, said that it was wrong to make a difference between "wars of interest", such as the Gulf, and "wars of conscience", such as Yugoslavia (Schmidt, 1994: 15), because both aspects are present during an international intervention and both eventually define Britain's perception of security. In fact, however, it seems true that the higher is the threat which is perceived associated with the continuation of a war, the more are the means which are put into bringing the war to an end. At present, "threats to conscience", as Douglas Hurd would probably call them, are not perceived by Britain as "threatening" as other more traditional types of threat. In these circumstances, given the UK's responsibility to its international status, the best British policy-makers felt they could do was a minimal level of intervention in support of humanitarian operations (interviews at the FCO, September 1995). According to Richard Astle of the Foreign and Commonwealth Office, the need to "solve the conflict" was figured only third place in Britain's first priorities objectives in ex-Yugoslavia. The first objective being "containment", the second to "limit human suffering", the third to "solve the conflict" (if possible), and fourth and last, "to limit the dangers for British troops". More forceful action was completely ruled out by Britain, which considered such action possible only if undertaken by NATO, with full US participation, including of the deployment of US ground forces (interviews at the FCO, September 1995).

Domestic politics concerns. Like France, the limited interests associated with the solution of the Yugoslav conflict conditioned Britain's response through political factors that had little to do with a solution of the Yugoslav wars. One of the main concerns, contrary to what Mr. Astle claimed during the interview, was that of "*limiting the dangers for British troops*". Any effective military intervention would have had to be against a clear target (i.e. the Bosnian Serbs) which would have created a risked retaliation by them against UN troops. On 4 December 1992, John Major argued against air strikes by underlining the risk to the UN Blue Helmets in the event of retaliation, and argued against deployments by painting a Vietnam-like scenario of long and dangerous fight (Schmidt, 1994: 65). When Rifkind rejected the use of force to defend the Muslims as too risky to British troops, his arguments were not seriously

²¹⁰ See Rifkind's discourse on *Survey of Current Affairs*, March 1994: 53.

disputed by the opposition. The governing party, the Conservatives, as early as January 1993 exerted significant pressure on the government to pull British troops out from Bosnia. Moreover, Tory backbenchers were also concerned about the dispatch, in mid-January 1993, of HMS Ark Royal to the Adriatic. Indeed, they had to be assured by the government who stated that the Harrier fighters and artillery on board would be used only in the event of a retreat by British forces (Schmidt, 1994: 24).

Both the government's and the opposition's preoccupation about the safety of British troops was based on the belief that *public opinion* is volatile and could easily reverse course when once the first British body-bag came back from Bosnia or TV programmes showed heavily armed British helicopters firing on highly-populated areas. For this reason the UK also opposed US proposals for air strikes (and arms-lift) and expressed strong scepticism about deploying ground troops beyond those required for humanitarian aid²¹¹. In reality, nearly-all the political parties (with the possible exception of Liberal Democrats and Thatcherite Tories) supported the government's cautious political line.²¹²

Apart from concerns about public opinion, there was also the opposition from some elements in the military who claimed that a peace-enforcement operation in Bosnia would be highly dangerous due to the terrain and the tactical techniques of the Serbs.

The EC factor. In June 1992, Britain began its six month stint as the EC President and this influenced the UK behaviour towards the Yugoslav conflict at the time, especially because the presidency also coincided with the period during which each European state had to gain the approval of its national parliament before ratifying the Maastricht Treaty.

As in the case of France, the ratification of the Treaty was by no means an easy task for some European governments. The first Danish referendum, in June 1992 failed to gain a majority of votes in favour of ratification resulting in a further referendum. France was due to hold its referendum in September, whilst the British government was keen to avoid such a referendum. From November on, the newly elected (April 1992) British Parliament, in which the government had only a slim majority, reviewed every single clause of the Treaty. In this situation, the EC's performance in Yugoslavia became important domestically because of the ratification of a Maastricht Treaty that would define the European Union, particularly at a time

²¹¹ Evidence for the importance of public opinion in shaping Britain's position towards humanitarian aid and the minimal use of military tools were widely available, with only very few exceptions, from diplomats interviewed at the Foreign Office and British Ministry of Defence, in September 1995.

²¹² On the various points of view on intervention in Bosnia, see *Times*, 20/4/1993.

when the Eurosceptics were always ready to point to Europe's inability to stop the Bosnian war.

Thus, Britain was, at that time, trying to accomplish its role of EC Presidency and do everything in its capacity to ease the ratification of the Treaty by national electorates. Equally, the Maastricht Treaty satisfied the British Conservative government from many points of views, not least the lack of progress in the definition of a closer relationship between the EU and the WEU. At the same time, however, the government continued to reassure its domestic audience that it was not abandoning its traditionally cautious approach to European integration.

This ambivalence explains in part Britain's position on the Bosnian war at the time (White, 1995). Indeed, the six months of its presidency, Britain played an effective role in the European management of the Yugoslav crisis, but stressed the need to limit the EC/U presence in Yugoslavia to diplomatic initiatives only giving its consent at best to the deployment of non-military observers. The limited role attached by Britain to European institutions, especially at the time when the EC role in the crisis was at a crucial point of its definition, was influenced by two British concerns over European integration. First, allow the process of integration to continue in the direction defined at Maastricht (i.e. mainly intergovernmental) and, second, avoid the European institutions (EC and WEU) undertaking tasks that Britain regarded as the remit of the UN or NATO. Therefore, the UK Presidency pushed for only a limited EC involvement, i.e. a limited operation because Britain was not prepared to run serious risks *for Sarajevo*.

Furthermore, France and Britain shared a common concern over US "enthusiasms" and the need to keep it under control so as to safeguard French and British troops on the ground. In July 1994, French and British Ministers for Foreign Affairs stated that a joint French and British role in Bosnia was fundamental for the eventual solution of the conflict (Macleod, 1995b: 99). Moreover, when there were divergent opinions, such as the case of the air strikes debate, Britain usually supported the French position. This was also the case during the hostage crisis of Summer 1995, when Britain reinforced its troops in Bosnia and agreed to the creation of the Rapid Reaction Force (that was presented as a Franco-British joint initiative) which was proposed by Britain as a means of support for UNPROFOR's humanitarian tasks (and, eventually its withdrawal). It is more than reasonable to conclude that Britain's realignment with the position on a number of occasions was simply the result of the two countries sharing common risks on the ground. However, this explanation does not provide a complete picture of the various processes at work. Indeed, alongside France and Britain's common policy in Bosnia, other elements influenced Britain's policy of close alignment with France:

Britain started in Bosnia what former Prime Minister Margaret Thatcher had proposed as policy in the post-Cold War international framework, namely, *reconstruct a Franco-British*

'entente' in order to counterbalance the excessive power of a re-unified Germany (Thatcher, 1993: 815). This typical *power-politics explanation* may be supported by a consideration that the re-unified Germany, was perceived both by Britain and France as threatening the European equilibrium (see Chapter 10.3). However, these are not the main reasons for British rapprochement with France on specific issues in the Bosnian military intervention debate. In fact, the solidity of the Franco-German tandem was never questioned, not even during the events in the former-Yugoslavia. Furthermore, Britain's behaviour in Bosnia brought it closer to France at the expense of the US, not Germany.

A further explanation involves the *re-definition of the European security architecture*. On the one side, France's perspective on European security moved during the management of the Yugoslav wars towards a more flexible stance over NATO. France became increasingly flexible about accepting an ESDI as a pillar within the Atlantic Alliance. On the other hand, Britain also moved towards a more flexible position on these issues, re-attaching importance to the development of a European pillar within the Atlantic Alliance, one that could function autonomously from the US when the latter did not wish to intervene. Moreover, the events in Yugoslavia were not only influenced by this process but at the same time influenced the process themselves. If the experience on the field brought the positions of France and Britain closer, the same experience led the two countries to take a critical view of the US and its proposals.²¹³ Neither of the two countries was ready to accept a "John Wayne solution" (British Defence Minister, quoted in FBIS-WEU-93-039, 2/3/93: 18).²¹⁴ Furthermore, policy-makers in both countries developed a common perception of the importance of Franco-British(-German) cooperation to define a future European security system.

To summarise, Yugoslavia did not represent a major security concern for Britain although the UK did move to show that it was still willing to fulfil its international responsibilities. The cautious step-by-step policy adopted by Major not only had the agreement of all the main political parties, it responded to the need to do something without putting British troops in too much danger. "We should be cautious not to go too fast but still avoid giving the impression of overlooking this important threat to the stability in Europe", claimed Britain's representative at NATO when Britain decided to contribute to UNPROFOR2 (Weston, 1992). Such prudence

²¹³ Interview with Gordon Reed at the Foreign Office, 17 September 1995.

²¹⁴ Meanwhile the two countries were also coming closer as far as coordination in the field of nuclear deterrence was concerned.

was also the result of a basic fissure within public opinion (or at least what policy makers perceived as being 'public opinion'). On the one side there were calls for something to be done to alleviate human suffering, on the other there remained the possibility of a U-turn in public opinion once the first casualties were taken.²¹⁵

11.4. Germany

Germany's role in the ex-Yugoslavia could be characterised, at best, as uneven. As was demonstrated earlier, the country had quite a role in the decision to recognise Slovenia and Croatia, but then some two years passed before it again became a leading player in the international involvement in ex-Yugoslavia. In fact, after the recognition of the two breakaway republics, Germany then took a low profile, at least until its inclusion in the Contact Group in 1994, and even after that.

In the case of Germany's position in the WEU-mission dispute, two issues can be identified: a) Why did Germany support the proposal to send a peace-keeping force to Yugoslavia?; and b) Was Germany interested in a *WEU* peace-keeping force *per se* or simply in an interposition force?

These issues will be analysed in Chapter 11.4.1.

With regards to Germany's behaviour in the military intervention debate since 1992, two main questions must be answered:

- a) Why did Germany assume a low profile in the second phase of the military intervention debate? and
- b) Why, despite this, *de facto* involvement of German forces in NATO operations in Bosnia grew?

These questions will guide the analysis conducted in Chapter 11.4.2.

Some general conclusions on the factors which mostly influenced Germany's behaviour will be drawn in Chapter 11.5.

11.4.1. The WEU Peace-keeping Force Debate (July - September 1991)

When France first put forward the idea of a WEU peace-keeping force to Yugoslavia, on 24 July 1991, various political parties in Germany supported the idea. On August 2, Genscher

²¹⁵ Interviews at the Foreign Office, 17-24 September 1995.

gave his consent to a CSCE or WEU peace-keeping operation in ex-Yugoslavia, although he stated that Germany could not send troops out of the NATO area due to constitutional constraints (FAZ, 3/8/1991). This became the official political line of the German government from August 6 onwards. Later on, however, when the JNA launched a full-scale offensive against Croatia, Germany started to support the deployment of a "peace-making" mission, while still maintaining that it could not take part in any military mission in Yugoslavia (FAZ, 18 and 19/9/1991). Eventually, when France abandoned the idea of a WEU mission in favour of a UN one, Germany welcomed the proposal (Genscher, 1995: 947-950).

Therefore, it is worth considering why Germany supported the proposal for a peace-keeping force to Yugoslavia, particularly a WEU peace-keeping force.

Chapter 10 demonstrated that Germany had an *interest in stabilising Central and Eastern Europe*. However, such interest cannot be explained in terms of *expansionist aims in the area*. On the contrary, there is a more plausible explanation in keeping with the country's post-WWII foreign policy. Germany's "*obsession with stability*" and "*abhorrence of violence as a means of politics*" (see Chapter 10.2.1) undoubtedly influenced its response to the Yugoslav crisis. Germany's historical experiences and friendships had (and have) profound impact on the country's foreign policy behaviour, but not in the sense sometimes claimed. Germany's historical ties with Croatia were eventually less important than its (by now) historical tradition of *civilian power*, its focus on multilateralism, trust in international law, obsession with stability and rejection of violence (Maull, 1990-1). This was particularly during the recognition of Slovenia and Croatia with the same rationale being applied to the formulation of other strategies to stabilise the situation in Yugoslavia, including the deployment of a peace-keeping force.

It is clear, therefore, that stabilising Yugoslavia was in Germany's *interest*. However, such but that these national interests cannot be defined in terms of *power politics*.

The interest of German decision-makers in supporting France's proposal, however, was also related to the strong pressure from the *domestic domain* for something to be done. Chapter 10.2.2. showed that the *general public*, the *media* and, to a certain extent, the *Croat lobby*, pushed hard for action in support of the right of Slovenes' and Croats' right to self-determination, especially after the JNA launched its offensive against Croatia, in late August 1991. The press then intensified its call for active support of Slovenes and Croats against the imperialistic aims of the Serbs (FAZ, 30/8/1991; *Die Zeit*, 19/9/1991). It was not by chance that, in September 1991, Genscher started to support the idea of sending a "peace-making" force to Yugoslavia, in order to respond to the growing domestic pressure and increasing threat

of the violent dissolution of the SFRY.

Furthermore, all the *political parties* basically agreed on the deployment of an interposition force, although on condition that it had the consent of the Yugoslav factions, and specifying that Germany would not take part in any military operation in the area. CDU spokesman, Lamers, expressed support for the French initiative immediately, whilst his SPD counterpart, Gansel, favoured a UN operation (*FAZ*, 26/7/1991). When backing the WEU peace-keeping force proposal become official German policy, the SPD immediately made it clear that it would not allow the deployment of German troops in Yugoslavia. In fact, Germany's Basic Law allows the use of the *Bundeswehr* only for self-defence (Article 87), with the exceptions of national emergencies and participation in systems of collective security (Article 24, 2), exceptions that were regarded differently by the three main political parties. This dispute, which had been triggered by the Gulf War, was renewed by the war in Yugoslavia.

It is possible that the German government supported the WEU peace-keeping initiative, and later proposed a "stronger" peace-making mission, whilst rejecting a direct involvement of German troops, with the precise aim to generating external criticism and thereby obliging the *Bundestag* to re-open the debate on Germany's constitutional constraints on foreign intervention (cf. Jakobsen, 1993: 59). In support of this hypothesis, the domestic dispute on this issue continued throughout the entire management of the Yugoslav conflict with the government consistently expressing its view that NATO operations (no matter where) were included in the Basic Law. The discussion went on with no formal revision of the Constitution although with a "flexible" interpretation of it by the government (Müller, 1994). Eventually, however, when German destroyers were sent to help supervise the embargo against Serbia and, again, when the Cabinet decided to participate in the NFZ operation, the opposition went to the Constitutional Court.

However, backing the French proposal served Germany's interest and preference in the sense of (i) supporting the initiative of its main partner in Europe, (ii) sustaining the activity of a European institution, (iii) undertaking a multilateral management of the crisis. All these elements (the importance of the Franco-German tandem, the importance attached to the "construction of Europe", Germany's multilateral attitude) are well-documented priorities for Germany (see Chapter 10.2.3.), being part of *interest in the construction of an efficient European institutional environment*.

France and Germany coordinated to a significant extent their action in Yugoslavia during the first phase of the crisis management. As was clear during the recognition of Slovenia and Croatia, as well as, their agreement on the creation of a Peace Conference and an Arbitration

Committee (Genscher, 1995: 947), the leaderships of the two countries made every efforts to maintain a functioning "European tandem".

It is not completely clear, however, whether Germany was that keen on a WEU operation compared with other possible solutions. In fact, Germany was probably more interested in setting-up a multilateral peace-keeping mission than on which institution should implement it. In fact, although it cannot be stated that Germany was completely neutral in the NATO-WEU dispute, as some claim (see Jakobsen, 1993: 59-60), it is true that Germany's multilateralism led Genscher on August 2, 1991 to express his agreement with either a CSCE or a WEU peace-keeping mission to Yugoslavia, and to shift immediately to support a UN mission when it appeared a wholly European solution could no longer be found.

Germany's stance in the WEU peace-keeping debate, therefore, was not dictated by any particular position in the WEU-NATO dispute, as in the case of France and Britain. Germany has historically maintained an intermediate position in the dispute, continuing to support both institutions, and the partnership which it tried to maintain through them. Germany was the co-author of the French proposal for WEU peace-keeping troops, and of the Eurocorps (first proposed in October 1991, by Kohl and Mitterrand), but at the same time it was also one of the main architects of the NACC. According to *neorealist interpretations* supporting both sides was the best security strategy Germany could pursue because it enabled Germany to cooperate and reassure France, whilst keeping French and British nuclear arms under a broader (and safer) security umbrella. At the same time, it also allowed Germany to maintain "very long-established" relations with Washington (Morgan, 1992). At the time of the WEU dispute, Germany was already working for a compromise solution between the Europeist and Atlanticists, along the lines of the December 1992 'double-hatting' agreement²¹⁶.

However, Germany's 'double-hatting' approach was not only the result of realist cost-benefits calculations, but of a *multilateral approach* to foreign and security policy that has become part of the country's political culture, a sort of "instinctive multilateralism" (Schlör, 1993: 6-7) shared by all political parties (and reinforced with the leadership of Kohl and Genscher).

²¹⁶ On December 1992, after more than one year of criticism the US, Britain and the Netherlands for attempting at dividing the transatlantic partners with initiatives such as the one on the Eurocorps, France and German clarified Eurocorps status with respect to NATO. Eurocorps would be assigned to NATO, both in case of the Alliance's self-defence and in case (on an *ad hoc* basis) of NATO's peace-keeping and crisis management missions under the UN mandate (Schlör, 1993: 37-38).

To summarise, Germany's political culture made the country particularly well disposed to the deployment of a peace-keeping mission to Yugoslavia with the aim of stabilising the situation in the country, especially since such a mission was supposed to be multilateral. Furthermore, all domestic considerations pointed in the same direction. Moreover, due to the particular importance attached to saving the Franco-German axis in view of the Maastricht negotiations, Germany was particularly willing to support the French initiative. In the case of Germany, therefore, all elements suggest agreement on the initiative.

It is worth noting that, the fact that Germany opposed the participation of German troops in any mission to Yugoslavia confirms that it did not have any military expansionist aims in the area, as some scholars affirmed at the time of the recognition debate.

11.4.2 Germany's Limited Engagement (January 1992 - August 1995)

After the recognition of Slovenia and Croatia, in December 1991, Germany assumed a very low profile in the management of the Yugoslav crisis. This applied particularly to its (lack of) contribution to military operations on the ground and its position within the military intervention debate. In fact, it is certainly true that Germany became more active after its inclusion in the Contact Group, in 1994, but not as far as its position in the military intervention debate was concerned. In reality the country's position on military intervention did not change substantially from 1991, although its diplomatic activity increased -as shown by German-led initiatives such as the Bosnian Negotiating Forum in February 1994, the proposal for a Muslim-Croat confederation and its leading role in the administration of Mostar (Caracciolo, 1994).

When, in Spring 1993, the Clinton Administration launched the proposal to lift the arms embargo on the Muslims, the German government, which had hinted at such action months before, first responded favourably and tried to gain EU agreement, but then oscillated before returning to its low profile. At the same time, in March 1993, the UN authorised the enforcement of the NFZ and NATO took on the job. The *Bundeswehr* contributed to the operation providing 162 out of 620 AWACS (Airborne Warning and Control System) crew members, and one-third of the personnel (Maull: 1995-6: 110). This contribution, which was maintained during operation *Deny Flight* provoked grave opposition from both the main opposition party (SPD) and part of the government coalition (FDP) who brought the case before the Constitutional Court.

Germany's military contribution to the management of the Yugoslav conflict, however, was not limited to that *Operation Deny-Flight*, but also included military support to the NATO-WEU joint sanctions monitoring fleet in the Adriatic, to the airborne delivery of humanitarian aid, and

to the air element of the reaction forces of UNPROFOR in June 1993 (Gow, 1997: 173).

Furthermore, albeit quietly, Germany supported US pressure for NATO air-strikes. When NATO, under strong pressure from Washington, declared itself willing in principle to undertake air strikes, Germany (together with the Netherlands and Turkey) welcomed the initiative and eventually supported, although again quietly, NATO air-strikes and the ultimata of February 1994 (Sarajevo), April 1994 (Gorazde), August 1994 (Sarajevo), November 1994 (Ubdina, Croatia), and August 1995.

Whilst, Germany assumed a low profile position on more than one occasion the Yugoslav crisis hastened the *Bundeswehr's* involvement in out-of-area NATO military actions, although without substantially changing Germany's position as a "reluctant power" (Maull, 1995-6: 111).

Hence, in order to understand Germany's behaviour in the military intervention debate from 1992 on, it should be examined why Germany assumed such a low profile also during the second phase of the military intervention debate whilst the involvement of its forces in NATO operations in Bosnia actually increased.

Germany had more than one reason to avoid a high profile within the military intervention debate and practice:

From a *power politics perspective*, it could be argued that with the recognition of Slovenia and Croatia, Germany had achieved its aims in the ex-Yugoslavia and had *no direct interest in Bosnia*. Like France and Britain, there were no vital German national interests at stake but such a simple consideration is insufficient to explain Germany's behaviour in ex-Yugoslavia, or to account for France and Britain's minimalist behaviour. Although at the minimum, Germany continued to be involved in the Yugoslav imbroglio, made proposals, took part in the Contact Group and let the Yugoslav events fuel the debate on the *Bundeswehr's* involvement in out-of-area NATO missions. Furthermore, Germany's *sotto voce* approach to the second phase of the military intervention debate cannot be explained without examining what would have happened if Germany had supported some of the US initiatives with more enthusiasm: it would certainly have endangered the security of French and British troops on the ground, thereby undermining European solidarity. This played a significant role in preventing Germany from speaking louder, even though domestic constraints, were the major factor.

Germany's post-1991 low profile can satisfactorily be explained as one of *realignment with its major EC partners*. In essence, Germany tried to dampen concerns the apprehension that its behaviour in the recognition issue had created amongst its European

partners. As was clear in the case of Germany's recognition of Slovenia and Croatia, France and Britain were alarmed by the unprecedented assertiveness showed by their large EC partner on that occasion. Indeed, some commentators believe that Germany's new-found assertiveness marked the beginning of a new course for German foreign policy, one that was more "imperialistic" or, at least, more independent from its Community partners. This was not the case, and Germany's low profile in the post-recognition period was to confirm that. As Hanns Maull has effectively stated, "Bonn's assertive[ness ...] produced a backlash of international criticism, which resulted in something of a trauma for German diplomacy [and in the lesson] that Germany should [...] avoid such strong-arm tactics and should keep in step with its major partners" (Maull, 1995-6: 105), and that successful foreign policy is possible only in a thoroughly multilateral framework (Axt, 1993: 354, 359; Müller, 1994: 126).

Initially, Bonn regarded Yugoslavia as a great opportunity to overcome some of its foreign policy inhibitions, but eventually, after the debate over recognition, Germany's main concern became the need to assure its EC and NATO partners about post-Cold War-Germany's foreign policy priorities.

Furthermore, Germany could not push the interventionist position too hard, whilst, at the same time, refusing to share the risks that French and British troops would face when tougher action was taken. Indeed, a sort of *EU solidarity* prevented Germany from supporting more firmly its preference for tougher action such as lifting the arms embargo on the Muslims or bombing Serb artillery positions.

In early 1993, foreign Minister Kinkel, Chancellor Kohl and Minister of Defence Rühle became easier with the idea of lifting sanctions (Axt, 1995: 237; *Süddeutsche Zeitung*, 8/2/1993). On 22 April, 1993, the *Bundestag* also passed a resolution presented by CDU deputies aimed at lifting sanctions on weapons supplies (in this case the FDP supported the resolution, whilst half of the SPD abstained from voting). This notwithstanding, and in the face of US pressure, Germany did not break ranks with its European partners.

The proposal for military strikes, on the contrary, became even less supported. The option of air strikes was backed by some CDU leaders such as Karl Lamers, Johannes Gerster and Karl-Dietrich Spranger from the CDU and a few of the SPD team such as Andreas von Bülow and Heinz-Alfred Steiner (although these two were soon called to order by their party leadership - Axt, 1995: 238). However, this option of air strikes was never supported in any meaningful way by Germany in international *fora* because it was rejected by those EU partners who had troops on the ground, where there were no German troops.

Nazi-Germany's historical experience in the ex-Yugoslavia influenced the country's

perception of the feasibility of placing its troops in Bosnia-Herzegovina. As has been shown (Chapters 10.2.1. and 114.1.), post-WWII Germany developed an *aversion to the use of force* in foreign policy that had its real origins in its collective sense of guilty, but became a driving dynamic of its post-war political culture.

The Nazi experience, moreover, impeded the participation of German troops due to presence of *Nazi troops in Yugoslavia during WWII* (which was also the case also for Italian troops). In this sense the entire debate over military intervention in ex-Yugoslavia was a non-debate in Germany because all political sides agreed on the impossibility of the deploying of German troops at the scene of Hitler's crimes (Müller, 1994: 127). Therefore, for the opposition that excluded any German participation in specifically military operations on the ground. In April 1993, Kohl affirmed that "those who are in favour of the participation of German soldiers in an eventual intervention in the field of the ex-Yugoslavia should know that the German government would never accept it" (FAZ, 20/4/1993).

However, had Germany neglected its historical ties and constraints, it would probably not have taken active part in military operations for other primarily main *domestic political concerns*. First, the German public's opposition to direct German involvement in Bosnia. In fact, Germany's "public opinion" was mostly (one German out of two in early 1994) against Germans troops' involvement in Yugoslavia.²¹⁷ It is true that the country was divided on the issue and that Western Germans were more in favour of having German troops involved in UN missions out of NATO area, whilst Eastern Germans were more reluctant. (Sobel, 1996). In any case German public opinion -as opinion pools conducted in the years 1993 and 1994 showed- were far less favourable to military intervention than their French and British counterparts (Sobel, 1996: 154). Even in the case of West Germans, only 51% in March 1993 were in favour of military enforcement of the cease-fire (against the 85% and 75% of, respectively, French and British), and only 42%, in January 1993, favoured a German contribution to the imposition of the cease fire (against 66% of French supporting a French contribution, and 53% of British favouring a British contribution; Sobel, 1996: 176-177).

Furthermore, Germany's electorate was divided on the issue the CDU/CSU's electorate was more supportive of German troops participating in UN missions with the same status as other countries, whilst SPD and FDP supporters were more reluctantly (see FAZ 11/2/1993).

This uneven distribution among the various political parties reflected the different attitudes of

²¹⁷ "Germany Public Approves NATO Air Strikes in Bosnia - But Not German Participation", *US Information Agency, Opinion Research Memorandum*, 19/4/1994.

the parties towards revising the Basic Law in order to allow German troops to be engaged in out-of-area operations.

The debate of the political parties on the out-of-area issue. Although all political parties agreed on the impossibility of deploying German troops in the area because of crimes committed by Hitler's Germany in that region during WWII, the debate on the legitimate use of force in the Yugoslavia divided the political parties, adding fuel to the German domestic debate on out-of-area NATO actions. In fact, notwithstanding the internal division of both the governing (CDU/CSU and FDP) and opposition (SPD, Greens and PDS) parties, the outward position of the main parties on the out-of-area question differed significantly.²¹⁸

Germany's Basic Law allows the use of the *Bundeswehr* for self-defence only. Any exception to this rule, as Article 87,1,2 states, must be explicitly stated in the Basic Law. One such exception authorises the use of the *Bundeswehr* in event of national emergencies, whilst another more debatable exception is indicated by Article 24, 2 which empowers Germany to participate in collective security structures.

In the past the majority of German political scientists and jurists were convinced that out-of-area cases were covered by the Basic Law, whilst the majority of politicians argued that a constitutional revision was needed for Germany to take part in out-of-area missions (Axt, 1995: 235-6). With the end of the Cold War (and especially with the re-opening of the debate during the Yugoslav conflict), some relevant political forces started to be willing to re-consider traditional German military policy. The governing coalition, for instance, was in favour of a German contribution in AWACS aircraft and the CDU/CSU started explicitly to interpret the Basic Law provisions on foreign military intervention less restrictively. For this reason the CDU/CSU, on the one hand, and the SPD and FDP, on the other, found themselves on different sides in the new round of "out-of-area" debate fuelled by the Yugoslav wars.

In particular the CDU/CSU, and the SPD and FDP, disagreed on the interpretation of the exception to non-intervention envisaged in Article 24,4. For the CDU, Germany's participation in NATO's operations were included in the exception, whilst for the SPD and FDP it did not because NATO was considered to be a system of collective *defence*. Furthermore, if both the SPD and FDP called for constitutional reform to allow Germany's out-of area engagement, the majority of the FDP was politically in favour of out-of-area engagement in any UN-promoted operation, whilst the majority of the SPD wanted the *Bundeswehr* to be restricted to peace-

²¹⁸ On the division within and among the political parties in the "out-of-area" debate, see: Müller, 1994.

keeping, peace-making and humanitarian action.²¹⁹

The discussion progressed on with no formal revision of the Constitution but with a flexible interpretation of it by the government. In fact, although no solution was in sight, the conservative government progressively extended Germany's participation in UN military actions. Such an extensive participation started with the deployment of German mine-sweepers in the Persian Gulf after the second Gulf War (1991), and continued with Germany's air support for UN missions in Iraq following UNSC Res. 687, and with the despatch of a medical unit to the UN mission in Cambodia in Spring 1992 (Peters, 1992: 62-63; Müller, 1994: 129).

The consensus over the CDU's "flexible interpretation" of Art. 24, was, however, brittle. When German destroyers were sent to help supervise the embargo against Serbia and, when the Cabinet decided to participate in the NFZ operation, the opposition went to the Constitutional Court. In the first case, the Court found that the NATO/WEU operation in the Adriatic broke the provisions of the founding Treaties, and judged that the WEU's Petersburg Declaration implied a change in the Treaty which should be subject to Parliamentary ratification (Müller, 1994: 129). In the second case, the Court was much more unclear and was requested to respond by "urgent ruling" rather than by "main case jurisdiction". For this reason, the rationale of the judgement was to compare the potential costs of non-involvement with those of involvement. Interestingly though, the Court decided that if Germany demurred from participating it would weaken reputation before its Allies. Therefore, continued the Court, the Bundeswehr could take part in the operation as long as it was low-risk one²²⁰.

This response was, at best, ambiguous because it is always difficult to state beforehand whether a military operation will be low-risk or not. Furthermore, the judgement verges on the contradictory by claiming that whilst Germany's abstention would weaken the country's reputation amongst its Allies, at the same time that such a reputation is worth the risk only if there is no risk!

In any case, Germany's internal debate over the use of force was a real impediment to more assertive German policy because it not only impeded the actual involvement of German troops, but also deprived Germany of its right to express forcefully its preferences on the issue.

The military. The German military were almost wholly against military engagement in ex-Yugoslavia. The arguments resembled those of the British military focusing on the difficulties

²¹⁹ On the out-of-area discussion among political parties, see: Schlör, 1993: 10-13; Müller, 1994; Anderson & Goodmann, 1993: 49; Peters, 1992: 60-63.

²²⁰ See extract of judges' finding in *FAZ*, 10/4/1993. See also Müller, 1994: 130; Axt, 1995: 235-6.

of military operations in a terrain such as that in Bosnia, with an enemy who was difficult to identify, and in the face of guerrilla warfare (see statements by General Wust and Altenburg in *Die Welt*, 21/8/1992; Axt, 1995: 238).

Why, despite its low profile in the second phase of the military intervention debate, did German forces *de facto* get involved in NATO operations in Bosnia (as in the AWACS case)? "Germany must make its contribution, even militarily, to the peace in ex-Yugoslavia" explained Wolfgang Schäuble, president of the CDU/CSU deputies (*Der Spiegel*, 16, 18/4/1994). This was an attempt to "normalise" Germany as a country.²²¹ However "normalisation" was regarded in two rather different ways: (i) as indicative of progressive detachment for Germany's traditional preference for non-violent means of diplomacy and multilateral action, with the view to developing a more independent and powerful foreign policy as well as a stronger voice in the international community; or (ii) as a consequence of Germany's multilateralism and growing institutional links (mostly through the EU, NATO and the CSCE). The first group of explanations fall in the category of "*power politics*", the second in the category of "*institutional concerns*".

Power politics explanations. Germany's attitude has been regarded as a beginning, albeit timid, of a new global power strategy, including of a more active role in conflict management and external intervention²²². Even without referring to apocalyptic warnings of Germany as a new, threatening, independent and selfish power in the international arena, it is still possible to envisage the development of external action capacities as elements of a new political realism. Germany's interest in a permanent seat at the UN Security Council is not, and was not at the time, a surprise or a mystery. Any country that wants to have or to keep (as we have seen in the case of France and Britain) such a privileged position should demonstrate that it is ready to play the role of a Great Power and to assume the responsibilities commensurate with such a role. This became more and more clear to the conservative leadership and it was probably what Kohl had in mind when, on 30 January 1991, in a speech before the *Bundestag*, said: "there is for us Germans no niche in world politics, and there can be no flight

²²¹ Using the concept of "normal power" in relation to Germany see, among many others: Nerlich, 1995; Peters, 1992; Caracciolo, 1994.

²²² The studies that take this approach are of two main types: descriptive or normative. In most cases the idea that Germany *should* take the opportunity offered by the Balkan experience to redefine its external role as that of a "normal" power is pre-dominant (Caracciolo, 1994; Schwarz, 1994).

from responsibility" (Anderson & Goodmann, 1993: 47). Calls for greater German international responsibility, in keeping with the greater weight of the country following its reunification, have emerged since 1990. In September 1990, in a speech before the UN General Assembly, Kohl stressed that "a united Germany will have a greater weight. With this greater weight we do not aim at greater power but we are conscious of the greater responsibility which results from it" (quoted in Lantis, 1992: 75). Similar calls came from Germany's partners (suffice here to recall Juppé's response to the journalist of *La Croix*, quoted above in Chapter 11.2.1.).

Institutional explanations. At the same time, however, it is undeniable that this responsibility was mainly towards Germany's European partners and NATO Allies. As early as 22 January 1991, Volker Rühle (chairman of the CDU), warned that Germany's reluctance to take part in multilateral military operations would threaten the broader objective of European Union (Anderson & Goodmann, 1993: 47). Both from within the country and outside (France and Britain) there were clear signals that part-time integration was no longer possible and that Germany could not avoid its responsibilities, even in the military sphere.

In September 1991, a commission of military and academic experts produced a report on the future of the *Bundeswehr* which confirmed the need for Germany to assume new military responsibilities in order to maintain stability, even outside the NATO area. The Federal Army, continued the report, should be used accordingly; i.e. not only for national defence but also for the maintenance of territorial sovereignty in the framework of the collective defence system of NATO, the UN, potentially the EC/WEU, and future CSCE military obligations (Peters, 1992: 64). With the hotly-contested November 1992 "Defence Guidance" paper, the Ministry of Defence began planning for the future out-of-area deployment of the *Bundeswehr* (Müller, 1994: 137-8). Finally, while the debate amongst the politicians was still going on, military planning for external intervention led, for instance, to the creation of two divisions of 1400-1700 soldiers each trained for UN missions, and the *Bundeswehrplan 94's* doctrine on out-of-area missions. Furthermore, the Federal Army's officers and troops were already integrated into military units characterised by their flexibility and their ability to react to crises in various part of the world (the Eurocorps and the ACE Rapid Reaction Corps, ARRC, for instance). Moreover, this integration took place before any formal decision was taken on the possibility of Germany taking part in out-of-area missions, thus creating a *de facto* international obligation which Germany could not fulfil completely. This contributed to the perception on the part of German politicians (especially, but not exclusively, from the CDU and FDP) that Germany needed to assume more international responsibilities and be able to fulfil all its international institutional obligations. In other words, Germany had to become "a normal country", a country with no

particular prejudices to prevent it from assuming its international responsibilities. The CDU's striving for Germany to play a more active role in multilateral peace operations was aimed at normalising Germany's foreign policy by giving it -as Deputy leader of regional CSU's party group, Glos, said- the "equal rights and equal duties" of France and Britain²²³. The need "normalise" Germany's foreign policy, a theme which emerged consistently in the governing parties declarations and debates (although with significant differences between the CDU and the FDP; see Müller, 1994) rested on the idea that Germany should avoid a pacifist "Sonderweg" if it wanted to be regarded as a reliable partner in a CFSP within the EU and or of NATO (cf. *Das Parlament*, 38/39, 17-24/9/1993: 9; *Das Parlament*, 29/30, 17/7/1992: 9). Furthermore, the CDU, and even more so the FDP²²⁴ insisted that any out-of-area deployment of the *Bunderswehr* should be permitted only within the context of a multilateral framework. This clarification avoided opposition concerns about the existence of a plan to create a "German intervention policy", and showed once again the importance attached by German political parties (even the conservative ones) to *multilateralism*.

In a certain sense both realist and institutionalist explanations of Germany's efforts to "normalise" its power seem to be confirmed by empirical investigation. The re-discovery of "power", in the case of Germany is particularly linked to that of "responsibility", especially towards its leading partners (in the EU and in the NATO). CDU politician Karl Lamers interestingly noted that: "responsibility is contingent upon power; power is contingent upon responsibility [...] if Germany acts as if it has no power, it will awaken only mistrust among its neighbours. Germany must therefore acknowledge its power [...] without forgetting its history, Germany must become as normal as possible" (quoted in Anderson & Goodmann, 1993: 48). This means that although Germany demonstrated that it wanted a more visible international role, it was only within a multilateral framework and, even more significantly, frequently the need for a more active international role was regarded by the country as a direct result of its multilateral obligations.

To sum up, it seems that the elements which mostly shaped Germany's behaviour in the

²²³ *Das Parlament*, 29/30, 16/23 July 1993: 7.

²²⁴ Foreign Minister Kinkel (FDP) interpreted his party's concern when he proposed to reformulate the draft compromise constitutional amendment of January 1993 by stating clearly that (i) only UN-mandated deployments of German troops would be possible, and that (ii) non peace-keeping missions would require a two-thirds majority in Parliament (*Spiegel*, 40/1992: 33; 31/1992: 29-30; 16/1993: 18-22).

second phase of the military intervention debate were found "at home" (mainly in the constitutional constraints on out-of-area deployment and the coolness of public opinion about German military involvement) and in Germany's solidarity towards its European partners (both as a way to reassure them about the foreign policy priorities of post-Cold War Germany, and as a form of solidarity with countries with troops on the ground).

11.5. Conclusions: The Role of "Power-politics", Domestic Politics and International Institutions on Behaviour of France, Britain and Germany in the Military Intervention Debate

The debate over military intervention demonstrates clearly that when the response to an international crisis/war is not perceived as being of "vital" national interest for the intervening third parties, their behaviour is shaped by a set of concerns of which the resolution of the conflict is only one among many others and, frequently, not the first. The position of France, Britain and Germany in the debate on military intervention were shaped by their concerns for their international role and responsibilities as members (or would-be members) of the community of great powers and by their preferences for the balance within the institutional European security architecture, and by the impact of their foreign policy decisions on their respective domestic constituencies. These three factors differed in their relative importance for their response due to: a) the country under consideration; and b) the period of reference. In fact, domestic factors have far more influential in Germany than in Britain and, even more, then in France. In France considerations about European institution-building were particularly present behind France's proposal to deploy a WEU interposition force. At the same time, it was only prior to 1992 that attention of the three states remained focused on the implications of the management of the Yugoslav crisis as a defining feature of a European security architecture. Thereafter, the three moved towards a more flexible relationship between the two main institutions under discussion, WEU and NATO. In the second phase of the military intervention debate, domestic concerns (such as the intense pressure coming from public opinion for something to be done, and the contrary -but equally strong- possibility of a U-turn in public opinion) coupled with power politics considerations mostly shaped their behaviour.

The main institutional concerns for France and Britain in the WEU interposition force debate, involved both the relative and absolute gains associated with the definition of one institutional security architecture rather than another. In fact, absolute gains (concerns about status) and relative gains (concerns about rank) led France and Britain to take a substantial part in UNPROFOR operations. However, the perceived lack of vital interest at stake rendered the

costs of a tougher intervention heavier than the advantages. In the case of Germany, then, although a clear link was made between performing a more active role in ex-Yugoslavia and gaining recognised international weight, the most important influence on the country's behaviour were domestic concerns.

Therefore, to return to the questions posited at the beginning of Part III, it is reasonable to conclude that *International institutions did matter*. As a matter of fact:

1. *The European Community/Union functioned as an instrument of states' strategies.*

- Whilst "Europe" was the main arena of crisis management (in the first phase of crisis management, according to divide introduced in Part 1), the EC was used by both France and Britain as *an arena in which to exercise influence*. This was particularly clear in the debate over the WEU interposition force. The French proposal and Britain's opposition were driven by the two countries' diverging positions towards the development of an ESDI. Each of the two had preferences for an institutional framework in which they could play a more relevant role. In the case of Germany, on the other hand, this element was less visible as the country was mostly concerned and constrained by domestic factors.

Throughout the remainder of the Yugoslav wars, other institutional arenas were used to exercise influence. At the UN, France and Britain exercised their power as permanent members of the Security Council; whilst on *ad hoc*, 'pseudo'-institution, the Contact Group, was created precisely to permit a limited group of countries to exercise their power over the international response to the Bosnian imbroglio.

- During the military intervention debate the EC/U, due to its nature as a civilian power, was not used as *an instrument to balance against or replace other institutions*, although the *WEU was*. This was France's intention when it proposed the deployment of a WEU peace-keeping mission, rather than one from the UN or NATO. The purpose was to develop the WEU within the context of a European security architecture in which NATO and the US had less power and in which the WEU and France could gain more. Conversely, a similar reasoning was behind Britain's opposition to the French proposal and its support for NATO.

In the second phase of the military intervention debate, France started to balance NATO by using the UN. France's *politique onusienne* and the country's role in the definition of the dual-key system were ways in which the UN was used to counterbalance and contain NATO's margin for manoeuvre in Bosnia. Contrary to what might be expected, Britain adopted a similar position because at the time the main concern was no longer the definition of a European institutional security framework but the protection of British troops on the ground.

2. *The European Community/Union functioned as a constrain on state's strategies.*

- The Community context *shaped national intentions* only during the first phase of the international response. In fact, at that time, French, British and even German positions in the WEU debate could have been understood simply as a function of their traditional and recent attitude over the development of a ESDI and the process of European integration in general.

Later, the position of the countries in the military intervention dispute became less clear due to their membership in the EU. It is interesting to recall that in the second phase of the debate both France and Britain, in differing ways, shifted from their traditional approach towards both, NATO and the European partnership. France gradually moved towards NATO whilst Britain was influenced by its EU membership especially when it was required to play a more relevant role in the Union (i.e. when it held the Presidency).

- The European institutional framework (EC/U and WEU) *facilitated agreement in the case of diverging interests* of the three powers in the WEU dispute, because agreement offered more gains (the signing of the Maastricht Treaty, for instance) than costs.

In the second phase of the military intervention debate, on the contrary, EU membership was not the main factor of French and British in agreement. Although this element might have played a certain role for Britain, the main reason for the agreement was represented by their common position on Bosnia.

3. Specifically, there were no signs of the EC/U as a “source of intrinsic” value for any of the three states.

Domestic politics did matter

4. *The decision-makers were significantly constrained (including compelled) by media and public opinion especially in the case of Germany.* However public pressure largely in favour of military intervention in Bosnia also influenced French and British policy-makers to do at least something. Public pressure and French and British concerns about their rank/status were probably the elements that most influenced their policy of humanitarian aid.

Furthermore, public opinion influenced state strategies because of the possible consequences for domestic political support in the event of serious national military losses in Bosnia.

5. *Sometimes policy-makers used domestic politics as an argument to justify their position when bargaining at the European Community/Union level.* Such as Germany's difficulties over taking part in out-of-area operations. In that situation, Germany referred always to its domestic constitutional constraints and to the domestic political debate on the issue.

6. Sometimes *policy-makers* used the European Community/Union as an argument to justify their position when presenting issues of foreign policy in the domestic arena. This happened at important moments of the European integration process when domestic constituencies expressed an opinion, such as the case of French referendum on Maastricht, when the “Bosnia card” was frequently used by supporters of the *oui* party.

12. CONCLUSION AND PERSPECTIVES

The analysis of the European response to the Yugoslav conflict(s) undertaken in this work enables conclusions of various types. On the basis of the results of both Part I and Part III it is possible to sum up the main characteristics of the European reaction to the Yugoslav conflict.²²⁵ Moreover, drawing from the analysis undertaken in Part III, it is possible to identify the factors which most influenced France, Britain's and Germany's response to the Yugoslav imbroglio. The assessment of the relative influence of the different factors also enables some conclusions about on the relative explanatory power of each of the three components of the rationalistic research tradition presented in Part II, and on the research tradition as such. Finally, going somewhat beyond the overall results of this study, some conclusions can be drawn on the prospect of an EU role in crisis and conflict management in the years to come.

12.1. The Main Characteristics of the European Response to the Yugoslav Conflicts

The account of the international management of the Yugoslav conflict provided in Part I identified a series of characteristics of the type of conflict management that did not change substantially in spite of the changes of the main arena of management and/or source of legitimation (criteria 1 and 2 set at the beginning of Part I) before Summer 1995. A significant shift in the international management of the crisis undoubtedly took place in the Summer of 1995 a shift that led to on the US-negotiated Dayton Peace Plan.

In that case, the leadership of the US in leading the international response played a very important role. The Americans used a double-strategy, in that they balanced forces on the field by supporting even militarily, the Muslims and, to a greater extent, the Croats, yet also pressed for the use of a massive air power to deter further aggression. The result of the entire strategy, however, might have been very different if the conflict had not partially exhausted itself, ethnic cleansing having almost reached its aims and Belgrade-Serbs having declared their detachment from the Bosnian conflict. Furthermore, US Administration's concern about saving the cohesion of the Atlantic Alliance would not have allowed Clinton to assume such a forceful

²²⁵ Chapter 12.1 and 12.2 sum up, respectively, the characteristics of the European management of the Yugoslav conflict and of the most important factors which shaped the behaviour of the three states analysed, as they emerged from Part I and Part II and as they were summarised in the concluding chapters of the two parts.

stance had France and Britain continued to completely disagree. On the contrary, the tragic images of the hostage crisis and, in the case of France, the more aggressive position assumed of President-elect Chirac, rendered France and Britain more inclined to the use of air power. Furthermore, the deployment of the Rapid Reaction Force and the end of the sclerotic NATO-UN double-key system, made France and Britain more confident about the safety of their ground troops.

In any case, the policy adopted in Summer 1995 can be regarded as having very different characteristics from the type of crisis management performed during the preceding four years. The strategic planning that characterised the international reaction in 1995 had little to do with the day-to-day reactive response of the previous years.

Yugoslavia was undeniably a difficult case to solve, although the violent fragmentation of the country had its main, although not sole, origin in the concerns of the post-Communist, neo-nationalist leadership of Serbia, the conflict ended by assuming the characteristics of an inter-ethnic conflict, i.e. a conflict in which each faction perceives its existence as a group threatened by the others (Horowitz, 1985; Scott, 1995a and 1995b). In such cases, as part of the literature on ethnic/domestic conflicts recognises, standard diplomatic tools, including mediation, have little chance of success (Scott, 1995a: 12). Due to the complex nature of the conflict, therefore, the choice of the appropriate tools of management was difficult. However, it should have been more carefully considered than it actually was, and more focused upon solving the Yugoslav conflict than other purposes that had little to do with Yugoslavia.

The characteristics of the European response can be summarised, according to the criteria established in the introduction of Part I, as follows:

a) first, most of the actions undertaken were non-coercive in nature. From the beginning, the EC presented its efforts under the label of "mediation", and used coercive tools only to obtain agreement over its mediating role. Furthermore, not only did the use of coercive diplomacy arrive late but there was little willingness to use force, and it was mainly used to obtain agreement over a peace plan proposed by the international "mediators" (the word being rather misused). Even more confusing was the term "Arbitration" to describe the function of the Badinter Committee because its task was actually to provide consulting facilities for the Chairman of the Peace Conference. These terminological mistakes reflected the confusion of the member states' over what role the EC/U should play in the management of the conflict.

In performing this role, the EC/U showed a clear inconsistency between stated principles and action. This was particularly the case of the two basic principles on which the European reaction was initially founded; the maintenance of Yugoslav unity and the equal responsibility of all the warring factions. Before being explicitly abandoned in December 1991, these principles

were undermined by diplomatic manoeuvres, such as the use of recognition both as a carrot and a stick to make peace negotiations progress. Interestingly, the contradiction between the rejection of the logic and practice of ethnic cleansing, and the peace plans and/or practices which *de facto* endorsed the principle of ethnic homogeneity. This was the argument of critics of the Vance/Owen and subsequent plans, as well as the creation of the "safe areas". However, it must be added that such a contradiction was probably unavoidable given the dichotomy between morality and politics (or *realpolitik*).²²⁶ That said, what could have been avoided, was the definition of a policy towards Yugoslavia which at many points, as shown in Part III, responded more to the domestic and international concerns of the states than the actual requirements for efficient management of the crisis.

With regard to the tools used, "humanitarian aid/intervention" was at the same time a goal and a tool of conflict management. As a goal in itself it could even be considered relatively successful, although minimalist. However, it contributed to lengthening the war by feeding soldiers and their families. Moreover, when "safe areas" were created as a means of humanitarian action, the result was implicit support for the "ethnic cleansing policy" of the warring factions. As a tool of conflict management, used instead of other, more forceful means, or as a leverage in support of diplomatic activity²²⁷, became an impediment to other types of action such as military protection for humanitarian convoys.

In reality, "humanitarian obligations" are sometimes reasons in themselves for intervention in international crises and a source of legitimation for such interventions which actually take place for other reasons (Jørgensen, ed., 1997: 208; Knudsen, 1977). The practice of humanitarian intervention is now sufficiently developed to believe that it will continue, although the *form* it will take depends entirely on a basic choice between two opposing concepts. Humanitarian intervention, as full-scale support for the 'just' side (which is traditionally closer to France's conception), or as a *wider peace-keeping* effort (i.e. Britain's understanding of the issue). What the Yugoslav conflict has shown without any doubt is that humanitarian aid cannot be used *in place of* other instruments of conflict management, or as a response to demands from

²²⁶ A similar contradiction, originated by the compromise at the basis of the Agreement, was reproduced in the Dayton Peace Agreement which *de facto* endorses some territorial results of the war and of the policy of ethnic cleansing (areas attributed to the *Republika Srpska* were previously inhabited by Muslims or Croats, and *vice versa*), while at the same time claims the right of refugees and displaced persons return home and to vote - if they wish so - either for the place where they live, where they lived in 1991 or where they would wish to live in the future (see Lucarelli, 1997c).

²²⁷ Significantly, the head of the humanitarian aid desk at the *Quay d'Orsay*, René Roudault, said "*L'humanitaire est un des instruments de la diplomatie*" (Floquet & Coq, 1993: 247).

domestic constituencies in place of efficient management of the conflict. In these cases the results of humanitarian efforts will be, at best, limited (if not counter-productive even). Similar considerations can be made as far as the relationship between humanitarian operations and the use of force are concerned. The possibility of military enforcement should be included in the planning of humanitarian operations from the beginning, to avoid humanitarian aid and peace enforcement becoming inter-blocking. A clear separation between peace-keeping (even if widened to include humanitarian operations) and peace-enforcement is, therefore, counter-productive to conflict management.

This also holds true for sanctions, that proved to be an important tool of diplomacy, but which only produce results in the medium to long run (suffice to say that the impact of international sanctions on the FRY became visible only in December 1996, when anti-regime movements appeared in Belgrade) and if they are coupled to other coercive instruments. The actual effect of sanctions become significant if they are regarded as only the initial step of a designed 'system' of an incrementally coercive crisis management. The self-evident reticence of the international community to the use of force in Yugoslavia (even, initially, to the monitoring of sanctions) lessened the effect of sanctions. Furthermore, it is clear that initially the general military embargo, rather than functioning as a "neutral" policy, reinforced the military superiority of the Serbs and, to a lesser extent, the Croats (Ciliberto, 1995).

The inconsistent "neutrality" of the international community constantly put UNPROFOR troops in danger. If, on the one side, the UN was present on the field with supposedly "neutral" troops, on the other, it passed coercive resolutions, mainly directed against the Serb camp. In the same way, the EC mediating role was severely undermined by its attempt to force the Serbian camp to progress in the negotiations. These two levels of action were not maintained as distinct initiatives, if, indeed, they ever could be. What is clear is that the type of "neutrality" that a UN operation should adopt should not be on the basis of equal distance from all the conflicting concerned parties, but rather as "active impartiality", i.e., as a way of treating the "parties equally and in the same manner [...] according to the way they respect the mandate themselves" (Chauvancy, 1995, quoted in Knudsen, 1997: 196). In this way "neutrality" is not "equal distance" *per se*, but 'equal' in respect of UN provisions. Furthermore, such impartiality should be "active" in the sense that it does not exclude enforcement measures.

Second, the management of the crisis was nearly entirely reactive-punitive. There was no real attempt to prevent whatsoever the violent break up of the SFRY. Indeed, during the war/s, there was little preventive action, as testified by the disastrous delay of the deployment of EC observer missions and UNPROFOR. Furthermore, even when observer missions or peace-keeping troops were sent to crucial areas with a preventive aim, they were not allowed to use

force. Despite this general trend, however, the Yugoslav case saw the first-ever UN preventive peace-keeping action: the deployment of UNPREDEP in Macedonia. Within this context, a further precedent was established by the US troops in a UN peace-keeping operation (Gow, 1994: 19). Unfortunately, the pro-active aspects of management was limited to blackmailing the factions to gain agreement on the various peace-plans.

These initial considerations underline aspects of the reaction to the Yugoslav crisis that were identified by James Gow (1994) as reasons for its inefficacy, i.e. inconsistency, a lack of willingness to use force and poor timing. The alleged lack of coordination, frequently identified as the main cause of inefficient management, does not emerge from this study as one of main features of the conflict management.

On the contrary, this is the third characteristic of the European response to the Yugoslav conflict, the balance between individual and collective action was sensibly in favour of the latter. Until the formation of the Contact Group the European response was mainly collective, sometimes even "collective at any cost". The "collectivity" of action was preserved even in cases of "defection" and led to inaction in case of disagreement and re-alienation in case of defection. Inaction due to divergent opinions occurred over the recognition of Slovenia and Croatia and in the case of the French proposal for a WEU peacekeeping force, following to Mitterrand's trip to Sarajevo.

Actually, the stress on collectivity of action by the main EC/U member states provides the key to crisis management until the formation of the Contact Group. The very fact that the members of the EC decided to act together, to perform a task that was not specifically relevant to the *aquis communaire*, and the fact that in most cases they tried to save the "collectivity" of action in spite of the consequences on the crisis itself, suggests that, in broad terms, "EC membership did matter". Indeed, on most occasions it even "mattered for its own sake". Chapters 10.2.3., 10.3.3. and 11.5. explored this and will be re-capitulated in the next section.

12.2. An Evaluation of the Factors Which Mostly Influenced French, British and German Response to the Yugoslav Wars...

From the beginning, European reaction to the violent dissolution of the SFRY was very much influenced by the preferences and perceptions of three major European states: France, Britain and Germany. The preferences of the three shaped the way the EC responded to Slovenian and Croatian calls for international recognition of their independence, and influenced the choice of the tools which were used (the choice of the EC-sponsored international conference and

arbitration committee, for instance) or rejected (the French proposal for the deployment of a WEU interposition force, for instance). Later on, when the main arena of conflict management was enlarged to include the UN and -then- the US and Russia, and the management of the Yugoslav conflict was taken out of solely European hands, these countries continued to play a major role in the definition of the international response to the Bosnian war. In particular, France and Britain, who, as opposed to Germany, were present on the ground, maintained significant weight in the debate on military intervention and found themselves aligned against the proposals for air strikes and the lifting of the arms embargo on the Muslims for much of the war.

Three sets of factors influenced the attitude of these states at crucial points of the conflict management exercise: their “power politics concerns”, the constraints and opportunities represented by their membership in various international institutions (and particularly the EU), and their concerns about implications for their foreign policy decisions within the domestic political environment. These concerns influenced the decision-makers differently in different states and at different times of the conflict management.

So-called “*power-politics*” *considerations* were the main reason behind the reluctance of all the states involved to use more offensive military tools to enforce UN resolutions and support diplomatic efforts. In fact, the post-Cold War enthusiasm which had encouraged European states to become the main managers of the Yugoslav conflict had a short life. The states involved soon found themselves dealing with a conflict in which they did not perceive any vital national interest at stake. However, a sense of international responsibility and pride and prestige compelled France and Britain to contribute to UN operations and to remain active players in the Yugoslav ‘game’. Similar considerations were at the roof of German government attempts to *de facto* increase the military involvement of the *Bundeswehr* in, out of area operations, that gave new life to a lively internal debate on the issue.

Next to these concerns over “absolute gains” in the international political-game (lack of threat to vital interests and concerns about pride and prestige), other “power politics” considerations influenced policy at various points. Concerns about “relative gains”, for instance, were determinant in shaping France's initial perception of the recognition issue, whilst France's main preoccupation in the debate on recognition had more to do with Germany, than with Slovenia and Croatia. German re-unification was perceived by both France and Britain as a possibly destabilising factor of the *equilibrium* in Europe if not a threat to their national interests. In effect, recognition of Slovenia and Croatia could open new territory for German hegemony. However, in both cases the strategy chosen to confront this “threat” was institutional, in that both countries preferred to develop European institutional ties further in

order to keep Germany under control.

Concerns about the construction of the EU were at the bases of French and British eventual decisions to follow Germany's recognition of Slovenia and Croatia in December 1991. Maintaining European coordination was regarded as being more important than any other consideration, given that the Maastricht Treaty had just been approved and the CFSP therein established.

Similar interests regarding the definition of a certain institutional structure for the EU lay behind France's proposal to deploy a WEU peacekeeping force in 1991. France wanted to develop the WEU both as a tool of European independence in security affairs and a means through which to assert French leadership in this area. Conversely, Britain's opposition to the WEU interposition force, had little to do with considerations regarding the war in Yugoslav and much to do with the Britain's preferences for the maintenance of a leading role for NATO/US in European security matters, which guaranteed Britain a relative advantage over the other EC partners due to its so-called 'special relationship' with the US.

These concerns were particularly intense during the first phase of crisis management because it coincided with the internal EU negotiations on the Maastricht Treaty. Later on, similar concerns emerged at points when the achievements of the EU were risked by its policy in Bosnia. For example, French activity in Bosnia in 1992 coincided with the national referendum for the ratification of the Maastricht Treaty. In that situation the parallel between the management of the Bosnian war and the development of "an ever closer Union" was made explicitly by French politicians. In general, however, after the initial close attention that was paid the implications of the Bosnian policy on the future structure of the EU, other factors that had a major influence on French, British and German attitude emerged. This was due to the fact that after 1992, the response to the Yugoslav war was no longer entirely Europeans; UNPROFOR having been deployed and an EU/UN-co-sponsored peace conference having substituted that sponsored by the EC.

Concerns about the *domestic implications* of policy decisions in Yugoslavia, and about the need to respond to domestic calls for something to be done in Bosnia, were equally present in the policies of the three states. Germany's strong preference and insistence upon European recognition of Slovenia and Croatia was the result of such a policy that came from both the media and the main political parties. At a certain point, Germany's recognition of the two countries became a factor in domestic politics around which politicians and political parties manoeuvred. Undoubtedly, alongside these considerations there were others that had more to do with the reality of the situation in Yugoslavia and the conviction that such a diplomatic step would stop the expansionist aims of the Serbs. However, Germany's attitude cannot be fully understood without looking at the domestic political situation and its interaction with German

policy at the intergovernmental conferences responsible for revising of the EC Treaties.

Thus, given the perception that no vital interest was at stake, public pressure in favour of adopting a tougher action in the ex-Yugoslavia led both the British and the French governments (particularly the latter) to adopt a compromise position by supporting the implementation of an active policy of humanitarian aid, whilst at the same time refusing to enforce it so as not to put their ground troops at risk, which could, in itself, risk a U-turn in public opinion.

This thesis has clearly shown that a neo-realist analysis would be completely insufficient to explain state behaviour in the Yugoslav case over in time (see also point three of this chapter). However, it is still worth clarifying how state membership in the EC/U influenced their behaviour, in what sense they were constrained by domestic political concerns, and how these two levels interacted. By referring back to the questions proposed in the introduction, is reasonable to conclude that:

A. The EC/U did matter

1. The European Community/Union functioned as an instrument of states' strategies traditional function, by:

(a) *providing its individual member states with an arena in which to exercise influence;*

The EC/U was an arena in which to exercise influence, be it Germany's pressure for European recognition of Slovenia and Croatia, or France and Britain's attitude to the WEU peacekeeping force. Later on, other frameworks were also used for this purpose, particularly the UN Security Council and the Contact Group.

(b) *sometimes representing an instrument to balance against or replace other institutions;*

The EC was *the* institutional framework initially chosen to respond the Yugoslav crisis. Behind this choice there were not just external calls (such as those from US and UN) for European management of the conflict, but also the enthusiastic interest of many of the European states in defining a more important role for the EC in crisis management in Europe. This implied that at least some of the major European states at the time wanted to lead the EC into areas traditionally covered by other organisations such as the UN and/or NATO.

Later on, however, the EU challenge as a replacement for other organisations failed, although the WEU maintained that role. In fact, behind the WEU peacekeeping debate there was a deeper debate about the role of the WEU and NATO in European security issues, which was eventually resolved by increasing cooperation between the two and an enhanced role for NATO.

2. The European Community/Union functioned as a constrain on state strategies, by:

(c) *making the interests and preferences of its member-states more predictable to other members.*

EC/U membership highlighted the intentions of those members at many points, during the management of the Yugoslav conflict. Indeed, both Germany's decision to postpone to recognition of Slovenia and Croatia until the negotiation of the Maastricht Treaty was concluded, and France and Britain's decision to follow Germany's *Alleingang* could be predicted on the basis of the importance attached by these countries to the Treaty on European Union at Maastricht. Similar conclusions can be drawn from the attitude of the 'Big Three' in the military intervention debate, especially during its first phase (until 1992).

(d) *facilitating agreement in the face of diverging interests (but a common prospect for gain)*

This was undoubtedly the case regarding both the recognition issue and that of the WEU interposition force. Conversely, agreement in the later debate on intervention, was reached on the basis of other elements, the most important of which were France and Britain's lack of any perceived vital interest being at stake in Bosnia, and the common fate of their troops on the ground.

3. *The European Community/Union seldom effected state strategies as a "source of intrinsic value".*

In fact, the impact of EC/U membership on state strategies was observable only in the case of Germany and its preference for further integration. An observation which is all too frequently neglected by the literature, is that Germany's strong preference for the recognition of Slovenia and Croatia was relegated to second position in the priorities in order not to endanger the Maastricht negotiations, which, it is worth recalling, did not bring any relative advantage to Germany.

Conversely, for France and Britain, EC/U membership continued to have a more "traditional" influence in the sense that the Union was not yet regarded as a "value in itself".

B. *Domestic politics and its interaction with international politics did matter.* In the sense that:

4. *decision-makers were at times significantly constrained (including compelled) by media and public opinion*

German decision-makers were greatly much constrained by their domestic constituencies during the recognition issue. However, overall German behaviour in the recognition case is only understandable by examining both the interaction of domestic and institutional levels of constraints upon Germany's decision-makers.

Domestic constituencies also entered into in the cost-benefit calculations of France and Britain's decision-making regarding military intervention. Actually, considerations about the domestic impact of national military engagements added to both costs and benefits in that the domestic constituencies in both countries called for tougher action in Bosnia, whilst decision-makers perceived that public opinion could reverse cause rapidly as the first body-bags came back from Yugoslavia.

In the case of Germany, then, domestic constitutional constraints and the internal debate over the use of the *Bundeswehr* out of NATO area functioned as effective impediments to the despatch of ground troops.

5. state decision-makers sometimes used domestic politics as an argument to justify their position when bargaining at the European Community/Union level, ...

Germany used domestic politics as an excuse in both debates, whilst the other countries refrained from doing so. On the contrary, French officials at the *Quay d'Orsay* considered such constituencies to be damaging to the country's prestige when dealing with foreign policy affairs (interviews, Paris, September 1995).

6. ... and used the European Community/Union as an excuse when presenting issues of foreign policy in the domestic arena

Once again, this was most prevalent in Germany during both debates. Equally, the French too at some points, especially during the national referendum over the ratification of the Maastricht Treaty, in 1992, use this stratagem.

12.3. ...and of the Relative Explanatory Power of the Rationalistic Research Tradition and of its Three Facets

Before drawing some conclusions about the relative explanatory value of the neo-neo-synthesis and its three components, it is worth recalling what stated at the beginning of Part II. This work does not claim to be a theory-test, rather it is a theoretically-informed analysis of empirical data from which tentative conclusions about the theoretical tools used can be drawn. Furthermore, the European response to the Yugoslav conflict is by no means an optimal case for theory testing given the particularities of the case in that the actors operated in within a context of high institutionalisation and at a moment of great change in international politics.

In fact, what is being questioned is not "was the theory proved or falsified?", but were the snap-shots of 'reality' that the neo-neo-synthesis focused upon significant?, in other words, did

the three blind men (approaches) identify significant part of Puchala's elephant (EC/U's response to the Yugoslav conflict) or only less prominent parts of it? It would be absurd to look for a "winner" or a "loser" of the explanatory battle, given the partial test conducted in this work. All three components provided interesting hints for a satisfactory explanation of France, Britain's and Germany's behaviour in the management of the Yugoslav conflict.

However, some tentative, albeit limited, conclusions about the relative explanatory value of the neo-neo-synthesis and its three approaches can be drawn.

It was relatively easy to treat the three approaches as three parts of the same theoretical unit. In fact, the factors on which they focus their attention in order to explain a state's foreign policy behaviour are interlinked and all played a role during the management of the conflict. Indeed, at some points it was difficult to distinguish between the factors proposed by the three approaches because frequently state motives were not only (inevitably) composed, but evinced aspects which only could be explained by using *more* than *one* approach. For instance, France's interest in the ratification of the Maastricht Treaty could be read by both neorealists and neoliberal intergovernmentalists, that is as an attempt to develop institutional constraints upon a reunited-Germany and to deprive its of *de facto* control of the European monetary policy. This is due to the deeper character of neoliberal institutionalism which, builds on neo-realism, by adding to it the importance of international institutions even though it maintains the core dynamic of neorealism.

The so-called interparadigm debate (between neorealism and neoliberal institutionalism - see Chapter 10), therefore, is a 'non-debate' and this study has confirmed it. Both *relative and absolute gains* play a role in shaping state decisions. Moreover, in most cases it is not possible to distinguish between relative and absolute gains because they are inter-connected and sometimes even co-exist.

As for the other elements of the debate, the existence of international institutions mitigate the uncooperative consequences of *anarchy*. This assertion was confirmed by the experience in Yugoslavia and the coordination between the member states that was due to the existence of the EC. In many cases, the EC/U facilitated agreement when there were divergent interests among its member states and prevented the Yugoslav war from transcending national borders.

Both *intentions and capabilities* were taken into due consideration by state decision-makers. Thus the perceived intentions of Germany were a major concern for both France and Britain during the first phase of conflict management, although at the same time, both states were influenced by their need to legitimise institutional tools that could enhance their own capabilities in foreign and security policy (see French interests in the development of the WEU).

Finally, it is not possible on the basis of this study to assess whether state priorities are predominantly economic or military. What can be concluded is that both neorealism and

neoliberal institutionalism fail to explain the importance of domestic concerns and the interaction between these concerns and international politics.

Liberal intergovernmentalism, on the other hand, provided an indispensable element to the whole theoretical framework. The opportunities and constraints represented by EC/U membership interacted with domestic political concerns. Leading to a result that would not be explicable by exclusive attention upon either membership or domestic factors. This was particularly the case in Germany's recognition of Slovenia and Croatia.

The combination of the three approaches in theoretical synthesis, therefore, proved useful because it helped to depict a plausible and satisfactory picture of France, Britain's and Germany's response to the Yugoslav conflict. The alleged "staticity" and "a-contextualisation" of the three approaches seem to have been partially overcome through a combination within a coherent theoretical synthesis that both maintains the specificity of the three and considers them complementary. Therefore, different factors have a relatively greater impact on a state foreign policy decisions depending on the international and domestic situation, as well as, the country under consideration. At important points of change for the EC/U, the construction of Europe became a priority that also influenced the behaviour of France, Britain and Germany in the management of the Yugoslav war. Conversely, EC/U membership did not affect each member state in the same way. France and Britain were influenced by EC/U membership in a more "traditional" (i.e. closer to neorealist expectations) way, while for Germany the process of European integration became a value in itself, a source of intrinsic value which affects the preferences of the state.

As for interests and values, the traditional critique against to the rationalistic research tradition, that it fails to pay enough attention to the role of values, has gained some ground in this work. The influence on Germany's attitude over the recognition issue of values as both "guiding values" and "institutionalised beliefs" (see Chapter 10.2.3.) cannot satisfactorily be explained through the rationalistic research tradition. In fact, although the role of "ideas" was introduced into the framework of neoliberal institutionalism (Goldstein & Keohane (eds.), 1993), the way in which institutions can eventually become sources of ideas and values themselves thereby effecting state preferences, has not yet been fully explored by rational institutionalism.

A broader concept of values, and especially of "values as embedded in institutions", would be compatible with the theoretical framework here proposed and should be added to it in order to broaden the neoliberal institutionalist's concept of institutions and the way international institutions influence state behaviour.

12.4. What Role for the EU in Crisis and Conflict Management in Europe 2000?

Undeniably, the relevance of France and Britain's position in the definition of the international response to the Bosnian war since 1992 was very much contingent upon the fact that the US, for a long time, wanted to stay out of the Bosnian imbroglio and deployed US soldiers only for the UNPREDEP mission in Macedonia (i.e. in an area where there was no open war). This American detachment and lack of will to use force has been rightly regarded as the main reason for the failure of the West to bring the Yugoslav wars to an earlier end. The eventual engagement of the US and its leading role in the diplomatic efforts of the Summer of 1995 and, most of all, the massive peace-enforcing operations reinforced the conviction that efficient conflict management (i.e. conflict management that does not exclude the actual use of force to enforce diplomatic efforts) without the leadership of major international power, i.e. the US, is not possible. In fact, if in the enthusiastic mood of the immediate post-Cold War, European leadership for conflict management was thought possible (either in the form of a permanent leading power, Germany, or of an *ad hoc* coalition of the willing), the Bosnian conflict led to a re-evaluation of the importance of the US role in European security. This led Europhile states, such as France, to reassess the relevance of the Transatlantic partnership for European security. Indeed, France's rapprochement with NATO must be read in these terms.

Furthermore, not only must the negotiation and signature of the Dayton Peace Agreement be regarded as primarily American achievements, but the implementation of the Peace Plan underlined the importance of the US presence. The involvement of international organisations in the implementation of the Dayton Agreement, and the tendency towards an increasingly important role for NATO (a tendency which emerged during the management of the conflict) was confirmed. The WEU, the hoped-for future European Pillar of NATO, was a pale shadow by comparison. Other European organisations, such as the OSCE and the EU, were very active in the reconstruction of the country, and developed further specialisation in specific areas. The EU emerged ever more as a "civilian power", rich and generous. The OSCE proved to be an organisation better equipped for the preparation and supervision of elections and the monitoring of human rights, rather than a "regional UN" or "umbrella-organisation" that, in the early 1990s, it was hoped it would become.

However, what is most interesting in the post-war reconstruction in ex-Yugoslavia with respect to the definition of a future European role in conflict management, is the attitude and

perception of major European states. The debate over the post-I/SFOR²²⁸ and the vehement opposition by European states to the creation of an NATO-led implementation force without the US, demonstrate how European states, despite their recent calls for the development of an autonomous security and defence capacity (i.e. *Combined Joint Task Forces*, which would give them the use of NATO assets for operations which do not include US participation), do not trust each other enough yet to lead an I/SFOR-like operation without the US presence. In fact, the attitude of the Europeans in the post-I/SFOR debate seems not to be determined only by their wish to share security burdens of task, but rather by their conviction that a NATO-led operation without the US would be far less effective and lose a significant part of its deterrent power. In the specific case of I/SFOR, this conviction has reinforced by more or less explicit declarations by the leaders of the Muslim, Serb and Croat communities and by US leadership in the negotiations for (and terms of implementation of) the Dayton Agreement. However, does such a European attitude preclude a general change in the European position towards the development of a more independent role in security and defence issues, and in particular, crisis and conflict management? Does it represent a "return to the past" in terms of US leadership in European security and defence issues?

Although the management of the Yugoslav war and the huge international efforts at peace-building in Bosnia have been unprecedented in post-World War II Europe, and therefore deserve attention, it would be incorrect to draw conclusions about the present and future European role in conflict management on the basis of this case-study. In fact, the management of the Yugoslav crisis should perhaps be framed more by the past record of European crisis and conflict management than with the excessive expectations in the wake of the event of 1989. From this perspective, the Yugoslav case remains a failure in that there was no early solution to the conflict. However, European efforts have been far more collective in nature, with an increasingly independent role of European states and a significant, although still insufficient, determination to employ military means in crisis management, than in the 1980s (Jørgensen, 1997: 205; Winn, 1997). Furthermore, if in the past NATO was the undisputed leader of military affairs in Europe, the role which this organisation gradually gained in the management of the Yugoslav war cannot be regarded as a 'return to the past' because NATO engagement in ex-Yugoslavia was, itself, innovative, given the history of the organisations, given its

²²⁸ The NATO-led *Implementation Force* (IFOR) ended its mandate in December 1996 and was substituted by the smaller *Stabilisation Force* (SFOR) which is due to finish its mandate in June 1998. In both cases US Congress was against the renewal of US military presence after the mission expires. In reality, in both cases the US military presence was renewed although with a reduced number of soldiers. In fact, President Bill Clinton has already declared that US soldiers will take part also in the next NATO-led implementation force implementation.

relationship with the UN and other international organisations (such the NATO-WEU monitoring operation in the Adriatic) and type of operations undertaken (it must not be forgotten that in Bosnia NATO undertook the first military operation in its history). For these reasons the Yugoslav experience cannot be simply regarded as a return to US-NATO hegemonic role in conflict management, but rather the gradual definition of a more complex and articulated security architecture in Europe. In institutional terms, the Yugoslav experience called upon the various organisations involved to define their role and to clarify their relationship with the other organisations, most of all the UN. Thus, the Dayton Peace Agreement, sanctioned the *multilateralisation* of security issues and attached a role to several organisations in an unprecedented way in the history of conflict management and peace-building.²²⁹ Within this context, the EU and the WEU must also play a role, that seems less independent and autonomous from NATO and the US than was thought likely in the early 1990s. The Europeans must, therefore, be ready to share the burden by contributing both militarily and economically.

The military contribution which the Europeans can offer is not (not yet, at least) that of a developed CFSP with an efficient military arm represented by the WEU, but that provided by the multilevel and varied geometry of special military battalions, rapid reaction forces and so on, that are "answerable" to the WEU. Furthermore, in response to the Yugoslav experience, Western-European states are re-shaping their military capacities as to strengthen those forces useful in crisis and conflict management. For instance, not only was professional army created in France and debated in Italy, the WEU was also given a military planning cell.

To sum up, the complexity of the EU institutional framework is still such that elements of supranationality and intergovernmentality co-exist. Thus, in the sphere of foreign and security policy, despite the creation of a CFSP in the Maastricht Treaty, there is still a substantial intergovernmental character in decision-making. The Yugoslav case demonstrated that most likely to prevent an effective European response to an international crisis or conflict, is not the lack of an EU military arm, but the lack of will of the member states to risk their soldiers in a war in which they do not see a national vital interest at stake.

In institutional terms, the EU still lacks a clear link with the WEU (and the latter remains

²²⁹ The number of organisations, and even specific bodies within the organisations, that were explicitly called upon by the Dayton Agreement to play a role in the implementation of the Treaty is astonishing. Furthermore, many other actors, such as local governments, IGOs and so on, were added to the list while the Agreement was implemented. This created a complex situation in which each actor had a lighter burden to carry but more difficulties of coordinating its efforts with those of the other actors involved.

weak in the area of crisis management and conflict resolution). Thus, it is likely that conflict management in Europe will take place within a wide range of possible *ad hoc* arrangements that could range from a coalition of the willing (as in the case of the Italian led humanitarian operation in Albania in 1997) to a US-led engagement, such as the peace-building operation in Bosnia.

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List of People Interviewed

OFFICIALS

1. *France*

a. *Ministère des affaires étrangères* (interviews in Paris, September 10-16, 1995)

Bertrand Cochery - Political Affairs, Head of Western European Union Unit

Philippe Galhorage - Political Affairs, UN-Yugoslavia desk

Philippe Setton - Political Affairs, Common Foreign and Security Policy desk

Jacques-Alain De Sedouy - Attaché of Mr. Owen, French representative within the Contact Group

Mr. Rouyer - Political Affairs, Head of Eastern Europe desk

b. *French officials abroad* (interviews in Brussels, September 25-27, 1995)

Philippe Meunier - France Permanent Representatives at the European Institutions

2. *Britain*

a. *Foreign and Commonwealth Office* (interviews in London, September 17-24, 1995)

Richard Aistle - Head of the NATO-Yugoslavia Desk

Cornelia Sorabji - Research and Development Unit

Gordon Reid - European Security Desk

Frank Burbach - German official working at the OSCE desk

b. *Ministry of Defence* (interviews in London, September 17-24, 1995)

Guy Lester - European Security desk

c. *British officials abroad* (interview in Bonn, September 27, 1995)

Robert Cooper - Counsellor, British Embassy in Bonn

3. Germany

a. *Auswärtiges Amt* (interviews in Bonn, September 27-28, 1995)

Stephan Auer - Bilateral Relations desk

Bernd Borchardt - Ex-Yugoslavia desk

Peter Kolb - Bosnia desk (SOBOS)

b. *German officials abroad* (interviews in Brussels, September 25-27, 1995)

Roland Mauch - Germany Permanent Representatives at the European Institutions

4. Italy

a. *Ministero Affari Esteri* (interviews in Rome, October 9-14, 1995)

Giorgio Gugliemino - Political Affairs - CFSP

Laura Mirachian - Political Affairs, Head of ex-Yugoslavia and Eastern Europe desk

Stefano Ravagnan - Political Affairs, ex-Yugoslavia and Eastern Europe desk

Stefano Stefanile - Political Affairs, ex-Yugoslavia and Eastern Europe desk

Anacleto Felicani - Political Affairs, Head of NATO desk

Vincenzo Grassi - Economic Affairs

b. *Ministry of Defence* (interviews in Rome, October 9-14, 1995)

Carlo Maria Santoro - Under Secretary of State

Andreas Corti - Former attaché of Mr. Akashi in ex-Yugoslavia, Personal secretary of Under Secretary of State Carlo Maria Santoro

Riccardo Sessa - Diplomatic Counsellor to the Defence Minister

Adm. Gian Paolo di Paola - Head of Military Policy Unit, Ministry of Defence

5. *International Organizations* (interviews in Brussels, September 25-27, 1995)

a. *EU Council*

Luigi Mattiolo - CFSP, Yugoslavia

b. *EU Commission - DGIA*

Giancarlo Chevallard - DGIA

Hansjörg Kretschmer - Head of Unit Albania and countries emerging from ex-Yugoslavia.

c. *EU Parliament*

Thomas Grunert - Researcher, Directorate General for Research

Luigi Caligaris, MEP, Commission Foreign Policy, Security and Defence

Alexander Langer, MEP, Commission Foreign Policy, Security and Defence

d. *NATO Headquarters in Brussels*

John Barrett - Political Affairs Division - Head of the Policy Planning Section

RESEARCHERS & ACADEMICS

Alessandro Politi - Research fellow, Western European Union Institute for Security Studies
(interview in Paris, September 10-16, 1995)

Peter Van Ham - Research fellow, Western European Union Institute for Security Studies
(interview in Paris, September 10-16, 1995)

Hans Stark - Researcher, Institute Française des Relations Internationales (interview in Paris,
September 10-16, 1995)

Frederick Bozò - Researcher, Institute Française des Relations Internationales (interview in
Paris, September 10-16, 1995)

Yves Boyer - Director of Research, CREST (interview in Paris, September 10-16, 1995)

Marc Germanangue - Researcher, Institute des Relations Internationales et Strategiques
(interview in Paris, September 10-16, 1995)

Thierry Tardy - Researcher, Institute des Relations Internationales et Strategiques (interview in
Paris, September 10-16, 1995)

Pierre Hassner - Professor, Fondation National des Sciences Politiques (interview in

Paris, September 10-16, 1995)

Col. Andrew Duncan - Defence Analyst, International Institutes for Strategic Studies (interview in London, September 17-24, 1995)

Robert Foster - Researcher, Royal United Services Institute (interview in London, September 17-24, 1995)

Christopher Hill - Head of International Relations Department, London School of Economics (interviews in London, September 17-24, 1995)

Spyros Ecavarides - Lecturer, London School of Economics (interview in London, September 17-24, 1995)

Mario Telò - Director of Research, Institute des Etudes Européennes (interviews in Brussels, September 25-27, 1995)

Eric Remacle - Researcher, Centre d'Etudes des Relations Internationales et Stratégiques (interview in Brussels, September 25-27, 1995)

Franz-Josef Meiers - Researcher, Deutsche Gesellschaft für Auswärtige Politik, Forschungsinstitut (interview in Bonn, September 27-28, 1995)

Gen. Giuseppe Cucchi - Director of the Centro Militare Studi Strategici (Interview in Rome, October 9-14, 1995)

Col. Vittorfranco Pisano - Faculty Advisor, NATO Defence College (interview in Rome, October 9-14, 1995)

Joseph Marko - Professor, Institute für Öffentliches Recht und Politikwissenschaften, Graz, Austria (interview at the EUI, October 1995)

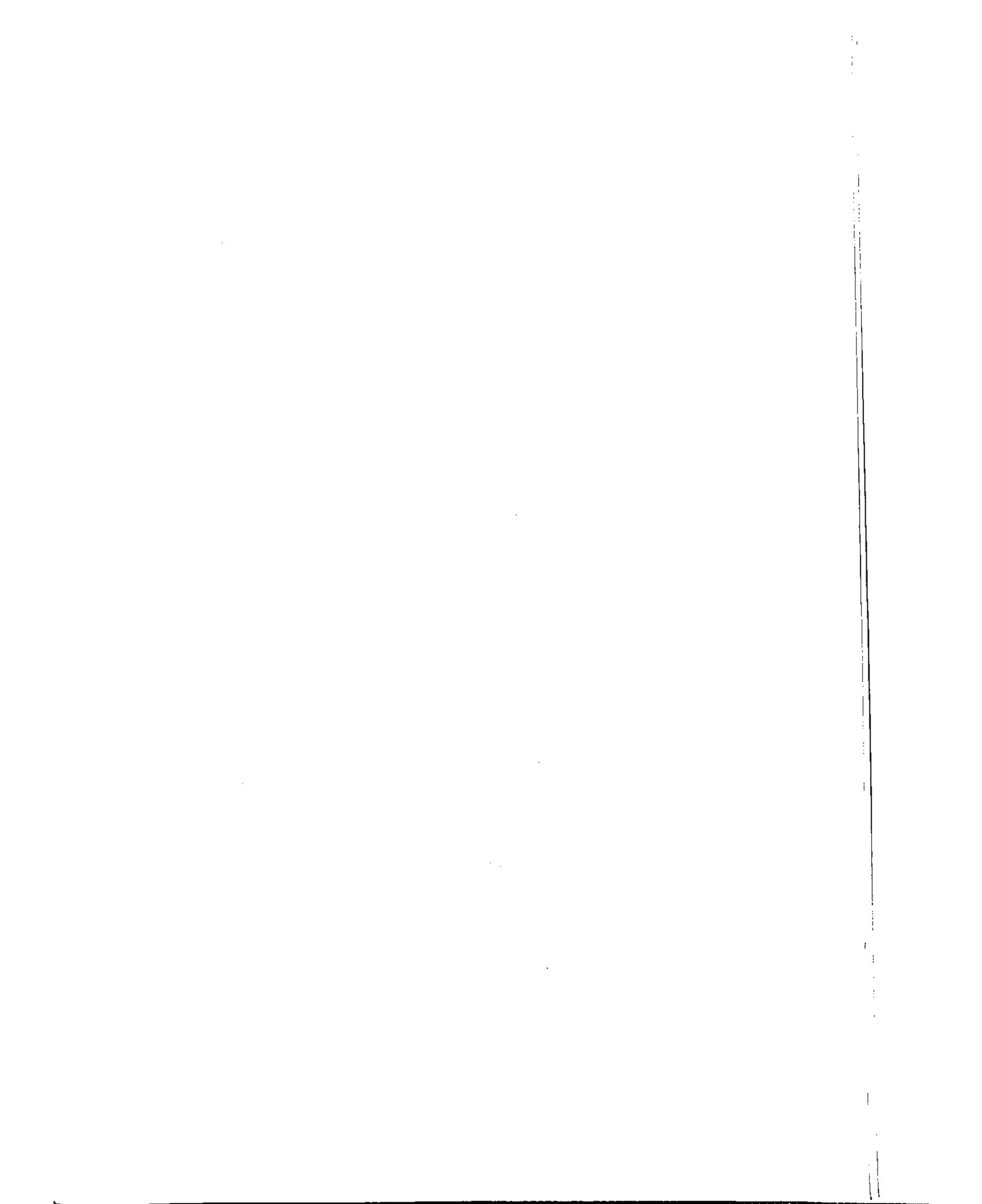
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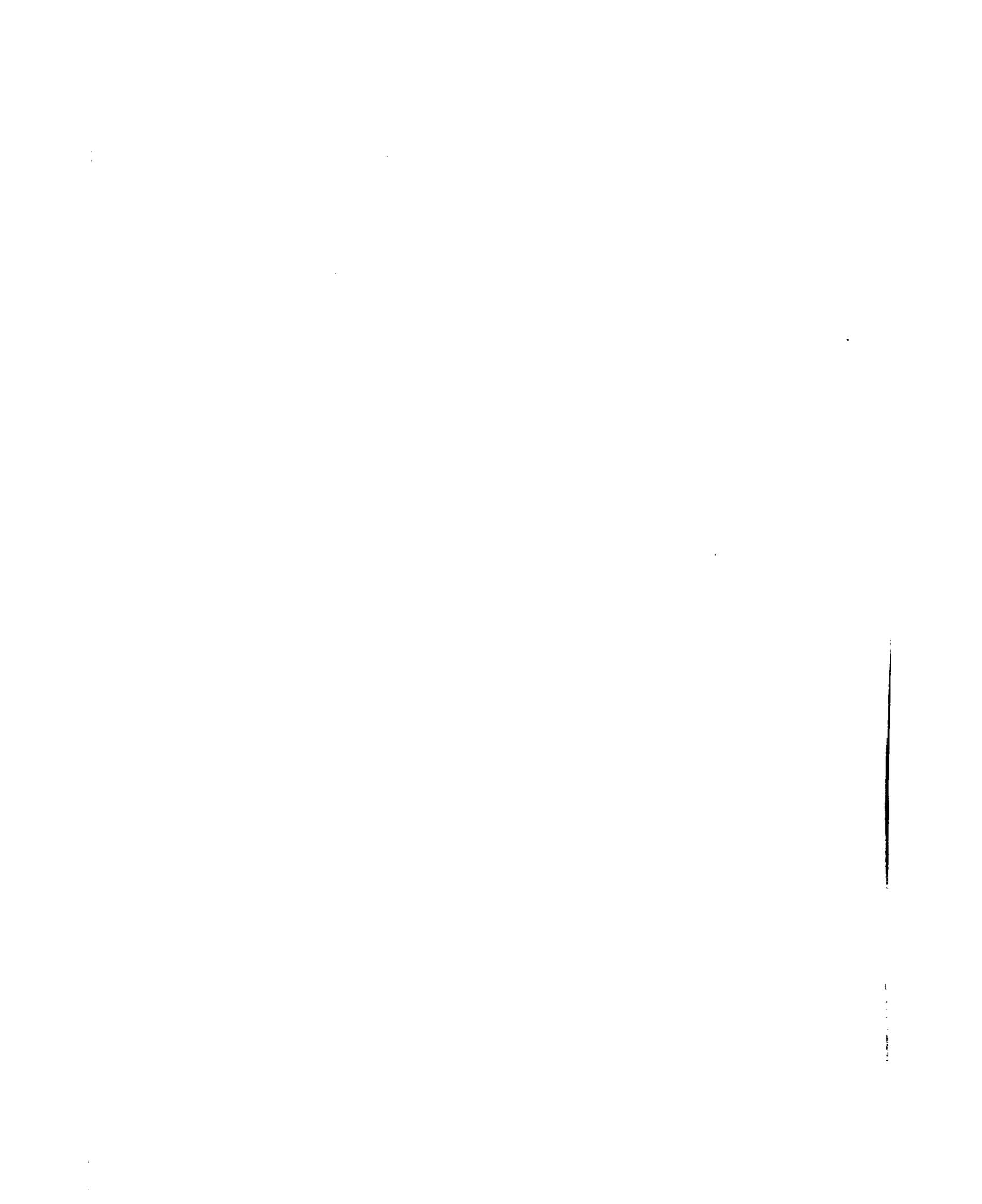
Antonio Martino - Deputy, former Italian Foreign Minister (interview in Rome, October 9-14, 1995)

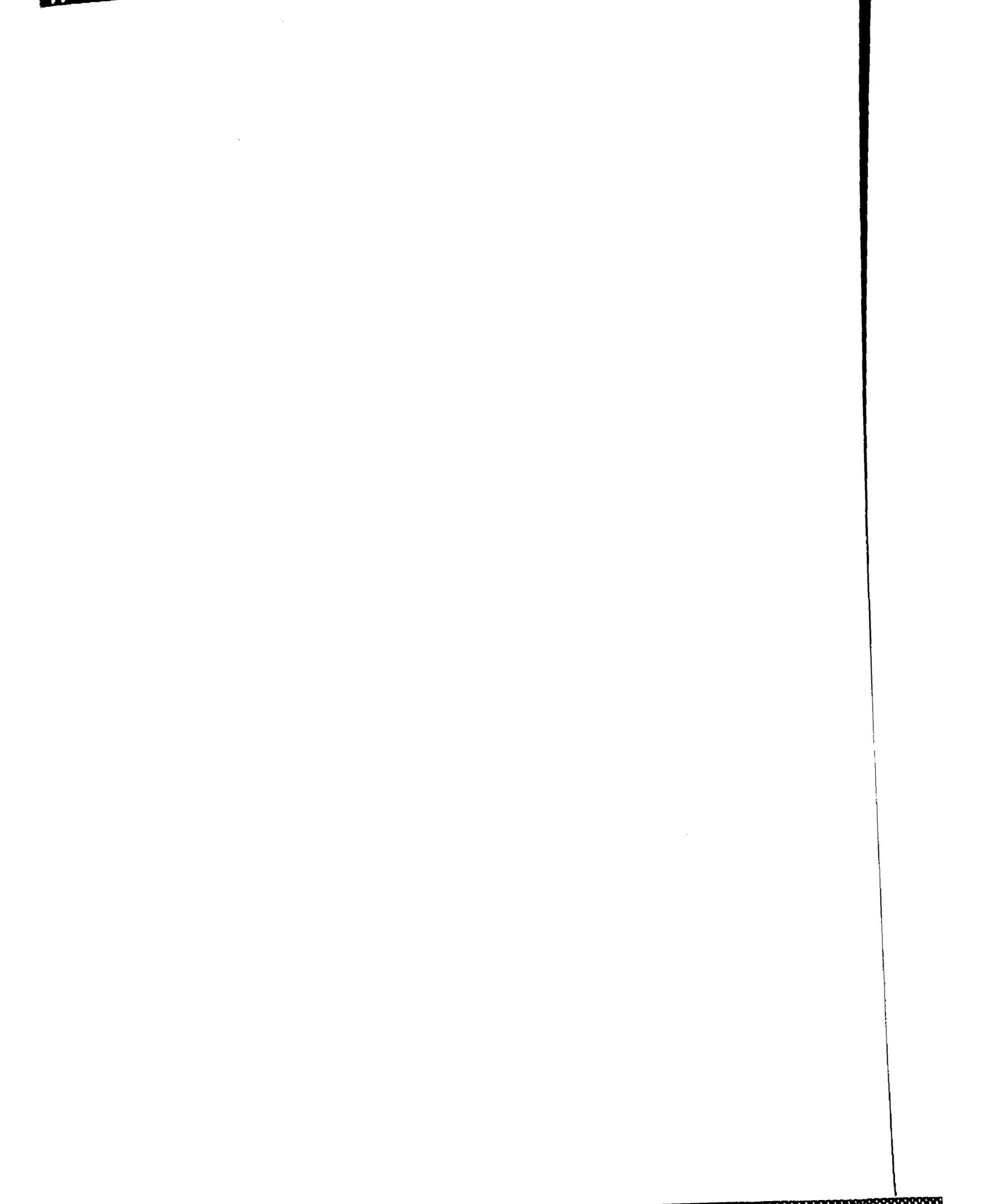
Richard Norton-Taylor - journalist, *The Guardian* (interview in London, September 24-27, 1995)

Elisabeth Guigou - Former Secretary-General of the Interministerial Committee for European Economic Cooperation and French Minister for European Affairs (1990-1993) (interview at EUI, November 1993)

Giuliano Amato - former Italian Prime Minister (interview at EUI, October 1993)







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