

**An Empty Nest?**  
**Reconciling European Security Institutions in the Bosnian Crisis**

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## Introduction

The end of the Cold War, the Soviet threat, and the Soviet Union itself left Europe with the task of constructing a new security order. The absence of a clear post-cold war security doctrine, doubts about NATO's continued usefulness, isolationist mutterings in the United States, and various efforts to breathe life into dormant but potentially competing institutions led many observers to predict institutional chaos in Europe's security future that would set European nations against each other and draw the United States and Russia into European security conflicts.<sup>1</sup> They compared the present period to the shifting, ad hoc alliances and ineffective collective security arrangements that bred suspicion and fear in the interwar period. Others interpreted efforts to create regional security arrangements as a threat to the Atlantic Community and to consensus building at the international level.<sup>2</sup> Alternative arguments have suggested that the post-cold war institutional arrangements in European security are surprisingly robust and compatible with one another and with the UN, suggesting a new "division of labor" rather than a competitive struggle among institutions and between their member states, similar to Aggarwal's substantive linkage forms.<sup>3</sup>

What are the dominant forces shaping the strength, nature, and scope of the post-cold war European security regime ?<sup>4</sup>

Is the emerging European security order characterized by cooperation among European nations within international institutions? Are those institutions compatible with one another and with global efforts to cooperate on security issues? Or is Europe developing an independent

regional security regime that is increasingly distinct from the Atlantic community?

Alternatively, are security regimes weakening in Europe in the aftermath of the Cold War, reflecting growing competition and discord among European states with regard to the requirements for security in Europe?

To provide partial answers to these questions, this paper examines the evolving Western response to the war in the former Yugoslavia. This war proved to be crucial in initiating both cooperation and discord in European security issues. It was the first war on European soil since 1945; When it began in 1991, it was hailed in European policy circles as the "hour of Europe," an occasion for the then European Community to bolster and hone its "common foreign and security policy," and act independently of the Atlantic community through European institutions to solve a regional conflict.<sup>5</sup> When regional institutions failed to resolve the crisis and the war widened to Bosnia, drawing in a wider array of multilateral institutions, many policy makers saw it as a test of "the willingness of Europeans and Americans to adjust their Cold War political and security institutions and missions to the changing geo-strategic circumstances in and around Europe."<sup>6</sup> Indeed, the case would determine the extent to which Europe would act independently in security issues, the extent to which unilateral or multilateral responses to security problems would be chosen, and the extent to which European security institutions would be "nested" with global institutions. As Aggarwal argues, this is the need to either create new institutions or modify existing ones.

Students of international politics have argued that the study of a particular crisis can shed light on the conditions for international cooperation and the conditions that undermine it. Some positions taken to resolve a particular crisis lend themselves more easily to cooperation than others and can either provide building blocks for future cooperation or tear down those blocks and weaken the institutional basis for cooperation. Initial bargains to resolve particular substantive issues will create the conditions that constrain and direct future bargains or halt cooperation altogether.<sup>7</sup>

The end of the cold war and the beginning of the war in Yugoslavia provided the initial impetus for a set of bargains among European states, Russia, and the United States, that would directly impact their odds of security cooperation. In this paper, I trace those bargains and their impact on the strength nature, scope, and compatibility of security institutions in Europe. Indeed, as this drama unfolds, we shall see that states could choose to act unilaterally or within multilateral institutions, that the institutions themselves had distinct and sometimes conflicting objectives, and that their members not surprisingly used various institutions as both shields and weapons in their political battles with one another. I divide the case into two bargaining rounds: the set of decisions that led to the recognition of Croatia in 1991, and bargains struck to end the conflict in Bosnia that began in April, 1992.

The argument can be stated succinctly: When the war began, European Community members decided to attempt a resolution to this regional conflict alone, without the involvement of global institutions or the United States. European institutions, however, were

unprepared to act decisively to mediate a diplomatic solution. In particular, the norms guiding multilateral responses were conflicting and weak. In that environment and driven by domestic political forces, Germany took the unilateral step of recognizing Croatia as a sovereign state.

The recognition of Croatia had three important effects. First, it provided a warning to the international community of the dangers of acting unilaterally; at every subsequent decision point, states made compromise decisions within international institutions to preserve their security and foreign policy cooperation in order to prevent each other from intervening on opposing sides in the conflict. What Germany saw as a substantive link between the right for self-determination and international recognition, other countries saw it as a tactical move that was based solely on power calculations.

Secondly, the recognition of Croatia and the failure of EC efforts to provide a diplomatic solution to the conflict widened international involvement and brought in the United States and the United Nations and expanded the effort to coordinate activities. Ironically then, Germany's unilateral move in the first round of the conflict led to the strengthening of incentives for multilateral cooperation and the coordination of European institutions with NATO and the UN. That is, it led to more intense and perhaps even institutional cooperation and an institutional division of labor. Regional institutions, however, were not " nested " within global organizations (See Figure 5, Aggarwal Introduction).

Third, the recognition of Croatia by the international community led to the recognition of Bosnia as an independent state and to a widening of the war ; this further limited the ability

of international institutions to take sides in what was defined by the recognition of Bosnia as a "civil war." This limited the international community's goals to : a) working toward a diplomatic solution that would uphold the value of tolerance in the form of preserving a multiethnic community in Bosnia, b) attempting to moderate the fighting and end it through diplomacy, and c) protecting human rights, and providing humanitarian aid.

In pursuit of these three goals, the overwhelming norm that guided their effort was the preservation of multilateralism and not the preservation of Bosnia. And for the United States, the goal was to strengthen NATO. When pursuit of the three-pronged substantive solution to the Bosnian crisis threatened to undermine multilateralism or when goals conflicted with each other, the great powers always chose a strategy that would preserve their cooperation over a strategy that would effectively halt the bloodshed and protect human rights.

The policies constructed to press liberal values upon the belligerents and bring about a diplomatic resolution to the war were also weak and conflicting. And efforts to implement those policies failed as long as western states were unwilling to use military force to force the belligerents to the bargaining table, keep them apart and make aid available. The policies necessary to implement one goal undermined others and weakened the effort as a whole. The belligerents tried to undermine multilateralism. As multilateral efforts failed, domestic pressures to pursue alternative policies exacerbated the problems of implementation. These pressures, particularly in the United States, again raised incentives to reach a negotiated

solution in a multilateral framework, lest domestic forces undermine international cooperation.

The paper concludes that despite the fact that states chose to act within multilateral institutions rather than unilaterally or bilaterally, and despite the fact that institutions were largely able to coordinate their efforts, the weakness of the "metaregime" ---the norms guiding multilateral activities--made institutional nesting less important in this case than in other cases. Although a strong commitment to multilateral cooperation helped to end the war and left a set of institutions well positioned to coordinate their activities in the future, it is not yet clear whether these institutions are guided by coherent norms. In the terms of Aggarwal's framework, an institutional division of labor was evident in this case, but the meta-regime was weak. Indeed, with only a commitment to multilateralism, the participants could not agree on a nested security architecture. In the end, the best they could do was to develop a division of labor. Without a cognitive consensus on a common definition of the European security problem and on agreeing on an appropriate institutional hierarchy, an empty institutional " nest " will be constructed.

### **Round I: The War Begins<sup>8</sup>**

In April 1990 the ultra-nationalist Croatian Democratic Union (HDZ) won Croatia's first democratic elections since 1945. Croatia's new HDZ president, Franjo Tudjman, immediately refused minority rights to the 600,000 strong Serb population, and the first

Constitution violated the Conference on Security and Cooperation in Europe (CSCE) principles on minority rights.<sup>9</sup> When Tudjman refused to disassociate Croatia from the fascist Ustashe regime, local Serbs demanded that Serb-dominated territory be taken out of Croatia. On June 25, 1991 Croatia and Slovenia declared independence from Yugoslavia. The Yugoslav National Army (JNA) was called to prevent the secession of these two states; but both resisted, and fighting broke out.<sup>10</sup>

I begin with a stylized description of the rationale behind each of four choices available to the European community, the U.S., and the UN when hostilities broke out. Each was expected to have different implications for the future direction and strength of EC foreign policy cooperation, and each would presumably have a different impact on the odds of peace in Yugoslavia.

Two procedural outcomes were available. At one extreme, the EC could have decided not to act jointly at all; it could simply have done nothing, and the UN was the likely body to mediate the conflict. Indeed, the EC had never acted independently to resolve a regional military conflict outside its borders. At the other extreme, the EC could take an active, independent role in regional conflict resolution. The crisis presented the EPC (European Political Cooperation--now Common Foreign and Security Policy CFSP) with an important opportunity to strengthen policy coordination and engage in an independent European conflict resolution effort. A cooperative response to the crisis was a logical extension of the general commitment to coordinate and unify policy, and it provided an opportunity to strengthen the

EPC in preparation for the signing of the upcoming Maastricht Treaty, which would carve out an institutionalized realm for European foreign and security policy cooperation.

Two substantive alternatives for a common policy presented themselves. The first was a joint effort to preserve Yugoslavia. The rationale was both legal and political: to maintain the territorial integrity of an established state and to preserve the status quo international order in the aftermath of Communism's collapse. Post-communist states were actively participating in reshaping European political and security institutions, and their disintegration threatened to weaken and discredit those institutions. Particularly, since these states were moving toward democracy, self-determination via fragmentation would mean a loss of control by new democratizing governments and could potentially raise the specter of nationalist rivalries in Europe again.

The alternative was an EC policy designed to speed the disintegration of Yugoslavia by jointly recognizing republics demanding independence and to then help negotiate a peace settlement. The supporting argument was that the right of self-determination had historically implied the creation of local and responsive government as a counter to imperial domination. It was a right enshrined in the UN decolonization practices and implied in the UN Charter.<sup>11</sup> This option would effectively ignore the requirement for self-determination on the part of minorities in seceding states.

Given the EC's weight in the diplomatic community, choosing this option would transform the war into an international one between states, as opposed to an internal conflict

between factions within an established and legally recognized state, thus widening the conflict resolution effort to include not only the EC but the UN and the United States. If Croatia and Slovenia were granted recognition, and if the JNA continued to fight on Croatian soil, Yugoslavia would then be identified as the aggressor. The international community could then impose sanctions and use other means to deter aggression. The test would then be how European institutions would coordinate their activities with one another and with the United Nations.

With regard to procedural options, the EC chose to act jointly ; its members were eager to build an independent foreign policy and security capability in Europe after the Cold War; with regard to substantive options there was a broad consensus on preserving Yugoslavia. Domestic concerns in European states also influenced this choice: many separatist movements in EC member states had called upon the principle of self-determination to justify claims for varying degrees of autonomy, and therefore granting recognition on the basis of self-determination was a sensitive issue within the EC. Catalonia had asserted its independence within Europe, and France and Belgium were facing similar problems with regions that had pressed for more independence. Further, it was widely believed that recognizing the right of self-determination without securing the protection of minority rights was imprudent and unjustifiable. And the granting of collective rights and autonomy to any minority group ran counter to the dominant liberal principle protecting individual rights enshrined in EC law.<sup>12</sup> In

essence, there was a cognitive consensus within the epistemic community in the Western powers about the soundness of the policy.

In early 1991, therefore, the EC promised association and possible membership to a united Yugoslavia, hoping that this "carrot" would help the presidents of the six Yugoslav republics reach a peaceful agreement. On the day before Croatia and Slovenia declared independence, the EC offered Yugoslavia a five-year, 807 million ECU loan. And when fighting broke out, it took the position that a looser Yugoslav federation should be negotiated among the six republics and insisted that Croatia and Slovenia suspend further steps toward independence. It threatened to cut \$1 billion in aid to Yugoslavia until peace was restored.<sup>13</sup>

The Community also took active steps to mediate the military conflict when it began. The foreign ministers of Italy, Luxembourg, and the Netherlands negotiated the "Brioni Accord" with Serbia, stipulating the withdrawal of all Yugoslav troops from Slovenia--effectively ending the war there --but left open the question of Croatia because Serbia would not agree. EC ministers were able to negotiate an agreement between Slovenia and Croatia to suspend their independence declarations for three months if the JNA would withdraw its troops.

On July 3, CSCE officials requested that the EC send an observer mission to Zagreb to monitor the agreement and monitor a hoped-for cease fire agreement. This was at the request of the Soviet Union, which preferred that the CSCE take a back seat to the EC with regard to this crisis, fearing that CSCE involvement would serve as a precedent for interference in the

Baltics.<sup>14</sup> EC foreign ministers took up the challenge and agreed to establish a the monitor mission.<sup>15</sup> The European Monitoring Mission (EMM), a "first" in European Political Cooperation, was born, suggesting that the crisis was indeed helping to forge new levels of policy coordination and institutionalization, and helping to create new practices in support of dispute resolution in Europe. In order to compel the warring parties to accept binding mediation on the part of the EC, EC members agreed that they would jointly suspend arms sales and economic aid to Yugoslavia.<sup>16</sup> Later, the UN joined the arms embargo. It would indeed become a bone of contention when the war spread to Bosnia one year later.

But Germany was already urging the EPC to change course. Hans Dietrich Genscher, Germany's Foreign Minister, declared that continued cooperation with Yugoslavia should be dependent on the cessation of the threat and use of force. He argued that "Serbian aggression" (identified by Germany as the cause of the conflict for the first time) could not be tolerated.<sup>17</sup> At a July 5 EC foreign ministers meeting, Genscher argued that the EC should declare "that the peoples of Yugoslavia [should] decide their fate themselves," and that the Community should consider joint recognition of both Croatia and Slovenia.<sup>18</sup>

Genscher's views thus initiated a fierce debate over the meaning of self-determination in the European context. The debate centered both on the meaning of self-determination and on the consequences of translating the principle into a policy of diplomatic recognition of those regions in Europe who declared a desire to become independent states. For Germany, the concept of self-determination had acquired a specific meaning in the domestic context. The

idea of self-determination had long been an important principle in German policy toward the GDR. The principle of self-determination constituted the core of the West German "national tradition" in foreign policy, that is the core of what can be termed its foreign policy political culture.<sup>19</sup> It was also a key element of a policy that urged other Western states to accept that principle with regard to East Germany. The rhetoric of self-determination had been the core of the CDU's winning strategy in the 1990 elections. To the extent that Germany had an independent foreign policy after World War II and before unification, it was the pursuit of the German national interest in self-determination for the people of the GDR.<sup>20</sup> Indeed, it can be argued that self-determination had become a "norm" in German foreign policy as part of a dominant world view.<sup>21</sup> With regard to the crisis in Yugoslavia, the rhetoric used to justify Germany's position suggests that politicians easily and consciously linked the recent East German victory for self-determination and unification with the aspirations of the Croatian and Slovenian people for independence from Yugoslavia. Volker Ruehe, then the CDU's General Secretary, later to become Germany's Defense Minister, argued that it was not defensible to apply another yardstick to Yugoslavia "when we achieved the unity and freedom of our country through the right of self-determination."<sup>22</sup> SPD spokesmen argued that this right was the basis of all international law. Thus, Germany must support recognition as the best policy to implement this principle.<sup>23</sup>

It is logical to ask why, in domestic German rhetoric, the principle of "self-determination" was focused only on Croatians and Slovenians and not on the Serb population

living in Croatia. One-third of the Serb population lived outside the territory of Serbia, and as the narrative suggests, those in Croatia were subject to human rights violations.<sup>24</sup> French and British diplomats were keenly aware of the vulnerability of Serbs living outside the Republic of Serbia. Indeed, an important justification for the creation of Yugoslavia as a state in 1918 had been the principle of self-determination: the right of all Serbs, as well as Croats and Slovenes to live in a single state. For Serbs, the alternative had been to create a "Greater Serbia" which would have left Croatia under imperial domination. Thus, in 1918 Croatian political elites agreed to join Yugoslavia. France and Britain had supported the creation of Yugoslavia for various geopolitical reasons; part of that support had been an acceptance of the Serbian claim to the right of self-determination. Now again, officials in the French and British foreign ministries believed that to realize this principle, the preservation of Yugoslavia was preferable to the alternative, the creation of a "Greater Serbia."<sup>25</sup>

Germany, on the other hand, had not been a party to the creation of either the first or the second Yugoslavia; unlike the case of France and Britain, there was no tradition in German foreign policy of acceptance for Serb self determination. Nor had there been an assessment of the best means by which this principle could be implemented.<sup>26</sup>

Genscher also believed that a common policy on recognition would internationalize the dispute, allowing it to be taken up in the United Nations. With this option, the focus of mediation and conflict resolution would move from the European Community to the UN and bring in the United States and NATO. Pursuit of this alternative would thus indicate continued

commitment to Atlanticism and a preference for international as opposed to independent regional practices of mediation and conflict resolution. The diplomatic recognition of Croatia and Slovenia would represent continuity in the pursuit transatlantic political and security cooperation and recognize the constraints of international law on external intervention.

Other EC members, however, balked at this position, claiming that recognition would lead to "more war and bloodshed."<sup>27</sup> A compromise was reached: the EC would support a loose Yugoslav confederation when the JNA pulled back. It would recognize Croatia and Slovenia if the JNA continued to fight. In order to compel the warring parties to accept binding mediation, EC members jointly suspended arms sales and economic aid to Yugoslavia. In late July Kohl invited Tudjman to a meeting in Germany--the first European leader to do so--but he cautioned him not to count on recognition soon because Germany was bound to the common EC policy.<sup>28</sup>

In Croatia, however, the bloodshed continued, and Tudjman walked out on high level peace talks on July 22. Because the JNA refused to leave Croatia, Genscher pressed the EPC to make good on its threat of diplomatic recognition.<sup>29</sup> In preparation for an August 6 ministerial meeting with Yugoslav representatives, Genscher argued that representatives from Slovenia and Croatia should also be invited. Other EPC members refused, claiming that as long as EC policy was the preservation of Yugoslav integrity, only Yugoslav representatives should come to the meeting. Losing the argument, Genscher demanded that the EC place

economic sanctions on Serbia and that recognition for Croatia and Slovenia be placed on the meeting's agenda.<sup>30</sup>

The meeting, however, was a great disappointment. EC members moved neither closer to the German position, nor closer to their goal of preserving Yugoslavia. The issue of recognition was not broached, but EC aid to Yugoslavia was frozen. The EPC had earlier requested that the WEU provide potential military options to back up the EC's mediation efforts. But at the meeting, the WEU reported that it lacked a mandate to send troops outside the NATO area. A cease-fire agreement was reached, but with no enforcement, it would be broken in less than two weeks.

Clearly the EC was losing in its effort to preserve a united Yugoslavia. Another blow fell after the August 19 Soviet coup, when most republics of the USSR declared their independence. As EC members quickly extended recognition to them, the rationale for not recognizing Croatia and Slovenia weakened.<sup>31</sup> Furthermore, it was during this period that public officials began to talk about "divisible" peace in Europe. NATO's official policy statements paid lip service to Europe's geographic unity and interdependence, but expressed reservations about intervention in post-communist conflicts. The war in Yugoslavia was not expected to widen,<sup>32</sup> and when it became clear that core national interests of EC members were not threatened, its salience was reduced.

In September the EC sponsored another European "first:" a European peace conference at the Hague. But Croatia and Slovenia declared secession from Yugoslavia on the very day

the conference began, and on the second day, Macedonia voted for independence.<sup>33</sup> Then, for the first time, the EC asked the WEU to serve directly as its military arm, and requested that it develop options to strengthen the EC's ceasefire monitoring capability. But the WEU was stymied by internal disagreements, and failed to do so.<sup>34</sup> And in the midst of the conference, Kohl raised the possibility of Germany's unilateral diplomatic recognition of Croatia and Slovenia in a widely publicized visit to the United States.<sup>35</sup>

But on October 1, Serbia and Montenegro excluded the other republics from federal leadership, and EC officials admitted that these two republics could no longer be regarded as the legitimate successor to Yugoslavia.<sup>36</sup> Nonetheless, the EC continued in its effort to find a peaceful resolution to the conflict. The EPC declared that "the principles of the CSCE with regard to borders, minority rights, and political pluralism" guided its approach, and any outcome that violated those principles was unacceptable. It would not accept a unilateral change of borders.<sup>37</sup> On November 8 it imposed economic sanctions on all of the Yugoslav republics, including Croatia, further deepening German resolve to grant recognition. Nonetheless, Germany adhered to the sanctions.

On December 2, the EC lifted the Nov. 8 sanctions on Croatia and Slovenia, thus tacitly although not officially declaring Yugoslavia the aggressor, and Genscher announced that Italy, Austria, and possibly Poland were ready to recognize Croatia and Slovenia.<sup>38</sup> A few days later, Swedish Foreign Minister Ugglas called for recognition, but warned that Sweden would remain in step with the EC.<sup>39</sup> Genscher's problem was that Germany's clear supporters looked

embarrassingly like the World War II coalition that had backed fascist Croatia. Kohl countered that the pro-recognition group has gone beyond what they called "the 1941 coalition" to include Belgium and Denmark. On December 8, he announced that Germany would recognize the two republics, and that Sweden, Italy, Austria, and Hungary were likely to follow.<sup>40</sup>

This announcement was a miscalculation, because it indicated to British and French officials that Germany was moving outside the EC policy framework. On December 13, France and Britain attempted to block Germany's move by introducing a UN Security Council resolution warning that no country should disturb the political balance in Yugoslavia by taking unilateral action. The United States was conspicuously absent from the debate on this resolution, but it had earlier issued an official statement that recognition should only be part of a larger peace settlement.<sup>41</sup>

This threat only served to harden Genscher's position, and on December 15, he announced that Germany would recognize the two republics before Christmas. Hoping that this counter-threat would force EC agreement on the German position, Kohl said that he would wait until after a meeting of EC foreign ministers the following day before actually making the announcement.

And at first, Kohl's counter-threat appeared to pay off. The U.N. Security Council dropped its resolution against Germany,<sup>42</sup> and at a December 16 EPC meeting called to discuss the diplomatic crisis, only two issues were on the agenda: the timing of recognition, and the conditionality requirements.<sup>43</sup> Germany argued for recognition before Christmas, but Lord

Carrington claimed that this would "torpedo" the peace process. After long debate Genscher agreed to a compromise: if a set of specific human rights conditions were fulfilled, EC recognition would take place on January 15, 1992. These conditions would follow those set out by the CSCE: protection of minorities, recognition of CSCE principles, and the recognition of the borders and the territorial sovereignty of neighbors.

The issue of conditionality was the Achilles heel of the compromise. The EC stipulated that minorities be granted autonomy with respect to local government, local law enforcement, the judiciary, and education as conditions for recognition.<sup>44</sup> Petitions for recognition would have to be submitted by December 23 to the Arbitration Commission of the peace conference to meet the January 15 deadline. That Commission would then determine whether the conditions had been met.<sup>45</sup>

Officials in both Croatia and Germany anticipated problems with these requirements. Tudjman had refused to protect minority rights, and it was clear that Germany would ignore the Badinter Commission's recommendations if they were negative. Indeed, Germany had decided that Croatia fulfilled the requirements for recognition before its petition was submitted to the EC. On December 13, after having found a human rights lawyer to give the Croatian law on minorities a clean bill of health, the German government independently announced that the governments of Slovenia and Croatia had fulfilled all the conditions for recognition.<sup>46</sup> Other EC members were shocked, but the EC was in a weak legal position with regard to Germany's announcement. The December 16 agreement did not make clear what steps the EC would take

if the conditions for recognition were not met. Macedonia was also expected to submit an application, but the same conditions would not apply: recognition would only be considered if Macedonia changed its name and renounced any claims on Greek territory.<sup>47</sup> Genscher believed that states practiced a double standard with regard to conditionality requirements for diplomatic recognition, and that conditionality must not hinder recognition in this case.<sup>48</sup> Once again, this was a failed substantive linkage because the target saw it as a tactical link and, as Aggarwal illustrates, the solution would soon prove to be temporary and capable of dealing only with the externalities of the problem (See figure 6 Aggarwal Introduction).

Indeed, on December 17 Genscher announced that the diplomatic recognition of Croatia and Slovenia was now "automatic." He declared that should the Arbitration Commission decide that Croatia did not meet the criteria, Germany would proceed with recognition nonetheless. Kohl announced that Germany would recognize any Yugoslav republic that undertook by December 23 to adopt the conditions set out by the EC.<sup>49</sup> "Adopting" conditions became tantamount to "fulfilling" them.

Then, in a move that astonished everyone, Germany formally and unilaterally recognized Slovenia and Croatia on December 23 before the Badinter Commission met to assess the fulfillment of conditionality requirements. This preemptive move was triggered by Genscher's fear that the EC would refuse to extend recognition, claiming that its conditions had not been fulfilled. Indeed, on January 11, 1992, the Badinter Commission declared that the Croatian constitution did not meet the conditions of the EC's "Declaration on Yugoslavia"<sup>50</sup>

But with Germany's pre-emption, the EC had little leverage if it adhered to its conditionality requirements. Thus, the Badinter Commission simply requested that Tudjman give his personal assurance that language would be added to the Croatian constitution conforming to EC requirements. Tudjman complied,<sup>51</sup> and the EC granted recognition to Croatia and Slovenia on January 15, 1992. "Acceptance" did indeed mean "fulfillment" of the conditions in this case, and the conditionality requirement was conveniently swept under the table.

### **An Analysis of "Round I"**

In the round of negotiations that led to the recognition of Croatia, the EC had begun with the desire to strengthen its own regional foreign policy and security institutions by intervening diplomatically in this crisis (Insert Figure 1A). All EC members strongly believed that a multilateral approach to the crisis was preferable to unilateral or bilateral approaches; only a multilateral approach could succeed in preventing different countries from taking sides with one or the other of the warring parties. **(See Aggarwal Introduction and Ruggie 1992).** But European negotiators quickly found that the regional security institution, the WEU, was not prepared to enforce diplomatic agreements, and partly as a result of this institutional weakness, efforts to mediate the crisis failed. And while the aims of the peace conference were attacked by the warring parties themselves, with Europeans helpless to stop them, Germany's insistence on EC recognition of Croatia with no concessions to Serbs living there weakened the process

from the inside. As long as the Western powers disagreed among themselves, there was little chance that they could pressure either Milosovic or Tudjman to end the conflict.

Had the conflict in Yugoslavia threatened members of the EU militarily, the gains from cooperation within EU institutions would have rapidly increased, and the costs of defection from joint decisions would have increased as well. NATO policy on threats to its members were very clear; its policies on out-of-area conflicts were not clear at all. When the issue was downgraded to a foreign policy problem as the new concept of "divisible peace" gained popularity, the costs of not acting in concert decreased, and central decision-makers had the luxury of acting in accord with the preferences of domestic political elites.

The first round ended with Germany's unilateral decision to recognize Croatia, with the EC's hasty decision to follow in order to preserve European unity, and with the entrance of the United States and the United Nations into the conflict to help moderate the ferocity of the war and pursue a diplomatic settlement (Insert Figure 1B).

Many observers have argued that structural factors reflecting international power relationships and manifested in political conflict account for this outcome; Germany was expanding its relative power position in an international system moving toward multipolarity, it calculated net gains from unilateral action. This argument is most common in journalistic accounts: a more powerful Germany in a multipolar world was attempting to recreate its World War II alliance with an independent Croatia and impose a "divide and conquer" strategy in the Balkans to protect its interests and enhance its relative power in the region.<sup>52</sup> In Aggarwal's

framework this approach suggests that the solution as purely tactical link and thus was highly likely to be unstable and short-lived because of its usage as a "stick". France and Britain, for their part were attempting to reign Germany in--the structural argument would claim-- and used their positions on the UN Security Council to sanction Germany. Institutions were used as a thin veil to cover these changing power relationships, and Germany's unilateral move as a manifestation of its growing relative power suggests that international structure is the most important determinant of outcomes.

The structural argument, however, lacks empirical support. Recall that throughout this episode, Germany adhered to EC decisions and to an EC embargo that included Croatia.<sup>53</sup> And during this same time period, Germany sustained its commitment to multilateralism in other issue areas. At virtually the same time that Germany unilaterally recognized Croatia, it was an important force in pushing Europe toward monetary union, helping to create enduring restrictions on its own economic independence.<sup>54</sup> And at the height of this diplomatic crisis, Germany joined with France to create Europe's only internationally integrated military unit.<sup>55</sup> As we shall see, Germany cooperated fully in multilateral institutions in ensuing negotiations over the fate of the former Yugoslavia. For example, when the war in Bosnia escalated in 1994 and Croatia sent troops there, Germany pressured Tudjman to pull back.<sup>56</sup>

A more convincing explanation for this outcome can be found in the weak and conflicting norms of international institutions, leading them to fail as a guide to action. As European officials debated the wisdom of recognizing Croatia as a sovereign state in 1991, and

as they discussed the relationship of diplomatic recognition to the prospects of peace, conflicting CSCE norms of self-determination, the inviolability of borders, and conditionality requirements for diplomatic recognition of states seeking independence provided confusing guidelines. Domestic politics in Germany played a role in undermining normative consensus on both self-determination and the conditions for diplomatic recognition, but domestic politics could define Germany's position in this case because international norms were in conflict and thus proved to be a weak basis for multilateral decisions. In terms of Aggarwal's framework, since European security was seen as a public good that displayed jointness and could be amenable to exclusion, it became a two-person prisoners' dilemma game where defection was the dominant strategy in every round.

The Helsinki Final Act provided conflicting guidelines for action on demands for self-determination. While Principle 2 of Basket I of the Helsinki Final Act provided for the inviolability of borders, Principle 8 upheld the right of self-determination.<sup>57</sup> A particular commitment to self-determination in the context of the Cold War had grown in German domestic politics, and that commitment conflicted with French and British understanding of that principle.

International norms governing diplomatic recognition were also weak. As Yugoslavia and the USSR fragmented, and new states claimed independence, other considerations such as political stability, whether a state would change its name, its possession of nuclear weapons, and its military power were often more important than human rights considerations in

determining whether diplomatic recognition would be granted.<sup>58</sup> Indeed, Western countries recognized the four "nuclear" republics of the former the Soviet Union; U.S. officials declared they had received sufficient "promises" from them that they would democratize would maintain strict control over nuclear weapons.<sup>59</sup> What the EC demanded of Croatia in return for recognition was more than a promise--it was full implementation of human rights practices. This principle of conditional recognition based on human rights considerations was only selectively targeted and enforced.

Finally, although there was strong agreement that decisions should be reached in multilateral fora, there was disagreement among European states over which institutions should take the lead and how they could act in concert. CSCE was prevented from playing a prominent role by the Soviet Union. The Soviets had balked at the idea of CSCE involvement, shifting responsibility to the EC. As a result, the most prominent institution was the EPC, which had indeed grown in strength under German leadership. But when this episode unfolded; it required no binding commitment to its agreements, had no powers of enforcement, and had no military capability. Sanctions against defection did not exist. Germany had license to threaten unilateral action, increasing others' fears of its defection; France and Britain acted on those fears, attempting to sanction Germany for its preferences, in turn increasing Germany's fears that others would defect from a joint policy of recognition.

Furthermore, German officials believed that a common policy on recognition would internationalize the dispute, allowing it to be taken up in the United Nations. With this option,

the focus of mediation and conflict resolution would move from the European Community to the UN and bring in the United States and NATO. Pursuit of this alternative would thus indicate continued commitment to Atlanticism and a preference for international as opposed to independent regional practices of mediation and conflict resolution. Genscher believed that this alternative would not necessarily represent a failure of European efforts but instead indicate continuity in the pursuit transatlantic political and security cooperation and recognize the constraints of international law on external intervention.

To conclude this section, the outbreak of war in the former Yugoslavia, followed closely on the heels of the Cold War's end and coincided with the demise of the Soviet Union. Together, these events provided the initial impetus to stimulate multilateral regional efforts to provide for European security under new international conditions. The major players in this initial round of bargaining over how to manage this crisis were the members of the European Community, particularly Britain, France, and Germany. These actors' central concern was to strengthen the regional European security regime by responding to this crisis; there was no effort to create new institutions, because existing institutions created during the Cold War were searching for a new mission; this crisis potentially provided one.

What emerged almost immediately in negotiations within the EC was a difference in beliefs and ideas over the most appropriate intervention to halt the conflict. Germany's domestic political culture shaped the beliefs of its political elite and international negotiators;

self-determination for Croatia was substantively linked to the promotion of liberal values and freedom from totalitarianism. British and French historical experience dictated an alternative view of self-determination that linked respect for minority rights to the promotion of liberal values. The "meta-regime" in this issue area was weak: international institutions had conflicting self-determination norms and thus provided a thin guide to multilateral action. Thus Genscher was forced to play a "two-level game" by both pressing for an international agreement that would satisfy domestic political elites and urging international agreement on Germany's terms by citing domestic pressure to do so. In addition, Germany did not want to pursue an exclusive regional solution to the Yugoslav conflict, but wanted to bring in the United States and the United Nations as key actors. Germany threatened unilateral action in order to force its partners to agree to a multilateral response on its terms; Further, there is circumstantial evidence that Genscher attempted quid-pro-quo bargaining: concessions in other issue areas if EC partners would agree to a joint recognition policy. The Economist reported that John Major had given his word that, in return for German support of the British position on a number of issues at Maastricht, he would support the German position on Croatia.<sup>60</sup> The pursuit of tactical linkage as a bargaining strategy failed, however, and Germany acted unilaterally.

As we shall see, Germany's unilateral act had important consequences for the next bargaining round and for future attempts to reach multilateral agreements and "nest" institutions in response to the Bosnian crisis. The recognition of Croatia foreclosed choice and

led to the multilateral recognition of Bosnia. But it did not lead to a consensus on the normative issue of self-determination. It was not clear--though recognition supported it--that Croatia and Bosnia as independent states had the right under international law to force large Serb minorities to submit to a policy of secession from Yugoslavia. It was construed by Serb populations as a belligerent intervention in an unresolved civil war in Yugoslavia.<sup>61</sup>

Furthermore, Germany's unilateral act posed a warning of the dangers of unilateralism on the part of the Western Powers and perhaps even Russia in the Balkans and actually strengthened the resolve on the part of all actors to act within multilateral institutions. Finally, the recognition of Croatia brought in the United States, the United Nations, and Russia as central actors in the bargaining process and led to further requirements to coordinate an institutional response.

### **Round II: The War in Bosnia**

10,000 people had perished in the war in Croatia by December 1991, when Cyrus Vance, on behalf of the United Nations, successfully negotiated a cease-fire agreement between Croatia and the JNA. Croatian Serbs had captured one third of Croatian territory--the Krajina and Western Slavonia-- and had established a proto-state in these regions. In January, the UN Security Council voted to dispatch 50 UN observers to Krajina region held by Croatian Serbs, and eventually send UN troops there to replace JNA troops. Krajina Serbs accepted the plan in February, and Germany pressured Croatia into acceptance.<sup>62</sup> Croatia's acceptance meant that,

for the time being, Croatia would not fight to win back territory. Subsequent events however, suggest that the Great Powers signaled to Croatia to bide its time ; at the appropriate moment it seized the Krajina with virtually no international opposition. The deployment of a UN peacekeeping force in Croatia to separate the Krajina Serbs from Croatian forces was relatively unproblematic; the UN Protection Force (UNPROFOR) was sent to keep a peace that had been negotiated between the belligerents. The truce held until May, 1995, when Croatians began to retake land in the Krajina.

But while the bloodshed had stopped in Croatia, the war in Bosnia was only just beginning. On February 29, 1992, Muslim voters in Bosnia overwhelmingly supported independence in a republic-wide referendum; Bosnian Serbs boycotted the election, and with their overwhelming superiority of weapons, promised to destroy the state of Bosnia-Herzegovina. One month later, Bosnia was ravaged by war. On April 6, 1992 the EC and the United States recognized Bosnia as an independent state; by May, the UN General Assembly voted to accept Bosnia into the UN. It also denied Yugoslavia's UN seat to the "new" Yugoslavia, Serbia and Montenegro, and, following the EC's lead, imposed trade sanctions on Yugoslavia.

The diplomatic recognition of Bosnia closed off an important alternative for the international community: that of intervention on behalf of one or the other of the warring parties. Given the population distribution in Bosnia (Serbs, Croats, Muslims), recognition also put the West in the position of supporting a government whose claim to legitimacy was

certainly in question. The war within Bosnia was now considered a "civil war" under international law as long as Yugoslavia did not intervene on behalf of the Bosnian Serbs. Under international law, which provided normative guidelines to the central western actors in this case, aggressors were more difficult to identify in a civil war, and international intervention was not legal.

Therefore, with the recognition of Bosnia, only two paths of response were open to the international community: The first was to do nothing; the outcome of war would determine Bosnia's fate, and with the arms embargo on Bosnia, it would likely be carved up between Croatia and Serbia. Alternatively, the international community could again try to help negotiate a diplomatic resolution to the Bosnian conflict. This second path was the one chosen. It was chosen for three reasons : international institutions were looking to hone their skills in a new conflict; this time more institutions were involved and each one was looking to prove itself. And without multilateral intervention of some kind, states would be tempted to take opposing sides in the dispute, raising the odds of political tensions in Europe. Germany supported Croatia, Russia supported "rump" Yugoslavia, and the United States supported the Bosnian Muslims. The specter of 1914--when the Balkan tinderbox ignited war among European powers-- haunted the decision-making process. It was not that there was a danger of wider war resulting from opposing alliances, but rather the danger of heightened political tension--clearly suggested by Germany's partisan response to the initial crisis. That tension, it was believed, would undermine multilateral institutions which were under intense scrutiny in

the post-cold war period. It would also undermine the effort to bring Russia and Eastern Europe into the "West," and Russia was too weak to pursue an alternative policy on its own.

Indeed, the collapse of Communism shaped the goals of the major powers with regard to the conflict. That collapse meant that the "values" of the west had "won" the Cold War, that these values of peaceful conflict resolution, tolerance, equality, and dignity of the individual were under attack in the Yugoslav war. Defense of these values thus guided other aspects of the western response. They guided the Russian response as well, since Russian leaders desperately wanted to become part of the " West."

Thus, because absence of a multilateral response might encourage unilateral action on opposing sides, and because core Western values were under attack, incentives were high for all Western powers and Russia to actively encourage a diplomatic solution that would end the war and preserve Bosnia as a single, multiethnic state.

In addition to the pursuit of a diplomatic rather than a military settlement of the conflict, the central aims of the major powers were to moderate the ferocity of the fighting,<sup>63</sup> primarily through an arms embargo on Bosnia, and to provide humanitarian aid to the victims of the war through UNPROFOR, airlifts and no fly zones.

A central obstacle to successful multilateral strategies to meet these goals became gradually apparent: first, to the extent that successive diplomatic solutions presented by the major powers failed to meet with the approval of the belligerents, opportunities opened for domestic actors in the West and Russia to shape the outcome. Those pressures were

contradictory, and threatened multilateral cooperation. Domestic pressures in both the U.S. and Britain to lift the arms embargo on Bosnia undermined the effort to moderating the fighting. Domestic pressure in Russia to lift the sanctions on Yugoslavia, countered by pressure on the part of Germany to tighten those sanctions, interfered with new diplomatic efforts.

These conflicting preferences were not lost on the warring parties, and they used the conflicts among the major powers to gain advantage on the battlefield. The Muslims, perhaps knowing that they could not win unless they persuaded the West to support them militarily, provoked Serb offensives against civilian areas. The Serbs, knowing that the Russians did not approve of NATO airstrikes without its consent, constantly goaded NATO into air attacks.<sup>64</sup>

What follows is a brief account of the interaction of 1) bargaining between the major powers on the one hand, 2) the major powers and the belligerents on the other, 3) events on the battlefield, and 4) domestic pressures with regard to the pursuit of each of these goals: Diplomacy, halting the bloodshed, and humanitarian relief.

## **Diplomacy**

Before the war in Bosnia began, an EC- sponsored conference in Lisbon was held to discuss alternatives solutions to the impending crisis. The plan proposed a similar structure for the Bosnian state as the one cemented in the Dayton Agreement : ethnic divisions within a unitary state with a weak federal structure. This initial proposal, endorsed by the Bosnian Serbs, was rejected by the Bosnian government. In the next three years, three successive plans

formulated by Western diplomats were presented to the belligerents. Negotiations in each round--both among the major powers to shape the plan and between western and Russian officials and the warring parties-- had important consequences both for the stability of the region and for the strength and credibility of international institutions and for their ability to coordinate their activities. In other words, the bargaining routes for institutional formation were a function of the type of good, the actors' individual situations, and the existing institutional frameworks.

### *The Vance-Owen Plan*

Until the war began in Bosnia, the United States had taken no diplomatic initiatives, at the request of the France and Britain, who both sought a "European" solution to this regional crisis. The Lisbon Conference represented that attempt, but its failure sucked in additional actors. In late May 1992, U.S. Secretary of State James Baker complained that the EC was doing nothing about the escalating crisis in Bosnia and was simply waiting for the UN to act. His comments prodded the EC to impose sanctions against Yugoslavia at the end of May without waiting for the UN to do the same. Supporting Serbia, Russia was hesitant to impose UN sanctions.<sup>65</sup>; nonetheless EC pressure forced Russia's hand, and the Security Council voted for sanctions on May 30.

The independent imposition of EC sanctions indicated growing tensions over the coordination of an institutional response to the crisis. British officials approved of a UN

peacekeeping mission, but opposed a UN sponsored diplomatic effort, arguing that it would undermine Lord Carrington's EC initiative. CSCE officials attempted to find a role for that institution in this new crisis; they wished to be seen as a regional organization under UN auspices, with the power to coordinate peacekeeping operations.<sup>66</sup>

The UN, however, eclipsed the CSCE, and it moved to the background, only to resurface with the Dayton Accords. Indeed, in December 1994, the CSCE met to discuss issues of security and conflict resolution. What was remarkable about the meeting was that Bosnia was not discussed and that Russia vetoed any mention of Serbian aggression in CSCE debate.<sup>67</sup> The CSCE had moved quietly off the stage.

In August 1992, the EC and the UN held a joint conference in London on the crisis in the former Yugoslavia. Tudjman, Milosevic, and local Serb and Croat leaders in Bosnia attended. A new international peace conference to be held in Geneva was launched at that meeting, in August, 1992, led by Lord Owen of Britain and Cyrus Vance of the United States. Attempts to mediate the crisis began again, this time in an international rather than a European forum.

Given the large population of Serbs in Bosnia and their overwhelming superiority in weapons, any peace plan that could be negotiated would mean that the Bosnian government must cede a large part of its sovereignty to stop the war. The West saw quite soon that its goal of maintaining a viable multiethnic state must be abandoned and, in October 1992, the Vance-Owen plan was unveiled, which proposed to divide Bosnia into ten geographic units within a

single Bosnian state, granting the Serbs and Croats autonomy within Bosnia. The plan conceded a major point to the Bosnian Serbs : it prevented Croats and Muslims from remilitarizing areas the Serbs would cede under the plan. UNPROFOR would move in to protect those area.

According to David Owen, all major European countries and Russia supported the plan ; and the Bosnian Serb leadership was on the verge of signing it. The major obstacle was the United States. The new Clinton administration had just come into office, and hesitated to lend its support. Warren Christopher defended Clinton's hesitation, arguing that the plan appeared to ratify Serb gains. But Owen contends that Clinton disapproved of the plan because it was formulated in European institutions and in the UN and did not bear the stamp of U.S. leadership and thus could not gain domestic support.<sup>68</sup> As soon as Clinton's refusal to support the plan became public, both the Bosnian Muslims and the Bosnian Serbs soundly rejected it as well. The Muslims believed that the UN was too weak to protect Muslim and Croat civilians in Serb dominated areas from Bosnian Serb militias ; indeed the U.S. State Department undermined Muslim support for the plan by telling Bosnia's President Izetbegovic that the US would support him if he demanded changes.<sup>69</sup> The Bosnian Serbs did not want to sustain the "fiction" of Bosnia as an independent state and felt forced to give up too much of the wrong territory.

### *Domestic Pressures*

The failure of the Vance-Owen plan to gain approval led to contradictory domestic pressures in the West and Russia that threatened to unravel the multilateral decision-making process. In the United States and Britain, public opinion called for Western intervention on behalf of the Bosnian Muslims. In April 1993, 61% of the British public supported armed intervention against the Bosnian Serbs, and John Smith, the British labor leader, called for the bombing of Bosnian Serb positions. In the United States, public opinion overwhelmingly supported a lifting of the arms embargo. Clinton's National Security advisor, Tony Lake, called for the West to intervene on behalf of the Bosnian Muslims. The new German Foreign Minister Klaus Kinkel called for the EU to break off diplomatic relations with Yugoslavia.

Internal pressures were also at work in Russia, opposing a lifting of the embargo on Bosnia, and supporting a lifting of the arms embargo on Serbia. Yeltsin feared that Russian acquiescence in a lifting of the arms embargo on Bosnia would alienate voters who might swing toward the hard core nationalists.<sup>70</sup> He was also apparently pressured by economic forces to lift the embargo on Serbia; Moscow News reported that Russian participation in sanctions against Yugoslavia and Iraq cost \$30 billion per year in lost contracts.<sup>71</sup> Indeed, by March 1994, the Russian Duma's Lower house had voted 280 to 2 to lift the embargo on Serbia.<sup>72</sup> In the face of the Bosnian Serb rejection of the Vance-Owen plan, these domestic pressures increased tensions among the great powers over future strategy. As Aggarwal argues, the stability of the domestic coalitions is an important factor in the determination of a country's

individual situation, thus affecting both the negotiating strategy and the payoff structure of the game. Supported by Germany, the U.S. called for tougher sanctions against Yugoslavia in an effort to pressure Milosevic to push the Bosnian Serbs to comply. Russia had wanted pursue the opposite strategy: to dangle the carrot of easing the sanctions in order to get Milosevic to put more pressure on the Bosnian Serbs.

These tensions were felt in international negotiating fora. Throughout 1993, Germany tried to convince other Europeans in the CFSP to lift the arms embargo against Bosnia. At a June dinner with EC leaders, Chancellor Kohl read a letter from Clinton in support of lifting the embargo, and urged others that this was the only moral course of action. Mitterand, however, argued that the embargo should be lifted only if the safe areas were abandoned since a lifting of the embargo would endanger French peacekeepers, thus raising domestic opposition. Germany backed down, and the EC agreed to shore up the safe havens.

Clinton, too, recognized the danger to multilateralism of increasing tensions over embargo strategy. Indeed, Clinton did not want to make any moves in Bosnia that might undermine stability in Russia.<sup>73</sup> He therefore did not push the demand for a lifting of the arms embargo in international fora.

A pattern that would be repeated began to emerge : bargains struck among the great powers for a diplomatic solution were resisted by the belligerents; failure to negotiate an acceptable plan to end the war led to domestic calls in Russia and in the West for opposing strategies; domestic pressures for contradictory policies threatened to undermine a unified

multilateral diplomatic resolution to the war. Because a unified bargaining stance and multilateral solidarity were the highest priorities among great power decision makers, they scurried to reach a common position that would also be acceptable to the belligerents. This was necessary to avoid further domestic pressure. In the absence of a substantive linkage, all solutions were bound to be somewhat unstable. The result, as we shall see, was a plan that further undermined the goal of multiethnic tolerance and weakened a future for Bosnia as a unitary state.

#### *The Muslim-Croat Federation and the Contact Group Plan*

In March 1994, the United States persuaded the Bosnian Muslims and Croats to form a Muslim-Croat Federation with the signing of the Washington Accords. To induce the Croats to sign the accords, the U.S. promised that Tudjman could regain parts of its territory, largely inhabited by Serbs and lost to the Croatian Serbs in the war. The U.S. also helped Croatia build up its army by sending advisers and by permitting weaponry to flow into Croatia.<sup>74</sup> Muslims were allowed to purchase weaponry. The Washington accords halted the fighting between Bosnian Muslims and Bosnian Croats and provided for an eventual confederation with Croatia, thus de facto undermining the legitimacy of a separate Bosnian state.

This new federation also opened the door for a new diplomatic effort. In May, 1994, the foreign ministers of Greece, Belgium, Germany, and the EU, France, Russia, the UK, and the US met in Geneva. They created what was called the "Contact Group" (composed of

representatives from the U.S., France, Britain, Germany, and Russia) to begin substantive negotiations again with the warring parties. At the meeting in which the Contact Group was created, the Foreign Ministers reaffirmed their support for Bosnia as a single state with internationally recognized borders despite internal divisions between Muslims, Serbs, and Croats; they instructed the Contact Group to begin substantive negotiations immediately and to do all that it could to ensure a political solution.<sup>75</sup>

The Contact Group proposed a plan that would turn Bosnia into two parts: a 49% Bosnian Serb and 51% Muslim-Croat federation. This would require that the Bosnian Serbs surrender 1/3 of their territory and give up plans to create a union with Serbia. The plan's success depended heavily on Milosevic to weaken his support for the Bosnian Serbs and thus pressure them into acceptance by closing its border to Bosnia--thereby halting the flow of arms and other supplies--and permitting UN monitors along border areas in exchange for the easing of sanctions. The Contact Group also urged Serbia to recognize Bosnia as an independent state and, under the urging of the United States, proposed that NATO troops enforce the cease-fire.

External cooperation to pressure the warring parties to agree to the plan was remarkable. Russia joined American and British diplomats to urge Karadzic, the President of the self-proclaimed Serbian Republic of Bosnia, to accept the plan and declared that it would take a stronger stand against the Serbs if they did not cooperate. Both Kinkel and Kozyrev agreed to jointly use their influence with participants in the conflict to promote a cease-fire and accept

the plan.<sup>76</sup> Kozyrev objected only the transfer of command over Bosnian operations from the U.N. to NATO.<sup>77</sup>

Russia's pressure on Serbia seemed to pay off; Milosevic, ordered the border between Serbia and Bosnia closed on August 5, and two months later, the UN eased sanctions against Yugoslavia. The Belgrade airport was reopened; sporting and cultural links were resumed. Nonetheless, the oil and trade embargo would remain in effect until Serbia recognized Bosnia as a unitary state.<sup>78</sup> Milosevic agreed to recognize Bosnia as a state but not a government in return for the lifting of all the sanctions. Russia suggested a 200 day suspension of the sanctions in exchange for recognition, but the four non-Russian Contact Group members feared that Russia would use its veto in the Security Council to ensure that the sanctions would not be reimposed and leverage over Milosevic would be lost.<sup>79</sup>

Nonetheless, despite Russia's cooperation and signs that Serbia would pressure the Bosnian Serbs into acceptance, they resisted the plan. Although the Muslim-Croat Federation accepted the agreement in principle, Bosnian Serbs demanded changes in the plan that the Muslims refused to adopt. A Bosnian Serb referendum rejected the Contact Group plan in August, and the Bosnian Serb army attacked UN positions, surrounded Serajevo, blocked relief convoys, and attacked Bihac.

The international community, however, was unable to jointly respond to these attacks with concerted and coordinated military force. The Clinton Administration threatened to lift the arms embargo on Bosnia if the Serbs did not accept the plan by October 15, 1994. Again this

unilateral threat heightened tensions both within the Atlantic alliance and with Russia. A lifting of the arms embargo would place French and British ground troops at risk, and both France and Britain declared that if the arms embargo were lifted, they would be forced to withdraw their troops.<sup>80</sup> France, with 4,500 of the 23,000 UN troops had the largest troop presence there, while Britain had 3,300.

Yeltsin still feared that if Russia cooperated with a lifting the of arms embargo on Bosnia, the move would play into the hands of radical nationalists who supported the embargo because it aided the Bosnian Serbs. Indeed, a lifting of the arms embargo would most likely have intensified the war and would certainly have heightened tensions between Russia and the United States, and thus undermined the multilateral goals in Bosnia, the moderation of the ferocity of the fighting and the diplomatic effort.

As a result of pressure from France, Britain, and Russia, Clinton backed down, and the October 15 deadline passed without the US lifting the arms embargo and without Bosnian Serb acceptance of the Contact Group plan. Clinton did say, however, that the US would no longer enforce the arms embargo on Bosnia, and announced a deadline of April 15, 1995 for the total withdrawal of US participation in the embargo.<sup>81</sup> That deadline, too, came and went; the consequences for multilateralism were judged to be too dangerous. In closed door negotiations, Clinton argued that if NATO's role in Bosnia were not enhanced, he would continue to press for a lifting of the arms embargo on Bosnia.

The West was thus unable to break the negotiating deadlock. Similar to the situation in the first negotiating round, international negotiators could not enforce agreements. As long as the warring parties preferred the possibility of battlefield victory to the certainty of a compromise at the negotiating table, their incentive to reach a negotiated settlement would be low. Leverage on the part of the great powers would heighten that incentive, but the great powers could not provide the coordination needed to exert the necessary influence. Clearly defeated, the Contact Group declared its plan a "basis for negotiations" only.

#### *The American Plan and the Dayton Agreement*

This deadlock in international negotiations between the Western powers and Russia on the one side and the belligerents on the other, again opened a window of opportunity for domestic political actors in their bid to dominate the agenda. In July 1995, the United States Congress attempted to put pressure on the Clinton Administration to lift the arms embargo on Bosnia. Senator Bob Dole and Democrat Joe Lieberman sponsored a resolution to end the arms embargo that passed in the Senate, 69 to 29 votes, exceeding the two-thirds majority that would be needed to override a promised presidential veto.<sup>82</sup>

These domestic calls for the lifting of the arms embargo threatened multilateral efforts to find a diplomatic solution to the war. A diplomatic solution meant that the West must maintain neutrality vis-a-vis the belligerents. Indeed, although official resolutions from all international institutions condemned the Bosnian Serb practice of "ethnic cleansing," they were

careful to omit the word, "aggression." Domestic pressure to point out an "aggressor" threatened to unravel the multilateral bargaining process and thus raised the incentive on the part of the Clinton Administration to take a more assertive role in conflict resolution to save multilateralism in Bosnia. Indeed, the impending 1996 presidential elections had an impact on his decision as well. Once again the domestic coalitional structure of the actors was altering the payoff structure of the game.

In the summer of 1995, the United States initiated an alternative to the failing Contact Group Plan. This alternative would prove to be the skeleton of the final peace accord initialed the following November. The American plan built upon the Contact Group proposal in that it maintained the 49 - 51% split between the Bosnian Serb and Muslim-Croat territories. But the Serbs would keep the Muslim enclaves of Zepa and Srebrenica, which they overran in July 1995, and the Brcko corridor connecting the two parts of their territory would be widened. Muslims would gain territory around Serajevo.

The plan stipulated that Croatia and Bosnia recognize each other's pre-war frontiers, and international sanctions on Serbia would be lifted when it recognized Bosnia as an independent state. Bosnia would remain a recognized state, but areas with a Serbian majority population would be free to confederate with Serbia. The Muslim-Croat federation would be permitted under the plan to confederate with Croatia. In practice, then, Bosnia would de facto cease to exist as an independent entity, even though it would continue to exist de jure.

To press for agreement, the United States used a series of

"sticks " to prod each of the belligerents. To pressure the Bosnian Serbs into agreement, the U.S. stated that it would support a lifting of the arms embargo on the Bosnian government, a withdrawal of UNPROFOR, and NATO air strikes against the Bosnian Serb positions if they refused to accept the plan and continued their attacks. To pressure the Bosnian Muslims, who initially opposed the plan because it gave Zepa and Sebrenica to the Bosnian Serbs, U.S. officials persuaded Croatia to limit its assistance to the Bosnian government. A withdrawal of assistance would weaken them to the point at which they would be unable to reject the plan. U.S. diplomats encouraged Tudjman and Izetbegovic to agree on a joint military campaign against the Bosnian Serbs in territory adjacent to Croatia, but also encouraged Croatia to abandon plans to help the Muslims in central Bosnia.

All the major powers seemed enthusiastic about the plan, although they disapproved of the threat of airstrikes.<sup>83</sup> Attitudes changed, however, after a mortar attack in Sarajevo at the end of August, 1995, killed 37 civilians. Assuming that the attack was launched by Bosnian Serbs, NATO began serious aerial bombardment of Bosnian Serb positions; this was NATO's biggest military assault in its entire history. At the same time, with encouragement from the United States, a joint Muslim-Croat offensive captured much of northwest Bosnia, and on October 12th, a ceasefire was reached. The belligerents went to the negotiating table in Dayton, Ohio on November 1, and a peace accord was initialled by the presidents of Bosnia, Croatia, and Serbia on November 21.

As noted above, the Dayton agreement was built on the original American plan. Sarajevo would be the capital of an independent Bosnian state; the presidency, like that of Tito's Yugoslavia, would rotate among Bosnian Serbs, Croats, and Muslims, and the central government would be a weak one. Western Slavonia and Krijana would become part of Croatia. Zepa and Sebrenica would remain in Bosnian Serb hands.

A vague, institutional division of labor seemed to emerge in Dayton: The OSCE--long inactive in this crisis--was given the task of supervising the 1996 Bosnian elections, monitor human rights activity, and promote arms control, and the EU was responsible for a plan for the economic reconstruction of Bosnia. Although the United Nations stepped into the background, UNHCR was assigned the task of heading humanitarian efforts. The "empty" part of this nest was the office of the high representative, who was appointed by the Paris Peace Conference and confirmed by the UN Security Council, but would not represent the UN. The representative would float among institutions, without an institutional base, and may have little clout.

Unlike the agreements reached in the first round of negotiations, the major powers agreed to cooperate to enforce the accord with joint military power. To the rapid reaction force, NATO added IFOR, the joint implementation force. IFOR troops were instructed to employ standard NATO rules of engagement, meaning that they could preempt if they knew that an attack was imminent. The plan stipulated that IFOR could retaliate very heavily against the first sign of resistance.

The need for this level of enforcement capability and for the dominance of NATO over the military operation had been achieved through a painful series of negotiation failures caused by the lack of enforcement capabilities. Recall, for example, that in the first bargaining round, the WEU did not have the willingness or the ability to enforce cease-fire agreements. As we shall see below, the entrance of the UN and of NATO forces into the conflict led to coordination problems that further reduced the West's enforcement capability, its ability to moderate the ferocity of the fighting and to deliver humanitarian aid. The Dayton accord promised to rectify these failures.

### **Peacekeeping and Peacemaking**

As noted above, this goal was perhaps the most difficult one to realize, since no international institution was prepared to take on this task, and because the intensity of the war was directly related to success or failure at the negotiating table. For example, in May 1992, the UN Security Council decided to extend UNPROFOR's mandate to Bosnia, over the objections of Marrack Goulding, then head of peacekeeping operations. Goulding believed that the situation in Bosnia was not "ripe" for peacekeeping; the peacekeepers could not possibly begin their operation under a mandate on which the various belligerents agreed.<sup>84</sup>

With each diplomatic failure, the fighting intensified, and the intensification required the West to formulate a new plan to moderate it. After the Vance-Owen Plan was rejected, France and Britain lobbied the US to support the creation of "safe havens" for Bosnian

civilians. UN troops, however, could not protect the safe havens alone, and would need protection themselves.

By June, 1993, the UN Security Council approved a "joint action program" establishing six 'safe areas" at Sarajevo, Srebrenica, Zepa, Tuzla, Goradze, and Bihac. But the resolution left unclear whether NATO would use airstrikes to retaliate against attacks on the areas or whether the UN troops would retaliate. Clarity on this issue and the prominence of NATO's role would only be achieved after the attack on the Sarajevo market in February 1994.

On February 5, 1994, an attack on an open market in Serajevo left over 60 civilians dead. Assuming that the attack was launched by Bosnian Serbs, the sixteen members of NATO issued an ultimatum demanding the withdrawal of Serbian artillery to at least 20 kilometers from the center by February 21. If the Bosnian Serbs did not withdraw, NATO threatened, it would attack their military positions. The credibility of this threat was demonstrated when NATO jets shot down four light Bosnian Serb planes over Banja Luka for violating the flight ban. The UN Command reported that the mortar fired into the market could easily have been fired from a Bosnian army position, but NATO ignored the report ; it now had a reason to spring to life.

NATO's action had broad support among the Western powers, but it was the support of Russia that was crucial to the maintenance of multilateral solidarity. Indeed, although Russia opposed the idea of a NATO command in Bosnia, Russian officials requested that the Serbs

respect the NATO ultimatum. Further, Yeltsin agreed to send Russian peacekeepers to Bosnia as part of the UN peacekeeping operation.<sup>85</sup>

Nonetheless, there were institutional tensions over the locus of authority to launch air strikes. Until July 1995, there existed a "dual-key" arrangement that required both UN officials and military commanders to approve air strikes. Disagreement over the rules of engagement, however, made that arrangement ineffective. When Bosnian Serbs attacked Bihac in November 1994, NATO announced that it could not attack Bosnian Serb positions because the UN refused authorization to attack; for their part, UN officials believed that an attack would amount to a declaration of war.<sup>86</sup> Each NATO airstrike had provoked the Bosnian Serbs to take UN peacekeepers as hostages and increased pressure for the UN to pull back. On May 7, a major shelling from Bosnian Serb positions into Sarajevo led Rupert Smith, UNPROFOR's commander, to order airstrikes. At first, his orders were countermanded by officials at UN headquarters in Zagreb, who argued that Croatian Serbs would retaliate with attacks in Croatia and those attacks would endanger UN troops. Nonetheless, on May 25, NATO conducted airstrikes against Bosnian Serb positions near Serajevo.<sup>87</sup> Confusion increased with the growing tension between the UN and NATO commands.

The problem was inherent in the UN mandate. As the Secretary-General reported, "even though the use of force is authorized under Chapter VII of the Charter, the United Nations remains neutral and impartial between the warring parties, without a mandate to stop the aggressor (if one can be identified) or impose a cessation of hostilities. Nor is this peace-

keeping as practiced hitherto, because the hostilities continue and there is often no agreement between the warring parties on which a peace-keeping mandate can be based."<sup>88</sup> NATO, on the other hand, did not suffer under similar constraints.

The only way to resolve the tension, if NATO were to continue to launch airstrikes, was to provide NATO commanders with more autonomy. In July, 1995, NATO commanders won permission to summon air strikes without the approval of UN officials. Rising institutional tensions and rivalry had opened the political space for this solution, and when Russia finally agreed, NATO came to take the lead in military engagement. Increasing autonomy was accompanied by task expansion: plans were launched for the creation of a "Rapid Reaction Force" of 4,000 troops to assist in a possible UN withdrawal and NATO commanders increased their own authority over military action. On July 23, 1995, the first units of the Rapid reaction force were deployed from central Bosnia to Mount Igman, after Serb artillery had killed two French peacekeepers. Nonetheless, NATO remained constrained, and the force had orders to fire only when the Serbs attacked UN personnel and vehicles.

The WEU's earlier failure to enforce ceasefires, the UN's failure to protect "safe havens," NATO's successful show of force and the demonstration of its ability to coordinate military activity, France's participation in NATO's military activity, and finally, Russia's agreement combined to place NATO in a position of institutional prominence. NATO, therefore, was assigned the task of peacekeeping after the signing of the Dayton Accords. The army of 60,000, (called Joint Endeavor and deployed to enforce the accords), will carve Bosnia

into three zones, managed by the United States, France, and Britain, all under the same U.S. commander. A joint committee of NATO ambassadors and Russia will handle conflicts and must approve of any significant changes in the peacekeeping operation.

### **Humanitarian Goals**

In April 1992, the UN Security Council created the United Nations Protection Force (UNPROFOR) to protect humanitarian relief efforts and ensure the safety and security of the Sarajevo airport.<sup>89</sup> On June 8, the Security council expanded the UNPROFOR mission to include the task of reopening the Sarajevo airport for relief supplies, and the Bosnian Serbs allowed UN peacekeepers to take control of the airport.<sup>90</sup> On August 13, the Security Council approved the use of "all means necessary" to supply humanitarian aid to Bosnia, but cautioned that this not be interpreted as an attack on the Bosnian Serbs.<sup>91</sup>

In October, 1992 the UN Security Council had established a ban on military flights in the airspace of Bosnia and Herzegovina, in order to ensure the safe delivery of humanitarian assistance.<sup>92</sup> Still opposing NATO air strikes and the lifting of the arms embargo, Russia called for full implementation of UN sanctions, UN border patrols between Serbia and Bosnia, and a war crimes tribunal. Indeed, in May 1993, a war crimes tribunal was established.

The tribunal issued its first indictment at the end of 1994, charging 22 Serbs with murder and rape at a notorious prisoner of war camp at Omarska.<sup>93</sup> On April 24, Richard Goldstone, chief prosecutor for the tribunal, named Radovan Karadzic as a suspected war

criminal.<sup>94</sup> On July 25, 1995, Radovan Karadzic and Ratko Mladic were indicted by the International Criminal Tribunal for Former Yugoslavia for war crimes, grave breaches of the Geneva Convention, and genocide (killing or causing serious bodily or mental harm to members of a group).<sup>95</sup> A Croatian General, Tihomir Blaskic, was also charged with war crimes. The Dayton Accords stipulated that those indicted by the international tribunal cannot hold elected office, but they did not require that the Bosnian government turn over those indicted to the tribunal.

While the war crimes tribunal was busy indicting war criminals, Franjo Tudjman in Croatia was preparing for the largest single "ethnic cleansing" of the war. He began by threatening not to renew the UN mandate that was to expire on March 31, 1995. In response, Klaus Kinkel traveled to Croatia to exert pressure on him to do so. The pressure seemed to work, and the mandate was renewed. Nonetheless, in March, Croatian troops launched a major offensive in the Krijana. Angry Croatian Serbs shelled Zagreb in retaliation. By the summer of 1995 with the blessing of the United States, Croatia had retaken the Krijana, causing 150,000 Serbs to flee from their homes to northern Bosnia and Serbia.<sup>96</sup>

And in Bosnia, as well, the humanitarian situation had deteriorated greatly. Humanitarian aid slowed to a trickle as the Bosnian Serbs reclaimed heavy weapons around Sarajevo. On May 25 1995, the Bosnian Serbs took UN troops hostage, and UNPROFOR claimed that it needed the "strategic consent" of the Bosnian Serbs to carry out its job. NATO began to pull back after losing an F-16 fighter plane.<sup>97</sup>

Finally, safe areas were becoming increasingly unsafe, and the UN was barely able to deliver food to them. Srebrenica and Zepa fell to the Bosnian Serbs, while 450 UN peacekeepers there stood helplessly by. They asked NATO to halt the airstrikes, claiming that the strikes encouraged the Bosnian Serbs to take dozens of UN hostages. Nearly 30,000 women and children and old men were forced out of Srebrenica and another 10,000 out of Zepa. According to the UN's human rights investigator Tadeusz Mazowiecki, Bosnian troops captured around Srebrenica were subjected to "barbaric acts on an enormous scale."<sup>98</sup>

By August 1995, UNHCR reported that more people had been uprooted in Bosnia than anywhere else in the former Yugoslavia, both absolutely and as a share of the population. Of the pre-war population of 4.4 million, 1.3 were displaced within Bosnia. Another 500,000 sought shelter in Serbia and Croatia, and over 500,000 live outside the former Yugoslavia. Before the war, there were 600,000 Serbs in Croatia of a total population of 4.8 million. With the Croatian offensive in the Krajina, 150,000 were left. Before that, perhaps 200,000 had already left Croatia.<sup>99</sup>

Sadly, the goal of bringing humanitarian relief throughout the four year of war in Bosnia was largely a failure. Nonetheless, the UN High Commission for Refugees had increasingly shown itself to be highly efficient during this period; the UN had provided food and shelter to over one million refugees, while, at the same time, providing shelter and supplies for refugees in Rwanda and elsewhere. UNCHR was thus given the task of providing for refugees in the Dayton accords.

The new post-Dayton task was overwhelming. The accord suggests that refugees will be able to return to their homes. This would presumably mean that people would live as they did before the war started. This is unlikely. Even after the accords were initiated, people were being forced from their homes, and the United Nations was powerless to stop further "ethnic cleansing". UNCHR will exacerbate tensions if it tries to implement this vague aspect of the plan.

### **Analysis of Round Two**

In the second round of negotiations leading to the Dayton Agreement, the EC, the US, and Russia began with a strong incentive to reach multilateral agreement and avoid unilateralism (Insert Figure 2A). Indeed, this procedural norm--rather than any particular substantive norm--provided the basis for cooperation. Cognitive considerations, combined with a change in international structure led to a commitment to multilateralism. Collective memory raised the specter of 1914; none of the actors feared a wider war; indeed, the first round of bargaining had led to the conclusion that this war would not spread beyond the borders of the former Yugoslavia. But there was heightened fear that tensions would erupt in an unsettled post-cold war environment. That fear strengthened the procedural norm of multilateralism.

It was this commitment to multilateralism, combined with the participation of new actors--the United States, the United Nations, and Russia, that set the stage for the second

round of negotiations. After a brief struggle over whether the EC would continue to solve the crisis alone and what roles the EC, the OSCE, and the UN would play, the principal actors chose the UN as the institution with the widest membership as the sponsor of negotiations. Tensions among the actors over appropriate strategy led to domestic pressures for alternative policies. Those pressures combined with collective fears of chaos in post-cold war Europe, led to an increased commitment to multilateralism. Indeed preserving multilateral agreement among the European powers and the United States, as well as preserving NATO, was preferred over a workable solution for Bosnia. The drive to resolve institutional conflicts between the UN and NATO and the assumption of leadership on the part of the United States led to NATO's dominance as the military enforcer of the accord and a retreat of the United Nations to the background.

By the time the agreement was initialed in Dayton, NATO had been strengthened beyond anyone's wildest hopes or fears (Insert Figure 2B). International institutions had engaged in a workable, if not always fully harmonious division of labor. Not only had Russia been cooperative but the Bosnian crisis had led France and Britain to a major foreign policy and defence coalition; France moved discretely closer to NATO, allowing French troops to serve under NATO command. The French move toward NATO allowed the British to relax their opposition to the development of a European defense through the WEU. French officials also indicated that they were keen to maintain an American presence.

Furthermore, in the midst of the Bosnian crisis, European leaders began to deliberate how they might prevent future "Bosnias" from erupting. In 1993 Edouard Balladur called for the establishment of a stability pact, that is, a conference of European nations to mediate, sign bilateral treaties between potential belligerents, and make aid dependent on compliance. At the EU Copenhagen Summit in June of that year, the idea was broadly accepted. No new institution would be created, and the CSCE, NATO, and the WEU would coordinate implementation.<sup>100</sup>

Realist approaches to international negotiation would not have predicted this outcome. At the outset two major players, France and Russia, were outside of and opposed to an expansion of NATO's military tasks. Even member states at the end of the Cold War were uncertain about NATO's utility in the post cold war world. As the first round of negotiations demonstrated, institutional norms were weak and conflicting in the rapidly transforming post cold war world. Under these conditions, none of the institutions that mattered so much in this case should have mattered. And because the old institutions were built within the cold war framework, high incentives existed for them to disappear.

International structure, however, did matter. A weakened Russia, anxious to be part of the "West" had no choice but to join in the multilateral framework. France, though its preference for a European solution to the crisis, was not strong enough to push the process in a different direction. The United States as the strongest power, exerted leadership in its effort to bolster NATO, and the strategy worked.

Central to a complete explanation of this outcome, however, is the meta-regime: the procedural norm of preserving multilateralism at every stage of negotiations in the second round. Commitment to this norm reduced the opportunity for domestic forces in the western states and in Russia to play a significant role in shaping the outcome. This contrasts sharply with the outcome of the first bargaining round, in which conflicting institutional norms provided a weak guide to joint policy and a weak commitment to multilateralism permitted Germany's defection. When institutional guides are weak, domestic forces are likely to be more important in accounting for the final outcome.

Nonetheless, other more substantive norms may come into conflict as the Dayton Accord is implemented. IFOR, for example, would serve as a buffer for the warring parties, but there were intense disagreements over how much force should be used to implement the plan and over the rules of engagement. Chapter 6 of the UN Charter provides for the "peaceful settlement of disputes--lightly armed peacekeeping--while Chapter 7 provides for a more robust response to "acts of aggression" and other threats. Reports of disagreements over which chapter should dominate are already surfacing. And a consensual agreement on " aggression " will be hard to reach.

The agreement on the future of Bosnia also embodies a conflict that can severely weaken the accord. The preservation of Bosnia as a unitary state is intended to uphold western value of multiethnic tolerance. On the other hand, Bosnia is partitioned into three ethnic regions, two of which have powerful patrons. The partition reflects the practical and only

feasible requirement for a settlement. But the combination is unstable and even deadly. The weak central governments and rotating presidency are throwbacks to Titoist "ethnofederalism." Ethnofederalism was an important cause of Yugoslavia's demise and of the outbreak of war.<sup>101</sup> A weak federal system may lead to internal chaos, while the ethnic regions, supported by Croatia and Serbia, may make a new military bid for Muslim territory.

This conflict is echoed in the plans for the refugees. As noted above, the plan suggests that refugees will return to their homes, again mirroring the values of preserving a multi-ethnic state. But actually implementing that value has already exacerbated tensions and threatened an unraveling of the peace.

### Conclusion

To conclude, and to answer the questions posed at the outset: The procedural norm of multilateralism, set down in previous institutional arrangements and reinforced by fears arising in the wake of Germany's defection from cooperation, has been a dominant force in shaping the West and Russia's response to the war in Yugoslavia. How the great powers responded to that war--the institutions in which decisions were made and the decisions themselves---will shape the future of the post-cold war security order. The outlines of that order are now clear: Europe failed to develop an independent regional security regime in this crisis, and regional security institutions will coordinate their activities with increasingly compatible global institutions.

The analysis of this episode suggests a successful case of institutional cooperation, coordination, and division of labor, perhaps even "nesting." Earlier conflicting norms seem to have been eclipsed by the overwhelming commitment to multilateralism. But all of this institutional cooperation has come at the expense of Bosnia. If the bloodshed begins again, then institutional cooperation and NATO's new life will have been purchased at the expense of peace. While Europe's security future will have been enhanced by what leaders learned in these two rounds of negotiations over the breakup of Yugoslavia, and while they may have learned to eventually "nest" their institutions, for Bosnia that nest may be empty.

As a "test" of the the neorealist hypothesis, the Yugoslav and the Bosnian wars illustrate the inability of neo-realist claims to deal with the institutional formation in the post-Cold War situation. Despite the end of the Cold War, the neorealist assumption about the emergence of a hegemon and the resultant provision of the public good of European security through issue linkage did not occur. Neither did hegemons link the security issue to other issues in order to enforce participation in the institutional formation and compliance with the new rules. Despite the potential for a new power re-ordering of the European security arrangements, nesting was not achieved.

Similarly, the thickness of the institutional framework that the neoliberal institutionalist explanation advocate appear to be emerging. The valued roles of NATO, WEU and of the OSCE and their ability to provide the public goods of security did not prevent their members from disputing the link in one arena with another, i.e. the linking of European institutionalized

security arrangements with the need to deal effectively and quickly with the Bosnian and the Yugoslav security crises. Contrary to some neoliberal institutionalist claims, the members of the existing institutions were willing to free ride without the fear of undermining the existing institutions.

In terms of cognitive considerations, the Bosnia crisis demonstrates more than ever before the powerful effect that ideas have in the formation of foreign policy-makers' beliefs as well as in the creation of a multilateral institutional structure. Yet, it should be noted that this approach stresses the role of ideas in determining action in a more ideological fashion, rather than as an incidence of learning. The procedural norm of multilateralism, that formed the basis of previous European security institutional arrangements as well as the underlying assumption of postwar German foreign and security policy, became the most important force in the shaping of the West's and Russia's respective responses to the disintegration of Yugoslavia and the Bosnian conflict. Throughout 1991-1996 the European policy makers and their American counterparts worked to arrive at a solution that would be based upon a multilateral intervention, both militarily and diplomatically. Multilateralism in this case was not chosen because of its information and coordination advantages and was only partly a result of the changes in the international structure in the post-Cold War era, but because it reflected the beliefs of the foreign policy makers. Much like the continued determination of the U.S. policy-makers to maintain a united, multiethnic Bosnia intact, multilateralism was seen as end and rather as a means.



1. See Mearsheimer (1994) and Mearsheimer (1990).
2. For these arguments see Betts (1992).
3. See Weber (1992).
4. See Aggarwal (1997), introductory chapter.
5. See The Economist, July 22, 1995, p. 48.
6. See The New York Times, (hereafter NYT) 2 December, 1994, p. A4.
7. See Sandholz and Zysman (1989).
8. This section draws on Crawford (1996).

9. See Plestina (1992) and Hayden (1992).
10. See Glenny (1992).
11. The role of the UN in decolonization was based on the principle of national self-determination. See Claude (1971) and Pomerance (1982).
12. These two reasons for agreement on the first option were given by four senior EC officials interviewed for this project, Brussels, May 17-19, 1993.
13. Cited in Krieger (1990), p. 30, and Cviic (1993), p. 74.
14. See Der Spiegel 45, 8 July 1991, p.128.
15. Declaration on Yugoslavia, 82nd EPC Ministerial Meeting, The Hague, 10 July 1991.
16. See FAZ, 10 July 1991, p. 5.
17. See Washington Post, 2 July 1991, p.A16.
18. See FAZ, 6 July, 1991, p.6.
19. On the importance of these traditions in general see Eichenberg and Dalton (1993), especially p. 514.

20. See Haftendorn (1983), Hanrieder (1989) and Paterson (1992).
  
21. See Katzenstein (1991), pp. 3-4.
  
22. See Washington Post, 2 July 1991, p.A16.
  
23. See Der Spiegel, 45, 8 July 1991, pp. 128-29.
  
24. Part of the explanation for the absence of minority rights for Serbs under the 1990 Croatian constitution lay in the provisions of the 1974 Yugoslav constitution that were carried over to the constitution of Croatia. That Yugoslav constitution recognized nations and nationalities; nations were groups that had their own republics: Serbia, Croatia, and Slovenia. Nationalities were minorities (Hungarians and Albanians) that did not have their own republic in Yugoslavia. Nationalities received human rights protection under the Yugoslav constitution, but nations did not. Thus Serbs living outside of Serbia or Croats living outside of Croatia could not invoke Constitutional minority rights guarantees.
  
25. In addition, Tito's Yugoslavia had been an important ally against Hitler and Yugoslavia had played an important role in Cold War rhetoric. For details on French and British policy in the Balkans see Nere (1975), Lamborn (1991), Bartlett (1989). The best source on British policy toward the Balkans is

Seeton-Watson (1967) and Keiger (1983). The most important general source is Jelavich (1983). On French and British policies in the post-war period, see Pavlowitch (1989).

26. See Axt (1993), p. 358.

27. See FAZ, 10 July 1991, p. 5.

28. See Los Angeles Times (hereafter LAT), 27 July 1991, p. A3.

29. See NYT, 29 July 1991, p. A3.

30.

31. "Mehr beobachter nach Jugoslawien," FAZ, 30 July 1991, p.2; "Bonn dringt auf Sanktionen gegen Serbien nach dem Scheitern des EG-Vermittlungsversuchs," FAZ, 6 August 1991, p.1.

32. For war and negotiations see Anne McElvoy, "Events Lead Genscher Astray," Times Newspapers Limited - The Times, 7 September 1991.

33. See NATO Press Service, press communiques M-1 (91) 42, 6 June 1991; M-2(91) 60, 21 August 1991; S-1 (91) 86, and 8 November 1991.

34. See "Yugoslavia Appears Ready for Attempt To Restore Peace," The Christian Science Monitor, 4 September 1991, p. 1; "Europeans Arrive in Yugoslavia to Promote Peace Plan," New York Times, 2 September 1991, p. 3; "Yugoslavs Joust At Peace Meeting," New York Times, 8 September 1991, p. 9; and "Quiet, but no peace," The Economist 320 (28 September 1991), p. 55.

35. Trevor Salmon, "Testing times for European political cooperation: the Gulf and Yugoslavia, 1990-1992," International Affairs 68 (April 1992), pp. 251-52.
36. Helmut Kohl, Tanner Lecture at the University of California at Berkeley, September 13, 1991.
37. Krieger, "Toward a Gaullist Germany," p. 33.
38. EPC Declaration on Yugoslavia, 18 October and 28 October 1991.
39. "Der Sonderbeauftragte der UN vermittelt Tadjman will Friedenstruppen nur bei Abzug der Armee," FAZ, 3 December 1991, p.4.
40. " Während Vance sondiert, schießt die Armee," FAZ, 5 December 5 1991, p.6.
41. Tom Heneghan, "Ignoring Critics, Bonn to Decide Support for Croatia, Slovenia," Reuters, 16 December 1991.
42. Stephen Kinzer, "Germans Follow Own Line on Yugoslav Republics," NYT, 8 December 1991.
43. Paul Lewis, "U.N. Yields to Plans by Germany to Recognize Yugoslav Republics," NYT, 16 December 1991, p.1.
44. Interviews, EC officials, 18-19 May 1993.
45. Conference pour la Paix en Yugoslavie, Avis No. 5, Paris, 11 January 1992.

46. The transcript of the declaration at the end of this meeting specifically stated that "the application of those republics which affirm [the above preconditions, principles, and procedures] will be presented by the chair of the conference on Yugoslavia to the Hague commission for approval before the date of execution [January 15]." See also "Beschuß der Außenminister," FAZ, 18 December 1991.
47. On December 4, the Croatian parliament passed a statute that guaranteed the Serbian minority cultural autonomy and representation in communal self-administration. Croatian television proclaimed this as fulfilling the conditions for diplomatic recognition by the West. See "Während Vance sondiert, schießt die Armee," p.6h; and "Warnung vor Anerkennung," FAZ, 16 December 1991, p.2.
48. "Bonn wird Kroatien und Slowenien am 15. Januar anerkennen," FAZ, 18 December 1991, p.2.
49. Interview, Bonn, 26 May 1993.
50. Peter Hort, "Nach einer langen Nacht hat Genschers Drängen Erfolg," FAZ, 18 December 1991, p.3.
51. Conference pour la Paix en Yougoslavie, Avis No. 5, Paris, 11 January 1992.
52. Letter from Franjo Tudjman to H.E. Robert Badinter, Zagreb, January 15, 1992.
53. See Eberhard Rondholz, "Deutsche Erblasten im jugoslawischen Buergerkrieg," (The Burden of German History in the Yugoslav Civil War) Blaetter fuer deutsche und internationale Politik (Journal of German and International Politics) 37 (July 1992), pp. 829-838. It is important to note here that these arguments were first made in the Serbian media and later echoed by Western politicians, and

analysts. Throughout 1990 and 1991, the Serbian press issued anti-German reports, claiming, for example, that the Yugoslav army saw Germany as a potential opponent because of its support for Slovenian independence (DPA, 4 December 1990), that Germany had 20 military advisers in Croatia and was training 10,000 foreign mercenaries to fight against Serbia (DPA, 11 November 1991) and that Germany had wanted to destroy Yugoslavia since 1918 (18 August 1992). On October 23, 1991, The DPA ran a report from the Belgrade newspaper "Politika Expres" that quoted Radovan Karadzic, the leader of the Serbs in Bosnia as saying: "England and France think they can simply sacrifice Serbia in order to stop German expansionism. I remember how it was in 1939, the way Czechoslovakia was sacrificed. But German expansion wasn't stopped then, because expansionism is part of the 'Teutonic Spirit.' If the Western alliance wants to sacrifice Serbia, war will break out as a result of yet another act of German aggression." Heinz-Juergen Axt notes that similar arguments could be found in media commentary throughout Western Europe and the United States. See his "Hat Genscher Jugoslawien entzweit? Mythen und Fakten zur Aussenpolitik des vereinten Deutschlands," p. 351, note (1).

54. On November 8 the EC imposed economic sanctions on all of the Yugoslav republics, including Croatia. See "Chronology 1991: Western Europe and Canada," Foreign Affairs, Vol. 70, 1992, p. 226.
55. See Wayne Sandholtz, "Choosing union: Monetary politics and Maastricht," International Organization 47 (Winter 1993), pp.31-35.

56. See "Regional Outlook: Germany, France Shape a Model for Diplomacy," LAT, 19 November 1991, World Report p.1.
57. See Stan Markotich, RFE/RL Daily Report, 7 February 1994, RFE/RL Research Institute
58. From the Helsinki Final Act of the CSCE, reprinted in Edmund Jan Osmanczyck, ed., Encyclopedia of the United Nations and International Agreements (Philadelphia: Taylor and Francis, 1985), pp. 333-54.
59. See Roland Rich, "Recognition of States: The Collapse of Yugoslavia and the Soviet Union," in European Journal of International Law 4 (1993), pp. 36-65.
60. "Der Sowjetunion untergegangen - Rußland anerkannt," FAZ, 27 December 1991, p.1.
61. "Wreckognition," The Economist, 18 January 1992, p. 49.
62. On these important point see George Kenney, "Derecognition: Exiting Bosnia," Policy Brief, University of California Institute on Global Conflict and Cooperation, June, 1995, No. 5. Kenney notes that the United States denied foreign efforts to recognize the Confederacy, that if the Soviet dissolution had been contested, Moscow could have interpreted recognition of the breakaway republics as an act of war, and that no Western country is now willing to recognize Chechnya.
63. " Bold Beginning, " The Economist, 2/15/92, p. 50.

64. Misha Glenny, "Yugoslavia: The Great Fall," in NYRB, March 23, 1995, p. 62 says, "they said... there was a moral imperative to stop the killing in Bosnia."

65. Glenny, TNYRB, p. 62.

66. "The world against Serbia," The Economist, May 30, 1992, p. 49.

67. Statements from CSCE Summit in Helsinki, July 9, 10.

68. "CSCE conference ends amid dispute over Bosnia ; Kohl ' Deeply Depressed," This Week in Germany, Dec. 9, 1994, p. 1.

69. See David Owen, Balkan Odyssey (New York : Harcourt Brace, 1996).

70. Glenny, New York Review of Books, p. 63.

71. Jonathan Landay, "Bosnian Serb defiance causes deepening of the contact group, but Serbian President consents to international border monitoring," Christian Science Monitor, September 12, 1994, p. 6.
72. "A storm at the United Nations : why Kozyrev needs it," Moscow News, Oct. 21, 1994, p. 5.
73. Europe, Magazine of the European Community, No. 337, June 1994), p. 19.
74. "Unhappy anniversary," The Economist, April 10, p. 57.
75. See John J. Mearsheimer and Stephen Van Evera, "When Peace Means War," in The New Republic, December 18, 1995, p. 18.
76. "Kohl, Yeltsin celebrate the dawning of a new era in Germany-Russia Relations," This Week in Germany, May 13, 1994, p. 1.

77. " United Nations War Crimes Tribunal seeks extradition of Serb from Germany, " This Week in Germany, Nov. 26, 1994, p. 2.
78. 77.Roger Cohen, "Bosnia Peace Mat: Serbs and West at Loggerheads" NYT July 29, 1994, p. A3.
79. " Bosnian Serbs : Feeling the pinch, " The Economist, October 8, 1994, p. 54.
80. " Ex-Yugoslavia : to go or to stay ?, " The Economist, May 27, 1995, p.43.
81. Roger Cohen, "Bosnian Serbs in Referendum Reject Peace Plan," NYT, July 2, 1994, p. 3.
82. Facts on File, Nov. 17, 1994, p. 849.
83. But clearly the resolution was a political ploy in the run-up to presidential elections that would have little impact: it stated that the embargo would be lifted only after UNPROFOR had left Bosnia, whether of their own accord or within 12 weeks of being asked to leave by the Bosnian government. Furthermore, the U.S. would exhaust every alternative to unilateral action and attempt to persuade its partners to lift the embargo multilaterally. Finally, the resolution stated that the resolution could be

waived if the President invoked national security reasons for a waiver. The Clinton Administration opposed a lifting of the arms embargo because it would cause the European peacekeepers to leave, thus necessitating the help of American forces in their departure. Thus, lifting the embargo would Americanize the war.(Clinton, in a letter to the Senate said that a unilateral lift "drives our European allies out and pulls the U.S. in." See "Bosnia Comes to Washington," The Economist July 29, 1995, p. 16.

84.

85. "Enter the Americans," The Economist, August 19, 1995, pp. 41-42.

86. David Rieff, "The Illusions of Peacekeeping," World Policy Journal, Vol. 6, No. 3, Fall 1994, p. 1.

87. 85.Laurie Laird, "Shared History: Serbians turn to Russia" in Europe: Magazine of the European Community No. 337, (June 1994), p. 19. All political elites in Germany joined in a resolution to support the NATO air attack.

88. Roger Cohen, "Serbs Closing in on Bosnian Town; UN and NATO unable to Act," NYT, Nov. 9, 1994, p. A1.

89. " Ex-Yugoslavia : to go or to stay ?", " The Economist, May 27, 1994, p. 43.

90. UN Document A/50/608/1995/1. January 3, 1995.

91. Resolution 749 (1992). Adopted By The Security Council At Its 3066th Meeting On 7 April 1992.

92. Rieff, p. 2.

93. Resolution 771 (1992). Adopted By The Security Council At Its

94. 3106th Meeting on 13 August 1992.

95. Resolution 781 (1992). Adopted By The Security Council At Its 3122nd Meeting on 9 October 1992.

96. " Justice without visitors, " The Economist, Jan. 7, 1995, p. 52.

97. Meanwhile, the budget for the tribunal was cut in " Shamed are the peacekeepers, " The Economist,  
April 29, 1994, p. 15.

98.

99. "Bosnia; A to Z of horror," The Economist, July 29, 1995, p. 38.

100." The Flight of the Krajina Serbs, " The Economist, August 12, 1995, p. 42.

101." Bosnia : Unprofitable UNPROFOR, " The Economist, June 24, 1995, p. 46.

102. "Bosnia: A to Z of horror," The Economist, July 29, 1995, p. 38. Mazowiecki resigned his post as human rights investigator on July 27, 1995.

103." Curtain call : Worldwide reaction to U.S. peace plan for Bosnia, " The Economist, Aug 19, 1995, p. 42.

104.Some, however, saw this as a French bid to undermine the CSCE, since the US and Canada are to be invited, and others thought it would undermine the CFSP in The Economist, July 17, 1993, p. 50.

105. See Crawford (1997), Crawford and Lipschutz in Williams and Krause (1997).