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The Kosovo Moment: The United States and the Post-Cold War Balkans

Visar Xhambazi
Old Dominion University

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THE KOSOVO MOMENT
THE UNITED STATES AND THE POST-COLD WAR BALKANS

by

Visar Xhambazi
BSc., May 2015, Rochester Institute of Technology

A Thesis Submitted to the Faculty of
Old Dominion University in Partial Fulfillment of the
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Approved by:

Simon Serfaty (Director)

Regina Karp (Member)

Austin Jersild (Member)

ABSTRACT

THE KOSOVO MOMENT THE UNITED STATES AND THE POST-COLD WAR BALKANS

Visar Xhambazi
Old Dominion University, 2018
Director: Dr. Simon Serfaty

This study attempts to assess the importance of the humanitarian intervention in Kosovo, the last phase of Yugoslavian agony. It provides a historical background of the region in order to better understand the mosaic of ethnic divisions and hatred as well as the cultural differences and the rise of nationalism through time. Furthermore, it analyzes the events and evaluates the performance of the United States, Europe and intergovernmental organizations in preventing genocide, pushing for regime change and state-building. The last stage considers the United States role in the Balkans and beyond, aiming to provide essential lessons and recommendations on future interventions and state-building processes by considering the accomplishments and failures in Kosovo, for the purpose of maintaining a stable and peaceful world order.

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To my Dad

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Finally, I thank my family, my mother and two younger brothers. Without their support and love the completion of this study would have never been possible. My dad is no longer physically with us, but his inspiration lives. Thus, I dedicate this manuscript to his memory.

LIST OF ABBREVIATIONS

AAK	Alliance for the Future of Kosovo
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
ICJ	International Court of Justice
ICTY	International Criminal Tribunal for the Former Yugoslavia
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KPC	Kosovo Protection Corps
KSF	Kosovo Security Force
KVM	Kosovo Verification Mission
LDK	Democratic League of Kosovo
MENA	Middle East and North Africa
NATO	North Atlantic Treaty Organization
NDH	Independent State of Croatia
OSCE	Organization for Security and Co-operation in Europe
PKD	Democratic Party of Kosovo
R2P	Responsibility to Protect
UK	United Kingdom
UN	United Nations
UNMIK	United Nations Mission in Kosovo
UNSC	United Nations Security Council
US	United States
USSR	Union of Soviet Socialist Republics or Soviet Union
VV	Self-determination Movement

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INTRODUCTION

“One day the great European war will come out of some damned foolish thing in the Balkans.”

—Otto von Bismarck, 1888¹

The assassination of the Austrian Archduke Franz Ferdinand by a Serb nationalist on the anniversary of the Battle of Kosovo in 1914 incited the first World War, ending a century of peace and order. The unresolved legacies of World War I further deepened the crisis resulting in another catastrophe, World War II—one of the most destructive and inhumane periods in modern history. Five decades after the horrors of World War II, Europe was shaken again. The wars in Yugoslavia put the Balkans back on the map of Europe and awakened history’s dark memories, an earlier historical logic of territorial wars, ethnic homogenization and nationalism.

The collapse of communism in the fall of 1989 produced the *Wind of Change* in Europe. The collapse of the Union of Soviet Socialist Republics (USSR) absorbed most of the world’s attention. The West identified Czechoslovakia, Poland and Hungary as the first states in Eastern Europe that could be integrated into its institutions, the European Union (EU) and North Atlantic Treaty Organization (NATO). On the whole, the Balkan region was not regarded as important from a political and economic standpoint. During the 1980s, Yugoslavia was a crisis in the making, but when it exploded it became a priority.

The end of communism in the former USSR drew many parallels to Yugoslavia in that it revealed long-hidden ethnic tensions. Oppressed ethnic minorities demanded independence for their subjects. In the late 20th century, violence erupted again. Slobodan Milosevic came to power, aiming to strengthen the Serbs at the expense of other ethnicities. Kosovo was the key focus of international politics in 1989, but when problems started resurfacing in other parts of Yugoslavia, the focus shifted elsewhere. In 1991 and 1992, four republics out of six declared their independence, with only Serbia and

¹ Matthew C. Price, *The Wilsonian Persuasion in American Foreign Policy* (New York: Cambria Press, 2007), p. 5.

Montenegro remaining in the Yugoslav federation. However, the ethnic status of minorities was left unresolved. After several inter-ethnic clashes, the war pitted Serbia against Slovenia, Croatia, Bosnia and Herzegovina and later Kosovo. Macedonia was the only republic to secede peacefully during the war.

The violent disintegration of Yugoslavia was one of the dominant post-Cold War international crises. The wars in Croatia, brutality in Bosnia and Herzegovina and complicated negotiations that led to the Dayton Agreement following the ethnic cleansing in Kosovo, made the region a focal point for the United States foreign policy. The conflict in Yugoslavia increased the importance of international intervention. As the world was entering a unipolar moment, the US became the critical actor in world politics. The conflict in Yugoslavia came at a time of many geo-political concerns. The US and the EU were seeking a diplomatic solution until the shocking genocide in Srebrenica happened, the wars in Europe since the Holocaust. The genocide followed a late intervention in Bosnia and Herzegovina and shaped the intervention in Kosovo.

The first part of this study aims to provide a short description of the Balkan's political history and the construction of ethnic identity. The conflict in Yugoslavia was caused by complex historical and political forces. Outside Yugoslavia, it was believed this was an ethnic war where different ethnic groups fought for domination. Others believed it was about religion. But, the wars in Yugoslavia, to a large extent, have been nationalist in character, neither ethnic nor religious. In Bosnia and Herzegovina the ethnic groups were closely related and lived in harmony but Religion has been historically an important factor to differentiate between Bosniaks, Croats and Serbs. Thus, history is important to understand the origins of divisions, hatred and wars in the region. The failure to comprehend the complexity of history, the geography of pain and cultural differences cannot produce good policy-making.

The Kosovo war came at a time when the Westphalian state system was no longer an adequate framework for international relations. The Westphalian state system is primarily based on legitimacy. The end of the Cold War brought a huge shift in international relations and introduced more consensus within the international

community over principles of human rights and the rule of law. Sovereignty and therefore legitimacy could no longer be automatically conferred on the de facto power holder in a country.²

The intervention in Kosovo was a significant moment in world affairs. It defined the doctrine of humanitarian intervention. Humanitarian intervention aims at ending atrocities, saving lives and halting systemic violence. NATO was confirming its viable role in the post-Cold War world. After the fall of the Berlin Wall, many assumed that in the absence of the Soviet threat, NATO would disintegrate. Logic dictated that for a military alliance to exist, it had to have enemies. Kenneth Waltz wrote in 1993, "NATO's days are not numbered, but its years are."³ However, NATO's missions in Yugoslavia proved to be a model for cooperation. France, which had withdrawn from NATO's military structure nearly three decades earlier, announced that it would return. Kosovo was positive evidence that NATO still mattered and the US led its flambeau. Most importantly, Kosovo reinforces the notion that the United States and its allies have a special interest in upholding universal liberal values in Europe. Although Kosovo crisis came at a time of sharp bipartisan division's in the US, it is an example of a successful humanitarian campaign as well as a rare example of bipartisan consensus between the Republicans and Democrats in the US. A democratic president started the war and a republican president finished it.

The Kosovo war caused approximately 12,000 deaths, displaced close to one-million Kosovo Albanians, another half-million were believed to be internally displaced and damaged or destroyed two-thirds of homes.⁴ The conflict in Kosovo came at a time when NATO was celebrating its 50th birthday. NATO's intervention proved successful, Yugoslav forces withdrew from Kosovo and there was finally peace. United Nations (UN), 1244 resolution, officially mandated its mission in Kosovo. The West intended to

² Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004), p. 97.

³ Kenneth N. Waltz, "The Emerging Structure of International Politics," *International Security* 18, no. 2 (Fall 1993), p. 76.

⁴ Armed Conflicts Reports, Serbia and Montenegro (ex-Yugoslavia) - Kosovo (1998 - first combat deaths), <https://www.justice.gov/sites/default/files/eoir/legacy/2014/02/25/Serbia.pdf>. (accessed October 28)

transform the poorest region of former Yugoslavia to the *Athens of Pericles*.⁵ In February 2008, Kosovo declared its independence. The newest state in Europe was recognized by a number of democratic states but rejected by several major powers, primarily Russia and China, on the basis that the independence of Kosovo was a precedent that had future implications for secessionist enclaves.

To understand how Kosovo achieved independence, it is essential to comprehend the fragmentation of Yugoslavia, after a failed attempt to negotiate a settlement at Rambouillet, France, resulted in NATO's decision to launch an air campaign in Yugoslavia. Moreover, it provides a brief summary of the Yugoslav wars in Slovenia, Croatia, and Bosnia and Herzegovina: these are fundamental in understanding the war in Kosovo, because the array of events constructed the fate of the intervention, a landmark event in the history of international relations. NATO intervened for the first time in its history for means other than defense. NATO is based on the principle of collective defense, which is enshrined in Article 5. Collective defense means that an attack against one ally is considered as an attack against all allies. Launching an actual war against a sovereign state jeopardized Western relations with Russia. Such a circumstance would have been deemed unthinkable during the Cold War years and its immediate aftermath. Moreover, the second part of this study also provides a comparison between the US and EU foreign policy. The former is consolidated, the later remains divided.

The third part of this research describes Kosovo's post-conflict experience. An amalgamation of different intergovernmental organizations by the international community was designed to ensure stability and order. Kosovo's success in achieving independence against the preferences of the central government in Belgrade is a unique and very rare case that goes against the grain of the international order. With a few noteworthy exceptions, most self-determination movements operating outside of the colonial context have failed, often causing much loss of life and tragedy in the process.

⁵ According to Thucydides, Pericles was a general and statesmen and the first citizen of democratic Athens. Under his leadership Athenian culture flourished, he transformed Athens from a city state to an empire.

The international order tends to privilege territorial stability over the self-determination of populations, but the case of Kosovo tells otherwise.

Since the end of the Cold War, fragile (weak and failed) states have become the single most important problem for international order. Fragile states produce instability and they create economic recessions, refugee crises, terrorism and conflicts. The case of Kosovo is authentic – often described as *sui generis* by diplomats – and important. Kosovo came at a moment when US leadership reached its zenith, making Kosovo a successful story of US foreign policy. Thus, it is crucial to consider some lessons from this particular moment in history, to better prepare for future humanitarian interventions. Admittedly, no historical analogy is precise, but it is the least misleading thing we have. Mark Twain reportedly said that history does not repeat itself, but it does rhyme. Trends change, so does history. This work narrates the last story of brutality, survival and redemption in Europe. It reminds us about the importance of the US and EU partnership and the role of NATO to avert future crises, as well as the importance of state-building to maintain peace and order in the world.

Kosovo is a landlocked country surrounded by mountains with no major river crossing it. The region was heavily fought for but did not have any commercial significance. The closest synonym to fit Kosovo's description is dichotomy. Kosovo is very small, yet very big; not significant, yet very important; not worth fighting for, but a recurring cause for wars. The last part of this study considers the problem of fragile states in the world. Fragile states among other problems are a major transnational issue, because there cannot be a stable world where one part of the planet functions and the other does not. Such states make other states less secure and stable. Today, there are more than 40 fragile states, comprising approximately two billion people. As such, state-building will continue to be a serious issue in the decades to come.

Ultimately, the disintegration of Yugoslavia is a collection of moments. When Tito died in 1980, many expected Yugoslavia to explode and eventually collapse. That was the case, but the international community missed the opportunity to initiate state-building, early enough to escape the events that followed. As that did not happen throughout the

1980s, the country's economic performance suffered and employment declined and opened the Balkan's Pandora box: nationalism. Another such moment for preventing the war in Yugoslavia was missed in 1992, when the international community failed to support Milan Panic, the only political rival to Milosevic. Panic gained 34 percent in a electoral contest with Milosevic, which was all the more remarkable considering Milosevic's propaganda machine and irregularities during the voting process. Had Panic received some support from the West, the outcome of the election might have been different and arguably, would have increased significantly the chances of reaching a diplomatic solution. But this moment, too, was not grasped and blazed the trail to Sarajevo's genocide. The European failure in Bosnia and Herzegovina and the US decision to act without a United Nations Security Council (UNSC) mandate fasted the ultimate moment, *The Kosovo Moment*; the end of Serbian hegemony, the last phase of the Yugoslav agony and the return of statehood for the people of Kosovo.

This study argues that fragile states are the single most important problem for the international order in the 21st century; thus, it is vital to keep the US engaged in the world in order to ensure peace and stability. It calls for the renewal of the American moment. However, before initiating state-building, it is essential to understand the history, culture and geography as unique features characterize each country. *The Kosovo Moment* gave rise to an alternative conception of responsibility and is an important case study in international relations that reveals important lessons. Kosovo is crucial because it tells the account of the last relative success story of state-building. As the 21st century unfolds, the hope is that there will be other such stories in the future, there and elsewhere.

BALKANS BETWEEN CROSSROADS

EUROPE'S ACHILLES HEEL

"Balkans produce more history than they can consume."

—Winston Churchill⁶

For centuries the Balkans served as the main bridge between Europe and Asia and vice versa. The identity of the Balkans is dominated by its geographical position, shaped between the Occident and the Orient and formed between democracy and communism. In the Middle Ages, it was a juncture between the Holy Roman Empire and the Byzantium Empire. During the Renaissance, it has witnessed a wrestle for dominance and control between the Ottoman Empire, Habsburgs and the Russian Empire. After the end of World War II, the struggle for influence became sharply contested between the US and the Union of Soviet Socialist Republics (USSR). Located in the south-eastern part of Europe, the Balkans peninsula was always known for its geostrategic and political significance. Besides its geographical name—coming from the Balkan Mountains—the peninsula is a derogatory term loaded with negative connotations of violence, savagery and primitivism.⁷

The Balkan region was populated by the Illyrians before the Greeks and at least a thousand years before the Slavs.⁸ According to most historic accounts, it is believed that Albanians are the descendants of Illyrians. For the Serbs, history started in the 7th century, when they settled in the Balkans. It is true that Serbs ruled Kosovo for two centuries prior to Ottoman invasion, but there is no more continuity between medieval Serbia to modern Serbia. After the Battle of Kosovo, the land remained a territory of the Ottoman Empire until it was conquered again by Serbian forces in 1912. "The Serbs would say 'liberated,' but even their own estimates put the Orthodox Serb population at less than 25 percent.

⁶ Ishaan Tharoor "The Balkan Wars:100 Years Later, a History of Violence," *Time Magazine*, October 08, 2012.

⁷ Mark Mazower, *The Balkans, A Short History* (New York: The Modern Library, 2000), introduction.

⁸ Noel Malcolm, *Kosovo: A Short History* (London: Macmillan Press, 1998), p. 14.

The majority population was Albanian, and did not welcome Serb rule, so ‘conquered’ seems the right word.”⁹

Albanians populated the majority of lands in Albania and Kosovo; parts of Montenegro, Macedonia, Serbia and Greece. The Albanian language is a distinguished Indo-European language and uses the Latin alphabet. Greek is also a distinguished language that stands alone in the family of Indo-European languages. In Yugoslavia, the official spoken language was called Serbo-Croatian. When Yugoslavia started to disintegrate, the language started to be “separated” as well, each nation making their own. The Croats now call their language Croatian and use the Latin alphabet portraying their historical civilizational connection with the Catholic church and moving away from the Orthodox Cyrillic scripture. The Serbs call their language Serbian and have shifted from Western Latin script of their Catholic enemies to the Cyrillic script of their Russian kinsmen.¹⁰ Except Albanian and Greek, Bosnian, Bulgarian, Croatian, Macedonian, Montenegrin, Serbian, Slovenian, belong to the south-Slavic branch. Although they are recognized as separate languages, they have more commonalities than differences. The south-Slavic languages can be regarded as different dialects rather than different languages. One exception is Bulgarian, which has more in common with the Macedonian language.

In the late 15th century, the Ottoman Empire controlled the majority of the Balkan peninsula. Unlike their Western counterparts, the Ottomans had a relatively civilized rule. Non-Muslims had the right to exercise their religion, however, they had to pay an extra tax. During the inquisition, when Jews were expelled from Western Catholic monarchies, they found shelter in the Ottoman Empire, but, Muslims remained first class citizens. Thus, people saw the opportunity to advance their personal careers and void the extra tax. Albanians living in the cities started converting to Islam whereas people in the peripheries remained Catholic. In southern Albania, some continued their Orthodox

⁹ Noel Malcolm, “Is Kosovo Serbia? We ask a Historian,” *The Guardian*, February 28, 2008, <https://www.theguardian.com/world/2008/feb/26/kosovo.serbia>.

¹⁰ Samuel P. Huntington, *The Clash of Civilizations and the Remaking of the World Order* (New York: Simon and Schuster Paperbacks, 1992), p. 64.

tradition. At that time, it was not strange to find an Albanian family where one person would be Catholic, one Orthodox and one Muslim. The Serbs on the other hand, remained monoreligious. With the help of the Ottomans, they restored the Patriarchate to Peja, Kosovo, in 1557.¹¹ This is a landmark event in the history of Kosovo. "Had this not happened, had the church not been allowed to revive and to preserve 'Serbdom' over the centuries, the history of Kosovo and the region would doubtless have been very different."¹²

Over the long 19th century, which stretched from the French Revolution to the final collapse of the Ottoman Empire in 1923, the political map of the modern Balkans emerged. "The French Revolution and the doings of Napoleon opened the eyes of the world. The nations knew nothing before and the people thought that kings were gods upon the earth and that they were bound to say that whatever they did was well done. Through this present change it is more difficult to rule the people."¹³ The demise of the Ottoman Empire, the emergence of national identity and the spread of world economy, pushed people to think about their political identity and how they wanted to interact and live with their neighbors. The 19th century gave birth to the notion of nationhood and new independent states formed according to the principle of nationality.

The stem decline of the Ottoman Empire left Albanians unprepared on developing their sense of national identity. The rise to the highest ranks in the empire produce ambivalent feelings toward it. Unlike their neighbors, Greeks and Serbs, Albanians did not establish a national church to nurture a separate nationhood.¹⁴ The Ottomans also resisted the idea of Albanian education considering them religious brothers, at the same time preventing the creation of the Albanian national identity. In 1878 (Treaty of Berlin) Serbia expanded southwards. This becomes a threat for the Albanians who fear their lands would be carved up by other Balkans states. The Albanians realized that unless they organized themselves their lands and future would be in jeopardy. Their first

¹¹ Denis MacShane, *Why Kosovo Still Matters* (London: Haus Publishing, 2011), p. 17.

¹² Tim Judah, *Kosovo: What Everyone Needs to Know* (New York: Oxford University Press, 2008), p.32.

¹³ Mark Mazower, *The Balkans, A short History* (New York: The Modern Library, 2000), p. 80.

¹⁴ Tim Judah, *Kosovo: What Everyone Needs to Know* (New York: Oxford University Press, 2008), p.9.

reaction was to demand autonomy within the Ottoman Empire. The League of Prizren marks the first blow for Albanian nationalism, although this was a defensive action. Initially, the League of Prizren was not opposed by the Ottoman Empire but by 1880 relations had deteriorated as this was seen as a call for an independent Albanian state and was eventually crushed by the Empire a year later.¹⁵ Albanian nationalism was also encouraged by the Austro-Hungarian Empire who perceived the Serbs as a threat to the empire.

After the successful Balkan war campaign against the Ottoman Empire in the First Balkan War (1912), the Balkan states turned immediately against each other, marking the Second Balkan War (1913). Bulgaria, Greece, Serbia and Montenegro – the Balkan League allies – seized Macedonia during the First Balkan War. Bulgaria's aspirations to annex Macedonia sparked resistance which resulted into the Second Balkan War. As a result of total war, refugee's ethnic homogeneity increased drastically. Successor states in the Balkans – Serbia in particular – looked back to their medieval past for their national roots. The Ottoman victories over Christian forces in the Balkans occurred through the 15th century. Yet, it was the "Battle of Kosovo" (1389) which passed into Serbian national mythology. Kosovo is one of the greatest Serbian myths, if not the greatest. The Serbs have been always historically attached to Kosovo, although ethnic Albanians were always the majority. A significant number of Serbs refer to Kosovo as the heart of Serbia, Serbia's Jerusalem and the cradle of Serb civilization. The legend of Serbia's defeat – the Battle of Kosovo – has long occupied a special place in Serbian national memory. It became the inspirational link to medieval statehood that guided the Serbian national identity.

The Battle of Kosovo is portrayed by the Serbs as a fight between civilizations: Christianity and Islam. In the battle, both the Serbian Prince Lazar and the Ottoman Sultan Murad were killed. The Kosovo narrative has evolved into an intricate morality play, highlighting themes of martyrdom and heroic self-sacrifice, portraying the Christ-

¹⁵ Ibid., 34-36.

like Prince Lazar who chooses the kingdom of heaven over the earth one and willingly martyrs himself on the Kosovo plain.¹⁶ Abraham nearly sacrificed his son Isaac with his adekah knife to fulfill God's wish, until an angel interrupted and stopped him at the last moment. In this context, Prince Lazar is both Abraham and Isaac and without any interruption sacrifices himself so that the Serbian nation will survive. From the Serbian perspective, Kosovo is perceived as the foundation of Serbian identity and culture, the cradle of Serbian civilization lost from the Ottomans at the end of the 14th century. In the late 20th century, the ethnic Albanians of Kosovo were viewed as aggressive interlopers in an area that historically belonged to Serbs by ancestral heritage. Even today, nationalism and Orthodoxy remains deeply intertwined in Serbia.

Serbia faced off with the Ottomans in the 19th century and the Austrians in the World War I. It stood alone against Hitler in the World War II, as well as Stalin at the end of 1950s. A combination of mythologized nationalism, eastern Orthodoxy and victimization, constructed a strong cultural belief in Serbia. Many Serbs viewed their country as a victim of history, a perspective which created a heroic and xenophobic position of their place in the world. The Serbs failed to understand that they were the victims of themselves, victims of their own nationalist beliefs.¹⁷

¹⁶ Alexander Greenwalt, "Kosovo Myths: Karadzic, Njegos and the Transformation of Serb Memory" *Pace Law Faculty Publications* (March 2001), p. 49.

¹⁷ Natasa Kandic, "Letter to War Resisters," *War Resister's International*, May 12, 1999, <https://www.wri-irg.org/en/archive/xyu/en/kandic.htm> (accessed November 01, 2017).



Figure 1: Map of the Treaty of Berlin, 1878.

Source: Map from An Historical Atlas by Robert H. Labberton, E. Elaxton and Co., 1884.

At the congress of Berlin in 1878, because of a weakened Ottoman Empire, the Albanian lands were allocated to Serbia and the latter was recognized as an independent country. In 1912—the year Albania declared independence—Greece invaded Southern Albania, Montenegro invaded the North, whereas Serbia occupied Kosovo. In this period, enormous atrocities were committed against the Albanian population. The goal was to establish a pure ethnic state without the presence of minorities. A Danish journalist reported from Prizren, Kosovo, “The city seems like the Kingdom of Death. They knock on the doors of the Albanian houses, take away the men and shoot them immediately.”¹⁸ US Secretary of State Robert Lansing wrote to the British Secretary of State for Foreign

¹⁸ Noel Malcolm, *Kosovo, A Short History* (London: Macmillan Press, 1998), p. 254.

Relations Lord Balfour on 18 April 1919 “Gusinje, Plava, Ipek (Peja), Gjakove, Podjour and Roshji have been scenes of terrorism and murder by Serbian troops and Serbian agents, whose policy appears to be the extermination of the Albanian inhabitants of the region.”¹⁹ Leon Trotsky, a leading figure of the Russian revolution, was sent as a war correspondent to cover the Balkan Wars. In his report, Trotsky tells a shocking story of drunken Serbian soldiers torturing two young Albanians,

“Four soldiers held their bayonets in readiness and in their midst stood two young Albanians with their white felt caps (i.e. Plis) on their heads. A drunken sergeant was holding a dagger in one hand and a bottle of cognac in the other. The sergeant ordered: ‘On your knees!’ (The petrified Albanians fell to their knees. ‘To your feet!’ They stood up. This was repeated several times. Then the sergeant, threatening and cursing, put the dagger to the necks and chests of his victims and forced them to drink some cognac and then... he kissed them... Drunk with power, cognac and blood, he was having fun, playing with them as a cat would with mice. The same gestures and the same psychology behind them. The other three soldiers, who were not drunk, stood by and took care that the Albanians did not escape or try to resist, so that the sergeant could enjoy his moment of rapture. ‘They’re Albanians,’ said one of the soldiers to me dispassionately. ‘Hell, soon put them out of their misery.’”²⁰

In order to investigate the crimes, the Carnegie Endowment for International Peace formed a special commission which was deployed in 1913. The commission concluded that “houses and whole villages reduced to ashes, unarmed and innocent populations massacred en masse, incredible acts of violence, pillage and brutality of every kind – such were the means which were employed and are still being employed by

¹⁹ U.S. Foreign Relations. Paris Peace Conference, 1919, Vol. 12, PPC 184.018/3.

²⁰ Robert Elsie, “1912 Leo Trotsky: Behind the Curtains of the Balkan Wars,” *Albanianhistory*, first published in: *Kievskaya Mysl*, Kiev, No. 355, 23 December 1912. Printed in *Balkany i balkanskaya vojna*, in *Leo Trotsky, Sočinenia*, vol. 6 (Moscow and Leningrad 1926), reprinted in German in *Leo Trotzki, Die Balkankriege 1912-13* (Essen: Arbeiterpresse 1996), p. 297-303, translated by Robert Elsie, www.albanianhistory.net/1912_Trotsky/index.html (accessed December 12, 2017).

the Serbo-Montenegrin soldiery, with a view to the entire transformation of the ethnic character of regions inhabited exclusively by Albanians.”²¹ However, the Serb colonization successfully managed to change Kosovo’s ethnography. Around 70,000 Serbs were settled in Kosovo between 1919 and 1928, representing 24 percent of the population in 1919. A decade later – in 1928 – Serb population consisted of 38 percent.²² Fearing a big Serbian territory expansion, the European powers prevented its extension to the sea. They recognized the independent state of Albania, but Kosovo was left under the mercy of Serbia. The Serbian monarchy violated the clauses established by the League of Nations which called for the respect and protection of minorities. In Kosovo, the Albanian language was suppressed and the Serbian language was imposed on them. The regime supported Serbs colonialists with grants to settle in Kosovo in order to increase the Serbian population and influence in Kosovo. Moreover, land ownership documents were not issued to Kosovo Albanians to manipulate their capital, make their life hard to live, pushing them to migrate out of Kosovo.

The Treaty of Versailles (1918) established the Kingdom of Serbs, Croats and Slovenes comprised of roughly twelve million people.²³ This was not a happy union for everyone. The collapse of the Austro-Hungarian Empire and the threat from Italy on the west, left Croats and Slovenians with no other choice but to join the South Slav union (i.e. Kingdom of Yugoslavia or Jugoslavia) under the leadership of Serbia’s Karadjordje dynasty – who previously ruled the Kingdom of Serbia.²⁴ The very foundation of the kingdom was built on distrust and suspicion. The Croats and the Slovenes were aware that the union was not a movement towards federalization, but a centralized authority dominated by Serbs. Moreover, Albanians in Kosovo – being the only non-Slavic

²¹ Report on the Serbian Invasion of Kosovo during the First Balkan War 1914, *International Commission to Inquire into the Causes and Conduct of the Balkan Wars*; Carnegie Endowment for International Peace. Division of Intercourse and Education, <https://archive.org/details/reportofinternat00inteuoft>. (accessed October 2, 2017).

²² Noel Malcolm, *Kosovo, A Short History* (London: Macmillan Press, 1998), p. 282.

²³ Halford Mackinder, *Democratic Ideals and Reality: A study in the Politics of Reconstruction* (New York: Henry Holt and Company, 1919), p. 202.

²⁴ Mark Mazower, *The Balkans, A short History* (New York: The Modern Library, 2000), p. 110.

ethnicity in the kingdom – were not recognized, their culture was denied and systemic violence and discrimination against them was widespread for decades.

The Kingdom of Yugoslavia lasted until 1941 when it was invaded by Nazi forces. During the partition, Croats sided with the Nazis, establishing the fascist Independent State of Croatia (NDH) including present day Croatia, Bosnia and Herzegovina and parts of Belgrade. Having Nazi support, the Croatian Ustashe – an ultranationalist and terrorist organization – committed enormous atrocities, murdering Serbs, Jews and Roma. The mass killings committed by the Ustashe would make reconciliation a very hard task to achieve after the war. After Allied victory in the World War II, Yugoslavia was re-established, this time however, as a republic. The victory of communist partisan forces resulted in the abolition of the monarchy, establishing a one-party state by the League of Communists of Yugoslavia. In 1963, the nation changed its name to the Socialist Federal Republic of Yugoslavia consisting of six republics: Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia; and two autonomous regions: Kosovo and Vojvodina.



Figure 2: Map of the Socialist Federal Republic of Yugoslavia, 1991.

Source: What is the former Yugoslavia? United Nations, International Criminal Tribunal for the Former Yugoslavia.

The new Yugoslavia fulfilled the aspirations of South Slavic intellectuals, but to create that state was necessary to cross the fault line of European history and conflicts, which divided the Western and the Eastern Roman empires, the Catholic and the Orthodox religions, the Latin and the Cyrillic scripts—a fault line running roughly between Croatia and Serbia, which had never in their complex histories belonged to the same political unit. The bill for this came due after 1941, in a murderous civil war which started all over again in 1991.²⁵ Yugoslavia, since the very beginning of its creation was

²⁵ Henry Kissinger, *World Order* (New York: Penguin books, 2014), pp. 240-41.

doomed to fail, because it was built on distrust and fear. Only Serbs fought for Yugoslavia, Yugoslavia was a Serbian delusion.²⁶ The rest never felt they belonged in the union. When the opportunity came, all ethnic groups wrestled for the creation of their nation-state.

As for the ethnic Albanians, particularly in Kosovo, they were heavily discriminated and used by foreign powers as they pleased. There was probably no national minority in Europe and beyond with a less favorable geopolitical locus. As Christopher Hitchens wrote in 1999, “all through the decades of anti-fascism, anti-Stalinism, anti-colonialism and the battle for self-determination, in which so many intellectuals either distinguished or disgraced themselves, there was probably no cause with fewer friends than that of Kosovar Albanians.”²⁷ A good analogy would be to perceive Kosovo as the Ireland of the Balkans. Being invaded and tyrannized for centuries, Kosovo has always maintained its culture, language and identity. Similarly, Ireland was occupied and fought over by England dozen times; yet, the Irish identity survived.

THE INDISPENSABLE NATION

“Foreign policy is not architecture. In architecture, you make a plan down to the last nut, the last bolt, the last stress beam and then you build the thing. Foreign policy, in my view, is more like jazz, it is an improvisation on a theme and you change as you go along.”

— Richard C. Holbrooke, 1998²⁸

The outcome of World War II seated a new world order, based on the preponderance of the United States. Horrifying events in the first part of the 20th century forced a fundamental reassessment of the role of US role. As Zbigniew Brzezinski wrote,

²⁶ Vesna Pasic, “Serbian Nationalism and the Origins of the Yugoslav Crisis,” *United States Institute for Peace*, no. 8 (1996), p. 18-19.

²⁷ Denis MacShane, *Why Kosovo Still Matters* (London: Haus Publishing, 2011), p. 11.

²⁸ U.S. Department of State Archive. Ambassador Richard Holbrooke, Special Envoy, and Ambassador William Walker, Director of the OSCE Kosovo Verification Mission On the record briefing released by the Office of the Spokesman, Washington, DC, October 28, 1998.

“a combination of the traditional Protestant ethic, of strong American patriotism, of a blend of manifest destiny with Wilsonian universalism of Keynesian economic neoliberalism, all strongly conditioned by the failure of the 1930s to shape a system of collective security” helped define American values.²⁹ Grand strategy is what a country does to advance its national security.³⁰ Only the US has the capacity and will to build a global order with freedom, prosperity and democracy.

After the dehumanizing brutality of both World Wars, the Western world underwent a process of reconstruction. The US was determined to transform Europe’s collapsed economies into a stable and working democracy accompanied by well-established institutions and an efficient economy. Institutions, as usually defined, are norms, rules and mutual expectations that structure behavior in a given setting.³¹ President Truman’s administration wanted to make sure that Germany would never threaten Europe again. Another crucial element was that without economic assistance, a divided Germany was at risk of falling under Soviet control. These events created a favorable environment instituting the Marshall Plan. The program transferred \$13 billion (around \$130 billion in current value) in aid from the US to Western Europe in the years from 1948 to 1951.³²

Economic conditions in Europe eased the implementation of the Marshall Plan.³³ The US aimed to gain and maintain a geostrategic partnership in Europe and to rebuild the European economy. The US sent material goods to Europe that were of greater value than those received. The US gained influence—according to Klaus Knorr “patronal leadership”—which we have referred to as hegemony.³⁴ Providing huge resources to Europe, Germany in particular and increased European cooperation and trade relations

²⁹ Zbigniew Brzezinski, “America in a Hostile World,” *Foreign Policy* 23 (Summer 1976): 83.

³⁰ Richard N. Haas, *Foreign Policy begins at Home: The case for putting America’s house in Order* (New York: Basic Books, 2014), introduction.

³¹ Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984).

³² J. Bradford De long and Berry Eichengreen, “Marshall Plan: History’s Most Successful Structural Adjustment Program,” *National Bureau of Economic Research*, no. 3899 (1991).

³³ According to Revisionists, the Marshall Plan of aid to Europe was simply a way to expand the U.S. economy.

³⁴ Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984), p. 146.

across the Atlantic. Most importantly, the economic prosperity led by the coal and steel industries between France and Germany, helped shape the foundations of the European Union (EU). Acknowledging the danger coming from the USSR and communist ideology, Truman together with its allies established the North Atlantic Alliance, today known as the North Atlantic Treaty Organization. Such decisions helped shaped the socio-political atmosphere of Europe. NATO successfully managed to contain Soviet aggression and played a critical impact on regional stability and security in former Yugoslavia.

The Marshall Plan brought stability and economic growth in both Europe and the US and it turned out to be one of the most successful programs of recent history. The US had a profound influence on the economic stability of Europe; ergo, it became the producer of security of the post-World War II and post-Cold War eras. The US reconstruction of Germany provides important lessons on how societies can be encouraged to change into democracies and become more cooperative. The most remarkable aspect of the Marshall Plan is that the US gave up its usual demands for reciprocity – Marshall Plan aid consisted of grants, not loans.³⁵

The post-World War II years showed the vision needed to keep America deeply engaged in the world and Europe peaceful.³⁶ This engagement came at a cost, a state of political hostility between the US and the USSR, characterized by an arms race, threats and propaganda. The Cold War split Europe in half – the East and the West – and the demarcation line was the Berlin Wall. The fall of empires in the beginning of the 20th century followed by the Russian revolution and World War II, established a clash between ideologies: democracy (West) and communism (East). Fundamental political differences created ideologies that were extremely polarized. Bipolarity between the US and the USSR produced a rigid and difficult structure in world affairs. The US followed the policy of “containment” to prevent the spread of communism, a policy which proved successful worldwide, but failed in some places such as Vietnam, Cuba and Korea.

³⁵ Ibid., 146.

³⁶ Simon Serfaty, “The Folly of Forgetting the West,” *Hoover Institution*, August 2012.

For 45 years, the West lived in fear of the day that the Red Army would march across the Elbe river. But by 1990, this army was moving in the opposite direction.³⁷ Communism failed to provide incentives for workers and citizens to work hard and be productive. The absence of markets and inefficiencies in production halted the progress. In addition, huge military expenditure living in a repressive environment under dictatorship created obstacles to living a normal life. The USSR simply collapsed as a consequence of internal contradictions.

The breakdown of the USSR produced one of the greatest changes in world politics since World War II. The international system adjusted from bipolarity to unipolarity and the US emerged as the sole surviving superpower. The decline of the Soviet deterrent created the incentives to exercise the “unipolar moment.” America’s superior military, strong economy, well-established institutions and technological advancement confirmed that the US was the only country capable of acting decisively in world affairs.³⁸ US foreign policy proceeded a transformative change and coherent involvement in world affairs by means and responsibilities to other nations aiming the general well-being of the world.

The end of the Cold War produced new problems and opportunities for major powers. One of the problems was increase of failing states, the opportunity was to gain influence for geopolitical reasons. For instance, Yugoslavia is regarded as one of the most important geo-strategic regions. The Balkans has been a fight for dominance between the US and the Soviets, but after the end of Cold War, Russia lost its geopolitical capacity. The US has shown remarkable patience during the Cold War but did a poor job managing the post-Cold War. The Western model of liberal democracy became the model of governance for former Yugoslavia and for most post-communist countries in Europe. Similar to every European nation, Russia desperately needed a massive support with capital investments, liberal education reform and high technology skills, but President

³⁷ Stephen E. Ambrose and Douglas G. Brinkley, *Rise to Globalism: American Foreign Policy since 1938*, 9th ed. (New York: Penguin books, 2011), pp. 370-75.

³⁸ Charles Krauthammer, “The Unipolar Moment Revisited,” *The National Interest*, no. 70 (Winter 2002/03): 5-17; Simon Serfaty, “Moving into a Post-Western World,” *The Washington Quarterly* 34, no. 3 (Spring 2011): 7-23.

George W. H. Bush only wanted to prevent them from starvation. Bush complacency produced the modern Carthaginian Peace.³⁹ This indisposition created a quagmire. The Russians faced many obstacles and even today they haven't fully recovered from the Soviet wounds. Post-Soviet Russia had an opportunity to reinvent itself, but America failed to provide its support for democratic reforms and economic growth and bring Russia to the Western liberal order. Thus, American-Russian relations has yet to be determined.

The US presence enforced a general peace and stability in Europe. A region that had known constant great power conflict and was influenced by nationalist demons. The US decision to stay in the old continent created the incentives of a long-term stability. Landmark decisions and events such as: the financial and military aid to Greece and Turkey; the Marshall Plan to rebuild the west; the establishment of the United Nations (UN) and the European Union to ensure stability; the formation of North Atlantic Alliance to provide security, established the so-called "institutional order" which triggered a transformation of international relations. Consequently, the US helped rebuild Europe, contained the Soviets, toppled communism and liberated Eastern Europe. Most importantly, it created the conditions for prosperity and cooperation among nations and the pathway to influence world affairs.

The US is the first major power that is truly universal due to its range of interests, including an unprecedented belief and commitment to its values as well as extensive emulation of its institutions.⁴⁰ In order to qualify as a major power, a state must score well on certain criteria: size of population and territory; resource endowment; economic capabilities; military strength; and competence⁴¹ (Joseph Nye would add soft-power to the equation⁴²). Such features are not cumulative, if one of them is missing there is an

³⁹ A Carthaginian Peace is the obligation of a very brutal "peace" attained by completely crushing the enemy. The term derives from the peace imposed on Carthage by the Roman Empire.

⁴⁰ Simon Serfaty, *The Vital Partnership: Power and Order, America and Europe beyond Iraq* (Maryland: Rowman and Littlefield, 2005), p. 25.

⁴¹ Kenneth Waltz, *Theory of International Relations* (Illinois: Waveland Press, 1979), p. 131.

⁴² Quoted in Joseph S. Nye, *Soft Power*, "75% of the French and 63% of the German public supported the use of military force to free Kuwait before the Gulf War. Similarly, both countries were active participants in NATO's use of

absence of major power. The US is one of the most populated and largest countries in the world; however, when it comes to resources, economy, military and competence, the US is the paragon of the world. Never in modern international history has a leading state been so dominant economically and militarily. The US combination of quantitative and qualitative material advantages is unprecedented and it translates into a unique geopolitical position.⁴³

The US ability to play its new role in world affairs created some remarkable advantages, putting the US in a historically unique position. The American post-World War II strategy would be solely focused on the promotion of a Wilsonian world order based on the spread of liberal democracy. As Dean Acheson explained, Americans had to learn to “operate in a pattern of responsibility which is greater than their own interests.”⁴⁴ Consequently, the postwar strategy aimed at preventing a general collapse of world order focusing on open and free international economy, institution building and promoting democracy. This strategy requires enormous energy and a wide set of responsibilities in order to respond effectively to international crises and conflicts. Committed to these responsibilities, the US has to be vigilant and ready to act with diplomacy or force in the world.

The post-Cold war has been turbulent. It began with the Iraqi invasion of Kuwait, followed by civil wars in Somalia, Rwanda and Yugoslavia, to nine-eleven attacks. The Gulf crisis (1990-91) and the Yugoslavian crisis (1990-99) were the biggest post-Cold War crises. They were critical for world’s stability and economy. This time America was richer and more powerful and consequently had more say in managing both conflicts. The Persian Gulf and Yugoslavia allowed President George H. W. Bush to project a new foreign policy and beyond that a new world order. His policy was clear, punish the aggression in order to establish the new world order. A world order describes the concept

military force against Serbia in the 1999 Kosovo War, despite the absence of a formal UN Security Council resolution.” p. 145.

⁴³ William C. Wohlforth, “The Stability of a Unipolar World,” *International Security* 24, no. 1 (Summer 1999): 13-17.

⁴⁴ Robert Kagan, “Superpowers Don’t Get to Retire: What our Tired Country Still Owes the World,” *New Republic*, May 26, 2014.

held by a region or civilization and the distribution of power applicable to the entire world.⁴⁵ America was involved heavily in world affairs and its foreign policy was not always successful and as such it suffered significant deterioration. However, any nation's foreign policy is bound to fail more often than it is to succeed. The attempt to influence the behavior of people even in the domestic setting is difficult enough. To influence other nations without defeating them is the most difficult of all human tasks.⁴⁶

History shows that the US has had strong propensity to become involved in wars and conflicts. "War is understood as a major armed conflict in which the US has committed forces against a sovereign enemy for the purpose of defeating it."⁴⁷ The post-Cold War period was characterized with global military interventions and a bigger involvement of the US. The military campaigns in "Iraq, Somalia, Bosnia and Herzegovina, Haiti, Kosovo, Libya and so on – account for three percent of the casualties and ten percent of the costs."⁴⁸ In Kosovo, NATO campaign suffered only two fatalities throughout the operation and they did not die in direct combat, but during the training missions in Albania. Kosovo also ranked sixth in relative monetary contribution. As Steven Pinker observes in his book *The Better Angels of our Future*, the number of deaths from war, ethnic conflict and military coups has declined enormously since 1945 and concludes that people has become "socialized" to prefer peace and nonviolence.⁴⁹ Although, wars are becoming less frequent, they are becoming more dangerous. The persistence of arms race, the dangers of nuclear and conventional weapons proliferation

⁴⁵ Henry Kissinger, *World Order* (New York: Penguin books, 2014), p. 9.

⁴⁶ Ibid.

⁴⁷ John L. Harper, "Anatomy of a Habit: America's Unnecessary Wars," *The International Institute for Strategic Studies* 47, no. 2 (Summer 2005): 57-86.

⁴⁸ Casualties as of 2010 calculated from Hannah Fischer, *U.S. Military Casualty Statistics: Operation New Dawn, Operation Iraqi Freedom and Operation Enduring Freedom* (Washington, D.C.: Congressional Research Service [CRS], 2010). Costs are actual budget outlays (not estimated total cost) as of 2011, calculated from Stephen Daggett, *Costs of Major U.S. Wars* (Washington, D.C.: CRS, June 2010); Jeremiah Gertler, *Operation Odyssey Dawn (Libya): Background and Issues for Congress* (Washington, D.C.: CRS, March 2011); and Nina M. Serafino, *Military Contingency Funding for Bosnia, Southwest Asia and Other Operations: Questions and Answers* (Washington, D.C.: CRS, 1999), <http://stuff.mit.edu/afs/sipb/contrib/wikileaks-crs/wikileaks-crs-reports/98-823.pdf>.

⁴⁹ See, Steven Pinker, *The Better Angels of Our Future: Why Violence Has Declined* (New York: Penguin books, 2001).

and the absence of safeguards to prevent future conflicts has made the world a dangerous place to live in.⁵⁰

According to Robert Cooper—year 1989—the fall of the Berlin wall and the collapse of the Soviet Union bases the liberal order on the expectations of peaceful change, creating a hub of communities between states.⁵¹ For Europe, post-Cold War was a peaceful time; however, the old demons of ethnic divisions and nationalism that resurfaced as the Balkans deteriorated into ethnic and civil conflict, challenged Europe's peaceful atmosphere. After the Cold War, Yugoslavia imploded. The Europeans tried to manage the situation on their own, but they could not. The US proved it was the indispensable nation for a region that had spent a history of pain, that culminates with the US decision to intervene in Kosovo in the aftermath of a European failure in Bosnia.

BALKANIZATION OF THE BALKANS

"The only truth in the Yugoslav war is the lie."

— Misha Glenny, 1992⁵²

Since the very establishment of Yugoslavia, two distinct nationalist policies have struggled for primacy regarding Yugoslavia's political future: Croatian separatism or Serbian centralism. Ethnocentric and national ideology proved difficult in forming a unitary Yugoslav state. Bosnia and Herzegovina posed the biggest challenge, because both Serbs and Croats lived there in large numbers and both of them had historical territorial claims.⁵³ Under the leadership of Marshall Josip Broz Tito—a Croat and the first president of Yugoslavia—Yugoslavia became a founding member of the non-aligned movement, known as the doctrine of 'positive neutralism' (Bandung Conference 1955), pursuing a non-aligned policy and maintaining good relations with both the East and

⁵⁰ John Lewis Gaddis, "International Relations Theory and the End of Cold War," *International Security* 17, no.3 (Winter 1992/93): 5-58.

⁵¹ Robert Cooper, "The Post-Modern State and the World Order," *Paper Demos*, January 2000.

⁵² Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War*, 3rd ed. (New York: Penguin books, 1996), p. 21.

⁵³ Vesna Pasic, "Serbian Nationalism and the Origins of the Yugoslav Crisis," *United States Institute for Peace*, no.8, (1996), introduction.

West. Non-alignment is not the same as neutrality. Non-alignment basically means being part of world affairs by picking sides depending on your national interest. Neutrality however, works only for small states such as Switzerland and Austria, countries that do not have a big impact in the world's political stage. Although authoritarian in his regime, Tito under the motto "brotherhood and unity" managed to maintain the coexistence of the citizens in Yugoslavia. Yugoslavia was a socialist in content but national in form. Tito wanted to confer a sense of statehood under Yugoslav identity. There have always been ethnic tensions, but Tito kept it under control and suppressed nationalism.

The aftermath of World War II was a tragic period for ethnic Albanians. Yugoslav communists initiated movements to suppress Albanian nationalism, which they saw as a direct threat to Yugoslavia. The Kosovo communist government became the proxy for Belgrade. Furthermore, by challenging Stalin's authority, Tito started getting closer to the West. In return, the US turned a blind eye as Tito's regime executed Albanians accused of collaborating with Germany and Italy.⁵⁴ A century of separation had created two different Albanian realities—one in Communist Albania and the other in Kosovo Yugoslavia. Kosovo Albanians demanded freedom and rights, specifically they demanded to be given the full status of a republic, within Yugoslavia. In 1974, the Yugoslav constitution gave Kosovo and Vojvodina (Northern Serbia, populated significantly by ethnic Hungarians) several prerogatives as the six republics, except the right to secede. Even though the term republic was not mentioned, Kosovo had all the functions of a republic and held the right of veto at the federal level, except one.⁵⁵ According to the constitution of Yugoslavia, only the republics had the right to self-determination, including the right to secede. Thus, the distinction was very important. These developments created political tensions. Serbs opposed the new constitution arguing that the new amendments divided Serbia into three parts. They saw the constitution as an anti-Serbian attempt to undercut their influence and power in the

⁵⁴ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), p. 13.

⁵⁵ *Ibid.*, 14.

meantime strengthen Yugoslavia at the expense of Serbia. When Tito died, political tensions arose and economic performance declined. In 1981, ethnic Albanians of Kosovo began protesting requiring for a republic status within Yugoslavia. This time thousands of students mobilized demanding freedom. Protests spread all over the country. The metal workers of Trepca mines in Mitrovica joined the protest. Adem Demaci – a notable Albanian activist and a freedom fighter – became the symbol of protest, often described as the “Mandela of Balkans” having spent 28 years in Yugoslav prison. The Yugoslav police responded with violence and hundreds of people were imprisoned. The death of President Tito in 1980 is largely viewed as the beginning of the Yugoslav collapse.

Serb hard-liner’s main interpretation of the “Serbian tragedy” in Kosovo was that ethnic Albanians had gained control through Yugoslavia’s 1974 constitution and that the only way to stop the “ethnic cleansing” of Serbs in Kosovo was to reinstate Serbian domination there. In the ambiguity surrounding the “Kosovo problem,” hard-liners organized a putsch in Serbia’s Communist party in 1987, bringing the most conservative elements into the party’s leadership positions.⁵⁶ Kosovo Serbs complained of “cultural genocide” accusing Albanians of murder, rape, desecration of burial grounds and holy sites. When a Serb nationalist Slobodan Milosevic came to power in 1989, Kosovo Albanians demand for a republic status was out of the question. Milosevic initiated draconian measures under the “anti-bureaucratic revolution” conveying more power and control for himself. Slovenia and Croatia called for more autonomy for individual republics, whereas Serbia for more unity and centralization.

Kosovo was the epicenter of Milosevic’s political platform. He saw a potential in grasping nationalism to put himself in power. Kosovo was the strategic center to restore Serbia’s pride and glory and to engineer Milosevic’s rise to power. In April 1987, Milosevic was sent to Kosovo by Ivan Stambolic, the President of Serbia, to listen to the complaints of Kosovo Serbs, a period when ethnic tensions were high. Thousands of Serbs gathered in his rally chanting his name. A fight ensued when local police comprised

⁵⁶ Vesna Pasic, “Serbian Nationalism and the Origins of the Yugoslav Crisis,” *United States Institute for Peace*, no. 8 (1996), introduction.

of Kosovo Albanians tried to disperse the crowd. The incident was staged, Milosevic had already been in Kosovo days before to set up the event.⁵⁷ Milosevic responded: “they will never do this to you again. No one will ever have the right to beat you.”⁵⁸ In an attempt to topple his mentor, Ivan Stambolic, he exploited the strong anti-Albanian sentiment among Kosovo Serbs by making Kosovo his top priority political agenda. As such, he discredited the reputation of Stambolic. Milosevic’s political tactic to call for “justice” for the Serb minority in Kosovo, left other republics with only two alternatives: accept Serbian unitarian dominance or respond through nationalism and self-determination. In reality, Kosovo Serbs were the victims of their perception of Albanians as terrorists, prolonged by Milosevic’s regime as an instrument to justify his repressive actions.

The truth is that Serbs living in Bosnia and Herzegovina and Croatia did not really had great sympathy for the Serbs in Kosovo.⁵⁹ So, why did Milosevic’s rhetoric on Kosovo proved successful? Through invoking Serbian ancient obsession with Kosovo, Milosevic was able to send a strong signal and gain significant sympathy among Serb nationalists. Kosovo attracted religious leaders as well and in Serbia religion and nationalism go hand in hand. When ethnic Serbs protested in various regions, asking for “justice” and “human rights” they waved the Serbian flag and Orthodox iconographies. For many Serbs, Milosevic was the reincarnation of Prince Lazar and the only leader who would unite all Serbs under one nation. If Prince Lazar chose the kingdom of heaven, Milosevic chose the kingdom of earth. His “Prince Lazar” appearance was the apotheosis of his career.

Milosevic’s political agenda was a combination of nationalism, religion and intimidation. He paid people to organize and participate in protests around the country and intimidate non-Serb peoples of Yugoslavia in order to implant the idea that Serb citizens were at large being discriminated against.⁶⁰ The protests reached its apex in June 1989 in Gazimestan (East Kosovo) to celebrate the 600th anniversary of the Battle of Kosovo, otherwise known as “Vidovdan,” Serbia’s most important national holiday.

⁵⁷ Tim Judah, *Kosovo: What Everyone Needs to Know* (New York: Oxford University Press, 2008), p.65.

⁵⁸ Robert D. Kaplan, *Balkan Ghosts: A Journey Through History* (New York: Picador, 2005), p. 39.

⁵⁹ Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War*, 3rd ed. (New York: Penguin books, 1996), p. 33.

⁶⁰ *Ibid.*, 33-34.

During his speech, Milosevic stated, “look with what ease I can mobilize over one million Serbs.”⁶¹ Because Vidovdan was an official state holiday, prominent Yugoslav leaders attended the celebration. Milosevic said those words in front of Slovene Janez Drnovsek, the state President and the Croat Ante Markovic, the Prime Minister. From this moment, Milosevic unleashed the virus of ethno-nationalism that would bring only one outcome, the death of a nation and Serbia’s disgrace. The end of Yugoslavia began in Kosovo.

Milosevic began to reassert Serb control in Kosovo and Vojvodina. In 1989, Kosovo’s autonomy was abolished and martial law was declared. The Serbian assembly also amended the constitution of Serbia, removing the word “Socialist” from the official title and established a multi-party system. Further, they removed the independence of institutions of the autonomous provinces such as Kosovo and renamed Kosovo as the Autonomous Province of Kosovo and Metohija.” Metohija was added to preserve the nationalism in Serbia. During the fall of the Serbian Empire, the Brankovic family held parts of the region of “Metohija” (Western Kosovo), a term which in Serbian means “monastic estates.” However, Kosovo was not abolished as a province. Having full control on four members (Serbia, Montenegro, Vojvodina and Kosovo), Milosevic needed just one more in order to be the ruler of Yugoslavia. These decisions created a chain of cataclysmic events. A wave of ethnic discrimination and systematic violence went underway. The regime intensified its repression of the Albanian population in Kosovo, including depriving their most fundamental basic rights, destroying their educational system and high numbers of political dismissals of civil servants.⁶² It became clear to other republics that Milosevic was not interested in fighting for Yugoslavia, but rather for a greater Serbia that would allow all ethnic Serbs to live in one nation. It was obvious that Yugoslav days were counted and it was too late to save it. Yugoslavia became a vehicle for Serbian dominance which in turn stimulated national opposition from other ethnic groups.

⁶¹ Ibid., 35

⁶² John Reed, “Milosevic Has a Trump Card in Kosovo: Economic Reform,” *Wall Street Journal*, June 30, 1999, <https://www.wsj.com/articles/SB930698502329014496>.

The former Yugoslavia had disintegrated into four ethnic groups fighting for domination: Croats, Serbs, Bosniaks and Albanians. Croats are majority Roman Catholic, Serbs Christian Orthodox together with Montenegrins and Macedonians, Bosniaks are Muslims, whereas Albanians belong to the three religions. Although this was not a religious war, religion was one of the main factors used to distinguish these communities in terms of their culture. An exception can be made for the Albanians who belong to the three above-mentioned religious affiliations. An Albanian Catholic writer and Ottoman Governor of Lebanon, Pashko Vasa wrote in the 19th century, “the religion of Albanians is Albanianism.”⁶³ In Albanian, this phrase quoted to interpret the secular identity of Albanians. On the other hand, the core identity of Serbian identity lies in the Serbian Orthodox Church. To be a Croat means having a Catholic background. The Bosniak identity is solely framed by the Muslim identity. All ethnicities speak relatively the same language, the main difference is that Croats and Bosniaks use the Latin alphabet whereas Serbs the Cyrillic one. Only Albanians speak a non-Slavic language.

During the 14th Congress of the League of Communists of Yugoslavia, the Slovenes and Croats attempted “save Yugoslavia” by delegating more power to the six republics, calling for more decentralization. Their motions were continuously rejected, because Milosevic did not want to accept the transformation of Yugoslavia in sovereign states and weaken his position. The Croatian and Slovenian delegation then left the Congress, which came out to be the last one. After the failed attempt to reach a consensus, the six republics adopted a multi-party system, where nationalists won overwhelmingly. In Croatia, Franjo Tudjman introduced constitutional changes pushing for independence. Milosevic publicly stated that Croatia can go, but not the territories where Serbs live. For Croats this was unacceptable. Tudjman and Milosevic could have avoided the war in the Balkans, if and only if, Tudjman was more willing to negotiate with Serb minority in Croatia and Milosevic showed incentives to decentralize the federation. Milosevic wanted to keep both, centralization and federalism, but that was not possible.

⁶³ A poem written by Pashko Vasa written in 1878, titled, “Oh Albania, Poor Albania.”

Political tensions between Serbs and Croats intensified. The international community shifted attention away from Kosovo. Local Serbs protested immensely Tudjman's constitutional changes. The Serb boycott in Croatia escalated into an insurgence in majority Serb populated areas, mostly around Knin. The conflict between Zagreb and Knin provoked the war. In the next couple of days, ethnic tensions and propaganda rose enormously. On May 1991, the first armed clashes between Croatian police and Serb paramilitaries occurred and an independence referendum was held, which was boycotted by Croatian Serbs. Both Croatia and Slovenia declared independence on the same day, 25 June 1991. This sparked a military conflict in Slovenia which came to be known as the "Ten Day War." The EU rushed to call representatives of Slovenia, Croatia and Serbia at the bargaining table and stop the war. Yugoslav state effectively capitulated to Slovenia by signing the Brioni Accord.⁶⁴ The agreement acknowledged Slovenian liberation, stipulated the withdrawal of all Yugoslav army units and brought an end to the conflict in Slovenia. Croatia was part of the negotiations, but the Croatian issue was left entirely open. Milosevic failed to understand that it was hard to justify a war in Croatia in the name of Yugoslavia once Slovenia was not part of it.

The Yugoslav army – under the directives of Milosevic – sent tanks and armored vehicles to fight Slovenia; however, they never made it as the agreement was signed and because Milosevic's interest was Croatia, where he was determined to "save and protect" more than half million of Serbs living there. The outcome was a brutal inter-ethnic conflict which started in Croatia and followed in Bosnia and Herzegovina producing fatal consequences. The conflict between Croats and Serbs pushed Bosnia into the abyss. Both Croats and Serbs wanted to divide Bosnia in ethnic lines, without taking into consideration more than 40 percent of the Bosniaks living there. Bosniaks were imprisoned, tortured, raped and murdered. Serb forces built concentration camps where Bosniaks were imprisoned in – scenes comparable to World War II. Images of devastated Bosniaks circulated around the world. The process of the breakup of Yugoslavia gave a

⁶⁴ Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War*, 3rd ed. (New York: Penguin books, 1996), p. 98.

new meaning to the old notion of Balkanization. Bosnia and Herzegovina was probably the only republic that reflected the true identity of Yugoslavia, consisting of a heterogenous society, communal life and home of three religions.

In Serbia, Milosevic had to cross one more challenge to fully consolidate his power. Milan Panic the Prime Minister of Yugoslavia decided to run for President of Serbia in 1992 against Milosevic. Panic was the opposite of Milosevic, he campaigned for democracy and peace. He was the first American citizen to occupy a high-level political position in a foreign country since Golda Meir. In order to win against Panic, Milosevic mobilized his nationalist base and used the media to portray Panic as a Western puppet and an unscrupulous opportunist. Moreover, the U.S. statements to prosecute war criminals including Radovan Karadzic and Ratko Mladic designed Milosevic's election victory. Panic gained only 34 percent against Milosevic, even though according to some estimates, five percent to ten percent of the election results were rigged.⁶⁵ Milosevic's conspiracy proved effective and the US helped shape his conspiracy story. Had the US showed public support for Panic and not focus on Serbian generals, the outcome might have been different, or at least made the elections a narrow margin victory for Milosevic. Still, the outcome was an impressive result that reiterated the widespread opposition against Milosevic.

Although the collapse of Communist Party rule in Eastern Europe had full American support, President Bush took a different stance on Yugoslavia. The Bush administration went so far as to criticize those who were challenging the old order. Visiting Belgrade in June 1991, Secretary Baker warned separatist leaders that Washington was not on their side.⁶⁶ This was perceived by Milosevic as a green light to oppose separatist movements. The UN ordered sanctions against Serbia, but without an American commitment to the use of force the UN was incapable of pressuring Serbia to prevent the violence. Sanctions did not have a desired impact. Instead, "they had strengthened Milosevic's position, further weakened the Serbian opposition and made

⁶⁵ Ibid, p. 227.

⁶⁶ Stephen Sestanovich, *Maximalist: America in the World, From Truman to Obama* (New York: Knopf, 2014), p. 257.

life miserable for those Serbs who are not responsible for the carnage.”⁶⁷ The first reaction from the US came in 1992. President George H. W. Bush condemned the Serbian actions and threatened with military action, “in an event of conflict in Kosovo caused by Serbian action, the US will be prepared to employ military force against the Serbians in Kosovo and in Serbia proper.”⁶⁸ This threat was later known as the “Christmas warning.”⁶⁹ Bush administration was dealing with the situation in Croatia and Bosnia; thus, they did not want the conflict to spread in Kosovo. The warning came at the end of the Bush presidency; however, the warning was reiterated by the Clinton administration within a month of taking office in 1993, when the new US Secretary of State, Warren Christopher, stated, “we remain prepared to respond against the Serbians in the event of conflict in Kosovo caused by Serb action.”⁷⁰ The warning had an effect in delaying the war in Kosovo, however the conflict would eventually recommence.

The Serbian regime doubted that either the UN or the US would act and that was true in the beginning. Yugoslavia was unappealing for the Bush administration to get involved in for several reasons: it had little economic significance; it was small in terms of geopolitical importance; and it was a European problem.⁷¹ The Europeans on the other hand, were more focused on managing the problem rather than solving it. From the European standpoint, the crisis in Yugoslavia was a human rights problem rather than a fight against a brutal regime and a struggle for self-determination.

Two years later, when President Bill Clinton took office, he had articulated three policy goals: (1) modernizing the military, (2) developing the economy and (3) promoting democracy. Arguably Clinton’s three policy goals were more foreign rather than domestic, nevertheless President Clinton emphasized his focus on domestic affairs. The

⁶⁷ Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War*, 3rd ed. (New York: Penguin books, 1996), p. 211.

⁶⁸ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), p. 108.

⁶⁹ Los Angeles Times, “Bush warns Serbia against Escalation: Balkans: Administration hints at U.S. intervention if ethnic fighting spreads to the province of Kosovo,” December 29, 1992, http://articles.latimes.com/1992-12-29/news/mn-2755_1_bush-administration.

⁷⁰ Warren Christopher, “New Steps toward Conflict Resolution in the Former Yugoslavia,” US Department of State, February 10, 1993.

⁷¹ Stephen E. Ambrose and Douglas G. Brinkley, *Rise to Globalism: American Foreign Policy since 1938*, 9th ed. (New York: Penguin books, 2011), pp. 384-85.

post-Cold War world produced several foreign policy crises which challenged Clinton's abilities as a statesman. The failure to act in Rwanda and the late intervention in Bosnia prepared him to define his foreign policy goals, "leadership and intervention quickly replaced incoherence, indecisiveness and inaction."⁷² The US approach in Bosnia and Herzegovina was awkward in the beginning. President Clinton threatened air strikes against Bosnian Serbs, yet at the same time, he favored the Bosniaks by providing them with arms and persuaded the Croats to make an alliance with them in order to fight the Bosnian Serbs. Later he stated, "the US is not and should not, become involved as a partisan in a war." Next, he declared "the US should lead other Western nations in order to end the ethnic cleansing in Bosnia." Afterwards, President Clinton said, "that does not mean that the US or the UN can enter a war, in effect, to redraw lines...within what was Yugoslavia."⁷³ This overwhelmingly confused policy inevitably produced fatal consequences and cost thousands of lives on all sides in Bosnia and Herzegovina.

UN—under Security Resolutions 819 and 824—established humanitarian corridors in 1993, otherwise known as the "safe areas." The territories were put under the protection of the UN peacekeeping units. The safe areas were hard to implement because the country was at war. The UN peacekeeping troops were small and struggled on whom to protect. By 1995 the situation in the safe areas was deteriorating and it culminated with a turning point. In July, Europe witnessed the largest post-genocide in Srebrenica since the Holocaust. The Serb army slaughtered 8,373 men and boys. The Western media extensively covered the slaughter, questioning seriously Washington's and NATO's credibility. In August, NATO launched an air campaign against Bosnian Serb forces which brought them to the negotiation table. The use of force to catalyze diplomacy set an important precedent for what would happen later in Kosovo.⁷⁴

⁷² Charles-Philippe David, "Foreign Policy Is Not What I Came Here to Do, Dissecting Clinton's Foreign Policy-Making: A First Cut," *Center for United States Studies of the Raoul Dandurand Chair of Strategic and Diplomatic Studies* 1, (2004): 4.

⁷³ Richard Betts, "The Delusion of Impartial Intervention," *Foreign Affairs* 78, no. 6 (November/December): 20-33.

⁷⁴ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), p. 61.

Clinton changed course from his predecessor. In his first National Security Council meeting, President Clinton told his advisers the conflict could not simply be left to the Europeans, the US had to get involved or “nothing will happen.”⁷⁵ Moved by Serbian atrocities, he pushed NATO to begin bombing Bosnian Serb military positions. In October, a ceasefire was announced. After several years of fighting and hostility, an agreement was made called the Dayton accords mediated by the special envoy and US Assistant Secretary of State, Richard C. Holbrooke. In three weeks, Holbrooke managed to stop the war and reached a peaceful divided state, but not a peaceful united one. Kosovo was not even mentioned in the negotiations. In fact, it was Holbrooke who agreed to Radovan Karadzic’s – a Serbian general and war criminal – demand to exclude Kosovo from the agreement.⁷⁶ Moreover, Milosevic’s cooperation was crucial to finalize the agreement. This weakened Holbrooke’s leverage in exacting the concessions that would have been crucial for progress in Kosovo.⁷⁷ This left a big question unanswered. Kosovo Serbs believed Milosevic abandoned Serbs in Bosnia and Herzegovina and Croatia. They thought they could be next. Kosovo Albanians on the other hand felt betrayed. For them, the international community was not concerned about the situation in Kosovo. Both Americans and Europeans believed they could bargain with Milosevic and that Dayton settlement would stop the conflicts of Yugoslavia. The bill came a couple of years later.

The death of Yugoslavia would not have been possible without the malevolent personality of Milosevic. He was a paradoxical dictator, with no real passion or affection for his people. He started as a communist and shifted to nationalism overnight. Milosevic was a man of pure ego, a man who advocated the false promise of “greater Serbia” and unleashed violence in a pathologically unstable region. His leadership brought devastating consequences for all ethnicities and ended the lives of tens of thousands of people.

⁷⁵ Stephen Sestanovich, *Maximalist: America in the World, From Truman to Obama* (New York: Knopf, 2014), p. 259.

⁷⁶ Denis MacShane, *Why Kosovo Still Matters* (London: Haus Publishing, 2011), p. 39.

⁷⁷ Richard Holbrooke, *To End a War* (New York: Random House, 1998), p. 234.

THE BATTLE FOR KOSOVO

COERCIVE DIPLOMACY AND LIMITED WAR

"We are not going to stand by and watch the Serbian authorities do in Kosovo what they can no longer get away with doing in Bosnia."

—Madeleine Albright, 1998⁷⁸

In reaction to Milosevic's constitutional reforms, Kosovo Albanians gathered in Kacanik (Southern Kosovo) to proclaim the "Republic of Kosovo" and adopted the "Kacanik Constitution." The declaration of independence by Slovenia and Croatia in 1991 sparked a euphoria in Kosovo. The Kosovar parliament approved the "Resolution on Independence and Sovereignty of Kosovo" in September. The resolution was defined as illegal by Yugoslav authorities. A month later, the Kosovo parliament declared the independence of Kosovo and was recognized only by Albania. The Democratic League of Kosovo (LDK) won the majority of seats and Ibrahim Rugova (the head of LDK) was elected President of Kosovo.

Rugova became the leading figure to oppose the Serbian oppression. He was a literary critic, journalist, writer and a polyglot who spoke Albanian, Serbo-Croatian, French and English. His ideology was simple: advocate a peaceful resistance against the oppressor. People in Kosovo and beyond started referring to him as the "Gandhi of the Balkans." Rugova's strategy of passive resistance in keeping Kosovo quiet during the war in Slovenia, Croatia, Bosnia and Herzegovina attracted widespread support among Kosovo Albanians. He believed in the tradition of endurance and the culture of solidarity. He understood Kosovo was not prepared to fight the Serbian aggression and if things would escalate the outcome would be terrible. He rejected a proposal by the Croatian President Franjo Tudjman to open a second war front in Kosovo. Also, having the

⁷⁸ Madeleine Albright, "Milosevic is the Problem" in *A Memoir: Madam Secretary* (New York: Harper Collins, 2013), p. 383.

“Christmas Warning” as the American guarantee for protection of his countrymen, Rugova continued his peaceful resistance.

However, Dayton Agreement’s failure to mention Kosovo weakened Rugova’s peaceful approach. It was indeed true that Rugova’s peaceful tactic was not rewarded by either Milosevic nor Europe. The West encouraged the nonviolent approach, but nothing more. The Kosovo Albanians, saw that Bosniaks, Croats, Slovenes and Macedonians had all left Yugoslavia to form independent states. They shared the same ambition; however, the Dayton Agreement did nothing for them. In his seminal peace, *The Balkans 1804-1999* Misha Glenny writes, “the Kosovo Albanians looked northwards to Croatia and Bosnia with envy. They observed that with the help of the international community, the Serbs had been defeated completely in the former and partially the latter. In Bosnia-Herzegovina, the international community had pledged \$5 billion to aid reconstruction. Despite being Milosevic’s first victim, the Kosovo Albanians had received nothing. As long as they remained passive, the more radical Albanians reasoned, the outside world would ignore them, the Milosevic regime could continue to deny Albanian rights and his shabby regime of repression would continue.”⁷⁹ Fearing of being neglected, Kosovo Albanians began to advocate for an armed uprising under the umbrella of the Kosovo Liberation Army (KLA). Presumably, the Kosovars could relate to the 1978 Camp David Accords between Egypt and Israel, which did not extend the principle to self-determination for the Palestinians; but rather, supported the idea that “representatives of the Palestinian people should participate in negotiations on the resolution of the Palestinian problem in all its aspects.”⁸⁰ Moreover, the fall of the Berlin Wall and the collapse of communism in Albania had a significant impact among Kosovo Albanians. The end of the regime in Albania had created a euphoria that unification was now possible. But the reality in Albania was quite different. Albanians of Albania did not share the same sense of proudness and patriotism as Kosovo Albanians. Devastated from

⁷⁹ Misha Glenny, *The Balkans 1805-1999: Nationalism, War and the Great Powers* (New York: Penguin books, 2001).

⁸⁰ The Camp David Accords: The Framework for Peace in the Middle East, September 17, 1978, The U.S. Department of State Archive, <https://2001-2009.state.gov/p/nea/rls/22578.htm>

decades of brutal dictatorial regime, Enver Hoxha, the communist head of state, produced a miserable life that seriously damaged the national identity and consciousness of its people.

The KLA began carrying out attacks against Serbian security forces. The KLA was aware that they did not have enough forces and armory to confront the Yugoslav forces, however, their aim was to launch an armed uprising believing that their actions would show the Serbian authorities true face and push for the West to intervene. The US and EU had long been concerned about the situation in Kosovo but did not have a lot of interest in the region after the Dayton agreement was reached. However, the emergence of KLA brought Kosovo back to the table.⁸¹ After several attacks on the Serbian police, the KLA made their first public appearance in November 1996. KLA attacks continued and intensified through 1998. In Belgrade, during a press conference, Robert Gelbard – the US Special Representative of the President and Secretary of State for Implementation of the Dayton Peace Agreement – called the KLA terrorists even though the US had not formally designated the KLA as a terrorist organization. The US State Department was caught by surprise to Gelbard's comments.⁸²

The KLA asserted they would protect ethnic Albanians in Kosovo and target the Serbian police, not civilians. According to Tim Judah, "the KLA has to rank as one of the most successful military organizations in history. Its success has nothing to do with its military prowess; it won no battles. It is, rather, thanks to the fact that emerging on the scene at the right place, at the right time, it was able to have NATO win its war for it."⁸³ One of the most prominent guerrilla fighters was undoubtedly Adem Jashari, a man responsible for several attacks against the regime since 1991. In response to the KLA attacks and having a "sort of a green light" from Gelbard's comments to fight "terrorists," the Serbian police launched a brutal attack on his village on 05 March 1998, killing 58 people, including 28 women and children. The only person who survived the attack was

⁸¹ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), p. 75.

⁸² *Ibid.*, 86-87.

⁸³ Tim Judah, *Kosovo: What Everyone Needs to Know* (New York: Oxford University Press, 2008), p.75.

a young girl. The Serbian government justified the action claiming that Jashari family used hostages as human shields and considered the attack as necessary in order to bring down terrorists and maintain the rule of law and order.

The former US Secretary of State, Madeleine Albright writes in her biography that her opinion about the KLA varied,

“My own view of the KLA fighters were mixed. I sympathized with their opposition to Milosevic, understood their desire for independence and accepted that force was sometimes necessary for a just cause to prevail. On the other hand, there did not appear to be much Jeffersonian thinking within the KLA. Often indiscriminate in their attacks they seemed intent on provoking a massive Serb response so that international intervention would be unavoidable. I wanted to stop Milosevic from marauding through Kosovo, but I did not want that determination exploited by the KLA for purposes we opposed. We therefore took pains to insist that we would not operate as the KLA’s air force or reduce the KLA if it got into trouble as a result of its own actions. We condemned violence by either side.”⁸⁴

From the Albanian perspective, the Croats, Bosniaks, Serbs, Slovenes, Montenegrins and Macedonians are similar people, the only big difference they see is religion. So, if they treated each other in such a brutal way, it was unthinkable how much worse they could treat the only non-Slavic people of Yugoslavia. The Albanians decided to resist at all costs. The Serbian response was violently indiscriminate. Milosevic’s strategy was employing Mao’s – Chinese communist leader--favorite tactic, “draining the sea in which the fish swam.”⁸⁵ In the case of Kosovo, this meant attacking and emptying entire villages in order to isolate KLA fighters. Using Gestapo-like tactics, the Serbs slashed and burned Albanian villages. Gang rapes, home invasions and crop and

⁸⁴ Madeleine Albright, “Milosevic is the Problem” in *A Memoir: Madam Secretary* (New York: Harper Collins, 2013), p. 388.

⁸⁵ Ivo H. Daalder and Michael E. O’Hanlon, *Winning Ugly: NATO’s War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), p. 58.

storefront burnings were the Serbians' tactics for eradicating Kosovo's Albanians.⁸⁶ Some people were killed because they could not produce enough cash to save their lives. In one case, a two-year old had his arm amputated because the child's parents had no more cash to give to the Serb soldier.⁸⁷ Looting and widespread destruction of property was commonplace. According to some reports Serb forces were sometimes guided to the homes of wealthy Kosovo Albanians by local Serb officials. Women were forced to see their children and husbands be killed, many were raped afterwards. Kosovo Albanians were forced to digging mass graves for their family members and neighbors. They were also used as human shields around Yugoslav armory.⁸⁸ This was unquestionably an ethnic-cleansing campaign committed by Serb forces (military and police) and paramilitaries for the purpose of eradicating the Albanians.

Rugova wrongly sensed that Kosovo's moment was approaching. He attempted one more time to continue his peaceful resistance towards self-determination by offering direct negotiations with Milosevic. He dismissed his pre-condition of Kosovo recognition on the expense that Albanian schools would be available again. Milosevic agreed but defected and the Serb regime continued to beat up Kosovo Albanian students who demanded their right to education.

Kosovo did not have an army and the KLA was a lightly armed guerrilla force. They were limited in numbers as well as guns. Albanian diaspora – mainly in Austria, Germany, Switzerland, US and United Kingdom (UK) – played an important role in advocating for their cause. The Kosovo diaspora contributed hundreds of millions through the *Three Percent Fund* and the *Homeland Calling Fund* to support the national struggle and arm the KLA.⁸⁹ Smuggling weapons was very difficult, but something happened at that time which changed the course of events dramatically. Albania, was

⁸⁶ Douglas Brinkley, "Democratic Enlargement: The Clinton Doctrine," *Foreign Policy*, 106 (Spring 1997).

⁸⁷ John Kifner, "How Serb Forces Purged One Million Albanians," *New York Times*, May 29, 1999; John Daniszewski, "The Death of Belanica," *Los Angeles Times*, April 25, 1999; Jeffrey R. Smith and William Drozdiak, "Serbs' Offensive Was Meticulously Planned," *Washington Post*, April 11, 1999.

⁸⁸ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), pp. 100-01.

⁸⁹ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology, 2012), p. 17.

going through a tough post-Communist transition in the 1990's and its pyramid investment scheme collapsed and plunged the nation into turmoil. Angry people demanded their money back bringing the country to a verge of a civil war. The Albanian army abandoned state armories, which were eventually looted by civilians. Massive amounts of weapons became available overnight, Kosovo Albanians used this opportunity to smuggle weapons into Kosovo.⁹⁰ The KLA did not comprise only from Kosovo Albanians. Although majority were from Kosovo, ethnic Albanians from Albania, Macedonia, Montenegro and Serbia were part of the formations. There were also people from the diaspora such as the *Atlantic Brigade* created by Albanian Americans, part of which were the Bytyqi brothers who were killed in an attempt to help a Roma family move to Serbia after the war. The brothers were stopped by the Serbian police and held in custody for entering the country without a visa. That was the last time they were seen alive, until they were discovered in a mass grave in Serbia.⁹¹ The failure of Serb authorities to bring the perpetrators to justice remains a problem for US-Serbia relations.

In the US, no one was more instrumental on mobilizing the diaspora than Congressman Joseph J. DioGuardi, a first-generation Albanian immigrant from South Italy. DioGuardi introduced "the first congressional resolution condemning Serbian human rights abuses in Kosovo. Senator Bob Dole introduced the same bill in the US Senate, putting Albanian concerns on the map."⁹² In September 1988, DioGuardi together with a group of Albanian Americans met Tom Lantos. Tom Lantos was originally from Hungary and the first Holocaust survivor elected to the US Congress. Lantos proposed a resolution in the House of the Representatives to support self-determination for Kosovo. Moreover, Senator Eliot Engel became more active, calling the US to become more involved in Kosovo.

⁹⁰ Noel Malcolm, *Kosovo: A Short History* (London: Macmillan Press, 1998), pp. 354-55.

⁹¹ Joyce Wadler, "Side by Side in Life, and now, in Death," *New York Times*, March 04, 2002, <http://www.nytimes.com/2002/03/04/nyregion/side-by-side-in-life-and-now-in-death.html>.

⁹² David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology, 2012), p. 33.

The Serb police attacks on the Kosovo villages and the massacre of the Jashari family pushed the UNSC to react and adopt a resolution. Resolution 1160 condemned the use excessive force by Serbian police against peaceful demonstrators and called for immediate necessary steps to achieve a political solution.⁹³ Gelbard met again with Milosevic. He showed him photographs and media reports comparing him with Saddam Hussein.⁹⁴ Gelbard's relationship with Milosevic deteriorated. Kosovo Albanians on the other hand, did not like him either because of calling KLA a terrorist group. As a result, Gelbard was not seen as a good alternative to negotiate with both parties anymore. US Secretary of State Madeleine Albright put Richard Holbrooke in charge of Kosovo. Two years after leaving Washington as the US Assistant Secretary of State for Europe, Richard Holbrooke was promoting his book about the Dayton Accords titled *To End a War*. A year after, he returned to the Balkans to present Milosevic with an ultimatum on Kosovo.

The KLA became more active on their actions and visible interacting with Kosovo Albanians. They started gaining territories and putting up roadblocks. By 1998 they controlled 40 percent of Kosovo's territory.⁹⁵ In the US, a scandal broke up. Monica Lewinsky – a former intern at the White House – admitted to having an “inappropriate relationship” with President Clinton. The next day, Al-Qaeda attacked the US embassies in Kenya and Tanzania, killing more than two hundred people. The House of the Representatives voted for an open-ended impeachment inquiry. One month before the scandal, a recent film with Robert De Niro was released, in which the US president attacks Albania in order to distract public attention from a domestic scandal. The American citizens could draw comparisons, regardless if it was true or not. In the middle of this chaos, it seemed that this was the end of Clinton's Presidential career.

⁹³ United Nations Security Council Resolution 1160,
[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1160\(1998\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1160(1998)) (accessed August 22, 2016).

⁹⁴ Jane Perlez, “U.S. Warned Serb Leader Not to Crack Down on Kosovo Albanians,” *New York Times*, March 15, 1998,
<http://www.nytimes.com/1998/03/15/world/us-warned-serb-leader-not-to-crack-down-on-kosovo-albanians.html>.

⁹⁵ BBC News, “The KLA: The Dilemma for the West,” June 30, 1998,
<http://news.bbc.co.uk/2/hi/europe/123544.stm>.

The Serbian regime used this opportunity to intensify their violent actions in Kosovo. Fearful of having a humanitarian catastrophe during the winter, the British Prime Minister Tony Blair proposed Resolution 1199 demanding that Yugoslavia *inter alia* “cease all action by the security forces affecting the civilian population” and referring to possible “further action” if demands are not accomplished.⁹⁶ Additionally, a month later another resolution was adopted. Resolution 1203 demanded compliance with several provisions, including NATO Air Verification Mission over Kosovo, accepting direct interest on the Kosovo situation.⁹⁷ This was a direct threat to force Milosevic to retreat from its brutal and extreme actions. The outcome of the resolutions was an agreement brokered by US Balkan envoy Richard Holbrooke. In October 1998, Milosevic agreed to partially withdraw some forces and accepted the terms for NATO aerial verification and the deployment of 2,000 unarmed Organization for Security and Cooperation in Europe (OSCE) monitors called the Kosovo Verification Mission (KVM).⁹⁸ Ambassador William Walker—a US diplomat—was assigned to oversee the KVM. The mission’s presence did decrease the level of violence to some extent, but they were unarmed and small in numbers; thus, their actions were limited. To both sides—Serbs and Albanians—it seemed that the international community was interested on preventing a possible conflict rather than solving it.

Despite the mission’s efforts, the security situation continued to deteriorate. In the early start of 1999, at least 45 innocent people were killed—including women and children—in the village of Recak. Ambassador Walker went to the crime scene and was stunned to what he saw. Without getting a clearance from Richard Holbrooke or the State Department, he addressed the media calling the Recak massacre an “unspeakable atrocity and a crime against humanity.”⁹⁹ The KVM team had not been able to prevent the

⁹⁶ United Nations Security Council Resolution 1199,

[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1199\(1998\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1199(1998)) (accessed August 22, 2017).

⁹⁷ United Nations Security Council Resolution 1203,

[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1203\(1998\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1203(1998)) (accessed August 22, 2017).

⁹⁸ The OSCE is the world’s largest security-oriented intergovernmental organization which consists of most countries of Europe, US, Canada and Turkey.

⁹⁹ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), p. 99.

massacre but they were able to prevent it from occurring in secret. This gave a signal to the West that Milosevic hasn't change, or at least has become worse. The massacre of Recak was a defining atrocity and "set wheels in motion."¹⁰⁰ It became the symbol of the breakdown of the October agreement and eventually led to the NATO military intervention.

Milosevic was in complete denial over Recak. He claimed that it was the KLA who committed the atrocities. Outraged by Ambassador Walker comments, Milosevic declared him a *persona non-grata*. Nevertheless, Ambassador Walker remained in Kosovo. The international community demanded several times an international investigation to prove those allegations, but Milosevic refused. The OSCE wanted to send a forensic team to investigate, but they were denied visas. Judge Louise Arbour—head of the International Court Tribunal for the former Yugoslavia (ICTY)—was denied entry to Kosovo. The ICTY was established as a result of brutal fights and crime scenes in Yugoslavia. It was the first war crimes court established by the UN since Nuremberg and Tokyo tribunals. The ICTY had the authority to prosecute individuals responsible for crimes committed within the territory of Yugoslavia starting from 1991 onwards.

As the situation was getting worse, the international community decided to become more involved. Since the UNSC could not agree on a military response, the chances for inducing change from outside remained minimal.¹⁰¹ The European leaders were confident that a political stalemate could be reached. French President Jacques Chirac told UK Prime Minister Tony Blair, "we must make one more attempt to negotiate a political solution. We Europeans must take responsibility for Europe."¹⁰² In January 1999, the Contact Group—composed of the US, UK, Germany, France, Italy and Russia—demanded Belgrade and Pristina to pursue negotiations in Rambouillet, Paris.¹⁰³ The

¹⁰⁰ Noam Chomsky, *The New Military Humanism: Lessons from Kosovo* (Monroe, Maine: Common Courage Press, 1999), p. 33.

¹⁰¹ Javier Solana, "NATO's Success in Kosovo," *Foreign Affairs* 78, no. 6 (December 1999): 114-120.

¹⁰² James Gow and Miroslav Hadzic, "US/NATO Intervention in Kosovo, 1998/99," <https://www.cla.purdue.edu/SI/Team9Report.pdf> (accessed November 02, 2017).

¹⁰³ The Contact Group was established to coordinate U.S., European and Russian policy on Bosnia. It consisted of the United States, United Kingdom, France, Germany, Italy and Russia.

Rambouillet had a symbolic connotation. The US wanted to maintain a low profile and avoid the impression of “another Dayton;” thus, allowing the Europeans to take the public lead.¹⁰⁴ The negotiations at Rambouillet were convened by French Foreign Minister Huber Vedrine and his British counterpart, Robin Cook. NATO proposed a peaceful solution in the Rambouillet Conference, ending the war, returning substantial autonomy to Kosovo and deployment of NATO troops to maintain order.¹⁰⁵

Albright believed this was the last chance for a peaceful solution. She was heavily involved in the negotiations from the back door and did not want to leave anything to chance. She writes in her memoirs, “I warned that Kosovo had implications for the entire region. We could not allow the Serbs to define it as a purely internal matter. Milosevic was claiming that the Kosovars were violent, the violence began with him. The Albanians had had autonomy under Tito, but Milosevic had taken it away. There would have been no KLA had the Kosovars not been deprived of their rights. We had to approve concrete measures that would expand our leverage over Belgrade. That was how Milosevic had been brought to the table at Dayton and that was only language he would respond to now.”¹⁰⁶ Negotiations were excessively polarized. Albanians did not want Kosovo under Serbia, but they did not have much choice, they could either choose autonomy or nothing. The Serb officials did not want Kosovo to gain the autonomy back. Milosevic refused to attend the conference on the basis that Kosovo was part of Serbia, therefore he suggested that the responsible person to negotiate should be the Serbian President Milan Milutinovic, not him. Yugoslavia refused to accept the deal because they did not want to see the return of the pre-1990 status-quo, nor the presence of the international community in Kosovo.

¹⁰⁴ Mark Smith, “The Kosovo Conflict: U.S. Diplomacy and Western Public Opinion,” *USC Center on Public Diplomacy*, no. 3 (2009): 14-15.

¹⁰⁵ Interim Agreement for Peace and Self-government in Kosovo, Rambouillet, France, February 23, 1999, https://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/kosovo_ramb.pdf (accessed November 11, 2017).

¹⁰⁶ Madeleine Albright, “Milosevic is the Problem” in *A Memoir: Madam Secretary* (New York: Harper Collins, 2013), p. 384.

On 18 March 1999, the Albanian, American and British delegation signed the Rambouillet Accords while the Serbian and Russian representatives refused. In the meantime, the security situation in Kosovo became more alarming. Serb heavy artillery and combat troops started moving in Kosovo. By the end of the month, around 40,000 Yugoslav Army troops were deployed to Kosovo.¹⁰⁷ Diplomacy failed to deliver. The collapse of the Rambouillet conference led to a lot of second-guessing. For some the conference was too personal for Albright, implying that she desired to have “her own Dayton,” in the end, she was not Holbrooke.¹⁰⁸ A number of experts criticized Albright’s poor negotiation tactics. They argued the negotiations were not flexible, avoiding additional carrots for the Serbs and refusing to exercise any significant sticks against Kosovo Albanians.¹⁰⁹ But Rambouillet was not Dayton. In Bosnia and Herzegovina, the parties had exhausted themselves with years of fighting, in contrast, Rambouillet was conveyed when fighting had resumed and neither side was prepared to compromise. Serbs did not want to anything that involved international military or administration in Kosovo, Kosovo Albanians on the other hand, had suffered for decades already and did not wanted to be ruled by Serbia anymore. Thus, Rambouillet conference was not a failure. It takes two to tango, but Serbia refused. Milosevic did not even attend the conference, instead he sent a minor delegation with little or no power to delegate.

Concerned about the safety of the KVM, the OSCE withdrew its staff from Kosovo. The Racak massacre made it clear that the OSCE mission was not working. The complete disregard of the Rambouillet Conference delivered a strong signal about Milosevic’s unwillingness to reach a peaceful compromise. The intervention was practically inevitable, the questions were how and when this should take place. According to General Wesley Clark memoirs, prior to the operation they reviewed all the military options. Klaus Naumann—the German general and the chairman of the Alliance’s

¹⁰⁷ United Kingdom, Defense Committee Publications 14th Report, 1999-2000, <https://publications.parliament.uk/pa/cm199900/cmselect/cmdfence/347/34724.htm> (accessed September 16, 2017).

¹⁰⁸ Warren Bass, “Cold War,” *New Republic*, December 13, 1999, pp. 16-18.

¹⁰⁹ Christopher Layne and Benjamin Schwarz, “Kosovo: For the Record,” *National Interest*, no. 57 (Fall 1999), pp. 10-11.

Military Committee—noted a significant different in Kosovo in 1998, there was nothing comparable to the Croats' ground campaign of 1995 that could threaten the Serbs with defeat. Airpower by itself offered no guarantee of success.¹¹⁰ The Americans had learned this from Vietnam. Moreover, they also had to deal with another battle, that of the media and public opinion. While the air campaign was more likely to succeed, this was not the case with the public opinion. The battle for public opinion is dangerous. NATO countries are predominantly democratic with media openness, they were aware that any military mistake would have seriously endangered the outcome of the campaign. This was arguably the first conflict in which the weight of public opinion would be decisive.¹¹¹

Holbrooke tried one more time with a final ultimatum. He went to Belgrade and demanded Milosevic to withdraw his forces from Kosovo and come back to the negotiation table, otherwise he would be punished. On the eve of the 1999 NATO bombing campaign in Kosovo that would lead to his downfall, Slobodan Milosevic pleaded with Richard Holbrooke, “don’t you have anything more to say to me?” Holbrooke thought for a moment and deadpanned, “hasta la vista, baby.”¹¹² By this time Holbrooke had known Milosevic for four years. Milosevic had already started three wars in Yugoslavia, against Slovenia, Croatia and Bosnia and Herzegovina, he seemed ready to begin the fourth. Milosevic had already made up his mind. He believed that the international community was not interested in Kosovo and that his army would resist a couple of air strikes without a serious damage. He failed to understand that his evil actions were not only threatening Kosovo, but also to the credibility of the international institutions and Western nations.

President Clinton survived impeachment and had to once again face Milosevic. This time Clinton administration was more confident on exercising American power with allies on its side, aiming only one outcome, success; because “failure,” as he stated, “was

¹¹⁰ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), p. 117.

¹¹¹ Mark Smith, “The Kosovo Conflict: U.S. Diplomacy and Western Public Opinion,” *USC Center on Public Diplomacy*, (2009): 5.

¹¹² Derek Chollet and Samantha Power, *The Unquiet American: Richard Holbrooke in the World* (New York, Public Affairs, 2011), p. 164.

not an option.”¹¹³ Failure would have called into doubt NATO’s *raison d’etre* and the organizations competence in the post-Cold War world. While the Europeans were still insisting for a diplomatic solution, the crisis in Kosovo was a strong signal that the US had still to play its part in Europe.¹¹⁴ There was a high probability that procrastinating the intervention was increasing the chances of having another Srebrenica. In Bosnia, the international community tried to prevent the Bosnian Serbs from consolidating their victory, but without going all the way to consistent military support for the Bosniaks and Croats. This time there were only two sides and President Clinton was aiming for a comprehensive outcome.

The constant disregard of the international community, the unwillingness to discuss solutions, the continuation of war crimes and huge violations of human rights left the Western nations with no other alternative but to intervene. On 24 March 1999, NATO initiated a 78 days’ (eleven weeks) air campaign. Supreme Allied Commander General Wesley Clark stated the military mission was to “attack, disrupt, degrade, devastate and ultimately destroy the Yugoslav forces and facilities, unless Milosevic complies with the demands of the international community.”¹¹⁵ President Clinton addressed his people listing three objectives for the campaign: “to demonstrate the seriousness of NATO’s purpose so that the Serbian leaders understand the imperative of reversing course; to deter an even bloodier offensive against innocent civilians in Kosovo; and, if necessary, to seriously damage the Serbian military’s capacity to harm the people of Kosovo.”¹¹⁶ The air campaign emphasized five objectives obliging Milosevic to accept: (1) a verifiable cessation of all combat activities and killings; (2) withdrawal of Serb military, police and paramilitary forces; (3) the deployment of an international military force; (4) the return

¹¹³ Stephen Sestanovich, *Maximalist: America in the World, From Truman to Obama* (New York: Knopf, 2014), 267-69.

¹¹⁴ Robert Kagan, “Power and Weakness,” *Hoover Institution*, June 2002, p. 5.

¹¹⁵ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), p. 203.

¹¹⁶ Address to the Nation on Airstrikes Against Serbian Targets in the Federal Republic of Yugoslavia (Serbia and Montenegro), March 24, 1999, www.presidency.ucsb.edu/ws/?pid=57305 (accessed August 11, 2017).

of all refugees and unimpeded access for humanitarian aid and (5) a political framework for Kosovo based on the Rambouillet Accords.¹¹⁷

There were limits to the air campaign. The airpower could threaten and destroy, but without ground troops there was no assurance that Yugoslav forces would withdraw from Kosovo.¹¹⁸ The ground operation, on the other hand, was hardly achievable. Clinton administration had rejected any idea of deploying ground forces in Kosovo no matter what the circumstances. He feared such a decision was bound to be rejected by the Congress at home and by allies abroad.¹¹⁹ The Europeans additionally, were skeptical about the air campaign since the very beginning of it, therefore committing ground forces was almost unthinkable. Experts assumed that NATO's use of significant force would quickly bring Milosevic to the negotiating table. Also, they assumed that NATO's superior force would be over in a matter of days or a few weeks, at most.¹²⁰ Sensing the political skepticism, General Clark pushed the Europeans for a ground operation in order to strengthen their determination to intensify the air campaign.¹²¹ The rejection of ground force deployment was a good strategy for two reasons. One, given the Balkans mountainous geography, a ground invasion would have been very difficult. And two, the decision to send ground forces would have probably had a negative impact, Milosevic could have used all its military capabilities on innocent civilians.

Having support from the air, the KLA increased their attacks on the Yugoslav army and paramilitaries. The KLA was usually organized in small groups and launched attacks by surprise. Incapable of defending himself from the superior NATO army and being attacked by the KLA on the ground, malevolent Milosevic decided to release his wrath on the civilians. One of the most brutal massacres was committed in the village of

¹¹⁷ North Atlantic Treaty Organization, Statement on Kosovo. Issued by the Heads of State and Government Participating in the Meetings of NATO in Washington D.C., April 24-25, 1999, <https://www.nato.int/docu/pr/1999/p99-062e.htm> (accessed August 02, 2017).

¹¹⁸ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), p. 260.

¹¹⁹ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), pp. 53-55.

¹²⁰ *Ibid.*, 91.

¹²¹ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), pp. 339-40.

Meja (Western Kosovo). Yugoslav army committed mass executions in the village, killing 372 men and boys in cold blood. The Meja Massacre was the largest one committed by the Yugoslav army in the Kosovo war.

The air campaign was very efficient as targets were carefully planned; however, there were some incidents. By flying at medium altitude, NATO reduced the danger to its own pilots; however, it sometimes increased the risks for civilians on the ground.¹²² Even at lower altitudes pilots cannot easily differentiate between civilians and soldiers, let alone medium altitude. Around 500 Albanian and Serb civilians were killed accidentally by NATO and two NATO troops died.¹²³ The most notable errors happened were the bombardment of a bridge in southern Serbia while a passenger train was crossing, killing mostly Serb civilians and hitting a convoy of Kosovo Albanian refugees which NATO mistook for an armored column.¹²⁴ Furthermore, the US Air Force bombed the Chinese embassy in Belgrade, killing three Chinese journalists and injuring 20 people. According to the US government, the intention had been to bomb the nearby Yugoslav Federal Directorate for Supply and Procurement and the Central Intelligence Agency have identified the wrong coordinates.¹²⁵ President Clinton apologized publicly saying that the attack was a mistake. Despite such assurances, a wave of anti-America spread across China. Nevertheless, the air campaign continued. The incidents were modest considering the standards of war.

At the end of May, President Clinton wrote an op-ed in *New York Times* where he explained to the American people and the world why the US and its allies are waging war in Kosovo. "We are in Kosovo with our allies to stand for a Europe, within our reach for the first time, that is peaceful, undivided and free. And we are there to stand against the greatest remaining threat to that vision: instability in the Balkans, fueled by a vicious

¹²² Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), pp. 122-23.

¹²³ *Ibid.*, p. 4.

¹²⁴ *Ibid.*, pp. 122-23.

¹²⁵ Central Intelligence Agency, DCI Statement on the Belgrade Chinese Embassy Bombing, July 22, 1999, https://www.cia.gov/news-information/speeches-testimony/1999/dci_speech_072299.html (accessed August 17, 2017).

campaign of ethnic cleansing.”¹²⁶ In Serbia, NATO bombings and Milosevic’s nationalist propaganda rallied most Serbs around the flag. NATO air campaign became the symbol of Serb resistance. Serb forces felt a new sense of purpose. Even the anti-Milosevic sentiment tended to condemn NATO attacks.¹²⁷ Most Serb leaders were unwilling to criticize or even acknowledge the atrocities being committed against ethnic Albanians in Kosovo.¹²⁸ However, frequent NATO bombing threw enormous pressure on Milosevic shoulders. It became very hard for Serbs to live under the threat of NATO. The bombings debilitated his relationship with the army. On 09 June 1999, Milosevic agreed to end the war by signing the Kumanovo agreement—which served as Yugoslavia’s terms of surrender—acknowledging the international community Force “KFOR” (Kosovo Force) authority and the withdrawal of all Serbian troops from Kosovo.¹²⁹ Only when NATO received a verification of the withdrawal of all Serbian forces, Operation Allied Force suspended its air campaign. The UNSC adopted Resolution 1244 authorizing the presence of the NATO led international peacekeeping force known as the Kosovo Force (KFOR) and established the United Nations Interim Administration in Kosovo (UNMIK). The next assignment was to deploy the KFOR in Kosovo.

The Russians wanted to have their own sector—independent from NATO—in the North of Kosovo, where most of the Serbs live. But NATO was not willing to allow that, because there was a fear that a separate Russian sector would eventually lead to Kosovo’s partition. Russia did not welcome this decision; thus, they decided to move in ahead of KFOR deployment and occupied the Airport of Pristina. Frustrated with Russian actions, General Clark ordered the KFOR Commander Mike Jackson (British Officer) to block the runways of Pristina Airport and isolate the Russian contingent stationed there. Mike Jackson refused to obey the order, he replied, “sir, I am not starting World War III for

¹²⁶ William Jefferson Clinton, “A Necessary War,” *New York Times*, May 23, 1999.

¹²⁷ Steven Erlanger, “Support for Homeland up as Sirens Wail and News Is Censored,” *New York Times*, March 29, 1999.

¹²⁸ Stacy Sullivan, “Milosevic is One Problem: National Denial is the Other,” *New York Times*, August 21, 1999.

¹²⁹ NATO, Military Technical Agreement between the International Security Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia. *Basic Documents*, 1999.

you.”¹³⁰ Jackson had established a liaison with the Russians and was convinced that this could be handled serenely. Besides, neither Washington nor London wanted a military confrontation and escalate the situation further. Therefore, instead of blocking the runaways, the British troops blocked the roads leading from the airfield in order to block Russian reinforcements.

Had the Russian achieved their aims, they would run it as a separate mission. Kosovo would have been effectively partitioned, allowing the Serbs to retain the northern part and NATO would lose the principle of command and control.¹³¹ However, Russia did not get its own sector, the Serb forces withdrew completely, the international peacekeeping force force (KFOR) was deployed as planned, a possible dangerous confrontation with the Russians was avoided, KLA started demilitarizing and the refugees were pouring in. The mission objectives were accomplished. Moreover, the US established its biggest military base in Kosovo, “Camp Bondsteel,” the largest one in the Balkans. NATO won the war but not yet peace. The next task was to ensure a secure environment and freedom of movement.

WESTERN NARRATIVE

“Barbarity cannot be allowed to defeat justice... it is simply the right thing to do.”

— Anthony Blair, 1999

The problem in Europe was confusion. Public opinion and politicians perceived the beginning of tensions and the erosion of conflict as an internal conflict of Yugoslavia rather than nationalist aggression and hatred. Luxemburg’s foreign Minister Jacques Poos stated that the “hour of Europe has come” as the Balkans descended into chaos and the killing fields of Europe. Europe stood powerless to influence the events on the grounds. Srebrenica was Europe’s shame and a symbol of collective failure. Europe

¹³⁰ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001): 394.

¹³¹ *Ibid.*, 375-388.

realized it could not function without the US's support, Srebrenica was a moment of reflection for the Europeans and not the European moment. The Europeans learned an important lesson here, a lesson that would be revisited in the Kosovo war.

The EU established the Common Foreign and Security Policy in 1992, aiming to preserve and strengthen international security in accordance with the UN Charter to promote international co-operation and to develop and consolidate democracy and the rule of law and respect for human rights and freedoms. The fact is, there has never been a joint EU foreign policy. The EU consists of nation-states that do not necessarily share similar perspectives. EU states vary and have different priorities, interests and objectives. This was made evident during the fragmentation of Yugoslavia. While the European nations were overwhelmingly in favor of getting more involved and stopping the war in Kosovo, they had different approaches and methods to solve the problem.

Although the reforms of the Lisbon Treaty have strengthened the capacities of the EU, its foreign policy remains weak. The EU emphasizes the role of institutions and the rule of law, highlighting the importance of soft-power and spending a lot of resources on diplomacy. Even today, the EU has been struggling to adapt to new trends of world politics. The decision-making process is the most difficult task. EU member states decide on a common foreign policy by unanimity and run their own national policy in parallel. Thus, such a structure creates limitations on collective actions due to the diversity of interests, fragmented leadership and free-riding.¹³² Despite the creation of an EU foreign policy chief, the EU is still a fractious build. The foreign policy chief is responsible to all EU members, each one of them is represented by its foreign policy ministers as well as national inclinations. The EU suffers from overlapping institutions; for instance, not every EU member state recognizes Kosovo's independence neither do they have similar approach regarding Kosovo.

When war broke out in 1991 in Slovenia and Croatia, the European Community embarked on a policy of localized solutions such as the *Brioni Accord* which has neither

¹³² Stefan Lehne, "Is there Hope for EU Foreign Policy?" *Carnegie Europe*, December 05, 2017.

stopped the violence nor resolved the fundamental grounds of the violence. Europe failed to understand the wars in Yugoslavia as part of an integrated complex of differences in terms of ideologies, customs, culture and history. Europe failed to understand that a bloody civil war was imminent in Europe and that more energy and resources were needed in order to prevent it.

During the conflict in Kosovo, NATO had military superiority, but the battle of the media was the most difficult one, because public opinion varied across the EU. They had to make sure that the intervention would not appear like an invasion but as joint cause to stop a dictator from killing innocent civilians. This situation is best described by James Fearon who coined the term “audience cost.” According to Fearon, a leader should never make a commitment to use force (set a red line) without the willingness to act.¹³³ Otherwise, the leader will have to confront domestic discord and pay the price by losing elections. In democracies such as the EU, the audience cost of losing power and support at home is very high. Moreover, the conflict in Kosovo had a problem of credibility, convincing people to intervene without UN mandate was challenging.

¹³³ James D. Fearon, “Domestic Political Audiences and the Escalation of International Disputes,” *The American Political Science Review* 88, Issue 3 (September 1994): 577-592.

<i>Country</i>	<i>Approve (%)</i>	<i>Disapprove (%)</i>
Britain	67	29
France	62	32
Germany	54	44
Italy	51	40
Belgium	42	45
Portugal	41	51
Spain	39	49
Greece	2	97

Figure 3: European Public Opinion of NATO Intervention in Yugoslavia, by country, June 2, 1999.

Source: Kosovo Task Force, “Kosovo Situation Reports” (Congressional Research Service, June 22, 1999), p. 6, based on polling by the French daily newspaper *Liberation*.

a. The question was asked, do you approve or disapprove of NATO military intervention in Yugoslavia?

The conflict in Kosovo came at a time when a new generation of social democratic leaders were governing Europe: Gerhard Schroeder in Germany, Tony Blair in Britain, Lionel Jospin in France, Massimo D'Alema in Italy and many more. Gerhard Schroeder was just appointed Chancellor of Germany. Schroeder led the coalition of Social Democrats and the Greens. The Foreign Minister came from the Greens, Joschka Fischer. The coalition focused on promoting social equality and disarmament, indeed a very peaceful ideological perspective. The war in Kosovo came as an early cold shower that threatened to bring an early end to his governance. German politics was entering the world's stage, their position was important. Germany was hesitant, because this was the first time since World War II that they would fight against a country that had suffered so much under the Nazi occupation. The sense of guilt from the Nazi era was still a powerful psychological factor, so Germany did not want to take the first step. When war broke out in the Balkans, Germans were unsure on how Germany would react. Many argued that

Germany had a special duty to prevent genocide. The German soldiers were deployed for the first time since World War II in Croatia and Bosnia and Herzegovina but were not militarily engaged, they served as peacekeepers. The strong American and British stance in favor of the intervention persuaded them to join the cause. In Kosovo however, they functioned under the umbrella of KFOR and fired the first bullets after some local Kosovo Serbs did not follow their orders.

The French were pushing for a diplomatic approach rather than a military one. In France, the vast majority of the population supported the intervention; however, factions on the far right and far left opposed it. Historically, France and Serbia had good relations, therefore France did not want to break that connection. The French believed that the Kosovo war was the European moment and Europe had to solve the situation through diplomatic channels and stop relying on the Americans too much. France hosted the Rambouillet talks that failed and brought humiliation to the European officials. When the allies intervened, France provided the second largest force. French planes made up around ten percent of Operation Allied Force. After diplomacy failed, France wanted to create a European counterbalance to America and show to the world it can launch military strikes independently on its own backyard.

Amongst all, the UK was the strongest proponent for the intervention. UK Prime Minister Tony Blair supported the intervention on moral grounds and judged the it as the right cause, calling for a unified response to act. Prime Minister Blair used communication techniques to speed up the air campaign through public support and was successful. According to several domestic polls, majority of British citizens supported the intervention in Kosovo. Blair was so popular in Kosovo that some families named their sons—born during the conflict in Kosovo—after his name.¹³⁴ The narrative he built persuaded other countries as well and played an important part in all aspects.

Both Italian and Greek governments faced intense domestic opposition to military strikes. Italy's involvement was crucial because it hosted one of the largest US military

¹³⁴ Julian Borger, "Meet the Kosovan Albanians who named their sons after Tony Blair," *The Guardian*, June 20, 2014, <https://www.theguardian.com/politics/2014/jun/20/kosovan-albanians-name-children-tony-blair-tonibler>.

bases in Europe and considering its geographical position, it was the closest base to launch the air strikes. The Italian perspective was equivalent; its political parties were divided on this matter and public support was against the intervention. However, Italy supported Albania financially regarding the refugee crisis. There were around 440,000 refugees in Albania, or 1/4 of the Kosovo population.¹³⁵ Greece, fueled by anti-American media and public opinion, was the only member of the EU to strongly oppose the intervention. The Greeks share Christian Orthodox heritage with the Serbs and felt a great sense of solidarity. The polls in Greece showed more than 95 percent of the population against bombing.¹³⁶ Greece and Cyprus were worried that Kosovo's intervention would legitimize Turkey's earlier military seizure of Northern Cyprus.¹³⁷ However, considering their long-term interests and being a good ally within NATO, Greek leaders didn't want to be excluded from the process and in the end they decided to join. Greece did not get involved during the intervention but after the war, Greek troops deployed as part of the KFOR mission.

The new NATO members, Czech Republic, Poland and Hungary that joined the Alliance in March 1999, found themselves at war two weeks later. The Czech government was divided on the issue, President Vaclav Havel supporting the intervention whereas Prime Minister Milos Zeman distancing his government from it. Only 35 percent of Czech citizens supported the intervention.¹³⁸ Polish people on the other hand, generally supported the intervention, with 60 percent of the public approving the air campaign.¹³⁹ Hungary – Serbia's neighbor – was divided on this matter because Serbia's northern region, Vojvodina, inhabits around 300,000 ethnic Hungarians. As such, Hungary wanted to avoid the bombardment of that area. However, Hungary cooperated fully with NATO

¹³⁵ United Nations High Commissioner for Refugees (UNHCR) Global Report 1999, *Country Operation: Albania*, www.unhcr.org/3e2d4d50d.pdf (accessed November 11, 2017).

¹³⁶ John Norris, *Collision Course: NATO, Russia and Kosovo* (London: Praeger Publishers, 2005), p. 9.

¹³⁷ Ted Galen Carpenter, "How Kosovo poisoned America's relationship with Russia," *The National Interest*, May 19, 2007.

¹³⁸ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), pp. 129-30.

¹³⁹ *Ibid.*

allowing them to use its airspace and transportation routes.¹⁴⁰ Hungary also prevented a Russian aid convoy headed to Yugoslavia from proceeding.

On the other side of the Atlantic, the US approach to the Yugoslav conflict began with a call for diplomacy backed with a warning that if negotiations fail it would turn quickly into a military coercion—diplomacy backed by force. Europeans failed to understand that unlike Western Europe, in the Balkans, fascist and nationalist layers does not simply appear on the surface; instead, a history of violence and hatred strengthens such behaviors. Once diplomacy failed, the US feared another Srebrenica and did not want to wait longer. While the Europeans wanted more time for diplomacy, the US pushed for the air campaign. President Clinton understood a bitter lesson in Bosnia and Herzegovina, that if diplomacy is not coupled by the threat of force, or the willingness to use force in an unstable environment such as the Balkans, diplomacy is often ineffective.

President Clinton was able to gather support from his European allies. Subsequently, support for the intervention came from Canada, Australia, Japan, New Zealand and Switzerland, making it a multilateral approach. Multilateralism increased the chances of a successful intervention. According to Christopher Hill who served as the US Ambassador to Macedonia and Special Envoy to Kosovo, success was not guaranteed unless the Europeans agreed.¹⁴¹ However, keeping everyone on board was difficult as every decision had to go through NATO, meaning that all member states' opinions had to be considered; still, the US was the key actor. Even after the air campaign started, differences were always present. In his memoirs, General Clark points out a fundamental change between America and Europe. "The US was increasingly committed to the idea of strategic strikes. The Europeans were more interested in limiting the strikes to Kosovo, trying to hit the ground forces and avoid actions that might antagonize or damage Serbia further."¹⁴²

¹⁴⁰ William Drozdiak, "NATO's Newcomers Are Shaken by Air Strikes," *Washington Post*, April 12, 1999.

¹⁴¹ Christopher R. Hill, *Outpost: A Diplomat at Work* (New York: Simon and Schuster Paperbacks, 2014), p. 131.

¹⁴² Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), p. 237.

Since the second part of the 20th century, American and European way of doing politics were substantially different. Americans and Europeans do not share a common view of the world. Europe has moved beyond power politics and has become more institutionalized, a society where laws, rules, negotiations and cooperation are the key focus. The US however, exercises power worldwide. For Americans, institutional organizations and law are good but not always reliable. Thus, the exercise of power is essential in order to defend and promote the liberal order. Robert Kagan's article *Power and Weakness* states that Americans and Europeans have different mindsets, "Americans are from Mars and Europeans are from Venus, they agree on little and understand one another less and less. And this state of affairs is not transitory—the product of one American election or one catastrophic event...When it comes to setting national priorities, determining threats, defining challenges and fashioning and implementing foreign and defense policies, the US and Europe have parted ways."¹⁴³ Europeans approach problems with different angles and greater nuance. They are more patient when solving problems and show greater patience when solutions are not easy to finalize. For Europe, the rule of law and institutions are the alpha and beta to every issue. In general, the Europeans appreciate diplomacy and consensus. "They often emphasize process over result, believing that ultimately process can become substance."¹⁴⁴ However, there are some differences within Europe as well. The UK for instance, has a more "American" view of power than the rest, its foreign policy is something between the US and Europe.

In the US, Democrats appear to be more "European" rather than Republicans. American Democrats are not Europeans and when it comes to power politics, they might seem more hesitant to use it, but when they are convinced they will act. The bombardment of a capital city (Belgrade) in Europe would have never been possible without the US's forced hand. Despite the fact that many believe that Europe and America as the Western front share the same or similar values and strategies, Europe and

¹⁴³ Robert Kagan, "Power and Weakness," *Hoover Institution*, June 2002, pp. 3-4.

¹⁴⁴ *Ibid.*, 5.

America are different. Europe is a dove while America is hawkish. Europe has evolved towards the peaceful culture as a result of centuries of wars and clashes. Post-World War II, was a new beginning in European history, Europe evolved this way because of America. The US provided goods and security, creating a safe environment for cooperation between nations. Having such protection, Europe has been weak in terms of its military for a long time.

Europe has been the geopolitical pivot. During the fragmentation of Yugoslavia, both Americans and Europeans focused on the strategic importance of the old continent and the continuing significance of NATO. The expansion of NATO in Eastern Europe and the consolidation of Cold War victory kept Europe in the vanguard of the strategic debate. The Maastricht Treaty in 1992 opened the door for more cooperation and sustainable development. Many believed that Europe would be the next superpower, consisting of great economy, strong military and political influence. Samuel P. Huntington foretold that “the coalescing of the EU would be the single most important move in a worldwide reaction against American hegemony and would produce a truly multipolar twenty-first century.”¹⁴⁵ However, the 1990s events in the Balkans witnessed not the rise of a European superpower but its relative decline. The conflict of Yugoslavia revealed European political disarray and military incapacity. The Kosovo conflict exposed a transatlantic gap in military technology and the ability to wage modern warfare. The Europeans simply were incapable of projecting decisive force in a region of conflict such as Balkans, the maximum they could do is provide peacekeeping forces, mitigate peaceful negotiations and impose economic sanctions. Indeed, the Europeans provided most the peacekeeping staff, but only after the US – largely on its own – carried most of the decisive strikes of the air campaign. As Robert Kagan writes, “the real division of labor consisted of the US making the dinner and the Europeans doing the dishes.”¹⁴⁶ Technology is crucial, the US can project its power in the world thanks to its sophisticated military technology. While many American politicians have argued of pulling back from

¹⁴⁵ Samuel P. Huntington, “The Lonely Superpower.” *Foreign Affairs* (March-April 1999).

¹⁴⁶ Robert Kagan, “Power and Weakness,” *Hoover Institution*, June 2002, p. 6.

the world, the reality on the ground is that America intervened more abroad in the late 20th century rather than the whole Cold War period. The US was able to use its high-tech capabilities through air and missile strikes without the involvement of ground troops.

It is undeniably important to note that the role of the Western leaders was a crucial factor. The intervention would have never been possible without the strong stance of political leaders against ethnic-cleansing. Some of these leaders had gone through World War II, they understood the real consequences of war. Seeing similar images was intolerable for them. Unfortunately, many international relations theorists – except those who take a psychologist approach – neglect the role of the leaders on the international sphere. The case of Kosovo proves that leaders play an important role in foreign policy and their decisions are not always in line with the political agenda. The strong stance of the US and the UK convinced the rest of the European nations to join the collective security cause.

The Kosovo conflict served as a “vivid reminder of lingering Hobbesian instincts that a neo-Kantian institutional reality in Europe has not fully tamed.”¹⁴⁷ The failure in Rwanda and the late intervention in Bosnia, proved to be critical for prevailing in Kosovo. President Clinton admitted the US hadn’t done enough to halt the violence and promised that America would never again turn a blind eye toward genocide. The conflict in Kosovo introduced new rationales for intervention, based on “alleviating human distress” and “protecting vulnerable minorities.”¹⁴⁸ It qualified the principle of non-interference, elevated the principle of self-determination and reduced the standing of UNSC. The intervention in Yugoslavia was just the first step of Clinton’s foreign policy in the Balkans. He was convinced that only a regime change could maintain long-term stability. Only when Milosevic fell from power in October 2000, Clinton felt the mission was accomplished. The intervention in Bosnia and Herzegovina and Kosovo are the landmark decisions of his presidency. It defined the legacy of the “Clinton doctrine” promising to

¹⁴⁷ Simon Serfaty, *The Vital Partnership: Power and order, America and Europe beyond Iraq* (Maryland: Rowman and Littlefield, 2005), p. 56.

¹⁴⁸ Lawrence Freedman, “Ukraine and the Art of Crisis Management,” *Survival: Global Politics and Strategy* 56, no. 3 (23 May 2016): 14-15.

prevent future genocides and promote democratic enlargement.¹⁴⁹ Bill Clinton visited Kosovo in November 2009. Kosovar authorities unveiled a statue of him on a boulevard in Pristina that also bears his name.

GLOBAL PERSPECTIVE

"Kosovo is not a precedent, it is a sui generis case."

— Doris Pack, 2008¹⁵⁰

Intervention advocates argued that states cannot emphasize security and integrity without respecting human rights and ensuring a peaceful society in accordance with the UN charter. The action in Kosovo was justified by its supporters on two different grounds: the doctrine of humanitarian intervention and the enforcement of UNSC Resolutions 1160, 1199 and 1203.¹⁵¹ The first resolution called for an immediate cessation of violence and the negotiation of a solution through dialogue. The second was proposed to end the atrocities, allow the presence of the international community, guarantee freedom of movement, facilitate the return of the refugees and find a political solution. The third resolution, recalling the former resolutions – 1160 and 1199 – emphasized that the situation in Kosovo was a serious threat to peace and security; thus, it demanded that the Yugoslav authorities comply fully with resolutions 1160 and 1199.

The interests of the international community have often been the subject of intense discussion. This time, a small country located in the southeastern part of Europe with less than two million people was the center of attention in world politics. The arena of political confrontation was the UN charter, specifically article 2(4) which defines that "states shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state." Exceptions exist when a state acts in self-

¹⁴⁹ Douglas Brinkley, "Democratic Enlargement: The Clinton Doctrine," *Foreign Policy* 106, (Spring 1997): 110-27.

¹⁵⁰ European Parliament, Kosovo: A Special Case says MEPs, Plenary Sessions, Press Release, February 20, 2008, <http://www.europarl.europa.eu/sides/getDoc.do?type=IMPRESS&reference=20080219IPR21734&format=XML&language=EN> (accessed February 11, 2018).

¹⁵¹ Carsten Stahn, "Enforcement of the Collective Will after Iraq," *The American Society of International Law* 97, no. 4 (October 2003), p. 809.

defense or when the UNSC finds a "threat to the peace, a breach of peace or act of aggression."¹⁵² The UN charter explicitly mentions "states" and according to international law, a state is an organized political community which has a permanent population, defined territory, government and the capacity to enter into relations with other states.¹⁵³ Kosovo was not a state, so according to the definition, no state had been attacked. As a result, the self-defense exception would have to be stretched in order to apply to Kosovo, because the UNSC resolutions on Kosovo were disregarded by Serb authorities, who claimed that the conflict was an internal matter of Serbia.

The proponents of intervention constructed a stronger case. They argued that the primary objective was to prevent genocide. They pointed to Srebrenica stating that Milosevic could not be trusted. General Clark recalls Milosevic remarks about Albanians, during a meeting with him and the German General Klaus Naumann. "We know how to deal with the problem of these Albanians.' Where they asked. 'We've done this before in the Drenica region in central Kosovo in 1946.' They asked what the solution was. His response was 'we killed them. We killed them all. It took several years, but eventually we killed them all. And we had no problem.'"¹⁵⁴ This a vivid example that portrays the true identity of Milosevic, he said such comments about an entire ethnic group during an official meeting with NATO representatives. The West clearly understood that diplomacy was not the way to go. Another argument was that the intervention would be multilateral. Unlike the Bosnian intervention, which was in accordance with the UN Charter, the intervention in Kosovo was questionable in terms of its legality. But the West was not seeking to annex Kosovo, they wanted to stop the violence, bring freedom and ensure stability. The West could not accept and put its credibility at risk. They were constantly threatening Belgrade to stop the slaughter or he would face strong military opposition—a decision they would not circumvent. Most importantly, Milosevic's barbaric ideas of ethnic-cleansing and systemic violence did not belong in Europe

¹⁵² United Nations Charter.

¹⁵³ Montevideo Convention on the Rights and Duties of States (Montevideo Uruguay, 1933).

¹⁵⁴ Wesley K. Clark, *Waging Modern War: Bosnia, Kosovo and the Future of Combat* (New York: Public Affairs books, 2001), pp. 151-52.

anymore. The West send him a strong message that anyone who lives in Europe has to live by respect and dignity for the others. Europe has witnessed terrible wars in the past, killing people, annexing territories and suppressing minorities is not part of the narrative anymore.

Kosovo was the subject of fundamental disagreements between the members of the UNSC, in particular its permanent members, about whether the use of force was indeed a last resort. Some states wanted to continue to pursue negotiations with Yugoslavia and accused NATO states of deliberately offering unacceptable terms at the Rambouillet talks.¹⁵⁵ Most of the states supported the intervention, whereas Russia and China strongly opposed it. Such debate was in fact the very purpose of the UN. The opposition argued that sending foreign troops into a sovereign country without the authorization of the UNSC and not respecting the territorial integrity of states is a huge violation of international law. Russia and China had consistently made it clear that they would veto any proposal for military action against Yugoslavia, judging the intervention as an act of aggression. They accused the West of taking unilateral actions. Moreover, they stressed continuously the importance of the non-intervention norm as the fundamental basis of the UN and international security.¹⁵⁶

Russia was going through a tough post-Soviet transition and economic reforms and when it came to the intervention in Kosovo, Russia stood powerless before the Western allies. However, NATO's attack on Serbia was an attack to a close ally for Russia, consequently the intervention has stimulated further opposition. Moscow's Kafkaesque view on NATO intervention created a sentiment of nemesis. Kosovo became the battlefield of Russo-American relations. The intervention led to a serious deterioration between US-Russia relations. This negative impact shaped the Russian public opinion as well, reducing the numbers positively disposed toward the US from "57 percent to 14

¹⁵⁵ Christine Gray, "A Crisis of Legitimacy for the UN Collective Security System?" *International and Comparative International Quarterly* 56, no. 1 (January 2007), p. 166.

¹⁵⁶ Adam Roberts, "NATO's Humanitarian War over Kosovo," *The International Institute for Strategic Studies* 41, no.3 (Autumn 1999), p. 104.

percent.”¹⁵⁷ Today, the Russian President, Vladimir Putin uses Kosovo as a reference of international law violation. He portrays himself as the watchdog of international law in international relations but engages in military conflicts and annexes territories such as in Georgia and Ukraine. He harnesses the perception of American exceptionalism to play the victim card to keep his people and allies away from the West. Russian foreign policy in the Balkans can be perceived as a traditional international affairs deterrence approach. Kosovo continues to play a significant role in Russian foreign policy. Kosovo is not a member of the UN, but it is represented by the Special Representative of the Secretary General. Russian continuous opposition over Kosovo remains the same. Russia uses Kosovo as a precedent to demonstrate its veto power at the UNSC.

In the 1990s, the Westphalian system was no longer an adequate framework for international affairs. Sovereignty and legitimacy could no longer be the *de facto* power authority; dictators and human rights abusers such as Milosevic could not hide behind the principle of “sovereignty” to protect themselves. Criminals and oppressors such as Milosevic were responsible for huge violations of human rights, ethnic cleansing and genocide; therefore, under these circumstances the international community in the name of human rights and democratic legitimacy had the right and the obligation to intervene. NATO launched the air campaign to stop the oppression, not attack Serbia. As General Clark emphasizes “it was not a campaign against the Serbian people. It focused specifically on the forces of repression from top to bottom to coerce a change in their behavior.”¹⁵⁸ It did not do so to uphold the inherent right of individual or collective self-defense or with explicit authorization from the UNSC. Neither did it justify its action under the 1948 Genocide Convention. However, these facts do not mean that the alliance's action was illegitimate. The UNSC had identified the crisis in Kosovo as a threat to international peace and security in 1998. NATO did not request the council's authorization to use force in 1999, because Russia indicated that it would veto any such

¹⁵⁷ Noam Chomsky, *The New Military Humanism: Lessons from Kosovo* (Monroe, Maine: Common Courage Press, 1999), p. 105.

¹⁵⁸ Wesley K. Clark, “When Force is Necessary: NATO’s military response to the Kosovo Crisis,” *NATO Online Library* 47, No.2 (Summer 1999), pp. 14-18.

resolution. Yet, Moscow and Beijing also failed to offer any promising alternative strategies for stopping the bloodshed. That left the NATO countries with a choice between not acting in response to the humanitarian emergency or acting without the UNSC's explicit backing. After much debate, the allies chose the latter option, justifying their decision by the urgency of the situation.¹⁵⁹

The Yugoslav government as a sovereign state had the right to govern the country as they pleased, however this didn't mean that Milosevic had a *carte blanche* on the people he represented. As the then-director of the policy Planning Staff at the State Department, Richard Haas put it, "Sovereignty entails obligations. One is not to massacre your own people."¹⁶⁰ The question for humanitarian intervention has often been portrayed as a debate over the priority that should be accorded to either sovereignty or human rights. After the Cold War, the horrors in Rwanda, Bosnia, Somalia and Iraq made states rethink the use of UN Charter, chapter VII to authorize humanitarian intervention. However, there was a strong commitment against interference in sovereign states therefore UNSC was unable to authorize intervention in states that abused and killed their citizens. Article 2(7) of the UN Charter prohibits states from interfering in the domestic affairs of other states, while Article 2(4) prohibits the threat or use of force except in self-defense or with the approval of the UNSC.

NATO initiated an air campaign against the Socialist Federal Republic of Yugoslavia to topple its leader Slobodan Milosevic and prevent the ethnic cleansing of ethnic Albanians in Kosovo. NATO was forced to act without the authorization of the UNSC, because Russia and China believed the situation was an internal affair matter of Yugoslavia and wasn't serious enough to intervene; thus, they threatened they would veto any mandate to warrant military intervention. The case of Kosovo raised two important questions: is it legitimate for a group of states to intervene without UN approval and how can states make that judgment whether there has been enough killings

¹⁵⁹ Ivo Daalder and Michael O'Hanlon, "Unlearning the Lessons of Kosovo," *Foreign Policy*, no. 16 (Autumn 1999): 128-140.

¹⁶⁰ Renee De Nevers, "Sovereignty and Ethical argument in the Struggle against State Sponsors of Terrorism" *Journal of Military Ethics* 6, no. 1 (2007), p. 9.

to give the green light for intervention? Questions such as these made scholars worldwide rethink and restudy the definition of sovereignty. In 1996, Francis Deng published a book titled *Sovereignty as Responsibility* which states that “sovereignty carries with it certain responsibilities for which governments must be held accountable. And they are accountable not only for their own national constituencies but ultimately to the international community.” (Deng et al. 1996). In other words, by effectively discharging its responsibilities for good governance, a state can legitimately claim protection for its national sovereignty. According to Deng, sovereignty requires a demonstration of national and international responsibility.

The intervention in Kosovo inspired future events. In order to prevent future Kosovo’s, the UN adopted the Responsibility to Protect (R2P) declaration in 2005 World Summit. The declaration states that, “when states are unwilling or unable to protect their citizens from grave harm, the principle of non-interference ‘yields to the responsibility to protect (R2P).’” This came as an attempt to make it difficult for UNSC members to veto when facing humanitarian emergencies, most importantly it makes it harder for states to violate human rights. The R2P declaration comprises of four main elements: (1) states recognized their responsibility to protect their own citizens from genocide, war crimes, crimes against humanity and ethnic cleansing; (2) they pledged to help states fulfill their primary responsibility; (3) the international community will take a host of non-coercive measures to prevent genocide and mass atrocities; (4) in extreme situations, where a government is manifestly failing to protect its citizens, the UNSC stands ready to intervene using the full range of its powers.¹⁶¹

The R2P is based on principles of international law relating sovereignty, peace, security, conflict, and human rights. This mechanism rests solely on the UN and it is considered a measure of last resort. The R2P is an attempt to reconfigure the relationship between sovereignty, human rights, and international society. An Extension of the role

¹⁶¹ International Commission on Intervention and State Sovereignty, “The Responsibility to Protect.”

of the international community to protect societies vulnerable to abusive governments.¹⁶² It suggests that this is not just a matter of charity but a matter of responsibility that states and international community must abide, because the very essence of international society are individual human rights. R2P delivers a strong notion that human beings matter more than sovereignty radiated.¹⁶³ While humanitarian intervention has no legal basis in the international law, the R2P has both a legal and moral basis, offering sanctions, capacity-building and mediation when a conflict takes place.

Although, Obama administration used this mechanism as a justification for the air campaign in Libya, the same standards are not taken into consideration when it comes to the Syrian conflict. The R2P has been subject of debate regarding its implementation. The intervention in Libya and the destabilization of the region has seriously damaged this mechanism and has made it harder to enforce it today. The R2P remains an international norm facing its challenges. However, the R2P is a major step in international community. It is an international commitment which was endorsed by all member states of the UN for the purpose of preventing war crimes, genocide, ethnic cleansing and crimes against humanity. Its future is yet to be determined.

¹⁶² Richard A. Falk, "What Future for the UN Charter System of War Prevention" *The American Journal of International Law* 97, no.3 (2003).

¹⁶³ Thomas G. Weiss, "R2P after 9/11 and World Summit" *Wisconsin International Law Journal* 24, no.3, (2007), p. 747.

KOSOVO'S POST-YUGOSLAV REALITY

POLITICAL METAMORPHOSIS

"At some point in time, sooner rather than later, you have got to say enough is enough. Kosovo is independent."

—George W. Bush, 2007¹⁶⁴

After the war everything changed. Yugoslav flags were removed, replaced by the Albanian and Western flags. Street names were changed from Serbian to Albanian. The symbols that characterized the former regime simply disappeared. Joy and happiness replaced fear and terror. Now, people could see the real consequences of war, missing people, devastated infrastructure, destroyed homes and buildings. The ethnic Albanians felt happiness, but also felt the need for revenge. Sometimes the feel of vengeance trumps happiness and love. Fearing about a possible attack on Serbian communities in Kosovo, Senator Joseph Biden publicly asked Kosovo Albanians to be peaceful, he said "we are with you, but do not do to the Serbs what they did to you."¹⁶⁵ Some people disregarded Biden's warning and began to attack Serb communities causing a significant number of them to evacuate. The rest — under KFOR protection — started living in isolated enclaves within Kosovo. But, ethnic Albanians who have been discriminated and persecuted for decades, driven from their homes and lands and brutalized during the conflict, can be forgiven a certain paranoia, even if their revenge attacks against local Serbs cannot be condoned.¹⁶⁶

After recalling the previous resolutions, the UNSC adopted resolution 1244 (10 June 1999) authorizing civil and military presence in Kosovo and established the United

¹⁶⁴ Ian Traynor, "Bush Insists Kosovo Must be Independent and Receives Hero's Welcome in Albania," *The Guardian*, June 10, 2007, <https://www.theguardian.com/world/2007/jun/11/balkans.usa>.

¹⁶⁵ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), p. 119.

¹⁶⁶ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington D.C.: Brookings Institution Press, 2000), p. 16.

Nations Interim Administration Mission in Kosovo (UNMIK).¹⁶⁷ The Resolution was adopted by 14 votes to none against, China abstained. Except being against the air campaign since the very beginning, China's main reason for abstention was the bombardment of its embassy in Belgrade during the conflict. Resolution 1244 demanded an immediate end of violence and repression; demanded the withdrawal of Yugoslav military, police and paramilitary forces; encouraged all member states and international organizations to contribute economic reconstruction; encouraged the safe return of refugees and internally displaced persons; demanded full cooperation with the ICTY; demanded the demilitarization of the KLA and other armed groups; decided for an international civil and military presence under the UN.¹⁶⁸ The problem with the resolution is that it recognizes Kosovo as part of the Federal Republic of Yugoslavia, an entity which was dissolved in 1992. Thus, the Resolution remains legally binding to all parties. However, the Resolution authorized the UN to determine Kosovo's future taking into consideration the Rambouillet Accords.

The Resolution mandated UNMIK with "organizing and overseeing the development of provisional institutions for democratic and autonomous self-government."¹⁶⁹ UNMIK comprised of four pillars: 1) police and justice led by the UN; 2) civil administration led by the UN; 3) democratization and institution building led by the OSCE; and 4) reconstruction and economic development led by the EU. Additionally, KFOR was responsible for peacekeeping and maintaining security. UNMIK was a true amalgamation of international organizations, something that had never happened before.

Ensuring peace and stability was a difficult task to achieve. The failure of NATO deployment in time, allowed Serbs in North Mitrovica (Northern Kosovo) to establish informal security forces, otherwise known as the "parallel structures" that prevented

¹⁶⁷ Security Council, Welcoming Yugoslavia's Acceptance of Peace Principles, Authorizes Civil, Security Presence in Kosovo, Press Release SC/6685 (June 10, 1999).

¹⁶⁸ United Nations Interim Administration in Kosovo, Regulation no. 2002/10, On the Establishment of the Economic and Fiscal Policy, May 6, 2002, www.unmikonline.org/regulations/unmikgazette/02english/E2002regs/RE2002_10.pdf (accessed July 01, 2017).

¹⁶⁹ United Nations Security Council, Resolution 1244, June 10, 1999, [https://undocs.org/S/RES/1244\(1999\)](https://undocs.org/S/RES/1244(1999)) (accessed July 12, 2017).

Albanians from moving freely and questioned the legitimacy of UNMIK.¹⁷⁰ As such, the city of Mitrovica was divided into two parts, North and South. After the war, most of the Serbs moved into the Northern part of the city, occupying most of the homes belonging to Albanians. Despite the presence of KFOR, some ethnic Albanians – traumatized by the war and the loss of their beloved ones – did not want to see Serbs in Kosovo. Looking for vengeance, sporadic violence continued but eventually declined through the years. Such unpleasant circumstances are still present nowadays, although on a much smaller scale.

The international community, mainly Western nations invested heavily to reconstruct the war-torn country. International assistance for Kosovo's reconstruction proved more generous than for any earlier post conflict response.¹⁷¹ The US and international organizations spent \$1.5 billion on financial assistance to Kosovo in 1999 and 2000, including funding for budgetary assistance, reconstruction and recovery and peace implementation.¹⁷² Moreover, "the U.S. and its allies have put 25 times more money and 50 times more troops, on a per capita basis, into post-conflict Kosovo than into post-conflict Afghanistan. This higher level of input accounts in significant measure for the higher level of output measured in the development of democratic institutions and economic growth."¹⁷³

Kosovo was governed through a system of overlapping authorities: UN administrative protectorate and a provisional government. The reason being Kosovo – until 1999 – was a province of Yugoslavia and was technically under the sovereignty of Belgrade. Unlike Bosnia, Kosovo had no institutions; thus, KFOR and UNMIK cooperated with each other. UNMIK helped through well-qualified staff members who professionally assisted the local civil servants. Within years, UNMIK was capable of creating working institutions – in three years Kosovo had a fiscal policy, tax system,

¹⁷⁰ The Parallel Structures covered security structures, courts, administrative structures dealing with property issues, schools, healthcare centers and documents issued by the Serbian Ministry of Internal Affairs.

¹⁷¹ James Dobbins, John McGinn, Keith Crane, Seth Jones, Rollie Lal, Andrew Rathmell, Rachel Swagner and Anga Timilsina, *America's Role In Nation-Building: From Germany to Iraq*, (Santa Monica, CA: RAND, 2003), p. 125.

¹⁷² World Bank and European Commission, *Report on Progress Made in Committing, Contracting and Spending Donor Pledges to Kosovo*, Washington D.C., May 2002, p. 1.

¹⁷³ James Dobbins, John McGinn, Keith Crane, Seth Jones, Rollie Lal Andrew Rathmell, Rachel Swagner and Anga Timilsina, *America's Role In Nation-Building: From Germany to Iraq*, (Santa Monica, CA: RAND, 2003), p. xix.

government and democratic elections were held. In the same period, KFOR was constantly providing professional and military assistance to the *ad hoc* Kosovo Protection Corps (KPC), which today is known as the Kosovo Security Force (KSF, not an army but a defense force). Providing humanitarian assistance, security and civil administration were key to establishing a peaceful environment in Kosovo. The success of UNMIK and KFOR is being questioned by civil society and NGOs in Kosovo and abroad, however, considering the situation and the circumstances there was a relative progress that should be praised.

Kosovo held its first (local) elections under UNMIK in 27 October 2000. The Kosovar political spectrum consisted of three predominant parties: The Democratic League of Kosovo (LDK); the Democratic Party of Kosovo (PDK); and the Alliance for the Future of Kosovo (AAK). This time, Serbs boycotted the elections. Next year, on 18 November, national elections brought an elected “provisional government,” consisting of a president, prime minister and cabinet. On the other hand, the Serbs lost patience with Milosevic’s harms and devastation he brought to them. Milosevic lost the presidential elections in Serbia. Failing to admit defeat, he provoked violent public protest which eventually ended his power. The next year, Milosevic was arrested by the government of Serbia on corruption charges, then extradited to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in Hague, Netherlands, to stand trial on approximately 60 charges of crimes of war, crimes against humanity and genocide, in the conflicts of Croatia, Bosnia and Herzegovina and Kosovo.¹⁷⁴

When George W. Bush won the elections in 2001, many Albanians were disappointed. Knowing that Republicans and Democrats have different objectives, Kosovo Albanians believed that President Bush had a different foreign policy approach and Kosovo was not part of his agenda. Bush indeed had a different foreign policy, after 9/11 his focus was entirely on national emergency issues such as the interventions in

¹⁷⁴ The International Criminal Tribunal for the Former Yugoslavia, The Prosecutor of the Tribunal against Slobodan Milosevic, Milan Milutinovic, Nikola Sainovic, Dragoljub Ojdanic and Vlatko Stojiljkovic, www.icty.org/x/cases/slobodan_milosevic/ind/en/mil-ai010629e.htm, (accessed June 29, 2017).

Afghanistan and Iraq and the fight against global terrorism. However, Kosovo was part of his vision. President Bush attempted to distance itself from the Clinton's foreign policy. He initiated a withdrawal of US military forces from the Balkans. This came out to be an immature decision. A conflict broke in Macedonia. Ethnic Albanians – which comprises approximately 1/4 of the population – used this opportunity to assert their demands for a “Greater Albania,” having Kosovo and Western Macedonia join Albania. As everywhere in former Yugoslavia, ethnic Albanians were not treated equally; they believed this was their moment to breakout from the old regime and establish the true great Albania. The violence spread to the Presevo valley (South-East Serbia) mainly populated by ethnic Albanians. It seemed that a new conflict was underway, but this time the West was quick to react and negotiate a ceasefire. On 13 August 2001, the government of Macedonia and ethnic Albanian representatives signed the peace agreement, otherwise known as the Ohrid Framework Agreement. The agreement ended the conflict and granting more rights to ethnic Albanians such as affirmative acts, participation in governance and judiciary, making Albanian an official language, amnesty for guerrilla fighters, et cetera.¹⁷⁵

After the war, Kosovo Albanians welcomed UNMIK. They saw the mission as the departure of the old regime and as the vehicle towards independence. A couple of years later, this perception changed and started to fade away. UNMIK was now seen as the main obstacle towards independence. The procrastination of the final political status, the absence of the US and the refusal of UNMIK to debate on the future of Kosovo, created uncomfortable conditions. Furthermore, unemployment was high and the economy was performing poorly. Foreign direct investment – except the Albanian diaspora – was almost inexistent. The inability to travel internationally also frustrated people. They grew increasingly fed up with the status-quo.

¹⁷⁵ Ohrid Framework Agreement (2001), https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/the_former_yugoslav_republic_of_macedonia/framework_agreement_ohrid_130801_en.pdf (accessed October 02, 2017).

In Serbia, Zoran Djindic was elected Prime Minister, a highly educated person with a Physics Degree, fluent in German and a progressive politician. He attempted to overcome Serbia's past demons, through institutional reforms and integration but was shot dead in 2004. A nationalist, Vojislav Kostunica, took his place. Kostunica has held rallies against Milosevic in the past, but when it came to Kosovo, no Serbian leaders – whether democratic, progressive, or conservative – dared not to make any compromises. Whenever he had the chance to speak in public, Kostunica never missed the opportunity to talk about Kosovo as part of Serbia, regardless of the question he was asked.¹⁷⁶ Such rhetoric, only worsened the situation, especially in Kosovo where people were not fully recovered from the devastating consequences of war and families were still waiting to find the bodies of their loved ones from mass graves.

On 17 March, Kosovo witnessed an ethnic clash between the Albanians and Serbs. Three Albanian children who were playing in the Northern part of the city were confronted by a group of Serbian boys who set their dog on them. On a desperate attempt, they tried to escape the river and were drowned in the Iber River – which demarcates the North city of Mitrovica. Thousands of Albanians approached the Iber bridge whereas the Serbs gathered to prevent the Albanians from crossing the bridge. The only barrier standing between them was a limited number of KFOR troops. The situation escalated quickly, making the incident the biggest inter-ethnic violence since the end of the war. The drowning of kids led to local disturbances, riots and inter-ethnic violence. The small progress made by the UN, five years after the war faced a critical challenge. According to some estimates, around 50,000 Albanians participated in the riots. Eight of them were killed and around 300 were wounded. According to UN, in total, 31 people died and 950 were injured. Mitrovica was not the only incident. The city of Prizren – Kosovo's second largest city – witnessed the largest destruction. The protesters burned Serbian houses and

¹⁷⁶ Bojana Barlivac, "Vojislav Kostunica-The Nationalist," *Balkan Insight*, October 15, 2010, <http://www.balkaninsight.com/en/article/vojislav-kostunica-the-nationalist>.

Orthodox religious sites. Moreover, every single UN office in Kosovo was attacked and more than 150 UN cars were burned.¹⁷⁷

Despite gradual improvement, the 2004 riots undermined the progress made thus far. It became crystal clear that Kosovo Albanians – comprising more than 90 percent of Kosovo population – would never tolerate the return of the Serbian governance. After the March riots, the clashes were mostly on the political level. Kosovo Albanians demanded full independence while Serbia and Kosovo Serbs called for the creation of an autonomous region of Kosovo within Serbia and Montenegro. The riots in Mitrovica forced the international community to act. The UN Secretary-General Kofi Annan recommended the start of international negotiations on whether Kosovo should remain part of Serbia or gain independence. In 2006, the first major steps towards independence began. The decentralization talks began in the beginning of the year and continued throughout the year. UN Special Envoy Martti Ahtisaari – former President of Finland and a Nobelist – developed a comprehensive package of measures to protect and promote minority rights of non-Albanian communities in Kosovo. Even though his plan was rejected by Serbia, it represents an enduring contribution for peace and coexistence.

The consensus among international diplomats has been that a possible solution must avoid partition or unification with another state. Moreover, a number of them have clearly stated they would support “conditional independence” without granting the full state status. Serbia, strongly opposed any possibility of having an independent Kosovo state. They argued that any unilateral change of internationally recognized borders would contravene international law and posed serious threat to stability in the region. Moreover, they argued that Kosovo was incapable of running its own affairs, therefore such action would be extremely dangerous and immature leading to chaos. The international community knew that Serbia had already lost the right to govern Kosovo, the homogenous Albanian population would never accept the return of the old regime.

¹⁷⁷ Henry J. Perrit, *The Road to Independence for Kosova: A Chronicle of the Ahtisaari Plan* (New York: Cambridge University Press, 2009), pp. 9-10.

Before Ahtisaari's departure to Kosovo, the international community was already aware of what would be the outcome of his final report. "France was historically pro-Serb, but it changed course after elections and the appointment of Foreign Minister Philippe Douste-Blazy, who had served as the medical doctor during the war in Bosnia. He had affection and solidarity with the victims in Yugoslavia. Russia publicly supported the Yugoslav authority over Kosovo but did not completely reject the idea of independence. China saw Kosovo's status issue as a European problem therefore it did not want to get involved. This was the case with most non-European nations. Besides, there were more important matters to discuss and worry about in the world and Kosovo was not on the lists. They were inclined to support any position adopted by the EU. The negotiations led by Ahtisaari initiated with three pre-existing conditions: no return to the status-quo, no partition and no redrawing of borders.¹⁷⁸ The same year, in May, Montenegro organized an independence referendum where majority of citizens voted to separate from Yugoslavia. The course of events favored independence, with Montenegro gone, Kosovo became the last phase of Yugoslav agony.

Incapable of doing much, Serbia used the destabilization card in Kosovo. Using the parallel forces, they tried to maintain tensions active, especially in the North of Kosovo. Serbia's strategy was to divide Kosovo and delay the process. Belgrade tried to divide the Europeans by arguing that Kosovo's independence would open the Pandora's box and inspire other separatist groups. Serbia aimed to transcend fear in Europe and its periphery to rethink about potential independence movements to be inspired by Basques and Catalans in Spain, ethnic Hungarians in Romania and Slovakia, Turkish Cypriots in Cyprus, Abkhazians and Ossetians in Caucasus and beyond. They also tried to discredit Ahtisaari, accusing him of dishonoring Serbia and being bias in favor of the Albanians. Other than spreading tensions, Belgrade offered little beyond proposing that Kosovo remain an integral part of the Serbian state. But, the team for Kosovo's status was already

¹⁷⁸ David L. Phillips, *Liberating Kosovo: Coercive Diplomacy and U.S. Intervention* (Cambridge: The Massachusetts Institute of Technology Press, 2012), pp. 160-163.

made, negotiations were underway. Western countries strongly supported the idea and the US demanded a resolution.

In February 2007, Ahtisaari unveiled his report before the UNSC, otherwise known as the "Ahtisaari Plan." The plan envisioned the independence of Kosovo after a period of international supervision, or, in other words, a "supervised independence," not a full one. The Ahtisaari plan briefly recommended the decentralization of Kosovo, special focus on strengthening the rule of law, strong laws to protect and integrate the minorities, maintaining democratic standards, et cetera. Ahtisaari proposed the deployment of European Union Rule of Law Mission (EULEX) to supervise Kosovo's institutions and contribute to the rule of law. Finally, Ahtisaari submitted his "Comprehensive Plan and Recommendations" to the UNSC on April 2007. After weeks of reviewing the plan, the Western nations proposed the replacement of the UN Resolution 1244, following the dissolution of UNMIK in a period of four months. Ahtisaari Plan faced major opposition in Belgrade. The Serbian Prime Minister Vojislav Kostunica denounced the proposal as "illegitimate and unacceptable." Kosovo Albanians were not pleased by the plan, in fact they were discouraged. They believed that living seven years under UNMIK was enough supervision; thus, they saw the presence of the international supervision as prolonging the independence further. However, the important question was, when will Kosovo declare its independence? The UNSC met on 09 July 2007. Part of the agenda was the endorsement of the resolution proposed by Ahtisaari. Russia and Indonesia spoke against the endorsement of Ahtisaari Plan. The UNSC proposed other edited draft resolutions, but again, the drafts were strongly rejected by Russia. It became evident that the independence of Kosovo would happen without the official approval of the UN.

The US changed its approach aiming to get as many influential states to support Kosovo's independence. On 10 July 2007, George W. Bush made a landmark visit in Albania, being the first American president to visit the former communist state. President Bush used this visit to show support for the UN's plan for Kosovo's independence. During his press conference he stated, "at some point in time, sooner rather than later,

you have got to say enough is enough. Kosovo is independent and that is the position we have taken.”¹⁷⁹ President Bush started its first mandate with the unilateral invasion of Iraq, on the second term he shifted towards international cooperation. The independence of Kosovo benefited from President Bush shift to multilateralism. Although the declaration was coordinated with Europe, the Europeans were not as comfortable having Kosovo declare its independence without the approval of the UNSC. Considering President’s Bush hawkish leadership and the invasion of Iraq without the UNSC approval, made the Europeans draw comparisons of “unilateral actions,” and grew seriously skeptical regarding the legitimacy of the unilateral declaration of independence.

Despite all challenges, the historic moment came. On 17 February 2008, the Parliament of Kosovo unanimously declared Kosovo to be independent of Serbia. The declaration symbolized a new chapter for the people of Kosovo, it signified the end of decades of violent oppression and discrimination. Subsequently, the first states to recognize the independence of Kosovo were Albania, US, UK, Costa Rica, followed by European states and democracies around the world. While an atmosphere of joy and happiness was reigning over Kosovo, in Serbia the situation deteriorated. Unable to accept reality, dozens of Serb hooligans gathered in front of the US embassy in Belgrade, smashed the windows and burned the American flag. German and Turkish embassies were also attacked. In Kosovo, Serbs attacked the UN building in North Mitrovica. Ethnic Albanians in Kosovo, Albania and around the world started celebrating for days. The moment of euphoria—after the declaration of independence—generated an illusion of harmony, achievement and the end of problems. The independence was a crucial milestone towards Kosovo’s statehood; however, the newborn state would have to keep moving forward and prove themselves in front of the international community. The constitution of Kosovo came to force a year later, in accordance with the Ahtisaari Plan. The constitution states that Kosovo is a parliamentary republic based on the separation

¹⁷⁹ Ian Traynor, “Bush Insists Kosovo Must be Independent and Receives Hero’s Welcome in Albania,” *The Guardian* (June 10, 2007).

of power of the three branches of government: legislative, judiciary and executive. The constitution emphasizes that Kosovo is a multi-ethnic state, committed to the rule of law and the respect of minority rights.¹⁸⁰ The parliament of Kosovo has 120 seats, 20 of which are minority reserved seats with veto power. The legislative has also adopted a gender quota of 30 percent for women to make sure women are represented fairly.

THE STRUGGLE FOR RECOGNITION AND INTEGRATION

"The field of public administration is necessarily more of an art than a science."

— Francis Fukuyama, 2004¹⁸¹

The desire or struggle for recognition was first described by Plato in *The Republic*. Plato argued that there were three parts that comprise the soul: desire, reasoning and spiritedness. Desire demonstrates people seeking things outside their own; reason shows the best way to get those desires and spiritedness is the feeling people believe they have a certain worth and when other people do not respect that, they feel shame and anger. In contrast, when people respect and acknowledge their worth, they feel pride. A German philosopher revisited this concept in the 19th century. According to Georg Wilhelm Friedrich Hegel, human beings are like animals, they have natural needs and desires for things outside of themselves. People, however, are different from animals, because they desire the desires of other people, that is, he or she wants to be recognized as a human being. What truly satisfies people is not so much material prosperity as it is the recognition of their status and dignity.

Although people and states are not synonymous, the desire or struggle for recognition rhymes for both sides. The desire and struggle for recognition provides insights on the structure or the arrangement of relations of domestic politics characterizing the newest country in Europe. Kosovo is struggling to be a member in

¹⁸⁰ The Constitution of the Republic of Kosovo.

¹⁸¹ Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004), p. 43.

many international organizations and the number of state recognitions has stagnated. Simply put, Kosovo is struggling to join the family of nations within the international community. The struggle for recognition and integration is essential, but Kosovo is facing an array of problems domestically as well. Kosovo's constitution—the supreme law of the country—was written with the help of its international supporters. Technically speaking, Kosovo has one of the best drafted constitutions accompanied with high democratic standards focusing on separation of powers, secularism, rule of law, human rights, minority rights, et cetera. However, the problem is its implementation.

Kosovo is small, yet symbolically very important. The political situation can escalate easily and disseminate beyond the country and spread. The West learned their lesson in Bosnia and Herzegovina first with Srebrenica and second with Dayton Accords. Bosnia and Herzegovina have three presidents coming from the three largest ethnic groups and is divided into two autonomous entities: federation of Bosnia and Herzegovina and Republic of Serbia. Bosniaks, Serbs and Croats—largest ethnic groups—challenge the legitimacy of each other as well as the legitimacy of the state itself. Kosovo, on the other hand, is the most homogeneous society in the Balkans and considering the death, suffrage and devastation it has suffered over the years, Kosovo's independence was the best alternative to end the story of the death of Yugoslavia. As such, the Western nations strongly supported the declaration of independence. The first independence recognitions came from Western countries and Kosovo neighboring nations. Albania, US, UK, France, Germany, Turkey, former Yugoslav republics, Japan, South Korea, Canada and many more recognized Kosovo within weeks. However, five EU member states rejected the idea. Greece, Cyprus, Romania, Spain and Slovakia do not recognize Kosovo as an independent state and their opinion remains the same a decade afterwards. With the independence of Kosovo, the redrawing of the post-Yugoslav map was completed, but Kosovo still has a long way to go. Kosovo is in search of sovereignty, recognition and integration.

The West intervened in Kosovo but was also determined to assist the youngest country in Europe to build strong and sustainable institutions. According to Francis

Fukuyama state-building means “the creation of new government instructions and the strengthening of existing ones.”¹⁸² Simply put, state-building means improving the well-being of citizens in all spheres. The international community was not fully committed to install a rule of law and order in Kosovo, they came to work and enjoy the allowances and left without learning the local language and culture essential to better understand the problems and initiate change. The UNMIK staff was overpopulated, and often not accountable. As such, it had negatively inspired unaccountability and stimulated a culture of corruption. What the UNMIK should be mostly accredited for is its neutral approach towards the status of Kosovo, organizing elections and the establishment of fiscal policy and tax system. When Kosovo declared independence most of its powers were transferred to the government of Kosovo and the European Union Rule of Law Mission in Kosovo (EULEX) which was established in 2008 and operates under the umbrella of UNMIK. The EULEX deployed a combination of civilian and police personnel with the purpose of introducing a rule of law culture, improving negotiations vis-à-vis Serbia and strengthening local institutions. Kosovo is the largest per capita recipient of EU financial aid in the world and is home to the largest civilian crisis management mission ever launched by the EU. The EULEX focuses on providing support to Kosovo’s rule of law to strengthen the chain of criminal justice, with emphasis on fighting political interference and monitoring sensitive cases. The mission has executive powers and works as an independent body from the Republic of Kosovo and is accountable to the EU member states. However, the mission’s mandate is required by the Kosovo parliament to be approved on a two-year basis. Since its establishment, the EULEX mandate has been extended consistently.

Although the EULEX helped build capacities, notably in customs and assisting the Kosovo police; the judiciary however, has made minor progress. In 2012, the European Court of Auditors reported that EULEX has not been sufficiently effective. For instance,

¹⁸² Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004) p. ix.

EU member states have seconded an insufficient and unqualified staff to EULEX.¹⁸³ The mission was shaken two times. The first scandal broke out in 2014 when the EULEX prosecutor Mariah Bamieh accused one of the judges of EULEX for taking bribes. Three years afterwards, Malcolm Simmons the chief judge of EULEX, resigned and unleashed a string of accusations against the organization. But EULEX then revealed that Simmons himself was the subject of several investigations into alleged serious wrongdoing. The most expensive mission of the EU is failing to deliver. Ironically, the mission in charge of fighting corruption experienced internal corruption scandals. Huge investments, minor progress and corruption scandals damaged EU's reputation in Kosovo. Today, corruption and organized crime remains high. In fact, according to Progress Reports from European Commission, since 2008, there has been an increase in corruption in Kosovo.¹⁸⁴ The judiciary continues to suffer from inefficiency, lack of transparency and political interference. EULEX's biggest failure is the negligence and incompetence when it comes to most serious crimes.¹⁸⁵ EULEX is not the one to be blamed for corruption in Kosovo, but EULEX failed to reach its primary objectives of its mission, fight corruption and strengthen the rule of law.

The independence of Kosovo was met with an immediate reaction in Serbia. The Patriarch of the Serbian Orthodox church stated that the Serbs will never let Kosovo leave. Serbia issued warrant arrests for "treason" against Kosovo Albanian politicians. Serbia also declared that all ambassadors would be withdrawn from countries that would recognize the independence of Kosovo. Local mobs attacked the US embassy and German embassy in Belgrade, ridiculously some of them attacked one of the McDonald's in the capital. As a result of this huge opposition, the first major post-independence challenge came in October 2008. Serbia—with the help of Russia—strongly opposed Kosovo's

¹⁸³ European Court of Auditors, Rule of Law Assistance to Kosovo not Sufficiently Effective, Press Release ECA/12/41, October 30, 2012, http://europa.eu/rapid/press-release_ECA-12-41_en.htm?locale=en (accessed August 29 2017).

¹⁸⁴ Kosovo under UNSCR 1244/99 2009 Progress Report, Enlargement Strategy and Main Challenges 2009-2010, https://www.mei-ks.net/repository/docs/ks_rapport_2009_en.pdf.

¹⁸⁵ Andrea Lorenzo Capussela, *State-building in Kosovo: Democracy, Corruption and EU in the Balkans* (Kosovo: KOHA Press, 2015), p. 239.

unilateral declaration of independence condemning it as an illegal act under international law. The Serbian policy towards Kosovo failed, so they decided to move towards legal procedures. After enormous pressure from Serbia, the UN General Assembly resolved the International Court of Justice (ICJ) to render an advisory opinion on the legality of Kosovo's declaration of independence. Two years afterwards, the ICJ decided that Kosovo's declaration of independence was not in violation with either general principles of international law – which do not prohibit unilateral declarations of independence – nor, of specific international law – in particular Resolution 1244 – which did not define the final status process for Kosovo. The ICJ decision was a huge blow for Serbia, which considered that it had a strong legal argument even if the political realities on the ground were moving in a different direction. The court's decision was a triumph for Kosovo, the West and pro-European voices in Serbia and the EU.

However, Kosovo did not manage to utilize the favorable decision of the ICJ. Kosovo received only a symbolic number of recognitions and memberships in international organizations. Kosovo failed to take advantage of the positive court decision to convince the five members of the EU to recognize its independence. Moreover, the vast majority of South American and Asian nations still do not recognize Kosovo as an independent country. Some may argue that accepting Kosovo's independence is solely a domestic issue of countries; however, Kosovo failed to join crucial intergovernmental organizations such as UN and Interpol. Kosovo's attempt to join UNESCO, failed only three votes short. UNESCO is one of the most important specialized agencies within UN focusing on education, science and culture. Ironically, after the ICJ decision, Kosovo's statehood has had some fundamental downsides. Serbia boycotted constantly regional meetings where Kosovo was present. In 2012, the Kosovo government agreed to add the footnote on its name "Kosovo*" to represent itself without the authority of the UNMIK. The footnote applied to the asterisk reads "this designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence." Moreover, point seven says, "hosts of meetings will be encouraged to avoid the display of national symbols except for their own and those of

the EU, taking into account the statutes of relevant organizations.”¹⁸⁶ Since then, the Kosovo government have been participating in international meetings with a footnote (asterisk) referring to Resolution 1244 (status-neutrality). The Kosovo’s chief negotiator Edita Tahiri claimed that the asterisk would soon disappear “like a snowflake.” Three years afterwards, Kosovo signed the Stabilization and Association Agreement with the EU – a major step towards European integration. However, the contractual agreement, between the EU and Kosovo presents the former with the asterisk.¹⁸⁷ In 2018, the snowflake looks more like a snowball going down the hill accumulating more snow, ready to hit the ground. Instead of enforcing sovereignty, the government of Kosovo came to a point of questioning their sovereignty, removing the prefix: republic and adding a suffix: an asterisk to satisfy Serbia’s needs.

The ICJ’s verdict pushed Serbia and the EU to submit a resolution to the UN calling for negotiations between Belgrade and Pristina, facilitated by Brussels. The resolution successfully passed and negotiations started in 2011 focusing on three key areas: regional cooperation, freedom of movement and rule of law. The first rounds of negotiations begun with light subjects such as economic cooperation, telecommunications, customs, civil records and freedom of movement. Belgrade has agreed to provide the birth and marriage certificates and Kosovars travel to Serbia, but only if they buy the special license plates, because the Kosovar plates include the “Republic of Kosovo,” something Belgrade does not want to see in its territory. Serbia does not recognize Kosovar passports but allows them to cross the border using identification cards. Thus far, the most controversial agreement has been the *Association/Community of Serb majority-municipalities in Kosovo*.¹⁸⁸ First of all, there is no official document which shows signatures by the

¹⁸⁶ Arrangements Regarding Regional Representation and Cooperation, Agreed Conclusions, February 24, 2012, http://www.kryeministri-ks.net/repository/docs/agreement_0210_representation.pdf (accessed October 9, 2017).

¹⁸⁷ Stabilisation and Association Agreement between the European Union, of the one part, and Kosovo*, of the other part, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/news/news-files/20150430_saa.pdf

¹⁸⁸ Association/Community of Serb Majority Municipalities in Kosovo, General Principles/Main Elements, http://eeas.europa.eu/archives/docs/statements-eeas/docs/150825_02_association-community-of-serb-majority-municipalities-in-kosovo-general-principles-main-elements_en.pdf (accessed June 19, 2017).

representatives of both governments. Second, the municipality is based on mono-ethnic lines which undermines the multi-ethnic identity of the republic of Kosovo. And third, the association will have its own statute, president and assembly and would have full overview of the areas such as education, health, urban planning and economic development, allowing them to exercise their powers collectively. The association has been met with huge opposition by opposition parties, media and civil society in Kosovo, on the basis that it is unconstitutional as it discriminates other ethnic groups. The agreement was sent to the Kosovo Constitutional Court. The court decided that the general principles of the Association were not entirely in compliance with the spirit of the constitution. The Agreement was allegedly agreed by the government representatives of both Kosovo and Serbia but remains unratified by the parliament of Kosovo due to domestic discord. Currently, the agreement is in limbo.

In general, the EU facilitated dialogue to normalize relations between both countries has been marathonic. Six years have since passed and Serbia still doesn't recognize Kosovo's independence, defining the region as an integral part of Serbia.¹⁸⁹ The principal problem of this dialogue is that it is unfair and artificial. Kosovo and Serbia are not treated as equal parties. Kosovo is not recognized as an independent state by the EU, on the other hand, Serbia has opened new chapters for EU membership. This is extremely dangerous because Serbia uses the negotiations with Kosovo as a precedent. In fact, Serbia uses two cards: Russia and Kosovo. Maintaining closer relations with Russia frightens the EU, not recognizing Kosovo's independence shows the inclination for more carrots. There is no need for such a dialogue because Serbia must meet certain conditions beforehand. First, Serbia must issue an apology to the war victims of former Yugoslavia and pay war reparations. Second, Serbia must remove Kosovo from its constitution. Third, Serbia has to recognize Kosovo and prove that it is in accordance with good friendship standards of the EU.

¹⁸⁹ Constitution of the Republic of Serbia, Part 7, Point 2, Article 182, *"In the Republic of Serbia, there are the Autonomous Province of Vojvodina and the Autonomous Provinces of Kosovo and Metohija. The substantial autonomy of the Autonomous province of Kosovo and Metohija shall be regulated by the special law which shall be adopted in accordance with the proceedings envisaged for amending the Constitution."*

The second major test for Kosovo came in 2010. Following a vote of no-confidence, the parliament of Kosovo dissolved and elections were held. The election was seriously hampered as a result of several irregularities and frauds coined as “industrial theft of vote.” Some polling stations exceeded the number of signatures in the voters' books. Voting turnout in some PDK strongholds topped 94 percent, although records show turnout had been only 51 percent as late as 16:00 o'clock, a number that is statistically impossible. Double-voting and other irregularities were present.¹⁹⁰ The 2010 elections was a huge step backwards as it seriously damaged Kosovo's reputation and eliminated the opportunity for new parties to participate in the parliament. The electoral threshold in Kosovo is five percent, any party that fails to reach the five percent cannot be represented in the parliament. The West turned a blind eye for the sake of stabilocracy, prioritizing stability over democracy and progress.

At the end of 2017, the Council of Europe adopted a report drafted by its Human Rights Rapporteur, Richard Marty. The report claims that Hashim Thaci a prominent leader of KLA who currently holds the office of the president is part of a criminal network responsible of smuggling weapons and dungs during the Kosovo War. Moreover, the report allegations claimed that Serb civilians were kidnapped and transported to Albania for the purpose of harvesting their organs in order to sell them in the black market.¹⁹¹ Thaci's credibility was seriously damaged. In a matter of days, he ordered the Kosovo Police Special Forces to seize control of the customs stations in Jarinje, North Kosovo. The Special Forces were attacked by a local mob of local Serbs. The situation escalated with an exchange of fire and one policemen was shot dead. Thaci's maneuver was reckless and irresponsible, but it paid off. He regained his credibility, especially among the nationalist contagion. Although the incident was condemned by the international community as an irresponsible and dangerous action, the West pushed EULEX to move its staff into the

¹⁹⁰ Robert Marquand, “Kosovo Election Results Delayed by Irregularities,” *The Christian Science Monitor* (December 13, 2010).

¹⁹¹ Council of Europe, Committee on Legal Affairs and Human Rights, Inhuman Treatment of People and Illicit Trafficking in Human Organs in Kosovo, AS/Jur 46, December 12, 2010, http://assembly.coe.int/CommitteeDocs/2010/20101218_ajdoc462010provamended.pdf (accessed June 12, 2017).

North and ordered KFOR to remove the barricades.¹⁹² Internationally, Thaci lost respect and no Western leader showed the willingness to meet with him. Locally, the Kosovo Albanians believed that Marty's report was pro-Serb, others believed that during the conflict there were no adequate conditions for organ smuggling due to the need for sophisticated medical technology. Internationally, people such as Denis MacShane who served as Minister of Britain for Europe, believed that Marty's report *Illicit Trafficking in Human Organs in Kosovo* was designed to "maximize headlines" and serve the Serbo-Russian propaganda to create an atmosphere hostile to Kosovo.¹⁹³

Regardless, Marty's report produced a hurricane in Kosovo and put enormous pressure on the West. Incapable of indicting former KLA fighters, the international community pushed Kosovo to establish a war court that will try former senior KLA fighters responsible for crimes against humanity during and after the war from the period of 1998 to 1999. The alleged crimes include killings, abductions, illegal detentions and sexual violence. The war court was rejected massively by Kosovars and its establishment. The opposition has argued that the court is unjust towards Kosovars, being the victims of war and that Serbia has not taken responsibility to accept and apologize to the victims of war. However, in Kosovo, when Americans speak, Kosovars listen. During her visit in Kosovo, US diplomat Victoria Nuland warned, "if you don't create this court yourselves, if you don't take your own steps for justice...the international community will do it instead."¹⁹⁴ The court, otherwise known as the "Specialist Chambers" was amended by the 2/3 of the Kosovo parliament. The court will operate under Kosovo's jurisdiction; however, its staff will be international and will be independent from the Kosovo judiciary. The court is highly unpopular among Kosovo Albanians because it is perceived as biased as it will only deal with cases of former KLA fighters. While it is true that there were some KLA fighters who committed crimes, the ones who were accused before, all

¹⁹² Andrea Lorenzo Capussela, *State-building in Kosovo: Democracy, Corruption and EU in the Balkans* (Kosovo: KOHA Press, 2015), p. 137.

¹⁹³ Denis MacShane, *Why Kosovo Still Matters* (London: Haus Publishing, 2011), pp. 99-101.

¹⁹⁴ Petrit Collaku, "Kosovo Feels the Pressure over New War Court," *Balkan Insight*, December 28, 2015, <http://www.balkaninsight.com/en/article/kosovo-feels-the-pressure-over-new-war-court-12-23-2015>.

voluntarily surrendered to ICTY. This is the next major challenge facing Kosovo's statehood, the outcome of which remains to be seen.

Blaming only the West for the slow progress of Kosovo is myopic. Insufficient domestic demand for institutions or institutional reform is the single most important obstacle to institutional development in poor states.¹⁹⁵ A decade after the declaration of independence, Kosovo still faces numerous problems that have confronted post-communist and post-conflict countries of Europe. Kosovo statehood is based on the principles of liberal democracy, free market economy and euro-Atlantic integration. State-building in Kosovo has not failed, but it is in the process of failing. Kosovo is lagging and is in the group of countries that are still in transition and have hybrid regimes.¹⁹⁶

The standard of living, which was higher a few years ago, is now for many people not very different from what they were used to during the notorious years of deprivation under sanctions and hyper-inflation in the 1990s.¹⁹⁷ The average monthly income is around €350 – the lowest in the region – making Kosovo the least developed part of the whole Balkans, and the third poorest country in Europe. Economic growth is slow, but unemployment remains high. Kosovars spend a lot, but produce little. The economy is largely dependent on remittances from diaspora and foreign aid. Furthermore, there is a substantial resource gap problem, approximately 1/3 of the population is unemployed, half of them are under the age of 30, majority women. Graduates in Kosovo face years waiting to find a job and this includes people with master's degrees. Nepotism, unsuitable qualifications, lack of jobs, and the failure to meet the market's needs are some of the main reasons.¹⁹⁸ Education has also shown poor performances over the years. In 2015, the results of an international education evaluation, the Programme for International Student Assessment (PISA) placed Kosovo in the bottom five

¹⁹⁵ Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992), p. 35.

¹⁹⁶ Freedom House, *Populists and Autocrats: The Dual Threat to Global Democracy*, <https://freedomhouse.org/report/freedom-world/freedom-world-2017> (accessed January 22, 2018).

¹⁹⁷ Jacques Rupnik, "The Western Balkans and the EU: The Hour of Europe" *European Union Institute for Security Studies* (Chaillot Papers, 2011), p. 61.

¹⁹⁸ Die Morina, "Graduates in Kosovo Face Years Waiting for Work," *Balkan Insight*, February 05, 2018, <http://www.balkaninsight.com/en/article/graduates-in-kosovo-face-years-waiting-for-work-02-02-2018>.

internationally and last regionally.¹⁹⁹ The assessment confirms the argument about deficiencies in the educational system where the majority of students fail to demonstrate basic skills. High unemployment has impelled many Kosovars to pursue their future abroad. Kosovo has witnessed its biggest exodus since independence in the beginning of 2015. According to some estimates, more than 50,000 Kosovars – roughly three percent of the total population – left the country to pursue a better life in the developed nations of the EU.²⁰⁰

When it comes to minority relations in Kosovo there has been some progress, yet Kosovo Serbs live separated in Northern part of Mitrovica, the demarcation line is the Mitrovica bridge. The South of Mitrovica is populated by Albanians whereas the North by Serbs. Many Serbs do not see themselves as part of Kosovo as it exists, they reject Kosovo authorities, have a different school curriculum, refuse to obtain Kosovo ID's and driving license plates, don't pay electricity bill's, et cetera. The shocking assassination of Oliver Ivanovic, a prominent Kosovo Serb politician has troubled the waters, although there are indications that the murder was not ethnically motivated. On the other side, Kosovo Albanians are happy to live in their independent state, but do not feel the new republic represents their identity. The flag of Kosovo has a blue background and displays six stars (representing six ethnic communities) over a golden Kosovo map. People of Kosovo do not feel the colors nor the symbols of the flag represent their true identity, as such the flag has failed to resonate. The national anthem is called "Europa" and has no lyrics in order to avoid nationalistic language disagreements. Many people do not even recognize the melody. The Kosovar national identity is weak among Kosovo Albanians whereas Kosovo Serbs reject the idea. Moreover, other communities such as Roma, Ashkali and Egyptian communities live in very bad conditions, in other terms, ghettos. More emphasis is needed to rebuild trust and reconciliation, including engagement with

¹⁹⁹ Kosovo, Student performance, (PISA 2015), <http://gpseducation.oecd.org/CountryProfile?primaryCountry=XKO&treshold=10&topic=PI> (accessed December 4, 2017).

²⁰⁰ Harriet Alexander, "Exodus from Kosovo: Why thousands have left the Balkans," *The Telegraph*, February 21, 2015, <http://www.telegraph.co.uk/news/worldnews/europe/kosovo/11426805/Exodus-from-Kosovo-Why-thousands-have-left-the-Balkans.html>.

communities, youth and women, as well as overcoming obstacles related to religious and ethnic identity.

The government of Kosovo is ineffective and corruption is widespread. Thousands of former KLA guerillas failed to integrate in Kosovo's economy. Alternatively, some of them found easier ways to make money using connections in the government and illegal channels such as gun and drug smuggling and usury. The presence of these people seriously questions the legitimacy of the state. Kosovo is currently experiencing Al Capone's America. The Kosovo judiciary is weak. One reason for this is that it lacks the "Anti-Mafia law" which means confiscating the wealth of criminals and most importantly it lacks the political will to prosecute the high-profile violators. Organized crime damages enormously the functioning of the society, it impacts the economic growth and declines the willingness for foreign direct investment. The government is the country's largest employer and public enterprises generate the largest amount of advertising revenue. It has become a tradition for the government of Kosovo to employ family relatives and loyalists.²⁰¹ It often employs government critics – usually journalists and civil society representatives – in order to co-opt them. Prominent figures are thus evaporating from the public debate. The new government consists of 21 cabinet ministers and more than 70 deputy ministers, the largest government cabinet in the Balkans. Such a system requires a significant amount of money to perpetuate and yet still maintains corruption at all levels. In addition, politicians have incomes that do not correspond to their formal state incomes. The current Prime Minister and former KLA commander Ramush Haradinaj made a decision by the end of 2017 to double his monthly income from €1500 to €2950 and increased significantly the income of ministers and deputy ministers.²⁰² Next year, the opposition challenged this decision by addressing the Kosovo Constitutional Court claiming that the Prime Minister's decision to increase is in violation with the constitution. It will take several months for a decision to be made.

²⁰¹ Visar Xhambazi, "The Post-Yugoslav Architecture" *New Eastern Europe*, October 2017.

²⁰² Government of the Republic of Kosovo, no. 01/20, December 20, 2017, www.kryeministri-ks.net/repository/docs/Vendimet_e_mbledhjes_se_20.pdf (accessed December 30, 2017).

Kosovo finds it very difficult to join international and regional organizations. Kosovo is isolated, making it the only European country that does not have a visa liberation in Europe, which means no visa-free traveling in the Schengen area. The Schengen is an area comprising EU member states that have officially abolished passport and all other types of border control at their mutual borders. The EU has publicly stated that fight against corruption and the ratification of border demarcation with Montenegro are the two last criteria for visa liberalization. The first one is a continuous process and very hard to define whether it is met or not, the latter has not been met yet. The border demarcation agreement has been signed by the foreign ministers of both countries and has been ratified in the Montenegrin parliament, but not by the Kosovar one. The agreement exacerbated tensions between the government and the opposition inside and outside the parliament. The government of Kosovo is facing enormous obstacles as most of Kosovo parliament have committed itself to overrun the agreement. The agreement has become significantly unpopular, a substantial number of members in the parliament believe the agreement will lead to a loss of territory for Kosovo, as such it is not worth giving land for the sake of visa liberalization. The opposition remains the same despite EU's and US's calls to ratify the agreement as it is. The former government has tried several times to ratify the agreement but was met with massive, often violent opposition. The biggest opposition party Self-determination Movement (VV) have organized a series of protests in the streets and parliament. In the parliament the situation escalated to the point of releasing tear gas on several occasions. The border demarcation has remained non-ratified for more than two years now and is seriously questioning Kosovo's relationship with the EU.

This event is a marking point in Kosovo politics. The government of Kosovo for the first time since independence has refused to follow the EU's guidance on such an important issue and has created a tendency of rushed and irrational decision-making which has undermined the relationship with its international supporters. The adventure continued when President Thaci initiated a process of transforming KSF into a national army through a draft law and not by amending the constitution as required. Thaci's

initiative has faced major opposition from the Kosovo opposition and civil society, the EU, US and NATO; and was finally halted. Moreover, President Thaci and Prime Minister Haradinaj—both former KLA members—have attempted to suspend the Specialist Chambers that was ratified by the Kosovo parliament in 2015. The court is viewed by world powers as a vital prerequisite for regional reconciliation, but the moves to halt the court before it has even started have infuriated Kosovo's international supporters.²⁰³ The problem is that former KLA fighters are governing the country and there are many more in leading positions. These people fear prosecution. The government attempts have been unsuccessful so far and it seems that the international pressure is going to prevail this time.

This recent atmosphere of cacophony is seriously putting in danger the future of Kosovo. Small states such as Kosovo can only achieve their political aims through diplomacy and maintaining good relations with their allies. Kosovo risks losing this path of influence, as its limited diplomacy is being quickly degenerated. Kosovo needs to prove itself as a reliable partner by respecting its international obligations and keep a close relationship with its partners.

On the other side of the coin, the path of Kosovo has seen good days as well. Kosovo has proven capable of surpassing expectations with its achievements. A World Bank report ranks Kosovo as one of the best countries in the world to do business with, having simple procedures to start-up businesses, surrounded by youngster's fluency in English and eagerness to learn. The number of students has dramatically increased and the number of illiterate people is in decline. The government is heavily investing in infrastructure and allocating grants for start-up businesses. In a matter of years, Kosovo has managed to gain more than 110 state recognitions and become part of seminal international bodies and organizations such as World Bank, International Monetary Fund, Central European Free Trade Agreement, European Bank for Reconstruction and Development, international sports federations, et cetera. In 2015, *Shok*, a short drama film

²⁰³ Barbara Surk, "World's Eyes on Kosovo Amid Push to Halt War Crimes Court," *New York Times*, January 13, 2018, <https://www.nytimes.com/2018/01/13/world/europe/kosovo-war-crimes-court.html>.

from Kosovo that was based on a true story was nominated for an Oscars. The next year, Kosovo participated in its first Olympics and won a golden medal. Majlinda Kelmendi managed to win the first place in Judo and proved to the world what Kosovo was capable of. Kosovo has achieved another milestone, in 2017, Kosovo held its first ever official LGBT Pride Parade in the capital Pristina, celebrating inclusion and diversity.

Kosovo's path has been relatively successful and problematic. Kosovo has a long way to go in order to consolidate its sovereignty and institutions. Offering new opportunities and boosting the economy is essential. Improving the rule of law and respecting human rights will further determine its path towards European integration. Kosovo needs more women and youth in leading positions, subsequently opening the door to a new cadre of leaders. The improvement of inter-ethnic relations between Albanians and Serbs is crucial but remains challenging. There cannot be and stability without establishing an inclusive society where all communities live and work in harmony with each other. On the international level, Kosovo must be a member of the UN and reach a final deal with Serbia. Further, membership in the Council of Europe and Interpol would be good steps to improve the rule of law and security in the country. Kosovo can only achieve such milestones through maintaining a close relationship with its supporters, especially the West. Kosovo has made some progress but has a long way to go. The next few years will be vital to witness whether Kosovo will be able to overcome all these challenges and become a member of the family of nations or fall into the group of failed states.

LESSONS FROM KOSOVO

“Kosovo is the best example to show what happens when the international community, led by America, engages to defend its values and interests.”

—James N. Mattis, 2017²⁰⁴

Every conflict and war is unique; however, lessons must be drawn from past experiences. Below are listed some of the most crucial lessons from the Kosovo intervention:

Pre-Intervention Lessons

Sovereignty is no excuse for tyranny. Sovereignty and therefore legitimacy could no longer be automatically conferred on the de facto power holder in a country. Sovereignty entails obligations, one is not to slaughter your own people. The establishment of the ICTY show that atrocities are not only the concern of local authorities and states will be held accountable for war time actions. The Westphalian system is no longer an adequate framework for international relations. Now there is more consensus within the international community over principles of human rights and rule of law.

The conflicts in Yugoslavia have proved that sanctions without a commitment to use force are a waste of time. Sanctions affect the economy but they almost never reach a desired outcome. Sanctions can have a boomerang effect, they may strengthen the position of the oppressor and further weaken the opposition. The ones that suffers the most are the citizens and refugees whose lives further deteriorate from bad economic conditions. Sanctions are more efficient when there is a commitment to use force.

Intervention should, first of all exhaust all diplomatic options including negotiations and discussions at the UNSC. This way, cooperation among states will become realistic. Failing to achieve consensus at the UNSC would create better incentives for cooperation. When countries agree for intervention there must be a concrete plan on how military action will be undertaken. Humanitarian intervention cannot be initiated

²⁰⁴ Advance Policy Questions for James N. Mattis Nominee to be Secretary of Defense, https://www.armedservices.senate.gov/imo/media/doc/Mattis%20APQ%20Responses_01-12-17.pdf (accessed January 18, 2018).

without considering both moral and practical factors. The moral dimension is the basis for the international coordination. The only time you can legitimize the intervention is by using the humanitarian argument. When the international community decides to intervene, it must push hard for humanitarian arguments. Often, the imperative to stop ethnic cleansing and violence will change the opinion of those who oppose humanitarian intervention. Meaningful humanitarian intervention does not threaten world order; rather, it vindicates the fundamental principles for which the UN was created.

Prior to intervention there must be beforehand information regarding the history and geography of the region's complexity, including its cultural differences, religious affiliations, ethnic homogeneity or heterogeneity. There has to be a legitimate footprint related to circumstances and local conditions. If citizens of the state accept the outcome of the war, it is more likely that you will gain the support of the locals. In the Balkans, fascism does not simply resurface once in a while before sinking again, as it happens in Western democracies. Centuries of violence, hatred and uncertainty fuel the Balkans nationalism; once that reappears, it has fatal consequences. Thus, history, geography and culture are crucial elements to examine beforehand.

Intervention means choosing a side. When the international community decides to intervene internationally, it must first of all choose which side they are going to support. Intervention means that some people will die, so it is essential to know beforehand who will govern afterwards and who is the group that you are going to support. Making peace means determining how the war ends. Not taking sides will extend the war and will cost more lives. For instance, the "safe areas" in Bosnia and Herzegovina, created more mess and chaos rather than solution. The Bosnian Serbs took advantage of this opportunity to expand their conquest. As Richard Betts puts it, "limited intervention may end a war...trying to have it both ways usually block peace by doing enough to keep either belligerent from defeating the other, but not enough to make them

stop trying. And the attempt to have it both ways has brought the UN and the US to varying degrees of grief in Bosnia and Herzegovina, Somalia and Haiti.”²⁰⁵

The powerful nations are not always the ones who design policy-making, in many occasions the small countries are the ones who push for its design. Kosovo is a good example of how a small country can define policy-making. KLA maneuvers and intensification of attacks pushed Milosevic to retaliate. When Milosevic responded brutally, it undermined all diplomatic attempts to resolve the conflict peacefully. The array of events portrayed the malevolence of Milosevic and put the credibility of intergovernmental organizations and Western nations in jeopardy. Belgrade’s lack of political will and the increase of attacks created the foundation for intervention.

Intervention Lessons

NATO proved that it could exist without an existential threat. The NATO air campaign in Kosovo against Yugoslavia is historically significant, because it marks the first military attack on a sovereign nation for other purposes than defense. The air campaign was both a successful humanitarian intervention and cooperation among allies ensuring a safe and stable environment. Furthermore, Kosovo intervention proved that NATO remains critical on balancing Russia. When the West united as one, Russia remained powerless to influence the events that followed.

Relying heavily or only on air power does not guarantee success, especially when you deal with a mountainous terrain. Firing on a dessert is much easier rather than towns and cities. NATO’s intervention in Kosovo utilized an impersonal technology in order to assure Western nations that technology can be used to wage war with minimal or no casualties. Although two American pilots died during a training mission in Albania, not a single NATO soldier died in direct hostile in Kosovo, but civilians did. By flying at medium altitude, NATO reduced the danger of its pilots but increased the risks for civilians on the ground. It is estimated that around 500 Albanian and Serbian civilians died during the air campaign. Overall, considering the discursive standards of war these

²⁰⁵ Richard Betts, “The Delusion of Impartial Intervention,” *Foreign Affairs* 73, no. 6 (November/December 1994): 20-33.

numbers are minor. Thus, the mission in Kosovo has set a high standard for future operations.

Rejecting the idea of ground forces totally, will create a sense of comfort for the oppressor. Since the very beginning, NATO allies ruled out the deployment of ground forces. Further, they did not hesitate to state their position publicly. President Clinton stated before the campaign, "I do not intend to put our troops in Kosovo to fight a war."²⁰⁶ This helped on reducing Milosevic's uncertainty believing that he could survive a couple of weeks of bombardment. Had the West remained silent, Milosevic would have probably felt more threatened and admit defeat faster. Excluding military options, at least in public, can have consequences for the overall operation. Nevertheless, NATO prevailed without the help of ground forces proving most of its critics wrong, that war can be waged without considering the option of ground forces.

The Kosovo war has demonstrated how dependent Europeans are on the US to carry out even limited military interventions in their own neighborhood—let alone to defend themselves against a theoretical attack from a hostile power such as Russia. The American use of force and military technology was decisive throughout the air campaign. Today, the role of the US is diminishing but it still has a large role to play, the US spends more on its military (more than \$600 billion) than next seven countries combined. As such, the US should act decisively in future conflicts. A symbolic use of force has never achieved anything, but frustration on the other side. Half-choices or half-measures (Bosnia and Herzegovina) are not solutions, instead they may make things even worse, inspire more violence and lead more domestic casualties between ethnic groups. The intervention in Kosovo is often portrayed as American military power; however, it is the European countries that invested most of their time and resources in ensuring post-war stability and fostering state-building.

One should not exaggerate the contribution of public diplomacy to the victory. As in any modern war, at times public diplomacy strategy was swept along (or aside) by the

²⁰⁶ Steven Erlanger, "NATO was Closer to Ground War in Kosovo Than is Widely Realized," *New York Times*, November 7, 1999.

tide of events and particularly by the media images of those events. After the massacre of Racak and during the first two weeks of bombing, US public diplomacy, far from being a carefully planned strategy, was largely reactive and improvisational – at Racak, it was improvised literally on the spot. But that did not prevent it from being successful. A crucial element of that success was a keen sense of how Westerners viewed Milosevic and the forces he commanded, which enabled US spokesmen to use his most blood-curdling atrocities to rally rather than dishearten Western public opinion.

Media is also a crucial factor. When the Srebrenica genocide happened, the world was shocked. Western citizens were stunned to see thousands of bodies appear in their national newspapers and on local TV stations. They demanded answers and advocated to stop the murder. By the time the situation in Kosovo had started to deteriorate, people were already filled with anger and disappointment. Hundreds of international journalists and OSCE staff were reporting daily from the ground. This made people shape their opinion leaning more towards intervention. However, the presence of media also meant that mistakes had to be minimal. The incident with the Chinese embassy shows that one mistake could have fatal consequences and seriously question the mission's credibility.

Multilateralism, too, is essential for successful humanitarian intervention. The problem is that keeping everyone together is difficult. During the air campaign in Kosovo, every decision had to go through all NATO member states and decisions had to be considered. Similarly, after the intervention, European nations had different approaches when it came to solving Kosovo's final status. The EU does not have a compatible foreign policy. Each country represents its own interests. Kosovo's independence shows that although most of the EU states have recognized Kosovo, Spain has diminished the hopes of a coherent EU foreign policy stand in regard to the Western Balkans.

Kosovo was a powerful precedent for the doctrine of humanitarian intervention, but not everyone shared this view. The intervention in Kosovo has backfired and generated dangerous tensions between Russia and the West. The opponents questioned the validity of the intervention and did not hesitate to call it an "act of aggression."

Regardless if the intervention was legal or legitimate, it produced polarized discussions among nations and different viewpoints among experts. Thus, the war in Kosovo, is most probably the first and last war waged by NATO without the legitimacy of a UN mandate.

Post-Intervention Lessons

Winning the war is relatively easy, keeping the peace is hard. State-building is essential to maintain stability. After intervention, an atmosphere of safety and peace must be maintained. This way refugees will start pouring in, people will start reconstructing their damaged properties and the international community will start funding capital projects. But, in order to initiate reforms, the newly elected government has to be compatible with the international community plans. Otherwise, an undesired outcome is more likely to happen as the new cadre of leaders, full of political ambitions, may undermine democracy and pursue personal interests at the expense of their subjects.

The riots in Mitrovica shows that once a conflict is over, it takes only a spark of nationalism to resurface before the situation escalates again. The presence of security forces must be at the state of readiness at all times in order to avoid any ethnic clashes. The division of Mitrovica demarcated by KFOR was a mistake that haunts Kosovo society even today. Northern Kosovo is a place where Kosovo authorities have limited access and local Serbs reject official documents. The number of illegal activities including drug and gun smuggling and movie-like assassinations and other crimes has halted the progress of Kosovo. This is an important lesson, because once the international troops move in a post-conflict country, the very first days are essential. A mistake such as the division of towns or cities can be very problematic to undo in the future.

State-building requires substantial investment. Since the end of Cold War, Kosovo has the second-highest level of assistance on a per capita basis and ranks fourth in terms of total assistance (\$800 per resident), yet Kosovo has not managed to transform itself into a well-functioning and prospering democratic society.²⁰⁷ However, economic growth varies from three to five percent, which is a slow progress but not enough considering

²⁰⁷ James Dobbins, John McGinn, Keith Crane, Seth Jones, Rollie Lal Andrew Rathmell, Rachel Swagner and Anga Timilsina, *America's Role In Nation-Building: From Germany to Iraq*, (Santa Monica, CA: RAND, 2003), p. xviii.

the potential Kosovo has. The large-scale investments made in Kosovo shows that economy can be restored rapidly. Promoting the rule of law is one of the most difficult aspects of democratic reform. In comparison, designing constitutions and holding elections is comparably easy. Amending and designing laws is relatively easy, however, implementing them is very hard.

Initiate construction not reconstruction. In other words, transfer knowledge and resources and do not start everything from scratch. The international community knows how to supply government services; what it knows much less well is how to create self-sustaining indigenous institutions.²⁰⁸ When the international community commits to state-building it should be aware that it is not arriving with bricks, trucks, cranes and architects. Instead, the international community should help the locals to build their own home and assist them with the best practices in order to operate it on their own.²⁰⁹ The Kosovars understood that they were not capable of creating their own institutions; thus, they welcomed knowledge and learned everything from an amalgamation of different missions in Kosovo.

The UN helped to facilitate and construct local institutions and managed to provide minimal functions such as providing public goods, relative security, order, public health, fiscal policy and macroeconomic management. However, it failed to improve the quality of education, tackle poverty and inequality, guarantee environmental protection, boost sustainable economic growth and effective governance. The international community has helped enormously by investing in infrastructure projects and human capital, providing trainings, classes, scholarships in order to better prepare Kosovo citizens for the future. The problem with the UN was that it did not manage to create a system of monitoring the institutions and punishing those who misuse the public offices and this has installed a culture of nepotism. Building efficient

²⁰⁸ Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004), p. 42.

²⁰⁹ Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004), p. 88.

institutions is a key feature of a state, therefore state-building requires strong institutions; however, institution building requires both substance and time to be successful.

While Kosovo is a parliamentary republic with a multi-party system and free elections, it falls behind in terms of substance or substantive democracy. But, democracy is easier said than done and not every society is ready for it. Democracy requires a relative level of educated people and a sizable middle class who are willing to embrace democratic ideals. Most importantly, these societies must have a culture of tolerance and a dose of secular divide. Formal democracy is a prerequisite for producing substantive democracy. Strong institutions need time and substance, while creating them is easy, maintaining or improving them is rather difficult. There is no quality without quantity, being the newest country in Europe, Kosovo demonstrates that post-conflict countries need more time to consolidate their institutions.

Kosovo shows that uncertainty over the final status can push for democratic reforms. Democracy is the foundation of state-building. Democratic countries are characterized with better education, higher standard of living and rule of law. Democracy seem to enact economic reforms that are conducive to growth.²¹⁰ They seem to raise more taxes but tend to invest more on public goods related to health and schooling, which may contribute to growth.²¹¹ In order to be efficient, democracy has to be liberal. There is a distinction between democracy and liberalism. Germany for instance is both liberal and democratic, Iran on the other hand is democratic but not liberal. It is enormously important to establish basic principles of democracy based on liberal values, because elections in post-conflict countries sometimes can have a counter-effect and bring authoritarian individuals to power. Democratic countries are less likely to fight each other, they do not engage in conflicts and terrorist actions, neither do they produce refugees. Liberal democracy has proven to be the best system of governance because it is based on individual freedoms, justice, dignity and respect. As such, building a state

²¹⁰ Daron Acemoglu, Suresh Naidu, Pascual Restrepo and James Robinson, "Democracy Does Cause Growth," *The National Bureau of Economic Research*, no. 20004 (May 2015), p. 27.

²¹¹ *Ibid.*, p. 3.

means building a democracy. Building democracy produces peace and sustainability and benefits the region and beyond.

Intervention must have an exit strategy. Staying too long does not guarantee success, while leaving early ensures failure. After the intervention, the US established Camp Bondsteel. The camp can hold up to 7,000 soldiers which makes it the largest military base in the Balkans. Building a military base sends an important message. The establishment of this base and the presence of troops demonstrates an enduring US commitment to security not just in Kosovo but in the Balkans as a whole. For Kosovars, it is important to see the white stars on the blue background and white and red stripes on uniforms and vehicles. Appearance matters!

BEYOND KOSOVO

STILL THE INDISPENSABLE NATION?

"I believe that America has enormous strengths and that the new world will not throw up a new superpower but rather a diversity of forces that Washington can navigate and even help direct. But still, as the rest of world rises, in purely economic terms, America will experience relative decline. As others grow faster, its share of the pie will be smaller."

—Fareed Zakaria, 2008²¹²

The age of permanent wars produced the Cold War. The end of the Cold War ended the age of permanent containment but produced the age of permanent crisis. Crises are unexpected events characterized by a short life span and short decision-making process. The significance of crisis is that they occur periodically. The rise of the US to power has made it possible to define the agenda and change in world's politics. However, this has started to change. We are entering the *post-American World* as Fareed Zakaria argued in his book. As other nations are rising, the US role is weakening. The world is becoming more polycentric and multipolar, but the US remains the dominant power. The international system is shifting towards a hybrid system, "uni-multipolarity," one major power and several powers.²¹³ The interesting fact is that all the emerging nations are non-Western, meaning they do not necessarily share liberal democratic values. Nations such as China and India are increasing rapidly.

Nevertheless, America continues to have an important role to play in the world. For the US and for the world, it is crucial to remain committed and engaged, especially in the fragile regions. The truth is, there is no conflict prevention, humanitarian intervention, peace-making process, post-conflict reconstruction, without the involvement of the US, as only America has the resources and the inclination to maintain stability and peace in the world. American supremacy and liberal world order are

²¹² Fareed Zakaria, *The Post-American World* (New York: W.W. Norton and Company, 2008), pp. 44-45.

²¹³ Samuel P. Huntington, "The Lonely Superpower" *Foreign Affairs* (March/April 1999).

intertwined. The US needs to pursue effective policies in order to maintain and support fragile or young democracies by assisting them continuously.

Decisions to use force require a long-term commitment to state-building. State-building is a very important and complex topic and remains one of the most crucial issues for the international community. The first US commitments to state-building were Germany and Japan which stand out as among the few successful examples of what we call regime change followed by nation or state-building. Both, Germany and Japan had strong bureaucratic institutions, were populated by an educated citizenry, were accompanied by strong industrial economies and lived in secular regimes comprised of a strong civil society presence. That is why they were so powerful during World War II in the first place. However, this is not the case in the 21st century, as most of the war-torn countries do not share none of the above-mentioned characteristics, they are mostly conservative and authoritarian and lack quality of education and economy.

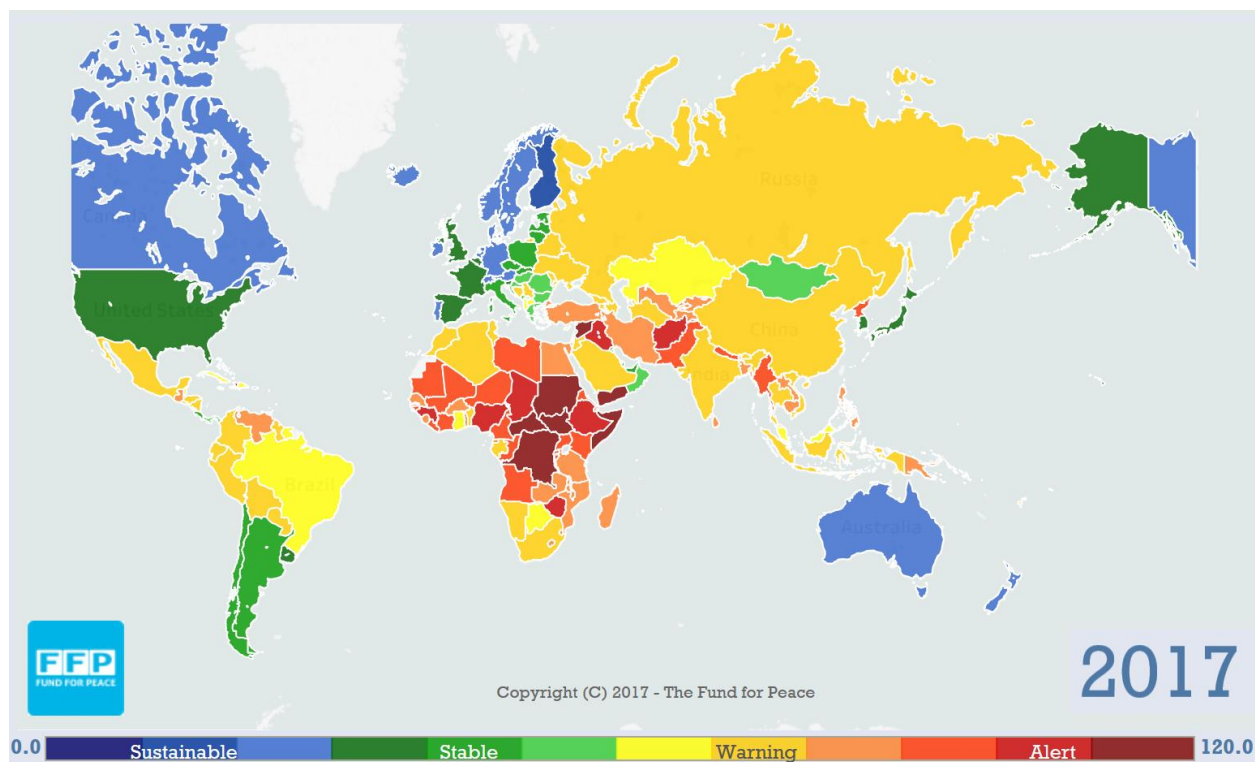


Figure 4: Map of the Fragile States Index, 2017.

Source: The Fund for Peace.

In the 21st century state-building is solely a problem of poor and undeveloped nations facing a numerous array of basic challenges such as security, order and economy. Such countries are often described in literature as fragile, weak and failed states. A failed state is simply the extreme version of a weak state, one in which governmental authority effectively collapses, leading to chaos, the rise of local gangs and militias ruling over parts of the country, or both.²¹⁴ Weak and failed states are the source of several problems such as terrorism, drugs, human rights abuse and refugee crises. According to the Fragile States Index, around one-third of the world is made up of fragile states, majority coming from the Middle East and North and Central Africa.²¹⁵ A weak state is characterized with small or no government control which creates serious concerns such as poverty, drugs, terrorism, transparency, law and human rights—thus, the formation of proper public institutions is very challenging.²¹⁶ A failed-state is a state that has disintegrated to a point of collapse, a state where basic conditions of a government no longer function properly. In such societies the standard of living declines to a point where government is ineffective to support its citizens and living a normal life becomes impossible. According to the Fund for Peace, a failed state is characterized as: loss of control of territory; erosion of legitimate authority to make collective decisions; inability to provide public services; and, inability to interact with other states as a full member of the international community.²¹⁷

When the number of failed states increases, it produces an array of cataclysmic events and creates problems for other states and spreads like a virus. The level of corruption and crimes increases enormously and it creates the opportunity for non-state actors to intervene and for the number of refugees and internally displaced people to rise. When a country of millions collapses, that disturbs the regional and international economy. People look for a better future and their main destination is usually the West.

²¹⁴ Richard Haas, *A World in Disarray: American Foreign Policy and the Crisis of the Old Order* (New York: Penguin Press, 2017), p. 111.

²¹⁵ fundforpeace.org/fsi/2017/05/14/fsi-2017-factionalization-and-group-grievance-fuel-rise-in-instability/

²¹⁶ Francis Fukuyama, *State-Building, World Order and Governance in the 21st Century* (New York: Cornell University Press, 2004) p. 96.

²¹⁷ The Fund for Peace, *Fragile States Index*, www.fundforpeace.org/fsi/2017/05/14/fsi-2017-factionalization-and-group-grievance-fuel-rise-in-instability. (accessed December 14, 2017).

The West on the other hand is facing numerous problems. Europe for instance, has not fully recovered from the financial crisis, its population is declining, people live under the danger of terrorist attacks and the wave of far-right populism is on the march. Europe is incapable of challenging such obstacles. The US on the other hand, can, but is facing enormous encounters. The election of Donald Trump as president has seriously undermined the role the US will have in weak and failed states, as he promised to cut foreign aid.

In Afghanistan, the US toppled the Taliban regime, but this did not bring peaceful settlement. The Taliban supported by Pakistan managed to create existential challenges; thus, the civil war continued. President George W. Bush increased troop numbers up to 25,000, which were enough to fight the terrorists, but not enough to pacify the country. “There was little appetite for nation-building in Afghanistan.”²¹⁸ By the time President Obama became president in 2009, the situation in Afghanistan had worsened even more. Although the newly elected President Donald Trump had stated during the Presidential campaign that he would withdraw forces from Afghanistan. In 2017, President Trump announced a new strategy to continue supporting Afghan government and troops as well as deploy more American troops.²¹⁹

In Iraq, After the terrorist attacks of 9/11, the Bush administration based its rationale for war on the assertion that Iraq possessed weapons of mass destruction and that Saddam Hussein had connections with terrorist organizations and that his government posed an immediate threat to the US and its allies. On 29 January 2002, in his State of the Union address, President Bush used the term *Axis of Evil* – a religious rhetoric – to describe governments (including Iraq) as supporters of terrorism and seeking weapons of mass destruction. However, after the US had invaded Iraq and overthrown Saddam Hussein, no weapons of mass destruction were found. President George W. Bush signed an agreement with the Iraqi Prime Minister Nouri Al-Maliki to

²¹⁸ Richard Haass, *A World in Disarray: American Foreign Policy and the Crisis of the Old Order* (New York: Penguin Press, 2017), p. 186.

²¹⁹ Julie Hirschfeld Davis and Mark Lander, “Trump Outlines New Afghanistan War Strategy With Few Details,” *New York Times*, August 21, 2017.

withdraw the US forces from Iraq by the end of 2011.²²⁰ President Barack Obama, soon after entering the oval office, accelerated the drawdown of US forces. It became evident that Iraq lacked the capacity to maintain order and stability. Terrorist and fundamental groups waited until Obama fulfilled his mission. Once the US troops started withdrawing, Al-Qaeda regained its strength and spread its influence in Syria and evolved into the so-called “Islamic State.”

In Libya, since the fall of Gaddafi in 2011, violence has been present and the state has failed to rebuild institutions. Americans and Europeans brought an end to the regime but created other problems. Neither the US nor the EU did nothing to help in terms of state-building, on the naïve premise that a new “democratic” government will take place and initiate the country’s transformation. President Obama had stated that the intervention in Libya was his biggest foreign policy mistake.²²¹ The aftermath of the Libyan intervention was a continuous brutal civil war. Peace remains distant. People remain divided in political and tribal lines. Moreover, there is a continuous presence of Jihadists. Considering such divisions and problems there is a general concern that peace and stability might a very long-time.

In Syria, in early 2012, there was speculation that Assad might be employing chemical weapons against the opposition forces in Syria. President Obama publicly stated that if Assad were to use chemical weapons it would cross a “red line.”²²² A year later, the Assad regime did just that. They used Sarin gas and attacked people in Damascus. Now, the question was, when would President Obama give the green light to attack. Something changed the course of events. On August 29, the British Parliament refused to authorize the British government to join a multilateral air campaign that would bomb chemical weapons facilities in Syria. From this moment on, President Obama started having doubts regarding a potential air attack on Assad forces. Except for the lack of

²²⁰ U.S. Department of State, “Agreement between the United States of America and the Republic of Iraq on the Withdrawal of United States Forces from Iraq and the Organization of their Activities During their Temporarily Presence in Iraq,” December 14, 2018, <https://www.state.gov/documents/organization/122074.pdf>

²²¹ Jeffrey Goldberg, “The Obama Doctrine,” *The Atlantic*, April 2016.

²²² Barack Obama, “Remarks by the President to the White House Press Corps,” White House, August 20, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/08/20/remarks-president-white-house-press-corps>

multilateral support—especially Britain—one of the key pillars of Obama foreign policy was to reduce the US military presence in the Middle East. Moreover, the domestic politics in the US was highly polarized between the Democrats and Republicans. On top of that, in Syria, there were many groups fighting each other including the Assad's regime, opposition forces, Al-Nusra, Al-Qaeda, Islamic State and more. It was not clear who was fighting whom and if intervention takes place, which groups would take over. After a long and devastating war in Iraq and the failure in Libya, the chances of intervention in Syria became very low. Simply put, the conditions were enormously pessimistic and this hurt Obama's credibility. Today, while the conflict is continuing and there is almost nothing left of Syria, the international community is still debating whether to intervene or not.

In Sudan, the civil war between the two largest ethnic groups—Dinka and Nuer—led to the killings of two million Sudanese. Since the war broke out in South Sudan in late 2013, more than 50,000 people have been killed and more than 1.6 million have been internally displaced.²²³ Although an agreement has been reached and the country is officially split in two—Sudan (North) and South Sudan—the war produced a fatal outcome: two dysfunctional societies. The US was a lead facilitator of South Sudanese independence and is accountable for the situation because prior to the outbreak of the civil war in 2013, the US strongly supported and advocated for Sudan People's Liberation Movement, which became the new country's government. Both the US and the UN failed to stop the ethnic-cleansing.²²⁴ Today, both countries are failed states and continue to suffer from the most fundamental basic rights such as food and shelter. In order to overcome such problems, they need massive support and investment. Moreover, the presence of peacekeepers is necessary to preserve security for civilians.

The intervention in Kosovo is unique compared to the above-mentioned examples. Kosovo is in a much better neighborhood and is a European country surrounded by European nations. Middle East and North Africa (MENA) is an unstable region filled

²²³ Global Conflict Tracker, "Civil War in South Sudan," *Council on Foreign Relations*, February 12, 2018.

²²⁴ Justin Lynch, "UN, U.S. failed to prevent 'ethnic-cleansing' in South Sudan" *Associated Press*, October 18, 2017.

with sectarianism, authoritarianism and conflicts. In Kosovo, there were no religious extremists. The region was and remains homogenous, mostly populated by ethnic Albanians and a small Serb minority. The mission was to end ethnic-cleansing and initiate a process of state-building. In MENA, countries are much more ethnically diverse and when you add religion, it makes the case more complex. In Kosovo, it was clear who would be in charge after the War. In MENA, the opposition is fragmented, even if future interventions are successful, there is no clear idea who is going to build a functioning state. And without knowing who is going to take charge and initiate reforms it is very problematic to initiate state-building. Moreover, the size and population of Kosovo is very small, this indicates that state-building will be less resources are needed; thus, countries are more willing to intervene and help countries without damaging their respective economy. Considering all these challenges, it is becoming very difficult to initiate state-building, therefore more commitment and resources are needed.

In today's world, it is becoming very uncommon for nation-states to solve problems unilaterally, whether it's a terrorist threat, nuclear proliferation, peace-keeping mission, environmental degradation or economic crisis. Thus, even the most preponderant powers need allies, the US should have a close relationship with its vital partner the EU and other democracies worldwide. Whether in Iraq, Afghanistan, Libya, Sudan, Kosovo, or anywhere else, the US needs credible local and regional partners in order to create conditions for a sustainable peace and socio-economic prosperity.

CONCLUSION

"Let us break the cycle of violence in Kosovo and build a future for all its children."

— Robin Cook, 1999²²⁵

The international community tried a variety of tactics to change Milosevic, but when regime transformation failed, regime change followed. Had Milosevic cooperated and attempted to relax tensions by listening to Slovenian and Croatian demands and later Kosovo's request for autonomy, Yugoslavia would have probably survived, or, at least, Kosovo would have remained under Yugoslavia rule. But, Milosevic refused such demands, thus making military action the last available option. After all other options had been exhausted and the use of force had become necessary and inevitable, NATO succeeded because it could not fail. Failure could have resulted in the dissolution of the organization. NATO's campaign was unique. It was the first sustained use of force by the NATO alliance since its establishment in 1949. It was also the first time that force was used to enforce UNSC resolutions for the purpose of halting crimes against humanity. This victory demonstrated the vitality and cohesiveness of the NATO alliance.²²⁶ Yugoslavia was a test for NATO's role in post-Cold War Europe and Kosovo was a milestone in the doctrine of humanitarian intervention. Without the US commitment and determined efforts, Milosevic would have maintained his rule on Kosovo. Thus, Kosovo is a great story of American leadership, Western cooperation and humanitarian intervention.

It is important to note that NATO and Kosovo Albanians got lucky. Had Milosevic's strategy on Kosovo been more brutal, for example similar to Bosnia and Herzegovina, or had food supplies not held up for thousands of civilians living in outdoor in the forests and hills, the number of casualties might have been higher, and NATO air campaign strategy would have been impossible to save them. Goliath (Milosevic) had some good advantages but David (NATO) prevailed at the end. NATO's

²²⁵ The Independent, "Liberation of Kosovo: Quotes," Thursday 24, 1999.

²²⁶ William Kristol and Robert Kagan, "Victory," *Carnegie Endowment for International Peace*, June 14, 1999.

superior military would have been decisive and won the war, but considering the high number of casualties it would have been a Pyrrhic victory.²²⁷

With intervention comes responsibility. When a regime toppled, it takes significant amounts of energy and resources to build or rebuild a state. Sustainable peace requires local partners with the capacity to govern and the integrity to lead. State-building requires time and substance and most importantly, it requires an enduring commitment. International cooperation is critical in order to overcome post-conflict challenges. Providing humanitarian assistance, security and civil administration were key in establishing a peaceful environment in Kosovo. Unlike Bosnia, Kosovo had no institutions; thus, it was easier for the international community to maintain peace, because KFOR and UNMIK cooperated with each other. UNMIK helped through well-qualified staff members who assisted the local civil servants – something the US failed to do in Iraq. Within years, UNMIK was capable of creating working institutions – in three years Kosovo had a fiscal policy, tax system and government. During the same time period, KFOR constantly provided professional and military assistance to the *ad hoc* Kosovo Protection Corps, which today is known as the Kosovo Security Force.

ICTY officially closed in 2017. Although it left behind a mixed record, it convicted 161 individuals and sentenced 90 of them, including Slobodan Milosevic who died in prison, Ratko Mladic with life imprisonment and Radovan Karadzic with 40 years' imprisonment.²²⁸ Most importantly, the court has given the opportunity to thousands of victims and witnesses to tell their stories and testify at court. The court could have achieved more; however, it leaves a powerful legacy of war crimes justice. Ironically, the court closed with a final judgment against Slobodan Praljak – a Croat – who drank poison after the court rejected his appeal and passed away after a couple of hours at the hospital.

In 1992, Francis Fukuyama had predicted that Yugoslavia would neither be peaceful nor democratic “any time in the near future” and that it would turn out to be

²²⁷ A Pyrrhic Victory is a victory that inflicts such a devastating toll on the victor that it is equivalent to defeat.

²²⁸ Owen Bowcott, “Yugoslavia Tribunal closes, leaving a powerful legacy of war crimes,” *The Guardian*, December 20, 2017, <https://www.theguardian.com/law/2017/dec/20/former-yugoslavia-war-crimes-tribunal-leaves-powerful-legacy-milosevic-karadzic-mladic>.

“just as dangerous to existing Western democracies as the old Soviet Union was.”²²⁹ While there is no objective definition of what the “near future” truly means, we can surely argue that the region is much better off now than it used to be. Although it is lacking behind in many areas, the Balkan region is in the process of transformation. Today, it consists of democracies, some admittedly flawed (semi-democratic, semi-authoritarian), but there is no authoritarian government and that is certainly progress. Today, Kosovo has a developing economy and a flawed state beset with serious socio-political problems. However, Kosovars are far better off than they were under Serbia’s rule. The fight for liberation and its emergence as an independent and sovereign state is an accomplishment of its people at home and of the US and its allies abroad.

Although Kosovo’s political status remains unresolved, its main problem is the inability of the government to provide efficient public services and to interact with other states, mainly due to its lack of diplomatic recognition and membership in international organizations. Building efficient institutions is a key feature of a state. But institution-building takes time. The current emphasis on state-building would have never happened without the US commitment and people of Kosovo are aware of that. Indeed, Kosovo sees the US diplomatic, political and military power as the main defender of its independence. As a result, Kosovo maintains an unquestioned supporter of the US. According to a Gallup’s yearly leadership reports, Kosovo’s support for the US is first in the world.

Kosovo remains a European problem. The effectiveness of the EU policy will depend on the carrots it can promise to Kosovo and Serbia in order to gain future concessions. The Serbian foreign policy has been “all in one: Kosovo, Russia and Europe,” but the problem is that they can only have only one of the last two. Promising faster EU integration is undoubtedly a good incentive, but it is up to Serbia to choose. Kosovo, on the other hand, has no other option but the West. Kosovo remains an unfinished state and its legitimacy is contested. Two permanent UNSC members, China and Russia, still do not recognize Kosovo as an independent country. But, Kosovo is not a geo-strategic

²²⁹ Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992), p. 36.

concern for either of them and therefore the recognition of Kosovo depends primarily on their relationship with the West. In the end, the transformation of Kosovo as a full member of international community is highly dependent on the West. The West freed Kosovo from torture, tyranny and terror and helped establish the foundation of statehood. The West should close the last chapter of Kosovo by allowing the newest country in Europe to go forward as part of the European and international community. There are only two alternatives for Kosovo: full integration into the EU or the swap of territories with Serbia. The first option is the ideal solution whereas the creation of mono-ethnic borders would go against the core values of the EU and only bring destruction and agony in a restored geography of pain.

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APPENDIX

CHRONOLOGY

1389 – *The Battle of Kosovo*: Balkan allies led by the Serbian Prince, Lazar organize a military campaign against the invading forces of the Ottoman Empire. The Ottomans win the battle, following a five century Ottoman rule in the Balkans.

1912 – *First Balkan War*: Balkan ethnic groups struggle for establishing the nation-state. Four Balkan states: Bulgaria, Greece, Serbia and Montenegro form an alliance and defeat the Ottomans.

1913 – *Second Balkan War*: Bulgaria attempts to annex Macedonia but fails. Greece, Serbia, Turkey and Romania attack Bulgaria. As a result, Bulgaria loses territory.

1918 – *Annexation of Kosovo*: The Kingdom of Serbia annexes Kosovo.

1919 – *Kingdom of Yugoslavia*: The Kingdom of Serbia transforms into the Kingdom of Serbs, Croats and Slovenes. In 1929, the kingdom is renamed: Kingdom of Yugoslavia.

1946 – *Republic of Yugoslavia*: In 1945 the monarchy is abolished. Next year, the entity is renamed the Federal People's Republic of Yugoslavia. In 1963 the country is renamed again as the Socialist Federal Republic of Yugoslavia.

1974 – *Kosovo Autonomy*: The new constitution of Yugoslavia grants Kosovo major autonomy.

1989 – *Anti-Bureaucratic Revolution*: Milosevic consolidates his power through centralization and revokes Kosovo's autonomy.

1991 – *Third Balkan War*: The disintegration of Yugoslavia begins. Slovenia and Croatia declare independence, marking the beginning of a bloody war with Serbia.

1995 – *Srebrenica Genocide*: The Serb forces slaughter 8,373 Bosniak men and boys.

1998 – *Kosovo War*: Armed conflicts between the Serb police and Kosovo Liberation Army intensify.

1999 – *Rambouillet Conference*: NATO proposes a peace agreement between the Albanian representatives of Kosovo and Yugoslavia.

1999 – NATO Intervention: NATO launches the air campaign against Yugoslavia.

2004 – Kosovo March Riots: Kosovo witnesses the largest ethnic violent incident between Albanians and Serbs since the end of the war.

2007 – Marti Ahtisaari Plan: Unveils a plan to set Kosovo on a path to independence, which is immediately welcomed by Kosovo Albanians and rejected by Serbia.

2008 – Kosovo's Declaration of Independence: Kosovo declares independence and adopts its constitution.

VITA

Visar Xhambazi

7045 Batten Arts & Letters

Hampton Boulevard

Old Dominion University

Norfolk, VA 23529

EDUCATION

MA in International Studies, Old Dominion University, 2018

BSc in Management and Public Policy, Rochester Institute of Technology, 2015

PUBLICATIONS

“The West and post-Yugoslav Political Architecture,”

New Eastern Europe, November 2017.

“From Collective Defense to Collective Security: NATO Intervention in Kosovo,”

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