

The Creation and Politics of International Protectorates in the Balkans: Bridges Over Troubled Waters



THE CREATION OF INTERNATIONAL PROTECTORATES IN SOUTH-EASTERN EUROPE

THE CREATIONS OF WHAT ARE COMMONLY KNOWN AS THE INTERNATIONAL PROTECTORATES OF BOSNIA-HERZEGOVINA AND KOSOVO ARE THE PRODUCTS OF TWO PARALLEL HISTORICAL PROCESSES THAT MARKED SOUTH-EASTERN EUROPE IN THE 1990S. First, they form part of the wider changes of the post-Cold War international environment and particularly the inclination of the Western-led international community to respond to post-Cold War conflicts and related sources of instability with assertive diplomacy, military interventions and coercive peace operations. Second, they are part of the particular challenges of the process of the disintegration of the former Socialist Federal Republic of Yugoslavia (hereinafter “former Yugoslavia”) and, especially the international response to the violent inter-ethnic and territorial conflicts that engulfed the Balkans as a consequence of the break-up of the former Yugoslavia.

In other words, the creation of international protectorates in South-eastern

Europe in the 1990s is the result of the combined impact of the violent dissolution of the former Yugoslavia that prompted the need for an international response and the return of protectorates to international politics that provided the basis for these extraordinary interventions. Failure to understand and analyse developments in the region in the 1990s in terms of both processes often lies behind a mutual misunderstanding between those, mostly from within the region, who perceive the international protectorates as being merely an extension of the foreign policies of big powers and those, mostly from outside the region, who perceive the international presence almost exclusively as a noble and disinterested international endeavour to bring peace and stability to the Balkans. The short-lived international protectorate in Eastern Slavonia in Croatia and the current international presence in the Former Yugoslav Republic of Macedonia (FYROM), while belonging to the same historical experience, are not discussed in this analysis respectively due to their limited duration and extent. This article discusses the international and local contexts that produced the international

protectorates in Bosnia-Herzegovina and Kosovo and their role and politics in bringing stability to the region.

THE RETURN OF INTERNATIONAL PROTECTORATES

At the end of the Cold War and with the decolonisation process nearly completed, it was widely believed that protectorates, mandates and trusteeships also belonged irreversibly to the past. By the end of the 1990s, the return of international protectorates in the form of multilateral coercive peace operations had become a familiar feature of the post-Cold War international politics, as illustrated by the establishment of varying forms of international administrations in response to several crises around the world, most prominently in Cambodia, Bosnia-Herzegovina, Kosovo and East Timor.

In the aftermath of the Cold War, the proponents of the theories of the "End of History" and the "New World Order" were advocating that the principles of a market economy and multiparty democracy coupled with assertive multilateralism, when needed under the reinvigorated collective security mechanisms of the United Nations (UN), were emerging as the global recipes for economic and social development, as well as for international peace and stability. The "Agenda for Peace" launched in 1992 by Boutros-Boutros Ghali, the then UN Secretary General, as a strategy of the international community for peace and development in the twenty-first century largely echoed this optimism. The global equilibrium of power that was unfavourable to overt coercive intervention in domestic conflicts during the Cold War had disappeared, and the political and military predominance of the United States-led Western world increasingly favoured the adoption of assertive responses to international challenges. In the early 1990s, it was widely

believed that the global policing role of the UN Security Council, the way it was originally envisaged by the United States' President Roosevelt and the other victorious protagonists of the Second World War, was seemingly close to becoming a reality. On 31 January 1992, during the first ever UN Security Council meeting at the level of Heads of State and Government, the participants agreed that 'their meeting was a timely recognition of the fact that there are new favourable international circumstances under which the Security Council has begun to fulfil more effectively its primary responsibility for the maintenance of international peace and security' (UN Security Council 1992a:2).

The UN Security Council was indeed perceived and portrayed in the early stages of the post-Cold War period as a potential credible international mechanism to provide international society with the much needed authoritative and legitimate collective security means to ensure international peace and security. The post-Cold War efforts, however, of the UN Security Council to translate the doctrines of the "New World Order" and the "Agenda for Peace" into action have been a frustrating experience. Freudenschuß (1994:530-1) concluded his examination of the UN Security Council's practice in authorising the use of force under Chapter VII in the post-Cold War period stating that

while the objective criteria — universality and a legal framework — for a system of collective security have existed for quite some time now, its subjective elements such as consistent international solidarity, consensus on what is wrong, preparedness to cede executive authority to the UN, readiness "to bear any burden and pay any price" for the consequences of collective decisions — have always been lacking and are likely to continue to be so. As long as the much quoted "international community" remains

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an elusive phenomenon, true collective security will remain an elusive chimera as well.

A genuine system of collective security may have failed to be established, yet a kind of new interventionism slowly emerged in the 1990s. Its major characteristic has been the selective preparedness of the Western world to intervene militarily in domestic conflicts with the aim to halt violence, to prevent regional destabilisation, to avert humanitarian crises and to contribute to the reconstruction of state institutions and the re-establishment of stability. One of the main new features of this post-Cold War interventionism has been what Hobsbawm (1999:9) defined as the disappearing distinction between internal conflicts and international ones as the Kosovo conflict most prominently demonstrated. Another key feature has been the improvised solutions imposed by the new interventionists in trying to resolve domestic conflicts, illustrated most prominently in the Balkans by the establishment of international protectorates.

In this new environment, interest in the resuscitation of international protectorates in the 1990s as a mechanism to resolve conflicts partly originated in the growing frustration of the Western world over the proliferation around the globe of violent domestic conflicts and instability. Helman and Ratner (1992-1993:3) stated that

from Haiti in the Western Hemisphere to the remnants of Yugoslavia in Europe, from Somalia, Sudan and Liberia in Africa to Cambodia in Southeast Asia, a disturbing new phenomenon is emerging: the failed nation-state, utterly incapable of sustaining itself as a member of the international community.

They continued by recommending a number of solutions under the rubric of the "UN Conservatorship", including the re-

introduction of direct UN Trusteeship. Since then, there has been an ever-expanding literature on the subject of the resuscitation of UN Trusteeships and international protectorates. The underlying logic of proponents of the return of international protectorates has been that the international community has a responsibility to move in and govern where law and order have collapsed and anarchy and chaos prevail.

More recently, particularly after the events of 11 September 2001 this debate has also started to revolve around the need to re-think imperialism. Mallaby (2002:4) argued, for instance, that

when such power vacuums threatened great powers in the past, they had a ready solution: imperialism. But since World War II, that option has been ruled out. After more than two millennia of empire, orderly societies now refuse to impose their own institutions on disorderly ones. This anti-imperialist restraint is becoming harder to sustain, however, as the disorder in poor countries grows more threatening.

In a more sober and balanced analysis, Cooper (2001:6) argued in favour of 'a new kind of imperialism' that can tackle domestic conflicts and the instability and misery that dominates today big parts of the world; problems that the politics of nation-states have failed to settle.

The return, however, of the international protectorates in the form of international administrations has taken place out of the practical experience of the international community with military interventions to domestic conflicts in the 1990s. The 1992-95 international operations in Somalia indeed plunged the international community headlong into its first serious encounter with the requirements of the new interventionism and the realities of the new generation of peace opera-

tions. The Somalia intervention set a precedent in international politics because it was the first time the UN Security Council authorised the use of coercive military force under Chapter VII of the UN Charter, not as response to an act of aggression, but for humanitarian reasons and, eventually for peacebuilding operations in a domestic conflict (Mayall 1996). The Somalia intervention also attempted to set a pattern for international responses to the security challenges of the post-Cold War world. Speaking during the UN Security Council meeting of 3 December 1992 that authorised the United States-led "humanitarian intervention" in Somalia, the then United States representative to the UN stated that 'by acting in response to the tragic events in Somalia, the international community is also taking an important step in developing a strategy for dealing with the potential disorder and conflicts of the post-Cold War world' (UN Security Council 1992b:36).

However, the international operation in Somalia, while it was instrumental in mitigating the effects of the famine and the humanitarian crisis, failed to produce a political settlement and the re-establishment of a central authority that would help to restore peace and stability in the country. This was partly because of the lack of political will of the parties involved in the conflict to reach an agreement and partly because of the poor premises and strategy of the operation and the lack of sustained political commitment and backing for the international involvement (Friedrich Ebert Stiftung *et al.* 1995). A big part of this criticism focused on the lack of preparedness by the international community to assume its full responsibility for managing the Somali crisis in accordance with the perceived requirements of the new generation of peace operations. Chopra (1996: 525) argued at the time that the UN

must acknowledge its role in the exercise of executive political authority. It needs an independent, political decision-making capability in the field, as well as its own institutions of law and order. Reliance on local authority structures, while at the same time attempting to reconstitute a new authority, is self-defeating.

A few years later, the same author would argue that 'peace-maintenance as a unified concept for multifunctional UN operations needs to integrate diplomatic, military and humanitarian activities as part of an overall political strategy' (Chopra 1999:17).

The new generation of international protectorates in the 1990s was indeed also partly born out of this debate about the conceptual and operational requirements for the new interventionism that was prompted by the accumulated experience and the lessons of the military interventions and the peace operations of that period. The Kosovo intervention in 1999 generated particular interest in this direction and pushed the debate a step further both conceptually and operationally. Mayall (2000:185) argued in the context of the Kosovo intervention that

the relief of suffering is an end in itself, but intervention will only be able to claim success if stability is restored. This hardly seems compatible with exit strategies announced in advance. The implications of an emerging system of UN Trusteeships (whatever they may be called in practice) needs further study.

The underlying logic of the emerging paradigm today is that, while military intervention can address the symptoms of a crisis and bring peace, a more comprehensive peace operation is required in order to address the root causes of a crisis and restore lasting stability. A very similar debate took place again following the fall of the Tali-

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ban regime in the aftermath of the 11 September 2001 terrorist attacks in the United States and the United States-led intervention in Afghanistan. The key question has been whether the removal of the Taliban regime has basically fulfilled the objectives of the intervention or whether a comprehensive follow-up peace operation is needed in order to help restore lasting stability in the country.

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Today, most international observers agree that international administrations and protectorates are in certain cases simply the best option available for addressing domestic conflicts and their associated challenges to international security. In his conclusions, Caplan (2002:84) encapsulated the predominant international thinking when he stated that 'the international administrations of war-torn territories may be costly and imperfect, but less interventionist measures, in some cases are worse alternatives.' While the return of international protectorates is increasingly welcomed as a policy option to address the security challenges of our times, there are some observers who remain sceptical about the wisdom and the limits of the new interventionism. For example, Hobsbawm (2002:13) when referring to the establishment of international protectorates in the Balkans argued that

whether a general model for the future control of armed conflict can emerge from such interventions remains unclear. [In my view] the balance of war and peace in the 21st century will depend not on devising more effective mechanisms for negotiation and settlement but on internal stability and the avoidance of military conflict.

The return of international protectorates in the 1990s took the form of multi-lateral peace operations and varying degrees of international administrations. Their key features are their multilateral charac-

ter, preferably authorised by the UN and where needed run by the UN itself, their highly intrusive nature manifested by the development of a comprehensive and far-reaching set of political, military and civilian functions and, finally, their interim character as their ultimate objective is the restoration of order, normality and full self-rule by the local population. While their underlying logic projects a noble cause worthy of every support, their implicit departure from the principle of sovereign equality that dominated world politics from the creation of the UN has rendered the re-emergence of international protectorates highly controversial and for many commentators highly problematic. Gordon (1995:346-7), in commenting on the debate on the suggested resuscitation of UN Trustships, cautioned that

rather than focusing on various forms of dependency, we should explore creative mechanisms to assist, rather than direct, peoples in determining and realizing their ambition to determine and control their own destiny. The means, as well as the ends, should be independence rather than dependency.

Protectorates historically refer to a form of relationship in which a state surrenders part of its sovereignty to another. While there have been several forms of protectorates, they all share two major characteristics. First, the protectorate nominally retains its sovereignty and, second, its territory remains distinct from that of the protector. The direct analogy of these two features with those of most of the experiments in the 1990s, particularly in the Balkans, may explain why the term protectorates tends to be preferred by many commentators even though it is not used officially mostly because of its inevitable association with the imperialist

past of the Western world. A major new feature in the 1990s is that the protector tends to be multilateral organisations, such as the UN, the North Atlantic Treaty Organization (NATO), the Organization for Security and Co-operation in Europe and others, rather than individual states. The term UN Trusteeship is also used by commentators to describe the revival of international protectorates. Yet, there are important reasons why the term “trusteeship” is quite inappropriate. UN Trusteeships, like the Mandates under the League of Nations and colonialism before them, were based on the assumption that certain peoples were to be governed by others because they were incapable of governing themselves. Further, the stated objective of the UN Trusteeships system was to prepare the territories under trusteeship for independence.

Today, perhaps with the notable exception of East Timor that largely represented a delayed case of decolonisation in which the international administration was mandated to prepare this territory for independence, gradual crystallisation of the legal principle of the self-determination of peoples does not permit the treating of countries as non-self-governing territories but rather as sovereign entities ravaged by domestic conflict and necessitating a legitimate third party involvement. Thus, neither of the key characteristics of the UN Trusteeship system can be found in the international protectorates of the 1990s. In any case, political correctness and the fact that the international administrations of the 1990s form part of different historical experiences do not encourage official use of the term “trusteeship”. Today, the most common official terms to describe the return of international protectorates are: “transitional political authority”, “interim international administration” and “complex peace operation”. Yet the phenomenon is

the same and the interventionist impulse of the post-Cold War period to address new challenges with assertive responses pays little attention to terminology or, as Lyon (1993:108) argued ‘names apart, the best spirit of trusteeship needs revising and revitalising.’

In summary, the return of international protectorates has been the result of the combined impact of the ideological formations of the 1990s that favoured the return of interventionist and dependency models in resolving conflicts and addressing the root causes of crises around the world with the practice of intervention in the 1990s that gradually necessitated the development of comprehensive models of peace operations to complement coercive interventions in building lasting stability. It is highly unlikely that the international protectorates in South-eastern Europe would ever have been established in the 1990s outside of these circumstances, no matter how intense the violence on the ground may have been. Yet, without the disintegration of former Yugoslavia and the ensuing violent conflicts in the region, there would also not have been an opportunity for intervention and the establishment of protectorates.

THE DISINTEGRATION OF FORMER YUGOSLAVIA

The violent conflicts that engulfed the Balkans in the 1990s were an integral part of the process of the dissolution of former Yugoslavia. The crisis originated partly in the inability and partly in the unwillingness of the local actors as well as partly in the failure of the international actors involved to peacefully manage the inevitable change prompted by the wider geopolitical changes in the world and the region after the end of the Cold War and, more specifically, by the challenges posed by the process of the break-up of former Yugoslavia (Glenny 1993). While all vio-

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lent conflicts of the succession wars in former Yugoslavia can trace their origin to real and imagined collective memories of old ethnic antagonisms and disputes, their escalation to full-blown violent conflicts in the 1990s is primarily the result of the destabilising effect of the fall of the Berlin Wall on the domestic order of former Yugoslavia that eventually led to its total destruction. Hobsbawm (1994:255) sharply observed that 'the end of the Cold War suddenly removed the props which had held up the international structure and, to an extent not yet appreciated, the structures of the world's domestic political systems.'

The Balkans, like many other parts of the world, was caught off guard by the winds of change. The transformative effect of the disintegration of former Yugoslavia on the societies and entities that emerged out of its ashes were devastating. The spiralling territorial revisionism, compounded by exalted historical claims and unabated nationalistic fervour that swept the lands and peoples of former Yugoslavia in the 1990s were both a cause and consequence of the dissolution of former Yugoslavia. Both the local leadership and the population at large are to blame for the nationalistic hysteria of the 1990s because too many people abdicated their responsibilities (Judah 1997/2000). The ensuing descent into inter-ethnic violence consolidated divisions and led to a profound political vacuum. This vacuum, which was exploited by the forces of nationalism and opportunistic political leaders, was the legitimacy deficit among the constituent ethnic groups of most of the new state structures and polities that emerged out of former Yugoslavia. This is because the break-up of former Yugoslavia had also fractured the social contract and forces that had kept a modicum of peaceful coexistence between the ethnic groups who lived together for most of the

twentieth century. Nationalism filled this vacuum with disputes not about power and the form of government but about control over territory and thereby inevitably involved zero-sum conflicts.

These realities, which surpassed the conflict prevention means and skills of the international community, generated enormous grievances that have produced spirals of instability, violence, destruction and misery throughout the region. The very same problems still unsettle the region today from Bosnia-Herzegovina through Montenegro, Kosovo and Southern Serbia to the FYROM. The continuing instability in the region is essentially about the unfinished process of the dissolution of former Yugoslavia and the political vacuum that was left behind, *i.e.* the questionable legitimacy of the make-up of Bosnia-Herzegovina, Federal Republic of Yugoslavia (FRY), and the FYROM among its *de facto* constituent ethnic groups.

The international response to the process of the dissolution of former Yugoslavia over the first few years was marked by a lack of unity and determination. The initial hesitant attitude towards the secessionist dynamics on the ground naturally failed to achieve the original goal of preserving the unity of former Yugoslavia. The subsequent change of policy and, particularly, the formal international recognition of the seceding states was not accompanied for some time by either a common or a determined response to prevent or halt the spiral of violence unleashed by the disintegrating former Yugoslavia. David Owen (1995:366-7), the mediator of the European Union (EU) in former Yugoslavia between 1992-95, argued that

what the Clinton Administration seemed to want until 1994, when they first began asserting themselves positively in the Balkans, was power without responsibility

[...] The member states of the European Union and their Foreign Ministers did accept responsibility [...] but they never exercised power.

The war in Bosnia-Herzegovina was the third violent conflict in the course of the dissolution of former Yugoslavia. The first war lasted for ten days in June/July 1991 in Slovenia, followed by a more intense conflict in Croatia from July 1991 to January 1992. The war in Bosnia-Herzegovina began in April 1992. Following three years of a devastating war, the radical change of the United States' policy in August 1995 manifested by a considerably greater political and military commitment to resolving the conflict coupled with the changing fortunes on the ground of the local rivals in summer 1995, led a few months later in November/December 1995 to the Dayton Peace Accords and the beginning of establishing international protectorates in South-eastern Europe.

The cardinal objective of the Dayton Peace Accords was to bring the long-lasting violent conflict in Bosnia-Herzegovina to an end. In addition to persisting concerns over the impact of the conflict on regional peace and stability and the disturbing incessant flood of refugees mostly pouring towards Western Europe, the very credibility of the Western-led international community was at stake, as for more than three years both the United States and the EU remained powerless to halt a conflict taking place virtually in the heart of Europe. The political and military pressure exerted in the second half of 1995 particularly by the United States under the statesmanship of its envoy Richard Holbrooke was eventually backed by the projection of a political vision which aimed to reconcile the political and moral values and interests of the international community to preserve the unity of a multiethnic Bosnia-Herzegovina with the interests and aspirations of the

local leaders to retain authority over the territories under their effective control (Holbrooke 1998). The Dayton Peace Accords produced an international protectorate that preserved the constitutional fiction of a unified state while on the ground it recognised the virtual separation of the three competing ethnic communities of Serbs, Croats and Bosnians, prominently illustrated by the recognition of the continuing existence of three armies operating independently. This unique political compromise and its labyrinthine arrangements have inevitably been interpreted by commentators as a blueprint both for partition and for the consolidation of a unitary state (Glenny 1999). In reality, the Dayton Peace Accords left open the question of the future of Bosnia-Herzegovina. What currently ensures the viability of this fragile compromise is the international presence.

The establishment of the international protectorate in Kosovo a few years later in June 1999 is the product of a similar compromise. The underlying logic of this compromise was to reconcile the values and interests of the international community to preserve even nominally the unity and territorial integrity of the FRY with the realities on the ground that required granting effective control of the territory — under the rubric of substantial autonomy — to the Kosovo Albanians, who form the overwhelming majority of its population. The key difference in Kosovo is the degree of power assumed by the international administration. The role of the international administration there was to replace the authorities of the FRY and to assume full interim administrative responsibility, turning the Kosovo protectorate into the most far-reaching endeavour of this type of the international community and the UN ever (Yannis 2001a).

However, UN Security Council Resolution 1244 that established the international administration in Kosovo is to a cer-

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tain extent also an accident of history. The United States and other key NATO members originally did not wish even to internationalise the Kosovo dispute (Caplan 1998). The Kosovo crisis was effectively sparked following the virtual abrogation of the autonomy status of Kosovo by Belgrade in 1989, and started spinning uncontrollably following the formal disintegration of former Yugoslavia and the refusal of the international community to address this problem in Dayton. The escalation of the dispute to a full-blown violent conflict by 1998-99 eventually forced the international community to intervene, albeit still with the intention to establish a lighter protectorate at most, along more or less the lines of Bosnia-Herzegovina (Weller 1999). However, the draft Rambouillet Accord that aimed to replicate the logic of the Dayton Peace Accords failed to gain the consent of Belgrade and, when President Milošević of the FRY called the bluff of NATO's threats of bombardment, NATO felt it had no other option than to intervene militarily against the FRY in order to safeguard its credibility. From that moment on, the spiral of the conflict, *i.e.* the intensification of the NATO bombardment and escalation of the ethnic cleansing campaign against Kosovo Albanians by Belgrade, would alter radically the political dynamics on the ground and eventually necessitate the imposition of an outright international protectorate in Kosovo.

Resolution 1244 was the product of unique geopolitical circumstances involving the military intervention of NATO in the FRY and particularly an extraordinary international consensus on a way out of an increasingly unpredictable military confrontation and its increasingly destabilising consequences. The underlying objectives of the agreements that produced Resolution 1244 were (Yannis 2001b), first, to

finish the NATO air campaign against the FRY, second, to reverse the effects of the ethnic cleansing against Kosovo Albanians and bring an end to the surging humanitarian disaster in the region and, third, to lay the grounds for a political settlement of the Kosovo conflict. Resolution 1244 did in fact put an end to open conflict — that between NATO and the FRY. It also rather swiftly achieved its second underlying objective; the effort to reverse the ethnic cleansing of Kosovo Albanians. This was greatly facilitated by the spontaneous return of over 700,000 Kosovo Albanians to Kosovo in a relatively short period of time, the large majority simply following in the footsteps of the deployment of the NATO-led Kosovo Force (KFOR). However, laying the grounds for a political settlement in Kosovo was from the outset a relatively difficult objective. Resolution 1244 was neither the product of an agreement between Serbs and Kosovo Albanians containing a road map on how to implement a political settlement of the Kosovo conflict, nor an agreement between exhausted opponents seeking a compromise and an end to their conflict. It neither foresaw any definitive political solution for Kosovo, nor determined its future status. It did not address the underlying causes of the conflict and left Kosovo in limbo (Judah 2000:311-12). Here, again, what keeps the peace is the presence of the international community.

In conclusion, the creation of the international protectorates in South-eastern Europe forms part of the Western-led international community's response to the violent dissolution of former Yugoslavia. More specifically, they have served to bring an end to fighting based on a compromise between the values and interests of the international community to preserve the unity of successor states of former Yugoslavia and discourage further disintegration in the Balkans, and the

interests and aspirations of the local protagonists to re-draw the map of former Yugoslavia along ethnic lines as a result of a seemingly delayed national awakening manipulated by opportunist leaders. The realities created on the ground following the eruption of violent conflicts did not permit the international community to pursue either the immediate restoration and consolidation of fully integrated multi-ethnic entities nor did they favour the continuation of disintegration along ethnic lines without further significant ethnic cleansing and regional destabilisation. The creation of the international protectorates was a fragile compromise with uncertain long-term implications and consequences. Much would depend on the politics of the international protectorates which by now have become central features of the international involvement in the Balkans and critical variables of the political landscape in the region. Moreover, what were initially conceived as short-term operations and what political rhetoric calls "interim" and "transitional" appear to be developing into a rather long-term international presence and to a relatively far-reaching international involvement in the region.

THE POLITICS OF THE INTERNATIONAL PROTECTORATES

TODAY, THE MAIN CHALLENGE OF THE INTERNATIONAL PROTECTORATES IN SOUTHEASTERN EUROPE IS TWOFOLD. In the short term, to preserve the peace and in the long term to contribute to building the bridges that will enable the region to move from the violent nationalism and territorial antagonisms of the 1990s to new patterns of regional co-operation and eventually to full participation in the process of EU integration. The EU is perhaps today the only shared objective and com-

mon vision of all ethnic groups in the region. If the original historical role of establishing the international protectorates was to stop the fighting, their ultimate contribution to politics of the region would be to serve as bridges linking the past with the future without any further violence, suffering and destruction. In this effort, the international administrations must skilfully navigate the uncertainties and ambiguities of their mandates, particularly the absence of any clear road map agreed by all parties in the region on their very steps. To achieve this, they need to focus on balancing the requirements of accountability/legitimacy and efficiency/state building or, in other words, the requirement for increasing reliance and on local self-rule encouraging local responsibility with the imperative for gradually building local partnerships and functioning state structures. Both are indispensable long-term pre-conditions for laying the foundations for eventual membership in the EU.

THE POLITICS OF ACCOUNTABILITY AND LEGITIMACY

The return of international protectorates to international politics is taking place in a radically different environment from that which originally produced them in the 19th and early 20th centuries. Since the creation of the UN, the international community has been moving slowly but inexorably towards realisation of the principle that all peoples are capable of governing themselves, encapsulated in the cardinal principles of the UN Charter on the self-determination of peoples and sovereign equality. However, Said (1993:8; original emphasis) cautioned that experience has shown that

neither imperialism nor colonialism is a simple act of accumulation and acquisition. Both are supported and perhaps even

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impelled by impressive ideological formations that include notions that certain territories and people REQUIRE and beseech domination, as well as forms of knowledge affiliated with domination.

The risk of crossing this fine line is inherent in the peace operations and the international protectorates established in the 1990s in several parts of the world, including Bosnia-Herzegovina and Kosovo. The often self-righteous conviction of international administrators and international administrative personnel about the *a priori* noble, impartial and constructive role of their efforts inevitably clashes with the patriotic and defiant attitude of local elites and the population at large who perceive the international administrations present in their countries at best as partners in the process of peace and reconstruction, and at worst as an integral part of their disputes and conflicts. Straddling the task of remaining a constructive part in the peace process and the task of avoiding sliding into becoming part of the problem is a major challenge for the international protectorates of our times.

Another aspect of the same problem is the serious democratic and legitimacy deficit of international administrations whose acts are not accountable to the local peoples over whom they are entrusted to rule. In Bosnia-Herzegovina, the powers vested in the international administration were considerable, yet limited. In Kosovo they were enormous. The international community assumed full interim administrative responsibility, virtually suspending the FRY's sovereignty over Kosovo (Yannis 2001a:32). Chopra (2000:28) described the powers of the head of the international administration in East Timor, whose mandate was very similar to that of the head of the international administration in Kosovo, as 'comparable with that of a pre-constitutional

monarch in a sovereign kingdom.' The truth though lies somewhere in the middle. Modern protectorates may have a serious democratic deficit *vis-à-vis* the local population. But they operate in a far more sophisticated international environment with developed international legal machinery and an advanced political culture and international institutions, including strong media and civil society, all of which provide considerable checks and balances against abuses.

However, the question of accountability of the modern international protectorates remains crucial. First, as Stanton (1993:15) argued because 'sovereignty, in the most basic sense of ultimate authority over a specified territory, remains integral to the construction of the very political arrangements that are desired.' In Bosnia-Herzegovina, the significant powers vested in the international community without clear democratic scrutiny was conceived as corrective for the unwillingness of the local political forces to engage in implementation of the Dayton Peace Accords on any substantial level and for their attempts to maintain the divide between the nations in Bosnia for their own interests (Bieber 2001). In Kosovo a few years later and starting from the reality of an outright protectorate, one of the most frequently asked questions in the first months by Bernard Kouchner, the first Special Representative of the UN Secretary General (SRSG) and the head of the international administration in Kosovo, was exactly whether the international community should rule Kosovo as a colonial administrator or as a partner sharing a certain degree of power with the local leadership. His clear inclination to opt for the latter was not originally shared by the entire international community (Yannis 2001b). Today, however, this approach forms the cornerstone of the international administration's engagement

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in Kosovo and virtually nobody, including the new regime in Belgrade, disputes the wisdom and/or the inevitability of this policy. In fact, the requirement to develop a model of good governance ensuring the international administration's accountability to the local population through democratic representation and participation in the work of the administration is increasingly becoming a widely accepted doctrine in complex peace operations and the politics of the post-Cold War international protectorates (Williams 2000).

Another reason why the questions of accountability and legitimacy are very important in the politics of the international protectorates in the Balkans is illustrated by the continuing political problems in Bosnia-Herzegovina where local rivals appear to have largely instrumentalised the presence of the international authority in the country in order to continue their war and pursue their divisive agendas through other means. Wolfgang Petritsch, the third High Representative of the international community in Bosnia-Herzegovina, argued that

in the long run the usage of the far-reaching powers lead to a type of dependency syndrome. Local parties began to opportunistically rely too much on the political intervention of the High Representative, especially when it came to unpopular measures. They can behave, despite being in government, as if they were in opposition and defend their ethno-nationalist goals without need to compromise (quoted in Bieber 2001:41).

A November 2001 paper by the European Stability Initiative (2001:2) made this point even clearer; it argued that 'progressive superintendence by international institutions and the Peace Implementation Council's Steering Board is becoming an obstacle to the development

of Bosnian politics. It is also increasingly less effective at bringing about real change in Bosnia society.' The international administration in Kosovo runs a similar risk if the local political forces fail in the long run to assume their political and administrative responsibilities for managing the territory.

The successes to date of the international administration in Kosovo in establishing democratic institutions of substantial autonomy for the local population, i.e. from establishment of the Joint Interim Administrative Structures in December 1999 to the municipal elections in October 2000 and the Kosovo Assembly general elections in November 2001, with risk indeed dissipating if the international administration fails to transfer significant political and administrative power to the elected local representatives and to encourage and enable them to assume their responsibilities. The broad powers retained by the SRSG should progressively be used almost exclusively for corrective purposes, and the overall international role should gradually scale down to the benefit of empowerment of the local political forces. In order to serve their transformative role as a bridge from the past to the future in both Bosnia-Herzegovina and Kosovo, the international protectorates should not become an excuse for the abdication of the political responsibilities of local elites and their populations, nor for consolidating dependency on international assistance, nor for inactivity and political and administrative paralysis. Judah (2000) argued that history in the Balkans in the 1990s was the continuation of war by other means. Meeting the challenges of accountability and legitimacy and enabling local self-rule would ensure that the international protectorates in the Balkans will not replace history as a continuation of war by other means.

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THE POLITICS OF EFFICIENCY AND STATE BUILDING

While accountability is essential to success, efficiency in bringing about change and restoring and creating the state structures that can facilitate the return to stability, democratisation and development are equally indispensable factors for the international protectorates' success in South-eastern Europe and, more specifically, for the preparation of conditions enabling the region to eventually join the EU. Stability requires some form of both legitimate and effective state structures and public authorities, particularly in multiethnic societies. If accountability takes care of building the required legitimacy, efficiency is needed for building the required state structures needed for stability and development. The balancing act between achieving accountability and legitimacy and pursuing efficiency and state building promises to remain very delicate.

There are three requirements for the efficient involvement of the international protectorates in Bosnia-Herzegovina and Kosovo. First, they have to navigate skillfully the diametrically opposing objectives and interests of the nationalist leadership of the ethnic groups in the region with the aim to prevent them from continuing to pursue their separatist and extremist agendas. At the same time, they have to intensify their efforts to engage the moderate forces from all sides in constructive co-operation in the process of rebuilding a multiethnic future. Maintaining international commitment to the unity of Bosnia-Herzegovina and to the substantial autonomy of Kosovo are very critical factors. In reality, the current status of both territories, although different, serve the same purpose of freezing the zero-sum competition of local rivals in a compromise that would hopefully enable time and other forces, including the commitment of the international community,

to move these territories from the nationalist and territorial antagonisms of the 1990s to regional co-operation and integration and towards the EU. In any case, changing the status of the territories or the mandate of the international protectorates appears today to be both unlikely and dangerous. Improbable because in neither place there is a real chance to generate a local or international consensus and agreement for change, and dangerous because such radical changes would inevitably divert attention, efforts and resources away from implementation of the current mandates and towards new structures and policies that could even destabilise the very peace that has been so painstakingly achieved over the last few years.

While keeping with the current realities may be easier in Bosnia-Herzegovina where the status of the territory is, in principle, settled, Kosovo presents a special challenge because the uncertainty of the final status is seen by many as being itself a factor of instability (Rupnik 2001). The reality though may prove to be different. What is important in Kosovo today is neither the return of the territory to direct Serb rule which would almost certainly re-ignite violence, nor independence which after all has not been helpful in itself in bringing stability to Bosnia-Herzegovina even after the Dayton Peace Accords. What is needed in Kosovo today is the maintenance of a psychological equilibrium between the Kosovo Albanians and the Serbs about the future of both in Kosovo. More specifically, Kosovo Albanians need constant reassurance that they will never again fall under direct Serb rule, and the Serb minority needs to know that they will always be protected and feel safe in Kosovo. In this respect, the presence of the international protectorates could be catalytic.

Further, while the status of both Bosnia-Herzegovina and Kosovo remains un-

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changed, a key requirement for efficiency is to avoid paralysis. In other words, freezing the status is no excuse for inactivity. The international authorities should continue focusing vigorously on implementation of their mandates and, particularly the building of modern, democratic and multiethnic state structures in both territories. The November 2001 report of the International Crisis Group (ICG) on Bosnia-Herzegovina, among others, recommends that the High Representative should

(a) intensify its efforts to endow the state with as many functioning central institutions as can be justified and funded under Dayton's dispensation, (b) maintain and probably enhance its capacity in economic analysis and monitoring, and (c) work more closely with the international financial institutions (IFIs) (International Crisis Group 2001:4).

Indeed, the Dayton Peace Accords brought peace but have not yet brought stability to Bosnia-Herzegovina, as illustrated by the virtually non-existing political integration and the prevailing poor economic conditions in the country evidenced by the absence of local and international confidence and investment (Bildt 2001). While the complex arrangements of the Dayton Peace Accords may in part be blamed for this, the degree of commitment and focus by the international community on the required institutional and administrative reforms also needs rethinking and improvement.

With regard to the establishment of a modicum of stability and democratic institutions of self-government, Kosovo is just about to reach the stage at which Bosnia-Herzegovina found itself soon after the Dayton Peace Accords. Yet, as in Bosnia-Herzegovina a consensus for dialogue, political solutions and inter-ethnic co-operation is still largely missing. Hence,

the international administration in Kosovo must today continue pursuing implementation of Resolution 1244 in a way that meets the minimum objectives of both Kosovo Albanians and Serbs and the maximum of neither in an effort to gradually build the required local consensus and partnerships over the role of the international administration in the peace process. Kosovo Albanians should be progressively enabled to develop and lead democratic institutions of self-government and substantial autonomy in Kosovo and to become full partners in the process of regional integration, while Serbs should be assisted in achieving greater security and freedom of movement as well as greater opportunities for the return of Serbs to Kosovo through a system of greater self-government in Serb areas (Yannis 2001a). Addressing the requirements of building a solid civil administration, credible judiciary, modern and transparent economy and lively civil society are essential objectives for all ethnic-groups in Kosovo and indispensable requirements to prepare the ground to move beyond the current stalemate. The uncertainty over the current status of Kosovo and the ambiguities of the international administration's mandate should not result in losing sight of the pragmatic priorities for political, administrative, economic and social reforms that have to be made regardless of the future status of Kosovo.

In Bosnia-Herzegovina, as Bieber (2001: 42) argues, the

international presence seems likely to continue until a new political elite emerges, despite the current system, which might be more ready to consider a thorough institutional reform. A key (or rather the only) incentive for such a process might prove to be European integration, as integration into European structures is not disputed by any of the three nations or their represen-

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tatives. The possible integrative dynamic of European integration has not yet been seized upon in Bosnia.

In Kosovo, the international presence, however scaled down and reformed, may be needed until Kosovo is ready one day to become a member of the EU. The potential stabilising dynamic of European integration must also be pursued in a more energetic manner in Kosovo and the rest of Yugoslavia. For example, the magnet of the Stabilisation and Association Agreements with the EU has been employed with considerable success so far as a conflict prevention technique in 2001 in the FYROM and in 2002 in the Serbia-Montenegro Agreement. The potential of these agreements for changing the political framework in both Bosnia-Herzegovina and in Kosovo should also be explored. The *sui generis* current status of Kosovo and the uncertainty over its final status should not be obstacles in this respect, like other problems associated with the lack of clarity of the status of Kosovo, such as the lending capacity of financial institutions, should not be allowed to halt progress in Kosovo. Innovative approaches and solutions are needed to address extraordinary problems and circumstances.

In sum, in order to be effective the international protectorates in South-eastern Europe must: a) navigate the uncertainties of the currently disputed status of the administered territories by the local leaders and peoples in the region who often treat international protectorates with an overdose of cynicism that compels them to manipulate them in order to continue their war through other means; b) continue and intensify their efforts to build the political, economic and social institutions and dynamics that will be essential down the road for the quantum leap that takes the Balkans out of the misery of the 1990s and towards the EU; c)

retain the political, military and financial presence and commitment to the region for as much time as needed to achieve its extremely difficult objectives of keeping the Balkans peaceful and stable as well as in line with the perspective of regional and European integration.

CONCLUSION

THE CREATION OF INTERNATIONAL PROTECTORATES IN SOUTH-EASTERN EUROPE IN THE 1990S EMERGED FROM THE COMBINED INFLUENCE OF TWO FACTORS. First, the post-Cold War re-emergence of interventionism and the return of international protectorates as a means to ensure international peace and stability; and the political will of the Western-led international community to use these instruments in the Balkans in order to stop the fighting in the wars of succession to former Yugoslavia. The establishment of the protectorates in Bosnia-Herzegovina and Kosovo was in both cases based on a similar historical compromise between the values and interests of the international community to halt any further disintegration of the Balkans, and the agendas of the local protagonists to further disintegrate the region along ethnic lines. The logic of this compromise was to give prevalence to the objective of stopping the violence, while effectively freezing the territorial claims of local rivals. Consequently while they are credited with success in stopping the fighting, both Bosnia-Herzegovina and Kosovo have in practice remained in limbo.

The international protectorates cannot by themselves provide any long-term political solution as they cannot substitute the political will of the local rivals. Yet, should their presence gradually manage to promote accountability and local responsibility as well as efficiency and local

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participation in establishing the structures needed for stability and development, the international protectorates' role could turn out to be useful not only with regard to the short-term objective of peace but also with respect to the long-term objective of stability. However, bridging the gap between peace and stability also requires, if not primarily, the development of a common vision among all ethnic groups in the region, particularly as the ongoing instability derives exactly from the continuing legitimacy deficit of some of the successor states of former Yugoslavia among its ethnic components.

Einstein argued that the significant problems we face cannot be solved at the same level of thinking we were at when we created them. As the EU was conceived to bring lasting peace to Europe after the destruction of the Second World War, regional integration in South-eastern Europe and the prospect of the region's full incorporation into the process of European integration in the long run constitutes the only viable alternative for lasting stability in Bosnia-Herzegovina, Kosovo and the region as a whole. The EU's vision is shared by all peoples in the region. The role of

international protectorates in Bosnia-Herzegovina and Kosovo at best would be to facilitate this process by ensuring peace. Whether they can also serve as the bridge to the future and succeed without currently having either a clear road map or local consensus on the very next steps in the region is both a formidable challenge and a big question mark.

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REFERENCES

- BIEBER, Florian (2001) "Resolving Self-determination Conflicts through Complex Power Sharing: The Case of Bosnia-Herzegovina". Cambridge: University of Cambridge, Centre of International Studies, Draft paper prepared for the project on *Resolving Self-Determination Disputes through Complex Power-Sharing Arrangements*.
- BILDT, Carl (2001) The Balkans' Second Chance. *Foreign Affairs* 80(1), 148-59.
- CAPLAN, Richard (1998) Crisis in Kosovo. *International Affairs* 74(4), 745-61.
- CAPLAN, Richard (2002) "A New Trusteeship? The International Administrations of War Torn Territories". London: The International Institute of Strategic Studies, Adelphi Paper 341.
- CHOPRA, Jarat (1996) Achilles' Heel in Somalia: Learning From a Conceptual Failure. *Texas International Law Journal* 31(3), 495-525.
- CHOPRA, Jarat (1999) *Peace Maintenance: The Evolution of International Political Authority*. London: Routledge.
- CHOPRA, Jarat (2000) The UN's Kingdom of East Timor. *Survival* 42(3), 27-39.
- COOPER, Robert (2001) Dawn Chorus for the New Age of Empire. *The Sunday Times*, (28 October), 6.
- EUROPEAN STABILITY INITIATIVE (2001) "In Search of Politics: the Evolving International Role in Bosnia and Herzegovina". Berlin, Brussels and Sarajevo: European Stability Initiative, ESI Discussion Paper.

- FREUDENSCHUß, Helmut (1994) Between Universalism and Collective Security: Authorization of the Use of Force by the UN Security Council. *European Journal of International Law* 5, 492-531.
- FRIEDRICH EBERT STIFTUNG, LIFE AND PEACE INSTITUTE, NORWEGIAN INSTITUTE OF INTERNATIONAL AFFAIRS in co-operation with the LESSONS-LEARNED UNIT OF THE DEPARTMENT OF PEACE KEEPING OPERATIONS (1995) *Comprehensive Report on Lessons-Learned From United Nations Operation in Somalia, April 1992 ÷ March 1996*. New York: United Nations.
- GLENNY, Misha (1993) *The Fall of Yugoslavia*. London: Penguin Books.
- GLENNY, Misha (1999) *The Balkans 1804-1999: Nationalism, War and the Great Powers*. London: Granta Books.
- GORDON, Ruth (1995) Some Legal Problems with Trusteeship. *Cornell International Law Journal* 28, 301-47.
- HELMAN Gerald and Steven RATNER (1992-1993) Saving Failed States. *Foreign Policy* (89), 3-20.
- HOBBSAWM, Eric (1994) *The Age of Extremes: The Short Twentieth Century (1914-1991)*. London: Abacus.
- ALEXANDROS YANNIS HOBBSAWM, Eric (1999) *The New Century*. London: Little, Brown and Company.
- HOBBSAWM, Eric (2002) War and Peace. *The Guardian* (23 February), 13.
- HOLBROOKE, Richard (1998) *To End a War*. New York: Random House.
- INTERNATIONAL CRISIS GROUP (2001) "Bosnia: Reshaping the International Machinery" (29 November). Sarajevo and Brussels: ICG Balkans Reports No. 121.
- JUDAH, Tim (1997/2000) *The Serbs: History, Myth & the Destruction of Yugoslavia*. New Haven, CT and London: Yale Nota Bene.
- JUDAH, Tim (2000) *Kosovo: War and Revenge*. New Haven, CT and London: Yale University Press.
- LYON, Peter (1993) The Rise and Fall and Possible Revival of International Trusteeship. *Journal of Common Wealth and Comparative Politics* 31, 96-110.
- MALLABY, Sebastian (2002) The Reluctant Imperialist: Terrorism, Failed States, and the Case for American Empire. *Foreign Affairs* 81(2), 2-7.
- MAYALL, James (1996) Introduction. In James MAYALL (ed.) *The New Interventionism, 1991-1994: United Nations Experience in Cambodia, Former Yugoslavia and Somalia*, 1-9. Cambridge: Cambridge University Press.
- MAYALL, James (2000) The Concept of Humanitarian Intervention Revisited. In Albrecht SCHNABEL and Ramesh THAKUR (eds) *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, 180-98. New York: UNU Press.
- OWEN, David (1995) *Balkan Odyssey*. New York: Harcourt Brace & Co.
- RUPNIK, Jacques (2001) Yugoslavia after Milosevic. *Survival* 43(2), 19-30.
- SAID, Edward (1993) *Culture and Imperialism*. London: Chatto & Windus.
- STANTON, Kimberly (1993) Pitfalls of Intervention: Sovereignty as a Foundation for Human Rights. *Harvard International Review* 26(1), 14-6.
- UN SECRETARY GENERAL (1992) An Agenda for Peace, Preventive Diplomacy, Peacemaking and Peacekeeping. A/47/277 - S/24111 of 17 June.
- UN SECURITY COUNCIL (1992a) Note by the President of the UN Security Council. S/235000 of 31 January.
- UN SECURITY COUNCIL (1992b) S/PV.3145 of 3 December.
- UN SECURITY COUNCIL (1999) Resolution 1244 of 10 June.
- WELLER, Marc, ed. (1999) *International Documents and Analysis, Vol. 1: The Crisis in Kosovo 1989-1999 ÷ From the Dissolution of Yugoslavia to Rambouillet and the Outbreak of Hostilities*. Cambridge: Documents & Analysis Publishing.
- WILLIAMS, Michael (2000) "Introductory Paper — Ending Anarchy: International Rule and Reconstruction after Conflict". Cambridge: 21st Century Trust, 5 — 13 October.
- YANNIS, Alexandros (2001a) Kosovo Under International Administration. *Survival* 43(2), 31-48
- YANNIS, Alexandros (2001b) "Kosovo Under International Administration: An Unfinished Conflict." Athens: Programme for Strategic and International Security Studies of the Graduate Institute of International Studies in Geneva and the Hellenic Foundation for European and Foreign Policy in Athens.

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