STATE ACTIONS AND RESPONSE

FOLLOWING INSTANCES OF POLITICIDE

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The undersigned, appointed by the dean of the Graduate School, have examined the thesis entitled

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and hereby certify that, in their opinion, it is worthy of acceptance.

Professor Cameron Thies

Professor Moises Arce

Professor Takeshi Wada

To my parents, for everything.

To Carrie, Laura, and Ash, for the cheerleading.

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TABLE OF CONTENTS

LIST OF FIGURES

STATE ACTIONS AND RESPONSE
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ABSTRACT

The development of the international human-rights regime in the second half of the 20th century

has led to an increased awareness and rhetorical/normative condemnation of outbreaks of ethnopolitical

violence. While concerns of sovereignty and protection of critical interests have prevented

international intervention in such cases from occurring on the broad scale, the development of the

regime means that international awareness and action in various forms should have increased over

time. The reaction of the aggressor-state in cases of ethnic violence to these international responses can

be expected to increase based on the credibility of the international community's commitment to those

actions.

This paper presents a two-stage model for examining occurrences of politicide, with the first

stage considering the likelihood of international response based on temporal and geographic location

and level of issue-area salience. The second stage considers the degree of aggressor-state reaction

based on the international actions' placement on a scale from rhetoric to active intervention. The cases

of Pakistan in 1971, Rwanda in 1994, and Kosovo in 1998-1999 are examined to substantiate the

model.

CHAPTER ONE

INTRODUCTION

Outbreaks of violence rooted in ethnically-based tension occur in many developing and/or destabilized states worldwide throughout history, but some argue that from the mid-twentieth century into the present, such violence has become both more common and more severe. Whether this is objectively true or simply a perception enabled by greater media coverage and connections throughout the world, the issue of violence between ethnic groups has become a significant point of discussion in political and social spheres. The relevance of this issue is not merely trendy, however; attention to considerations of human rights and equitable treatment of citizens have become increasingly salient factors in political decision-making over the course of the post-war era, as international organizations and media have developed that draw more attention to these elements. Political actors can feel pressure from both organizations in which they are a member and from citizens of their own states in the wake of such attention.

Despite the increase in rhetorical condemnation of ethnopolitical violence, and the acknowledgment of such violence as a problem on the international stage that demands attention, active intervention to halt or prevent violence remains inconsistent. International pressure on aggressor states is a theoretically and potentially powerful tool, but one that has so far gone under examined in scholarly literature. Studies of how the international community responds to specific, publicized cases of ethnopolitical violence at various points in time, and how the behavior of aggressor states alters in reaction to

that, can help us see if changes in international norms and rhetoric have produced corresponding changes in behavior. Examining specifically when and how states apply and respond to pressure can give us greater understanding of the ability of normative as well as practical concerns to be expressed through the international system, and if this ability has changed over time.

Ethnopolitical violence as a whole is an under-studied topic in the theoretical literature. Partially, this can be attributed to the fact that it is a rare event, and difficult to document in an organized and methodical manner. Most such incidents will go as underreported as possible. Those studies that do examine ethnopolitical violence have tended to focus on predictors and antecedents of the events (Harff 2003; Harff and Gurr 1998; Krain 1997; Rummel 1995) and how international responses have resolved into legal norms of behavior (Preece 1998). Recently, a path of inquiry has opened into the effectiveness of various forms of international intervention on ongoing incidents of violence (Krain 2005). However, there has been little to no examination of variables prompting international action and the subsequent specific responses on the part of aggressor states after the violence has stopped.

This paper will focus on cases of ethnically-based tensions that erupted into extreme violence, such that they would be classified as cases of ethnic cleansing or genocide in the popular view (the difficulty of assigning terminology in these cases will be discussed below). In addition to examining a broad set of cases for significant overall patterns, closer examination and process-tracing will be used on a select set of temporally distinct cases in order to analyze commonalities and differences in international response

and aggressor-state behavior after the cessation of violence. A two-stage model for analyzing response to ethnopolitical violence is constructed, based on temporal placement, the salience of the incident on critical issue-areas, and the degree and credibility of international response. This model can be used to identify patterns and commonalities, which in turn can provide a road map for future researchers to use in assembling analyses. Identifying when and how international pressure is applied or not, and how aggressor states respond to that, adds to our understanding of state behavior in those issue-areas outside of the critical concern of security.

PROBLEMS IN THE EXTANT LITERATURE ON POLITICIDE

Conceptual and Operational Issues

One difficulty faced in reviewing the literature on this topic is that of terminology and definitions. The matter at hand is violence directed against specific groups based on politicized identifying traits, but a variety of terms can be applied to this concept. The precise shadings between these terms are sometimes difficult to parse; what, precisely, are the differences between state-sponsored mass murder, genocide, communal violence, politicide, democide, population cleansing, and ethnic cleansing? As frequently occurs in such cases of conceptual and terminological blurriness, every author chooses a term and applies it according to personal standards. The most common term found in the scholarly literature is *politicide*, which Harff (2003) defines and distinguishes from genocide as follows:

> Genocides and politicides are the promotion, execution, and/or implied consent of sustained policies by governing elites or their agents   or, in the case of civil war, either of the contending authorities   that are intended to destroy, in whole or part, a communal, political, or politicized ethnic group. In genocides the victimized groups are defined by their perpetrators primarily in terms of their communal characteristics. In politicides, in contrast, groups are defined primarily in terms of their political opposition to the regime and dominant groups. (58)

The Political Instability Task Force, which maintains one of the primary data sets within this area of study, maintains discrete codes for ethnic wars, revolutionary wars, adverse regime changes, and geno/politicides.[1] Objectively single events may be coded

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1Terms such as   ethnic cleansing   have achieved a certain degree of traction in popular understanding of

as analytically separate; the example offered in the PITF's codebook is a case wherein "a government perpetrates mass murder against unarmed members of a rebellious communal group...two analytically-distinct events may be coded: an ethnic war and a genocide or politicide (the mass murder of members of a distinct ethnic group by agents of the state are usually considered genocide)." (Marshall et al 2001).

The distinction between ethnic war and geno/politicide in the PITF data is based on the active mobilization of the non-dominant group. The criteria for coding as an ethnic war requires a mobilization threshold of 1000 agents on each side, and a conflict intensity threshold of at least 1000 deaths resulting directly from the conflict over its duration, and at least one year within that duration where at least 100 deaths occur. The operational criteria for coding geno/politicides consists of three items: complicity on the part of state authorities; a persistent, coherent pattern of action that is sustained for a minimum of six months; and the targeting of unarmed civilians (non-combatants). The number of victims is not considered a relevant factor in designating an event as a genocide or politicide in the PITF coding (Marshall et al 2001). As noted, the distinction between genocide and politicide rests in whether the target group is identified primarily in terms of communal characteristics or political opposition to the dominant group.

Most studies of politicide have focused on identifying the root causes or warning signs of outbreaks of violence. Such studies are frequently associated with the literature

such cases of violence. Casual or subjective use of such terms makes the establishment of consistent connotations difficult even within scholarly literature. In addition, some terms may be younger than the established body of scholarly work; "ethnic cleansing," for example, is a quite new term, appearing only in the 1990s and tracing to a direct translation of a Serbo-Croatian phrase publicized through the press coverage of the Yugoslav conflict and entering the lingua franca of mass media, international institutions, and NGOs (Preece 1998). Difficulties with this term arise both from its new status and its degree of specificity; targeted groups may be distinguished by religion, race, class, or other politicized identifying markers than ethnicity (Bell-Fialkoff 1996).

on civil wars, rebellions, and revolutions (Krain 1997). The majority of this is case and comparative literature, examining and classifying particular events. Only relatively recently have data sets suitable for large-N statistical analyses been compiled and such analyses completed. A significant difficulty in applying these techniques to this research area lies in operationalizing and measuring the variables and indicators for theoretically important preconditions, such as political upheaval, ethnic and religious cleavages, and economic and political interdependence in the international context (Harff 2003). The relatively limited number of data sets available does have the somewhat ameliorating side effect of offering essentially default standards for these variables, though researchers still must be mindful of their appropriateness and validity for questions at hand.

As noted above, the data sets assembled by the Political Instability Task Force[2] are the among the most significant in the field of study; King and Zeng's (2001) critique of the methods and final model following the second phase of the project nonetheless makes a point of noting that it is

> a remarkable, carefully documented data set. The many millions of dollars invested in creating these data far exceed the resources spent on any other data set on state failure, indeed, on almost all other data sets in the discipline. The data set codifies numerous qualitative insights and knowledge from a diverse variety of area studies and other experts brought in to add their expertise to individual variables. The result is that it is now possible to test numerous theories systematically, many for the first time. (654)

King and Zeng observe several methodological problems in the design and execution of the PITF models. The first of these is a common difficulty in studying rare events: selection on the dependent variable. By examining cases in which a crisis occurs,

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2 Established in 1994 as the State Failure Task Force.

researchers exclude the far greater number of cases in which crises do not occur, and thereby skew analyses and predictions. King and Zeng also dispute the methods of adjusting for missing data, evaluating forecast performance, and distinguishing between data's fit within the sample and forecasts outside of the sample. They offer a revised model that incorporates new methods in order to compensate for their selected errors and improve forecasts of state failure, regarding this as the ultimate goal of the study. One of the concluding remarks of King and Zeng's paper underscores a point that must be kept in mind when using this and similar data sets: "...[the] heterogeneous dependent variables (genocide, disruptive regime transitions, and revolutionary wars aimed at displacing the regime) are not really measures of state failure but instead are indicators of some of the disastrous *consequences* of state failure"(King and Zeng 2001, 654, emphasis in original). The data as collected may be usable outside of the framework of the original project intent.

Besides selection on the dependent variable, other common difficulties in assembling and utilizing data sets on this type of event include the problems of definitions discussed above, the difficulties of coding marginal cases (PITF's double-coding of individual events is one solution, but by no means universally applied), and establishing the range of relevant cases. As will be discussed below, these inherent difficulties of assembling large-N data sets in this area are among the reasons that midrange comparative case studies may be considered to gain relative methodological leverage.

<u>Areas of Focus</u>

Gurr (1994) identifies the most salient issue driving new conflicts as contention for state power among groups, and predicts that future conflict of this type will likely be based in poor, weak, heterogeneous states. Rummel (1995) finds that regime type (scaled from democratic to totalitarian) is the most significant way to account for and predict politicide, over a variety of measures of social/cultural fractionalization, socioeconomic disparity, and geographic factors. He also finds that the extent to which [the state] is characteristically involved in war or rebellion (Rummel 1995, 3) is a significant predictor, and connects the two together with the succinct appraisal that power kills; absolute power kills absolutely (Rummel 1995, 25). Krain (1997) suggests that Rummel's findings might best be considered to set the where parameters for predicting politicide, and builds off of them to identify the when. In Krain's view, Rummel's findings of the importance of regime type and characteristic degree of violence contribute to an environment in which openings in the political opportunity structure may trigger violence against groups of politicized identity. Harff (2003) applies a large-N statistical analysis to the PITF data set, and identifies political upheaval (measured by magnitude of recent internal wars and regime crises), the occurrence of prior geno/politicides, elite ideology and regime type, ties between the political elite and an ethnic minority, and low trade openness/international interdependence were all risk factors for violence.

These findings are all largely consistent, suggesting that perhaps the preconditions for politicide are beginning to be fairly well framed and understood. Future research

paths related to the subject may therefore dig deeper into these and examine the precise interactions of variables and triggering events, or branch out from them to look at consequential events. One example of this is Krain (2005), which examines the effectiveness of military intervention in stopping or slowing ongoing politicides.

In shifting the focus of politicide research away from preconditions and correlating factors and toward the behavior of the aggressor and observing states, it becomes necessary to introduce additional theoretical content. Conceptions of state behavior are frequently bounded by understandings of norm dynamics in the international community. The pivotal norm is, of course, state sovereignty. The assumption that the international community as a whole will respect and support this norm drives most if not all theoretical models of state behavior. Sovereignty is a well-established behavioral norm with a history as old as the concept of the nation-state.

Other norms have developed over the lifespan of sovereignty, however, that have interacted with that pivotal norm in various ways, sometimes supporting and other time challenging it. Among these and most relevant to the study of politicides is the complex of behaviors and expectations comprising international human rights norms. The establishment and development of these norms is a relatively recent phenomenon, with the most significant actions typically dated to the post-World War II era. The evolution of the normative complex has been quite rapid and complex, however, so despite its relative youth, there is a considerable amount of material for study.

Examining the interaction and balancing between norms of sovereignty and the human rights norm complex requires an introduction to theories of these norms and

models of norm dynamics to explain their establishment and evolution. An examination of the role of human rights norms in the interest calculations of states, one model of norm dynamics, and a closer look at the norm of sovereignty and its interaction with human rights norms follows.

THE ROLE AND DEVELOPMENT OF INTERNATIONAL NORMS

The State of Human Rights Norms and Law

Donnelly (1986) notes that "Moral interests such as human rights may be no less 'real' than material interests. They are, however, less tangible, and policy, for better or worse, tends to be made in response to relatively tangible national objectives"(616). A state's treatment of its citizens typically has little impact on the issue-areas of state military and economic power, which are generally considered the critical issue-areas in a realist-oriented interpretation of international behavior. Human rights, on the other hand falls into a non-critical or marginal issue-area. The operation of international organizations or regimes and the influence of international norms are expected to receive more consideration in such marginal areas, where there is less likely to be concern about infringement on state sovereignty (Mearshimer 1995; Simmons and Martin 2002). An international consensus may be reached on norms of behavior in such areas, but enforceable obligations are unlikely to be established. Moghalu (2005), discussing the case of the Rwandan politicide of 1994, summarizes the paradox of intervention:

> There exists a widespread global sentiment that another Rwanda-like genocide should not be allowed to happen. But the gap between the recognition of moral values and state action remains wide...One simple reason is that intervention is not cost-free. it involves putting soldiers in harm's way and few states, especially democracies, are willing to take that risk with little to justify it to their public other than moral concern. As Nicholas Wheeler has argued persuasively, there is a certain moral bankruptcy to this position. But it happens to be the prevailing reality, though one that is without question under assault by the solidarist worldview of international politics. (23)

Since World War II, correspondent with the lifetime of that worldview, international law has developed along four paths that are relevant to the study of politicides: humanitarian law, crimes against humanity, human rights law, and emerging law and standards (Preece 1998, 832). Humanitarian law applies to the protection of individuals in times of war, and includes texts such as the Hague Convention (1907), the Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949), and the Additional Protocols of the latter (1977). Crimes against humanity can take place in times of peace and include state violence against its own citizens. The London Charter of the International Military Tribunal, adopted for the Nuremberg trials (1945-46) has become the standard for defining these crimes, affirmed by subsequent United Nations declarations and tribunals for cases of politicide as in Yugoslavia. Human rights law is much more dispersed across organizations and documents, with the United Nations and many regional organizations assembling bodies of documents defining parameters and norms. Emerging law and standards continue in the same trend of defining and condemning acts of politicide in increasingly specific terms (Preece 1998, 832-838).

These examples of concrete, hard-law standards of expectations for state behavior demonstrate the extent of normative development and change over the second half of the twentieth century. Moghalu (2005), discussing the International Criminal Tribunal for Rwanda established by the UN Security Council in the wake of the genocide there, points out this court's status:

> [The ICTR] has the distinction of being the first international court in
> history to judge and punish the crime of genocide. This normative impact
> is part of the tribunal's political dimensions....The creation of norms by

war crimes tribunals is something that ultimately has   or is expected to have   a political impact on how nations and individuals behave. *This impact, qualified though it is, exists because the norms that are created by such institutions often progressively displace those that existed in previous eras*. For example, genocide has surely always been considered evil...But "international judicial intervention" to punish it   still a rarity, lest we forget   is *largely a product of the international society's evolution in the twentieth century* (1-2, emphasis added).

A Model of Norm Development

The process by which norms are created, develop, progressively displace existing norms, and become entrenched to a degree that can be considered evidence of societal evolution can be difficult to conceive. Finnemore and Sikkink (1998) offer one model of normative "life-cycles," dynamics and relationship to political change that can be useful for understanding how concepts of human rights and the response of the international community to acts of political violence have changed.

Finnemore and Sikkink define a norm as "a standard of appropriate behavior for actors with a given identity"(891). Distinctions can usefully be maintained between norms and institutions (single standards of behavior and an aggregated sense of how behavior rules are structured together and interrelate, respectively), and regulative and constitutive norms (those which order and constrain behavior and those which create new actors, interests, or categories of action, respectively) (891). Because norms are shared concepts within communities with a common identity, their status as norms relies on a sufficient degree of agreement within that community, which Finnemore and Sikkink describe as a tipping point.

The norm life-cycle is presented as a three-stage process: emergence, cascade, and internalization (896). The first stage relies on the actions of "norm entrepreneurs," who

13

rely on persuasion and the establishment of organizational platforms to attempt to sway a critical mass of actors to subscribe to the new standard of behavior. If a critical mass/tipping point is achieved, the norm moves into the "cascade" stage, where it is transmitted throughout the population of relevant actors.

In this stage, Finnemore and Sikkink argue that the key influences that affect adoption of the norm are legitimacy, reputation, and esteem; adopting the norm becomes a means of conforming with peers within the group. As Lumsdaine (1993) puts it, "[states] conform to customary practice not just to avoid injuring their interests but because they do not like to be thought odd"(25). When considering norms of international behavior, therefore, gaining the support of powerful states and international organizations with the power to confer or intimate legitimacy and esteem within the international community is key for successful emergence and cascade of behavioral standards.

The final stage of the norm life-cycle offered here, internalization, takes place once the behaviors in question "acquire a taken-for-granted quality and are no longer a matter of broad public debate"(895). The integration of the normative principles into law and bureaucracy takes place, and habit and institutionalization ensure the maintenance of the norm in perpetuity or until it is overturned in another cycle of emergence.

The list of declarations, treaties, and legal efforts outlined above indicates that humanitarian norms are well-settled in the cascade phase if not in the internalization portion of their life-cycle, at least among those states valuing peer evaluations of legitimacy, reputation, and esteem. Indeed, the classification of states that violate these

norms as "rogue" demonstrates that such violations are sufficient to cause displacement from the core international community.

The fact that a consistent failure to extend this displacement from the rhetorical to active interstate policing persists is addressed by Moghalu (2005) in a linguistic sense:

> The idea that a close-knit international *community* exists was tested during the Rwandan genocide and found wanting. There is a combination of factors that accounted for the nonmilitary/humanitarian intervention to prevent or halt the genocide. But the most important factor, at a conceptual level, was that of a *society*, not a community of states. (18)

He argues the semantic difference that a society is dominated by the various self-interests of its members, whereas a community holds a sense of a common good.

Considerations related to this, namely the continued emphasis on the issues of sovereignty and self-interest, will be discussed in the following section. Sovereignty is an international norm as well, carrying additional behavioral standards of non-interference that are much older than the development of the humanitarian normative regime. While these norms are subordinate to the maintenance of sovereignty, they have gained considerable influence from previous eras. Lumsdaine (1993) shows evidence that considerations of morality and humanitarian internationalism play a significant role in allocations of foreign aid. McNeely (1995) notes that provisions of the Universal Declaration of Human Rights have been incorporated into the constitutions of new nations, maintained in their original wording. The process of internalizing these norms into the behavior of the extant state system continues to operate, although integration with or replacement of older norms is a slow and gradual process.

The consistency of this trend establishes expectations that we should see decreasing acts of politicide, action on the part of the international community when politicide occurs, and corrective behavior on the part of aggressor states.

Sovereignty

In any effort to construct a hierarchy of behavioral norms in the international community, respect for individual state sovereignty would almost certainly be placed at the top; as one commentator puts it, "the principle of sovereignty is widely considered the *grundnorm* of international society"(Reus-Smit 2001, 519). Barnett (1995) further elaborates that "international society represents a common set of norms and institutions that bind state actors to form a community of interests. Although states might have a myriad of interests and goals, survival and security are primal and elementary"(81). The principle of sovereignty is the basis of the states of anarchy and absence of central authority that make up the character of the international system and underlie all theories of state behavior. The precise interpretation of this character may vary: realist theories assume sovereignty to be an empirical attribute of states, or an assertion of territorial authority backed by economic and military power, while rationalist theories treat sovereignty more as an embedded institution or principle of international society that organizes behavior, and those theories that take more liberal or multilateral approaches view sovereignty as one interest among others that may be displaced in favor of gains from cooperation (Reus-Smit 2001).

While the United Nations can be viewed as an example supporting the latter viewpoint, demonstrating effective multilateral cooperation among states, sovereignty is

emphasized as the cornerstone of the principles within its founding Charter. Article 2(1) states that "the Organization is based on the principle of the sovereign equality of all of its Members," and 2(7) affirms that no UN action will be taken to interfere in the domestic affairs of member states.[3] The development and evolution of the norm of sovereignty can be traced over the lifespan of the UN in both complement and contrast to the development of human-rights norms described above.

Typically, the two sets of norms are seen as existing in stark opposition to one another. Sikkink (1993) states that "the doctrine of internationally protected human rights offers one of the most powerful critiques of sovereignty as currently constituted, and the practices of human rights law and human rights foreign policies provide concrete examples of shifting understandings of the scope of sovereignty"(411). Reus-Smit (2001) further argues that

> evolving human rights norms are seen as a compensatory international regime, the purpose of which is to limit the inhumane consequences of the sovereign order...Sovereignty and human rights are thus considered two separate regimes, that stand in a zero-sum relationship   the stronger the principle of sovereignty, the weaker norms of human rights, and vice versa. (519)

Changes in the actions, or in the perceptions of the actions, of international actors over the lifespan of the developing regime of human rights norms indicate that this may not be the case, however. Instead of being oppositional forces, the two sets of norms can be theorized to interact, with the evolution and development of the human rights regime leading to changes in the practical expression of sovereignty, as tied into the process of

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3   The exception being Security Council-approved peace-enforcement measures through the Chapter VII process; that is, in rare circumstances and difficult to obtain.

decolonization that corresponded with the establishment and initial development of the human rights regime.

In understanding this, the disaggregation of sovereignty into two forms is useful. *Juridical sovereignty* refers to the practice of states recognizing one another's existence and adhering to the principle of noninterference. *Empirical sovereignty* refers to the idea that states have some degree of legitimacy, and exercise control over society and activities within their borders. Barnett (1995) characterizes these forms as external and internal, respectively; the former refers to the "live-and-let-live" practices states are expected to maintain among themselves, and the latter to each state's ability to maintain order within its borders, ideally with minimal coercion and with the consent and legitimacy of the society (81-82).

It is additionally important to remember that sovereignty, while viewed as a right of independent states, is also granted by the international community. Recognition of sovereignty is given to governments viewed as legitimate. Over time, all norms undergo development and change, in both their application and their understanding among their constituent group of actors. This includes both sovereignty and the related conceptions of legitimacy and self-determination.

Self-determination emerged as a norm of international behavior following World War I, as states were established from pre-war empires based on racial/national territories. After World War II, the wave of decolonization again re-emphasized self-determination as a key point in standards of international behavior. This norm is highly tied to the empirical sense of sovereignty, rather than the juridical sense, as it rests on the

assumption that the people within the state's boundaries are essential to confirming the legitimacy of that state and granting it its sovereign right to begin with. Barnett (1995) argues that this change in emphasis indicated the beginning of a deeper shift in foreign policy orientations, away from a strict, limited interest in juridical sovereignty (and corresponding hands-off policies) and toward a greater interest in, if not intervention to support, empirical sovereignty within developing states.

The UN charter, while emphasizing sovereignty as an essential and foundational right of states, also noted the discrepancy between that emphasis and the existence of colonial states that lacked sovereignty. Decolonization was therefore one of the initial issue agendas of the UN, with both normative and security concerns associated (Barnett 1995). Reus-Smit (2001) points out that the first-wave post-colonial states were highly active in constructing and advocating for the nascent human rights regime. Through the course of the development of the regime, the right to self-determination altered from its World War I roots to place less emphasis on racial/national lines and greater emphasis on granting that determination to those actors who would adhere to the developing norms and maintain order within their borders with a minimum of coercion. The concept of legitimacy became "grafted" to human rights norms, instead of being given freely.

The peacekeeping and observational/monitoring strategies developed in the UN Charter and its early years of practice were designed around the then-predominant emphasis on juridical sovereignty. In the post-Cold War era, shifts in policymaker perspectives and behavior encompassed perceptions of security threats, with an expansion to include conflicts and instability within states, in the realm protected by

19

empirical sovereignty. Barnett (1995) explains thusly: "As these Third World (internal) security dilemmas become more numerous and visible, and with greater consequences for local populations and regional stability, there is increased pressure on the international community to intervene and to stop the hemorrhaging. In other words, internal conflicts challenge not only a cosmopolitan sensibility but regional stability as well: witness how a coup attempt can produce a humanitarian nightmare and mass exodus, which in turn can cause instability in a neighboring country"(89).

Greater international interest in the internal affairs of other states, a shift toward emphasis on empirical forms of sovereignty, and adaptations of UN intervention behavior can be viewed as practical outcomes of these shifts in perception. UN involvement has shifted from a strictly limited focus on decolonization and development, with deliberate rejection of considerations of minority or ethnic-group rights due to questions of sovereignty, to a much broader range of active concern, monitoring, and intervention efforts. This illustrates the evolution of the UN, the human-rights regimes, and definitions of security, simultaneously.

However, sovereignty still remains by far the oldest, most entrenched norm, and the one of primary concern in theoretical and empirical analyses of state behavior. While perceptions may be altering and human rights concerns influencing the development of sovereignty, the tradition of noninterference and the protection of state interests still outweigh humanitarian concerns in behavioral calculations. One analysis suggests that there have been only three cases of genuine humanitarian intervention by the international community, without strategic motivations: Bangladesh in 1971, Cambodia

in 1979, and Uganda in 1979 (Klinghoffer 1998), while other analyses dismiss those cases as well.

The difficulty of establishing accountability and enforcement on the international scale leads to the opposing expectation indicated above: that there has not been a decrease in acts of politicide, that the international community does not act decisively when it occurs, and that aggressor states are not required to exhibit corrective behavior. Moghalu's (2005) conception of states as society, not community, is useful again here; when they are required to interact, individual interests entirely override the development of a significant sense of the collective good.

The lack of systematic studies in this area of research leaves us uncertain as to how these expected patterns of behavior might interact and/or which might dominate in practice. Examination of trends in state behavior, as attempted here, is a first step toward answering these questions.

CHAPTER FOUR

THEORY

As discussed, two indicators give us opposed expectations for aggressor-state responses: the evolution of international law and norms of behavior since World War II indicates that politicide should receive a harsh response on the international stage requiring contrition and altered behavior on the part of the aggressor state, while the finding that politicide tends to be a recurrent phenomenon and the robustness of the norm of sovereignty indicate that international response will be low and the aggressor state will not display altered behavior. The two expectations can be reconciled through the understanding that human rights violations fall in a marginal issue-area where rhetorical and normative consensus precedes active compliance. Behavioral norms develop gradually, and active alteration of state behavior lags behind the evolution of international norms. The application of political pressure on aggressor states by other states in the international community will therefore be inconsistent, but when it occurs it can be expected to precipitate action on the part of aggressor states.

In examining cases of politicide, therefore, alterations of behavior may be observed by degree rather than by occurrence of singular change. These degrees of change will vary both with temporal placement in the development of the regime and according to the level of response from other states, with greater degrees of change associated with later temporal occurrence, and higher degrees of significance and credibility of response. As discussed above, outbreaks of ethnopolitical violence tend to

occur in weak states, which are susceptible to dominant-state pressure linked to economic or military aid. Such aid has been shown to be at least somewhat linked to human rights records (Apodaca and Stohl 1999).

At the international human rights regime's current state of development, incentives for states to intervene in situations of ethnopolitical violence are low. Pressure from dominant states is therefore inconsistent, depending on the presence of state-specific interests or, to some degree, public pressure triggered by media coverage. While we cannot expect consistency in the behavior of powerful states in such a marginal issue-area as human rights violations, we can expect that when action does occur, it will precipitate a response from the aggressor state in the violation. Generally, realist expectations of state behavior anticipate no action on the part of external states in such issue-areas, meaning that there is little to be gained by bluffing and little to be lost by ignoring the issue and taking no action. When action is taken, therefore, it can be assumed to be backed up by credible commitment.

Alterations of behavior should be expected particularly in those cases where international response has made a connection between the human rights and the critical issue-area of security, and to a lesser extent, economics. These issue-areas carry the highest degree of salience in state priority-setting, because they are key to the maintenance of sovereignty and the continued existence of the state. Therefore, any indication of potential action that would affect these issues will receive the strongest response from the threatened state.

Klinghoffer (1998), adapting from Bruce Jones, offers the following typology of intervention:

1. Unarmed and pacific (mediation, refugee aid)
2. Armed and pacific peacekeeping with aggressor-state approval
3. Unarmed and coercive (sanctions)
4. Armed and coercive (military intervention)

A modified scale indicating low to high commitment on the part of external states and/or the international community can be conceptualized as ranging from **rhetoric**, to **passive intervention** (mediation and monitoring), to **specific threat of action** (economic sanctions, withholding of aid, or military intervention), to **action taken** (including the establishment of sanctions as well as military intervention) (Jones 2006). The aggressor state's response can be expected to change proportionally in response to the international reaction on this scale. As discussed above, external states stand to gain little from bluffing over issues that fall in such a noncritical issue-area, and therefore both threats and actions can be presumed to be backed up by credible commitment to achieve desired results. In the interests of self-preservation, the aggressor state is expected to respond in proportion to the indicated degree of commitment.

The overall model can be thought of as a two-stage process, with the key explanatory factors showing variation temporally and in terms of salience. The first stage is the international pressures brought to bear in response to the politicide. Temporally, a greater response is expected as time passes from the founding of the human rights regime after World War II and the regime is given opportunity to develop and mature. In other words, a greater response is expected in later cases than earlier ones. In terms of salience, a greater international response is expected in cases where outside states have a

critical (economic or security-related) interest in the aggressor state. A third variable,

geography, also influences this stage of the model. Geographic proximity to the site of

conflict increases likelihood of response by a given state, due to the increased likelihood

of repercussions from the conflict affecting that state. Border contiguity is a common-

sense variable in studies of conflict, under the assumption that neighbors will fight more

frequently due to, if nothing else, greater opportunity to do so. Geographic proximity to

intra-state conflict introduces risk not only of actual conflict spilling over into the

respondent state's territory, but of the introduction of refugees, economic disruption in the

area, and other negative externalities. A greater response to politicide can be expected

from geographically proximate states, both contiguous to the aggressor state and in the

surrounding region, due to these anticipated spillover effects.

The second stage of the model is the aggressor state's expected alteration of

behavior in response to international pressures. Greater response is expected along the

scale of rhetoric to active intervention presented above.

The model can be pictured as follows:

Politicide Occurs at Time X, Location X

<u>Stage One:</u>
International response can be expected to vary on a scale from
Rhetoric --> Passive Intervention --> Specific Threat of Action --> Action Taken
Relative to
Temporal occurrence (early-->late)
Influence of Aggressor State On Salient Issue-Areas* (low-->high)
Geographic proximity of Aggressor State* (low-->high)

<u>Stage Two:</u>
Change in aggressor-state behavior can be expected to a degree relative to the
international response on the above scale.

* In relation to given state Y   **(FIGURE 1)**

25

CASE SELECTION, CONCEPTUALIZATION, AND MEASUREMENT

The analysis here will focus on a small-N comparison of events in three cases of politicide: Pakistan in 1971, Rwanda in 1994, and Kosovo in 1998-1999. The necessity of close, case study-oriented observation supports the use of case studies employing historical examination as well as statistical models in examining this phenomenon. The use of small-N comparison in studies of rare events and those focused on process-tracing over the identification of correlative variables is supported theoretically (Dion 1998; Ebbinghaus 2005; Munck 2004). As discussed above, while large-N statistical tests have been run on politicide, various difficulties with defining and operationalizing the concepts render the existing data sets somewhat problematic. Politicide remains a rare enough event with enough variation among cases that close examination and historical explanation can contribute significant value in addition to what can be taken from reducing each case into a data point in a large-N set.

George and Bennett (2005) note that case study approaches are particularly applicable to mid-range theories, defined as those research questions that do not seek to develop broader conceptual theories such as realism or constructivism. Mid-range theories serve as building blocks for larger complexes of related but distinct theoretical frameworks, and can be particularly useful for developing "generic knowledge" applicable to policymaking. In order to best produce theoretically sound, analytically useful case study work, a method of structured, focused comparison must be applied.

The cases used here are each examples of the phenomenon of politicide, selected to demonstrate variation on the full range of variables employed in the model. Temporally, the cases span a nearly thirty-year period within the era of the development of the human-rights regime. Geographically, three distinct regions are represented, and varying proximity to both regional and global-system powers. The relevant issues and salience thereof to observer states also varies among the cases. Finally, there is variation on the outcome: the Kosovo case is notable for triggering active international intervention, while Rwanda became a notable case for just the lack of such intervention. The case of Pakistan received little attention or international response.

Data availability and resource constraints are also a factor to be considered in case selection on this topic, as aggressor states are unlikely to preserve or disclose information absent outside observers or external pressure. There is a paradoxical situation to the older cases: records are more likely to have been lost, but historians are also more likely to have investigated and re-established data. For more recent cases, the higher levels of potential international interest and media coverage associated with increased normative consensus lead us to expect greater data availability. Still, not all cases have equal presence in the information available for examination. These three cases have sufficient coverage for examination.

George and Bennett suggest that the method of focused, structured comparison can provide additional methodological rigor to comparative case studies. This approach borrows techniques from statistical/survey research by approaching each case with a set of standardized, general questions. The questions used are drawn from the research

objectives and theoretical structure of the inquiry, and applied consistently to each case, with the results compared according to the theoretical model.

Here, the initial questions address the variables that orient each case in time and space. The case's placement **temporally in the human-rights norm era** and **geographically relative to the major regional and international powers** must be identified, as well as the aggressor state's **influence on salient issue-areas** at the time of the politicide. This influence may be highly variable, depending on the influence of coincident events or contemporary international mood.

The key concepts being examined in each case are international response and subsequent aggressor-state behavior, through an examination of historical processes. The **degree of international response** on the scale discussed above must be identified by examining the recorded narrative of events for statements and actions on the part of states and/or international bodies. The presence or absence of these behaviors are expected to trigger given responses based on theory.

The **reaction of the aggressor state** are identified by a similar examination of the historical narrative. More nuanced degrees of response may be expected here. Behaviors of interest on behalf of the aggressor state, which we expect to follow such international responses if present, include statements of apology, reparations, internal legal proceedings, or cooperation with internationally-organized proceedings such as tribunals. These reactions should be most strongly associated with external-state actions linked to critical issue-areas of economics and security, such as military and/or economic aid levels.

Observing the sequence, intensity, and surrounding circumstances of these relevant events in the historical record of each case will allow us to identify and analyze the process and circumstances of interactive state responses discussed above. The 'when' and 'how' of the international action and aggressor-state reaction can be observed and placed in context to indicate relevant steps in predicting and potentially triggering state behaviors in marginal issue-areas.

The elements to be identified and examined in each case, therefore, are:

1. Temporal placement in the human-rights norm era.

2. Geographic placement relative to regional and international powers.

3. Aggressor state's influence on salient issue-areas at the time of occurrence.

4. Identify the degree of international response on the scale from rhetoric to action.

5. Identify the degree of reaction of the aggressor state.

CHAPTER SIX

CASE STUDIES

Pakistan 1971

Initial Conditions

Before examining the events of the case, its temporal and geographic placement must be established as per the first two steps of the general questions. Temporally, this is the earliest of the three cases examined here, falling 20 to 25 years into the post-war era of the international human rights regime. On the global scale, the salience of human rights violations in terms of international norms of response was still in flux. While the United Nations Convention on Genocide was adopted in 1948 and came into effect in 1951, many of the most powerful states in the international system (including three of the five permanent members of the UN Security Council) did not ratify until significantly later. The United Kingdom did not ratify the Convention until 1970, and the United States until 1988. This lack of tangible, legally binding support by dominant states illustrates the lack of development of the normative and legal aspects of the human rights regime at this time.

Geographically, the case took place in the conflict over the secession of Bangladesh from Pakistan. This location is relatively isolated from major global powers, lowering its salience in the international schema. However, the proximity to India, a significant regional power, increases the salience of the case on that level. While the US, the Soviet Union, and European states might not be expected to react, given the

geographic remoteness, there should be higher expectations for a regional response based in India.

The third point to consider in the list of general questions regards the aggressor state's influence on salient issue-areas at the time of the politicide. Based on both geographic remoteness and low economic status, the states involved had little military or economic presence on the world stage (Warner 2005). This further diminishes expectations for an international-scale response; however, within the region, again considering the proximity of the conflict to India, the conflict carries much greater salience. Therefore, expectations of a regional-level response remain higher.

Sequence of Events

In March of 1971, East Pakistan announced its intention to secede from Pakistan as the independent state of Bangladesh. In the ensuing conflict over the secession, attempts at "military pacification" of of the nationalist movement led to widespread death of civilians. Bangladeshi authorities have claimed that 3 million were killed, while other estimates vary from less than 50,000 to 200,000. Allegations of the targeting of intellectuals, women, and minority groups such as Biharis were made along with general accusations of military atrocities. Bangladesh's independence was asserted in December of 1971 following intervention by India (Jacques 2000).

In 1973, Bangladesh announced its intention to bring charges against 195 Pakistani prisoners of war (then in Indian custody) under the United Nations Convention on the Prevention and Punishment of the Crime of Genocide. Pakistan counterfiled in the International Court of Justice, arguing that at the time of the alleged crimes, the territory

in question was still considered East Pakistan and therefore only Pakistan could seek legal action. Negotiations took place privately between India and Pakistan over whether or not India would turn the prisoners over to Bangladesh for prosecution, without the involvement of any supranational bodies. In the end, India agreed not to turn over the prisoners, and Pakistan withdrew its suit from the ICJ and agreed to recognize Bangladesh as a state if the charges under the Convention were dropped. The case is one of the first applications of the Convention, although an inconclusive one as no trial took place (Klinghoffer 1998).

Levels of Response

The fourth standardized question relates to the degree of outside response. Overall, the response to this occurrence of politicide in terms of major powers worldwide was minimal (Jones 2006; Warner 2005). This is as expected based on the initial-conditions variables discussed above. Little pressure was placed on the critical issue-areas of the most powerful states in the system, which leads again to correspondence between the theoretical expectations and observed outcomes in this case: little international response when viewed on the global scale.

However, we do see significant involvement on the regional scale, on the part of India. India, as a neighboring state, can be expected to feel significant pressure from the occurrence of this conflict, and the Indian response is therefore in line with theoretical expectations. (Jones 2006).

The success of India's intervention also supports the predictions of the final stage of the theory, or the fifth standardized question: Pakistan altered its behavior in response

to India's pressure, acknowledging Bangladesh's statehood in direct opposition to its earlier declared intentions. This demonstrates the degree of influence that India was able to exert. To phrase that in the more general terms of the overall argument, and demonstrate its applicability here: a powerful actor (in comparison to the aggressor state) applied pressure that was credible in terms of the intervening state's ability to back up said pressure militarily and/or economically, and the aggressor state altered its behavior in response.

While India's motivations in this case can, as stated, be attributed to the activation of the critical security and economic issue-areas, the use of a politicide as the focal event of the crisis and threatened action under human-rights law as the motivating force shows the first hint of the growth of human rights issue salience that would continue through the rest of the century, and also illustrates how human rights violations can be linked to or used as screens for other interests on the part of international actors.

<u>Rwanda 1994</u>

Initial Conditions

Temporally, this case occurred well into the development of the international human-rights regime, with numerous binding agreements, declarations, and protocols in place in at least rhetorical levels of enforcement. The increased robustness and development of the regime indicates that greater levels of international response should be expected.

Geographically, however, this case takes place in a region that is highly remote from international political attention to the point of being frequently almost entirely overlooked. Related to this, and looking to the third question of influence on salient issue-areas, small African states such as Rwanda carry little security relevance to the major powers in the system. Regionally, some impact and response can be expected, but at a lower level than the case of Pakistan, due to both the smaller size of the states involved and to the lack of a regional power equivalent to India. As will be discussed below, the conflict between these reduced practical expectations based on geography and salience and the higher rhetorical expectations from the more-developed regime produced a certain amount of dissonance on the world stage following the politicide and period of response.

Sequence of Events

Conflict between the Hutu majority and Tutsi minority traces back to tribal divisions that were fostered under colonial rule. An occurrence of politicide against the Tutsis took place in 1963-1964 , leading to a mass flight of the group from the

country(Marshall 2007). Under military rule in the following decades, Tutsis were denied the right of return, leading to armed struggle by the group to regain access to Rwanda and the development of recurrent civil war. In 1990, following a break in hostilities, the Rwandan Patriotic Front (RPF) attacked from its base in neighboring Uganda, beginning a new wave of active conflict.

Peace talks took place in Arusha, Tanzania, from 1990 to 1992, with peace accords signed in 1993. These mediation efforts were spearheaded by the Tanzanian government and occurred under the auspices of the Organization of Africa Unity (OAU), with the United Nations asked to implement and oversee the resulting accords. A United Nations monitoring mission (the Assistance Mission for Rwanda; UNAMIR) was established, with the mandate of securing the capital of Kigali and monitoring the observance of the ceasefire, the return of refugees, preparations for elections, and humanitarian assistance activities (Klinghoffer 1998; Melson 2003; Moghalu 2005).

The killings comprising the incident of politicide known as the Rwandan genocide took place over a period of approximately 100 days beginning in April of 1994. It is estimated that 800,000 Tutsis and moderate Hutus were killed, or around 10% of Rwanda's population. The atrocities that took place were well-documented and presented in media coverage worldwide after the events, generally framed in the context of the relative lack of international intervention. The killing was stopped by the RPF's military victory and establishment as the government of Rwanda(Melson 2003; Moghalu 2005).

The sequence of UN and outside-state actions and non-actions during the politicide is complex, but a particular point of interest is the activities of UNAMIR. The

original UNAMIR force was withdrawn in the initial outbreak of violence, due to the

impossibility of their completing the tasks for which they were deployed. A second force,

UNAMIR II, was authorized in May of 1994, with a strength of 5,500 troops and a

mandate to protect civilians, not to stop the fighting. An international arms embargo was

also authorized in the same motion. The deployment of UNAMIR II was delayed,

however, by negotiations over funding, transport, and training, as well as the specifics of

the mandate. The structure of the force was for troops to be deployed from African

states, with Western states contributing financially and with military training (Klinghoffer

1998).

Attempts were made through the UN Security Council to expand the size and

mandate of the force, particularly by states such as the Czech Republic, New Zealand,

and Nigeria, all of which were second-tier or lower states in terms of international power

rankings (Moghalu 2005). An OAU summit in June produced both an ineffective cease-

fire and an opportunity for France to re-activate its role as a holder of a sphere of

influence in Africa. France offered to organize a secondary intervening force in

cooperation with Senegal. This force, known as Operation Turquoise, entered Rwanda in

late June 1994. The transition between Turquoise and UNAMIR II took place in late July

and August of that year (Klinghoffer 1998).

In November of 1994, the International Criminal Tribunal for Rwanda (ICTR)

was established by the UN at Arusha, Tanzania. The ICTR has the distinction of being

the first international court in history to judge and punish genocide. The tribunal's status

as the sole form of actual international intervention (UNAMIR's mandate of observation

only places it in a conceptual limbo) creates a certain degree of tension between it and the

Rwandan government. The tribunal needs independence as a court, but the government

pursues strategic interests, particularly removing former leaders involved in the genocide

from active political life and protecting its own members from war-crimes prosecution

(Moghalu 2005). The latter interest raises difficulties with the possibility of the tribunal

serving as an agency for "victor's justice" rather than true accountability for all

perpetrators of the violence. The Rwandan government is also conducting civilian and

military trials independently (Klinghoffer 1998).

Levels of Response

The level of international response fell into the middle range of the possible

actions listed on the scale of responses. While active intervention did not take place, the

pressure from second-tier non-regional states such as New Zealand and the Czech

Republic to do so indicates an increased degree of international awareness, and the

prompt action to establish the tribunal after the fact similarly demonstrates a degree of

desire to essentially make amends; one analysis terms the after-the-fact actions of the

international community a display of "delayed moral rectitude"(Klinghoffer 1998). The

presentation of the events in the mass media and general moral condemnation of the lack

of intervention, belated as it was, demonstrates that despite the practical reasons behind

the lack of intervention (to be discussed shortly), it was normatively unacceptable, as

predicted by the temporal placement of the events (Power 2002).

In terms of salience, the international response is also consistent with the model.

As in the case of Pakistan, the violence occurred in a remote region with little economic

or security relevance to major powers. The active attempts at mediation by the OAU and neighboring states such as Tanzania, however, demonstrate that local and regional actors, who did stand to be directly affected on a range of critical issue-areas, responded promptly. These efforts were unsuccessful for a range of reasons, including financial constraints, underdeveloped mechanisms, and organizational emphasis on member sovereignty, but the efforts at preventative diplomacy and peacekeeping absolutely indicate forms of response (Klinghoffer 1998).

In the broader international system, the lack of response can be directly attributed to critical issue-area concerns of security (Jones 2004). In the case of the United States, particularly, Moghalu (2005) sums up the interest calculation as follows: "Humanitarian intervention, despite the phrase, is frequently guided by strategic interest. The US administration under President Clinton judged that it had little strategic interest in Rwanda. Thus not only did it not act, but worse, it blocked actions or initiatives that might have affected outcomes on the ground even if not prevented the genocide"(19). In addition to lack of strategic interest, American politicians had to consider the fallout of the failed humanitarian intervention in Somalia in the early 1990s, which led to the death of American troops and a profound public backlash against such intervention. The Rwandan politicide's proximity to this event, both temporally and geographically, further reduced American willingness to spend political capital to intervene (Moghalu 2005; Power 2002).

France's activity with Operation Turquoise and negotiation attempts via the OAU and neighboring states can be linked to strategic interest in the region. As a former

colonial power in the region, and with a vested interest in African Francophonia, France sought to maintain and expand its sphere of influence in Africa and prevent the expansion of Anglophone interests, which it considered represented by the RPF. Initially, when the politicide began, France did not push in the Security Council for intervention or UNAMIR expansion; its about-face on the subject corresponds with the RPF gaining a clear advantage and moving toward victory in the civil war. Protecting its international portfolio of interests is a clear, strategic motivation for France's intervention, which falls on the middle of the scale established above, as a monitoring and civilian-protection force without active military authorization (Klinghoffer 1998).

Belgium, another former colonial power in the region (specifically, Rwanda's own former colonial power), withdrew its own troops from the UNAMIR force early in the conflict and had largely disengaged from the continent in the preceding decades. The abandonment of the potential residual sphere of influence or remaining interests in the region accounts for its lack of actions similar to the French (Klinghoffer 1998). Second-tier powers, as noted above, acted at the far left side of the scale of action with normative and rhetorical condemnations, which factor into expectations for Rwandan behavior to a lesser degree in the model.

Because of the delay in international response, the final question of the model can best be evaluated by considering how the RPF, once established as the Rwandan government, cooperated with the tribunal as representative of the international community. As noted above, tension could be found between the goals and strategic interests of the two. Overall, the Rwandan government demonstrated a very high degree

of responsiveness and cooperation, consistent with the model. This can also be explained, however, by strategic motivations; as noted above, the Rwandan government is the victorious side in the conflict. The opportunity to further punish their opponents and protect their own forces must be considered as a factor. As one commentator put it: "The Arusha tribunal's work has established an indisputable record of the planning and direction of the genocide at the highest levels of the Rwandan state. This is exactly what the Rwandan government wanted to achieve through the internationalization of accountability" (Moghalu 2005, 205).

Further evidence of good faith on the Rwandan side are the independent track of civilian and military trials, and the state's organization of an international conference in 1995 in Kigali on the subject of genocide in hopes of generating international dialog and momentum on the subject. Unfortunately, while representatives from the ICTR were invited, none attended. Klinghoffer (1998) summarizes the status of the Rwandan case as follows: "Rwanda has come in second best in the competition for attention and funding with the former Yugoslavia. States have not come forth with offers to imprison convicted Rwandans, whereas several have volunteered in reference to Yugoslavia. Similarly, few have provided legal authorization to hand over Rwandan suspects, whereas many have done so for Yugoslavs. Indifference is compounding the Rwandan tragedy"(128).

Overall, while there are possible extraneous factors motivating the state's actions, the Rwandan state's response to international pressures is consistent with the model. International pressures were belatedly and inconsistently applied, but the normative backing behind them has been clear, and the Rwandan response is in line with the

prevailing normative climate as it seeks to identify and punish perpetrators in the

politicide.

Initial Conditions

Temporally, this case falls the farthest into the development of the human-rights regime, which leads to an expectation of higher degrees of response. Following the Rwandan case, with the negative popular and media reactions to the level of international response, the expectation of response becomes even higher, as human-rights violations in the form of politicide were timely and activated in the general awareness at this point.

Geographically, Kosovo is much closer to powerful states than either of the other two cases. It is proximate to both Russia and major European states, and has a connection to the United States through Europe via NATO. This connection also increases the general influence of the aggressor state on salient issues, because it touches on the security efforts of the powerful states. Overall, all three of the initial variables point toward a higher degree of international response.

Sequence of Events

Conflict in the Balkans between the ethnic groups making up the population of Yugoslavia has been recurrent throughout the twentieth century. Yugoslavia was created as an entity following World War I and lasted until 1941, when it was invaded by the Axis powers and re-established as the independent state of Croatia, German-sponsored and with power in the hands of the Croat segment of the population. Politicide followed this political change, with over 300,000 Serbs killed by the ruling Croats. Bosnian Muslims, the other major ethnic group in the region, were not targeted at that time (Bell-Fialkoff 1996).

In 1943, the state was re-established again as a socialist republic, which lasted until 1991. This period was marked by general interethnic peace. The outbreak of civil conflict in 1991, as the republic dissolved into the Yugoslav Wars with the secession of Slovenia and Croatia, followed several months later by Macedonia, and Bosnia-Herzegovina in 1992 (Bell-Fialkoff 1996; Human Rights Watch 1995). From that point through the end of the 20th century and the beginning of the 21st, the situation in the Balkans was marked with conflict, ethnic violence, and instances of politicide.

Bosnia from 1992-1995 is documented in the Political Instability Task Force database as a case of politicide (Marshall 2007). Atrocities and massacres were perpetrated by both Serbs and Croats against the Muslim population. International response to this conflict was inconsistent, with periodic efforts by the United Nations to establish "safe areas" for civilian protection that were unable to be maintained beyond the short term (Human Rights Watch 1995; Semelin 2003). Bell-Fialkoff (1996) describes the situation as "characterized by deep divisions between NATO and the United Nations, between Western Allies and Russia, between America and England and France. In general, America was reluctant to commit ground troops, preferring air strikes and lifting of the arms embargo on Bosnian Muslims instead...England and France, on the other hand, were afraid of retaliation against their troops (their fears were justified when Serbs kidnapped hundreds of United Nations soldiers in July 1995 and used them as hostages and bargaining chips). For its part, the United Nations lacked the mandate or the physical force to execute its decisions"(134).

While the Bosnian case does demonstrate how external states' individual security concerns trump commitment to humanitarian norms, it is primarily useful here as the priming ground for the 1998-1999 Kosovo case, with the events providing a demonstration effect for the international community. Recall that the Bosnian case took place before the Rwandan politicide discussed above. In consideration of the temporal variable in the model, then, greater international response should be expected for the 1998-1999 case than Bosnia or Rwanda, and certainly more than the 1971 case in Pakistan.

Kosovo is a small autonomous province in southwest Serbia. Ethnically, the province is approximately 90% Albanian, and borders on the sovereign state of Albania externally (Bell-Fialkoff 1996). In 1989 political power in the province was placed in the hands of the Serb minority, with a parallel political structure developing among the Albanians. From this structure rose the Kosovo Liberation Army (KLA), which began an active armed guerrilla movement in 1997 seeking separation from Serbia and union with Albania proper (Jones 2006).

Western observers were dispatched to the region to monitor the violence and efforts at a cease-fire in 1998. KLA forces broke the ceasefire in short order, and in March of 1999, a campaign of systematic ethnic cleansing was launched by the Serbian forces. An estimated 10,000-12,000 ethnic Albanian Kosovars were killed, and roughly a million driven from the province[4](Jones 2006; Semelin 2003). A 78-day bombing campaign was launched by NATO in late March, at first limited to military targets in Kosovo itself and later expanded throughout Yugoslavia (Harvey 2006, Jones 2006). The

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4   The accuracy of these numbers is, as in many cases of politicide, disputed among sources.

air strikes did not produce the immediate effect as intended, but Serb forces withdrew in June 1999. The general consensus in studies of the conflict is that the withdrawal was prompted by both the air strikes and NATO preparation for a ground war (Harvey 2006).

Levels of Response

Following a half-century of development of the humanitarian regime generally, and in close proximity to the Bosnian and Rwandan politicides particularly, the stronger response of the international community is in line with the theory's predictions. The continual violence in the Balkans throughout the 1990s engendered a steady humanitarian presence from both international organizations such as the UN and non-governmental organizations such as Human Rights Watch. Awareness of the ethnic conflicts taking place, both among political actors and general populations via media coverage, was thus higher at this point than any preceding time in the existence of the regime.

Several elements increased the salience variable for this case over the other cases considered here. The geographic location of the conflict was much closer to Western states and interests. It also placed the conflict in the zone between NATO's interests and Russia, increasing the security salience for those actors. Russian protests of NATO involvement in the Balkans were noted for both the Bosnian and Kosovo politicides (Bell-Fialkoff 1996; Jones 2006).

The fact that military action was taken in this case makes it particularly relevant for the final stage of the model, aggressor-state response. The lack of an immediate response to the NATO bombings is somewhat contradictory to the model's expectations. However, the withdrawal of Serbian troops following indications of NATO preparations

for expansion of involvement into a ground war does align with the model; the demonstration of commitment on the part of the intervening actors prompted a conciliatory response.[5]

The International Criminal Tribunal for the Former Yugoslavia was established by the UN in 1993 following the Bosnian politicide, with proceedings beginning in 1996. The Kosovo politicide was folded into that tribunal for prosecution of perpetrators. As of 2004, 52 prosecutions had been conducted, demonstrating cooperation and commitment on the part of the governments established in the wake of the conflict. A particular key illustration of this is the fact that Slobodan Milosevic, the Serbian President who ordered the ethnic cleansing in 1999, was brought to trial before the tribunal in 2001 (Jones 2006; Semelin 2003).[6]

The Kosovo case is quite consistent with the predictions of the model overall. Taking place very well into a developed human rights regime and with high levels of salience in both geography and security, the case prompted an international response that falls higher on the commitment scale used here. The reaction of the aggressor state to this response and signals that indicated further action was the cessation of hostilities and cooperation with subsequent international actions. Kosovo remained under Serbian sovereignty but international control and monitoring until February of 2008, when it declared independence.

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5   Harvey (2006) disputes the credibility of the ground-war threat, but acknowledges that this interpretation is the "overwhelming consensus in the literature"(139).

6   He died in 2006 before a verdict was reached.

CONCLUSION

International intervention in cases of politicide is still an inconsistent thing, despite over fifty years of development of human rights norms and rhetoric. States' motivation to intervene in cases of ethnic violence relies almost entirely on the salience of the particular case to strategic interests or threats to critical issue-areas of security. Politicides that take place in remote regions are far less likely to receive attention than those that threaten to disrupt the behaviors of the dominant states in the system; witness the lack of intervention in the ongoing politicide in Sudan.

However, the Sudanese case receives media attention that sparks political awareness of that lack of intervention, showing one way in which the normative and rhetorical regimes have developed since World War II. Growth in these areas always precedes alterations of actual state behavior, as realist theories of politics have long proclaimed. As the humanitarian regime ages, this normative pressure can be expected to gradually translate into pressure to act that increases by degrees. When action by powerful states does occur, based on the development of the regime or on the politicide's relevance to salient issue-areas, the response of the aggressor state will be contingent on the degree of commitment demonstrated by the action, ranging from rhetorical condemnation to military intervention.

This can be seen in the cases of Pakistan, Rwanda, and Kosovo examined here. The degree of international response, all along the spectrum from level of rhetoric and

47

non-military intervention and monitoring by international or regional bodies to active steps, was demonstrated to increase in correlation with temporal, geographic, and issue-salience factors.

The cases of Pakistan and Rwanda both indicated that regional actors, who have higher sensitivity to outbreaks of violence in terms of salience, should receive more consideration in studies of this topic. India in the first case and Tanzania and the OAU in the second, carried a great deal of the international weight. The case of Kosovo, on the other hand, demonstrates that when the pressure on salient issues is increased by geography and geopolitical concerns, the degree of international response increases considerably.

The final stage of the model, predicting aggressor-state reaction to the response, indicates that the aggressor state's cooperation with international bodies relies on the political position that the perpetrators and victims end up in. In Rwanda, the military representatives of the victimized group ended the conflict with military victory, prompting the possibility of "victor's justice" rather than true justice as the regime protects its own. Resentment over the lack of intervention and inconsistency of international assistance also colors the reaction in Rwanda. In Kosovo as well, the potential for further violence lingers, although the more active presence of the international community there, and the progress of the ICTY tribunal, are positive signs for the development of the humanitarian regime.

The model presented here offers a means of evaluating the behavior of the international community and aggressor states in cases of ethnopolitical violence.

Expectations for behavior can be projected from this model, and adherence or variation

from them conveys information about the development of the human-rights regime. This

information can serve as an important piece in more generalized studies of state behavior

in marginal issue-areas, as well as in work serving the normative goal of halting or

preventing politicide.

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