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The impact external authoritative actors may have had on the negotiations of Dayton and Rambouillet

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Abstract

In this thesis, a theory testing research of two comparative cases has been conducted. By applying the Rational Choice inspired theory by Adam Przeworski, upon the two cases of the negotiations revolving around the civil war in Bosnia-Herzegovina and the war between Serbia and Kosovo, it has been examined whether the theory can be used to explain the difference in outcome. The essence of the theory is that belligerents will only comply with compromises in a negotiation situation, if there is an external actor with great authority, supervising the negotiations. In 1995, the Dayton Peace Accord was signed under supervision by NATO and the United States, putting an end to the civil war in Bosnia-Herzegovina. This negotiation is used as a comparative case in the attempt to isolate the main factors that contributed to the fact that the Rambouillet Peace Accord failed to be signed by both belligerents. The two contributing factors isolated in this research after the theory had passed the scrutiny, were the lack of ability to envision a mutual gain of a compromise, by the negotiating actors in the case of Rambouillet, and the dilution of the NATO military threat, thereby diminishing the external actor's authority.

Key words: external actor, negotiations, NATO, Dayton, Rambouillet
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Introduction

In this thesis, a qualitative study examining what factors might have had an impact on the outcome of the negotiations revolving around the conflict between Serbia and the previous autonomous province of Kosovo is presented. It will focus on the case of Serbia and Kosovo, with the case of Bosnia-Herzegovina as a comparing background case.

There will be no research conducted regarding the Bosnia-Herzegovina case, merely a presentation of facts revolving around said case in order to comprehend and further grasp the outcome of the case of Kosovo. It will further be researched what factors might have affected the outcome in the latter conflict. Unlike the similar conflict and negotiations in Bosnia-Herzegovina, the war in Serbia was not put to an end with the brokering and signing of a peace accord, but with NATO bombardment after having failed to reach an agreement during the negotiations that took place in the French castle of Rambouillet. Thus, the research question at hand has been formulated as follows:

- Which were the main factors that led to the Rambouillet Peace Accord never being signed by both belligerents, and the Serbian-Kosovar war put to an end with NATO bombardment instead?

Disposition

After having stated the research question, the aim of the thesis will be discussed. This will be followed by the presentation of the working hypothesis that was formulated prior to the initiation of the research. Then, a discussion revolving around the methods and material used in the thesis will follow. After this discussion, the theory used in the research will be presented and elaborated on when applied in practice. After this the empirical evidence will be presented, followed by the analysis, conclusions and suggestions for further research.

The purpose of the thesis

The aim and purpose of this thesis is firstly to illustrate the complexity of negotiations between different actors and that the sometimes seemingly arbitrary outcome may be the result of a great number of different factors. Secondly, the aim is to show that these affecting factors and impacting issues can be widely interpreted and debated about.

Hypothesis

Before initiating this research, a hypothesis of what the implications might have been was formulated. The hypothesis involved speculations about the reason for the signing of the Dayton Peace Accord and that it might have been that the different actors in question could envision a mutual gain on a cease fire. It also includes the mutual gain of cooperation with the external actors conducting the negotiations and brokering the peace accord. Hence, the hypothesis accused the actors in the second case, the conflict between Serbia and its province Kosovo, for the inability to envision a mutual gain on cooperating in the negotiations. The potential accuracy or inaccuracy of this hypothesis will be debated further on.

Method and Material used in the research

Method

This research will test the theory of Adam Przeworski (presented below) through applying it upon the two comparative cases mentioned above, thus making it into a research of few cases with a qualitative character. Seeing that it is a theory testing research, it will focus upon the theory but, however, the cases will not end up in the periphery. On the contrary it will splint the research conducted regarding the theory upon the two cases, thus showing its explanatory nature. All this combined; it is the aspiration of this thesis to be able to generalize the result regarding the theory (Esaiasson et al 2007:100). The research question has been formulated in order to help testing the theory and it can be concluded that the theory of Adam Przeworski has passed scrutiny, only if substantial empirical evidence can be presented.

One might say that the method used closely resembles John Stuart Mill's method of difference, which is characterized by the comparison of two very similar cases with a differing outcome. The aim of the research will thus be to isolate the differing factor in the two cases that resulted in the contrasting outcomes (Teorell & Svensson 2007:226). The research will investigate the puzzle of the negotiations in the conflict of Bosnia-Herzegovina and Kosovo, respectively. When comparing the two cases, they strongly resemble one another, especially if one closely examines which actors were present in both conflicts. The North Atlantic Treaty Organization (NATO) led by the United States, were present in the negotiations both in Bosnia in the early to mid-1990s and in the negotiations between the Serbs and the Kosovar Albanians in 1999. As was Slobodan Milosevic, the United Nations and a number of European Union institutions (Redd 2005: 131). On top of the very similar actor representation, and the fact that the two cases share the same regional affinities, both

regions have experienced a history of occupation and internal ethnical and religious conflicts and fragmentations (Electronic sources 1; Nationalencyklopedin 2009-11-08 & 2; Nationalencyklopedin 2009-11-08). This resemblance is why these two cases were chosen. As previously mentioned, Bosnia-Herzegovina, and the signed Peace Accord in the associated negotiations, will merely stand as a point of comparison and an investigative compass as to what differed in the two conflicts and why the outcomes could have been so diverse when the pre-conditions were so similar. Diverse in the sense that the war in Bosnia-Herzegovina was put to an end with the signing of the Dayton Peace Accord, whereas the war in Kosovo did *not* end in a peace agreement but with bombardment by NATO, the securing of power by the UN in the region and the deployment of the KFOR-forces to protect the civilian population (Electronic sources 1; Nationalencyklopedin 2009-11-08 & 2; Nationalencyklopedin 2009-11-08). The research will be splinted by a theory that falls in the transitional approach category, which will be thoroughly explained below.

Material and source criticism

Naturally, one should think twice before considering a source to be completely objective in its presentation of facts, and this notion have been highly present when reading and using the material. Combined with this notion, it has also been taken in consideration that all sources used are secondary material which in one aspect, contributes to cumulatively acquired knowledge. Mostly, the sources have been used to complete each other and not single handily used as substratum to important arguments.

Theory used in the research

In this thesis, the theory has been used both as an aiding tool, enabling the relevant research entry points to be clearly detectable, and also as the object of testing. To be able to make an attempt to answer the research question, the main essence of the theory has been used in order to see which factors might be relevant to examine further, and which factors might not. The theory finds itself within one of the categories of democratization theory, namely the transitional approach. This approach focuses upon different ways to undergo a transition towards democracy and its consolidation. It is to some extent actor focused, in its belief that democracy is created by capable actors who make conscious decisions, not seldom characterized by the ability to compromise. It is mostly due to these actors' ability to perform

and undergo a diplomatic negotiation that the steps towards a democratic consolidation be taken (Grugel 2002: 56).

Within this approach, there are a number of different theories constructed by a number of different scientists and whereas a majority of these theories focuses upon the entire process towards democratic consolidation, the theory chosen to aid this research focuses upon the compromise of actors, in situations such as negotiations and peace agreements (Grugel 2002: 57, 59).

The theory in question here is one of Adam Przeworski's, Professor With Chair at the New York University, and is highly influenced by the social theory of Rational Choice that offers a framework when one is to understand how actors operate with fixed preferences which they attempt to maximize (Baylis et al 2008: 162). In 1991, Przeworski pioneered this Rational Choice transitional approach by arguing that authoritarian rulers as well as any radical opposition might undergo negotiation processes in which their preferences respectively might change due to rationality. Put into words, this change due to rationality is called deliberation, which might also be explained as changes in preference on account of communication between the different actors (Przeworski 1991: 17). This description of one aspect of Przeworski's theory is one of the reasons for its presence in this research. This because of its resemblance to the hypothesis presented earlier in the text.

Although deliberation might occur, Przeworski argues, one must not overestimate its impact on the final negotiation process. Neither must one forget that in a negotiation set out to end in a compromise, there are almost always interests in conflict. Because of this, when the compromise is met, more often than not, there are winners and losers. This notion makes negotiation and meetings of compromise a difficult starting point. It is therefore one must not underestimate the role of institutions. Democratic institutions perform a role as the intertemporal mediator in political conflicts and in conflicts of interest. Institutions built to enable negotiation are used as a pawn that might help the different actors to see what impact different outcomes of the conflict at hand might have on the future. This instead of merely focusing on the contemporary aspects of the conflict. This widening of timely horizons will hopefully incite the different actors to agree to conditions that might seem far from their original agendas and trajectories. Namely because the actor meeting the compromise is certain or at least hopeful, that the agreement that is the result of the compromise, in the future will enable them to advance their interests (Przeworski 1991: 19). In order to make the relevance of this theory obvious and clear for the reader to see, the institutions and tools of negotiations

mentioned above, is in this research thought to be portrayed by the United Nations, the United States-led NATO and the European Union.

Illustration of Przeworski's theory into practice

In order to illustrate the theoretical framework, Przeworski uses a traffic light situation. In an intersection, cars will come from several different directions with the desire to pass through the intersection as quick as possible. If the traffic light is red, you have not been given the permission to pass, but must wait until the turn comes to you.

If given a green light, on the other hand, you have been given the right to pass through the intersection without delay. Now, what is it that determines if a driver decides to follow the directions given by the traffic light, or to disobey said directions and, because the driver is in a large vehicle, run through the intersection even though it was not his or her turn? To answer this puzzle, Przeworski offers three different solutions. The first solution is that compliance is voluntary and spontaneous, most often due to indoctrination. The second is that in the middle of the intersection stands a policeman, directing traffic and ready to scold any driver that barges out of the queue system, breaking the rules of the traffic lights. The third and last answer is that moral and commitment to the known social order plays its turn, and that people observe the rules and obey them, even though there is no one there to enforce them or to punish those who break them.

This example may be even more clear if put into an elementary game-theory perspective.

The first scenario, what one might call equilibrium, is when the actor does what is best for the actor, given what the other actors would do. The driver that will put his or her car to a halt if put in front of a red light, is aware that cars coming from a different direction most definitely will be put in front of a green light, and will thus cross the intersection. Should the first driver cross the intersection if given a red light, a collision may well be at hand. After having conducted a cost calculation one will be convinced that in the maximization of one's interest, one should do best in respecting the red light. (Przeworski 1991: 20).

The second scenario, where a policeman is enforcing the traffic rules, could be seen as a scenario where the actors would gain on not crossing the intersection when put in front of a red light. This is (as in the case of the policeman) a possible outcome because it is enforced by an exogenous actor, there is a third "party" that can punish the actor not in compliance with the agreement in hand, and that does not obey the preset conditions of negotiation. The maximization of interest is also very applicable here (Przeworski 1991: 22).

Last but not least, there is the third scenario where the actor (driver) follows those norms set by society. However, Przeworski's game-theory transitional approach does not include this last scenario. He is of the conviction that equilibria and bargain scenarios are the only plausible scenarios that states and actors might find themselves in. This, because of the simple paradigm within this theory that actors will act compliantly only in self-interest or if the compliance is enforced by an external actor (Przeworski 1991: 23-24). Furthermore, according to Przeworski, the path towards a successful negotiation and a successful compromise may well be initiated with either, or a combination of, the equilibria and the bargain solution. But, Przeworski stresses, a negotiation and a compromise can only be obtained, with the first of the two solutions (Przeworski 1991: 26)

Conflict background - the historical progress

In order to apply the theory presented and explained above upon the empirical evidence in a comprehensible manor, the history of the slow disintegration of Yugoslavia will be presented in a chronological order.

As mentioned above, the peace negotiations conducted revolving the civil war raving in Bosnia-Herzegovina, resulted in a Peace Accord, brokered and signed in the city of Dayton, Ohio in the United States (Bale 2005: 35). This Peace Accord was the result of compromises, met by the actors involved in the conflict. The three-way civil war that raged in Bosnia-Herzegovina was fought between the Bosnian Serbs, the Bosnian Croats and the Bosnian Muslims. While the Bosnian Serbs were backed up by the Serbian and the Yugoslav army, the Bosnian Croats was supported by the Croatian military. Present at the peace negotiations was the three Balkan presidents, Milosevic of Serbia, Izetbegovic of Bosnia, and Tudjman of Croatia. Representing the Bosnian Muslims in the civil war was the Bosnian President (Burg & Shoup 1999: 17).

Brief history of Bosnia-Herzegovina

The reason for such a large Muslim population in Bosnia-Herzegovina was that the country was occupied by the Ottoman Empire in the middle of the 15th century, and remained under Turkish rule until 1878 (Burg & Shoup 1999: 17). Naturally, the Turkish rule resulted in many of the country's inhabitants confessing to the Muslim faith, and eventually constituting the majority of the population. Here rose the beginning of a long-lasting political conflict characterized by ethnical fractionalization. The Bosnian-Serbs came to associate the Muslims

with their former occupier, the Turks, which to them became a symbol for an exploiting power (Burg & Shoup 1999: 35). During the period between 1878 to 1941, the country experienced no less than five different regimes. In accordance with the Berlin treaty of 1878, the Ottomans handed the control of Bosnia-Herzegovina over to the Austro-Hungarian Empire, whose rule ended with the assassination of archduke Franz Ferdinand in Sarajevo in 1914. When Yugoslavia was formed in 1918, after the First World War, the national issues and problems that raged in Bosnia-Herzegovina, was overshadowed by the struggle between Serbia and Croatia. The former sought to have a unified state where no specific country within the Yugoslav kingdom was to be autonomous, whereas the latter wanted to be independent from the other states within the kingdom. This struggle would eventually turn into an agreement between the two states. For the twenty years that followed the formation of the Kingdom of Yugoslavia, Bosnia-Herzegovina was administratively controlled from Belgrade (Burg & Shoup 1999: 36).

Yugoslavia's first collapse occurred in 1941 when, after a period of negotiations and pressure from both Britain and Germany (and with it the Tripartite Pact), Yugoslavia announced that it would join Germany and its Tripartite Pact and agree to be subdued to the latter's power. But only days afterwards, the Serb-dominated military performed a coup d'état.

The British were pleased, trusting that Yugoslavia would now turn to them for support, but instead the country turned their eyes at the Soviet Union, wanting their protection. This infuriated Hitler who in a very short amount of time mobilized an army and together with Italy, invaded Yugoslavia. The Axis Powers divided Yugoslavia and while Croatia was turned into an independent state providing a place to build concentration camps, Bosnia-Herzegovina and parts of Serbia and Slovenia was occupied by German troops. The remains of the Kingdom of Yugoslavia were occupied by Italy, Hungary and Bulgaria. (Bra Böckers lexikon 1978: 213).

The Peoples Republic of Yugoslavia Emerges

What was later to become Josip Broz Tito's Partisan resistance movement grew stronger, although very few Muslims served in the resistance movement until the closing days of the war (Burg & Shoup 1999: 37). In 1944, the Partisan resistance movement, under Tito's command, freed the country with assistance from the Russians. The year after, free elections were held, although boycotted by the royalists, and Tito and his partisan government were given the power over the state management. The same year the People's Republic of Yugoslavia was proclaimed (Bra Böckers lexikon 1978: 213). The states included in the

Yugoslav republic were Bosnia-Herzegovina, Serbia, Croatia, Macedonia, Montenegro and Slovenia (Bale 2005: 35).

Bosnia-Herzegovina's role within the federal system was a republic, equal to all others in every respect. In the early years of the newly formed Yugoslavia, the Bosnian Muslim community was looked upon with distrust and therefore, the Serb government under Tito's rule, entrusted the Bosnian Serbs with the dominating leadership and power in Bosnia-Herzegovina (Burg & Shoup 1999: 40).

Tito ruled the Republic of Yugoslavia until his death in 1980. One successor of his, Branko Mikulic, made a very poor performance as leader in his resistance towards political, social and economic reform, which contributed to the political crisis in Yugoslavia and his own resignation from office (Burg & Shoup 1999: 44).

The beginning of Milosevic's rule

Seizing the opportunity of political confusion, Slobodan Milosevic took control over the political structures of Serbia, while assuming the leadership over the Serbian nationalist movement that spread beyond the Serb republic borders and well into other republics of Yugoslavia, including Bosnia-Herzegovina. During the years 1987-1991, Yugoslavia witnessed a growing change in its society, characterized by the end of one-party rule, polarization between the public opinion along national lines and an evolving demand for secession by Croatia and Slovenia. While the political confusion prevailed in Bosnia-Herzegovina, what linked different political fractions together was their mutual struggle against the Serb nationalist campaign (Burg & Shoup 1999: 44-45).

After the end of the Cold War and the end of the Soviet Union's influence in the region, multiparty elections were held in the different republics of Yugoslavia in 1990, where almost every election was won by a non-communist party, with the exception of Serbia, where Milosevic socialist national party was elected, and Montenegro. The aggressive nationalistic platform upon which Milosevic lay, had withdrawn the autonomous status of both Kosovo and Vojvodina. This decision raised the fears of other republics in the region that Serbia would move to claim its authority over them. That same fear encouraged Slovenia and Croatia to declare independence in 1991. In the case of Slovenia the Yugoslav army stationed in the country did very little to prevent the independence, whereas in Croatia, the declaration resulted in a six-month civil war. The following year Bosnia-Herzegovina declared its independence, something that resulted in the famous three-way civil war between Bosnian Croats, Bosnian Serbs and Bosnian Muslims. The states in Europe were torn over how to act

and asked the US to let them come up with an answer on how to end the conflict (Bale 2005: 35). In early 1993 the civil war had escalated in Bosnia and the allies kept hoping that the conflict would be solved and that an agreement would be reached without having to turn to NATO for the use of their military forces, as it had done in the similar cases of Croatia and Slovenia (Kaufman 2002: 96).

NATO becomes involved

In contradiction to the voices of the Congress, after revealing that great deals of people had become victims of what was later to be known as “ethnic cleansing”, the forced removal (and in many cases rape, assault and murder) of unwanted population in order to preserve areas to be purely Serb (or in some cases purely Croat, and in even fewer cases purely Muslim), NATO, led by the United States finally entered the playing field (Bale 2005: 35).

In May 1993, led by the United States, the foreign ministers of Russia, France, Britain, Spain and the United States met in Washington D. C and eventually agreed upon the Joint Action Program which also became known as “the Washington Declaration”. This policy agreed to provide support to the UN Security Council resolution by protecting designated safe areas in Bosnia-Herzegovina, using force if necessary. Numerous attempts to obtain cease-fire to commence the peace negotiations were in many cases acted upon by the use of force. These military force campaigns were altered with messages to the Bosnian Serbs, and to Milosevic, which stated that should they not comply with the agreements presented to them, the bombing would be resumed. Unlike previous attempts, the threats were now credible and were to be taken seriously (Kaufman 2002: 122).

The war raged until 1995 and up until then some 100, 000 people had been killed, among them 7000 men and boys, slaughtered after the fall of the Bosniak city of Srebrenica. This historical event had a major impact on how the Western leaders and external actors active in the conflict of Kosovo would go to great measurements to prevent the history of repeating itself when the Kosovar Albanians were threatened by the Serb nationalist campaign. The reason for the Western leaders’ astonishment was that the slaughter of the men and boys in Srebrenica had occurred in a UN Security Council safety zone (Judah 2008: 68).

At last on October 5, President Clinton could announce that a general cease-fire would be put in effect in Bosnia-Herzegovina, should the Serb forces turn on the electricity and gas in Sarajevo, and with that returning the possibility of life to the city. The cease-fire would then be succeeded by diplomatic talks between the three Balkan presidents (Kaufman 2002: 123).

Negotiations in Dayton, Ohio

On November 1, 1995, formal diplomatic talks on the peace settlement were initiated at Wright-Patterson Air Force Base in Dayton, Ohio, in the United States. The talks were led by American Richard Holbrooke and were to be co-chaired by the United States, EU and Russia. The United Nations was to hold a marginal participation. On November 21, 1995, after three weeks of intense negotiations, President Clinton was able to announce that an agreement had been met after successful negotiations that would officially put the conflict in Bosnia-Herzegovina to an end (Kaufman 2002: 124).

How to Let the Theory Reflect the Case

As stated above, the case of Bosnia-Herzegovina and the conflict and negotiations revolving around it will only be used to shed light over the case of Kosovo and to enable the author to illustrate the differences. According Przeworski's theory, actors involved in a negotiation revolving around a conflict will only comply with the compromises (should they go directly against the wishes of said actor) if it is their very first instinct to do so due to indoctrination or if there is an external authority overlooking the negotiations. Przeworski's theory is not only to be used when analyzing diplomatic talks and negotiations between different actors at war with each other, but may also be used to analyze actors in a negotiation revolving around a conflict of a more domestic nature. In this case, the conflict is indeed between actors (Bosnian Serbs, Bosnian Croats and Bosnian Muslims as well as Serbs and Kosovar Albanians) in what were originally domestic conflicts. But whilst the conflicts escalated, foreign actors (such as Croatia, Serbia, NATO etc.) were drawn in. On this notion, it is towards the first example of usage, when it comes to Przeworski's theory that one must look.

As we have seen above in the historical chronology presented, the history of Bosnia-Herzegovina begins as the history of one country. But when the country is included in the union of the Kingdom of Yugoslavia, and later on the Peoples Republic of Yugoslavia, Bosnia-Herzegovina shares its history with the other republics within the union, naturally including Serbia. It is on this notion that the historical progress presented above, will lay as a substratum to the historical fragments that will be relevant to explain, regarding Serbia and its province Kosovo.

Kosovo: A Brief History and Background

In order to understand the negotiations and thereby the conflict at hand, it is crucial that one understands the history and with it the complexity of the region.

Before the recent history is presented, the underlying regional conflict regarding “who was there first” must be explained. This will be done without attempting to state anything with exact certainty, this that have been argued on within the academia for centuries.

In order to be able to understand why Kosovo is such an important province, that is worth fighting several wars over, one must understand why Serbs claim that Kosovo is the cradle of their civilization, their Jerusalem.

The Serbs say that they began to inhabit the region in waves of migration that occurred in the middle of the sixth century A. D. The Albanians however, claim that they in fact were the first group to inhabit Kosovo, as Illyrians and Dardanians, and thus should be entitled to the first ownership. They also claim that what the Serbs did was in fact to invade the land that was already theirs. To counter this argument, the Serbs claim that even though there may have been a few Albanians in the region of Kosovo during the Middle Ages, the majority of the population inhabiting the region was in fact Serb (Judah 2008: 18).

Additionally they claim that the very same region in fact was the centre of their medieval kingdom and that any changes in population that may have occurred, only took place after the earlier mentioned arrival and occupation of the Ottomans. Then, claim the Serbs, the Albanians began to migrate into the newly established Ottoman Empire, into what is now Kosovo, from what is now Albania. Finally, the Serbs also point to the fact that a vast majority of the toponyms, such as the name Kosovo itself, have roots that derive from the Slavic language (Judah 2008: 19).

To be able to understand the modern day conflict, one must go at least thirty years back in time. According to British historian Noel Malcolm, there are two fundamental reasons as to why the two Serbian autonomous provinces Vojvodina and Kosovo never became independent from Serbia. The lack of independence remained, even after the implementation of the Yugoslav constitution of 1974, which stated that the two provinces were to be given the equivalent status of the other republics within Yugoslavia. One reason is by Malcolm considered to be that the Serb leaders objected to the idea that ethnic groups (or nationalities) was to be equal to “nations” per se, and because of this, they should not obtain the status of a sovereign state. With this argument stated as one reason, the other reason, argues Malcolm, was political and practical. Namely, the fear of the Serb leaders was that, if given sovereign

status within the Yugoslav union, Kosovo would extract itself from Yugoslavia and annex itself to its fraternal nation Albania (Kaufman 2002: 150).

Seeing as the Yugoslav military under Serbian leadership went to tremendous efforts to keep the republic of Croatia within the Yugoslav republic, as stated above, in order to preserve the Peoples Republic of Yugoslavia intact, one might understand that it would seem almost paradoxical to aid what was then an autonomous province in its believed quest for independence.

In accordance with the 1974 Yugoslav constitution, Kosovo benefited its autonomy, which in practice meant that local Albanians held the power in Kosovo, with its own police force, bank, assembly and other statehood matters, until the early 1980s. Along with the death of Tito in 1980, the fragile balance in the region began to unravel. Extensive demonstrations broke out all over the region, demanding incarcerated students from the University of Pristina to be released. It did not take more than days before the security police was summoned from all over Yugoslavia and a state of emergency was declared. One of the results of this event was that among both Kosovar Albanians and Serbs arouse accusations of nationalism, which lingered for several years (Kaufman 2002: 150).

In 1987 Slobodan Milosevic became deputy-president of the Serbian Party and his rise to power in the coming time was accompanied by an exacerbation of sensationalist argument regarding nationalism on both sides that had escalated in quantity up until the mid-1980s (Independent International Commission on Kosovo 2000: 40).

In 1988, the assembly in Serbia restricted the autonomy of Kosovo by proposing amendments that would transfer the power over the police, court, civil defence, matters on education, economic and social policy and last but not least, the choice of official language. All restrictions above strongly contradicted the constitutions of 1946 and 1974 (Kaufman 2002: 151).

Kosovar reactions

When it became clear to the Kosovar Albanians that should the amendments be adopted, the autonomy of Kosovo would be put to an end, grave demonstrations broke out and another state of emergency was announced. Finally, on March 28th in 1989, the Serbian assembly passed the amendment and with that came the revocation of Kosovo's autonomy in July of 1990 (Independent International Commission on Kosovo 2000: 41).

During a nationalist campaign that began in 1989, Milosevic, in his attempt (and success) to rally support, played on the victimizing role of the Serbs throughout history and fostered the

belief among his nationwide audience that Serbs were made to leave Kosovo by force, this province where Serbs had their historic homeland (Kaufman 2002: 151).

The withdrawal of Vojvodina's and Kosovo's autonomy made the leaders in both Croatia and Slovenia question whether Milosevic, in his quest for preservation of the Yugoslav union, would act on revoking the independence of their respective republics as well. This made both republics declare independence which in the case of Croatia resulted in a six months civil war. The two republics' declaration of sovereignty and the war that followed preoccupied Milosevic and it is, according to the Independent International Commission on Kosovo, one of the reasons for war not breaking out in Kosovo earlier. Another reason is, according to the same Commission, the adoption of a non-violence policy by the Kosovar Albanians and their resistance movement. This adoption was due to the notion that the Serbs would use any violence that sprung from the resistance movement in Kosovo as an excuse to engage in violence towards the Kosovar Albanian population, and, as was the conviction of some Kosovar Albanians, "to wipe the population out" (Independent International Commission on Kosovo 2000: 43).

In 1995, with the conclusion of the war in Bosnia-Herzegovina accounted for above, the conflict resulted in a crisis situation which grew larger in Kosovo. One important note is that the Dayton Agreement completely disregarded the conflict in Kosovo, which left the Kosovar Albanians with the feeling of the international community being indifferent towards the conflict. In contradiction to what the external actors, active in the negotiations revolving around the conflict in Bosnia-Herzegovina, had wanted by not addressing the conflict in Kosovo, being ignored only made matters worse in the region (Kaufman 2002: 153).

The LDK, the KLA and the Kosovar Albanians

In September of 1990, ethnic Albanians of the Kosovo Assembly met in secret in order to proclaim a constitutional law for a future Republic of Kosovo. Later in September a referendum was organized by the Kosovar Albanians, held in secret like the previous mentioned meeting. This meeting was held to consider a decision that would declare Kosovo an independent and sovereign republic. Over 87 percent of voters took part in the vote and 99 percent voted in favour of the decision mentioned above. This vote resulted in the election of May 24, in 1992, that was held in order to create a shadow republic government as well as an assembly. Shortly following this, Dr. Ibrahim Rugova, writer and leader of a political movement known as the Democratic League of Kosovo (LDK), was elected to be president of the shadow Republic of Kosovo. The LDK together with its leader stood for three primary

goals; to prevent the use of violence, to “internationalize” the situation in Kosovo (i.e. to raise what appeared to be lack of awareness from the international community), and lastly to deny any legitimacy of Serbian rule over its province Kosovo. This was done by the refusal of partaking in any official decisions, such as elections (Kaufman 2002: 152).

As the LDK were propagating non-violence, an ethnic Albanian guerrilla group, calling themselves the Kosovo Liberation Army (KLA) had taken responsibility for a number of assassinations on Serb military and police officers as well as the attack on a Serb police station, resulting in the KLA taking possession over a large number of weaponry (Kaufman 2002: 155).

Initially, the position of the United States was that the KLA was classed as being a terrorist organization, much like the Irish Republican Army, that should not receive any American support. But as the Serb military oppression and acts of violence towards the KLA escalated, the U.S. changed its position towards the organization. While Rugova remained condemning of the use of force applied by the KLA, many Kosovar Albanians felt that the non-violence path towards sovereignty had long passed and thus joined the KLA support group (Kaufman 2002: 156).

As the support for the KLA grew, it ultimately resulted in the KLA being the negotiating actor on behalf of the Kosovar Albanians in the upcoming Rambouillet peace talks (Kaufman 2002: 184).

Quarrels within the North Atlantic treaty Organization

As Milosevic’s oppression over the Kosovar Albanians became more immense and the attacks on civilians became more frequent, NATO had begun the long discussion on whether to launch an air strike against Serbia. Different opinions stood against one another within the organization and most reluctant of all to publicly approve of such an air strike, was the United States. While the United Kingdom and France, among others, not only were prepared to launch an air strike against Serbia, but also positive against sending in ground troops to enforce whatever agreement NATO would come up with, the United States knew that President Bill Clinton would need support from Congress to approve such a mission (Kaufman 2002: 163).

In an early stage, the majority of Congress was positive towards military action in preventing the Kosovo situation from turning in to the ethnic cleansing that had occurred in Bosnia. However, this positive attitude was altered after a briefing on the matter by Secretary of Defense William Cohen and Secretary of State Madeleine Albright. This briefing had

enlightened members of Congress that even though there was a will to use military force against Milosevic, there was no plan on how to orchestrate the actions. As stated above, this changed the majority of Congress's opinion in the matter and henceforward the Congress publicly stated that the majority was against sending in ground troops. Combined with this matter, rating polls conducted also informed the President that should he act with the approval of sending in ground troops, he would go against the public opinion (Redd 2005: 135-136). Furthermore, Clinton had learned from his predecessor, George Bush's mistakes and failures in Somalia, when Bush's military foray ending in bloodshed and humiliation, had become his (Redd 2005: 138).

Apart from these factors, a sex scandal with White House employee Monica Lewinsky had placed the President in a media cross-fire. National Security Adviser Sandy Berger was hesitant towards threatening force, even if the United States with alteration of interests were to achieve a consensus within NATO, the U.S., as stated above, could not receive domestic support from neither the Congress, nor the American public for such an action (Kaufman 2002: 159).

After the UN Security Council had agreed on imposing economic sanctions (which passed only after Russia had forcefully stated that the situation in Kosovo bear no threat to international peace and security) against Serbia and Milosevic, and the October 13 of 1998 NATO vote that authorized air strikes, the United States, with the lessons of Bosnia reminding the Clinton administration, started to take the lead in the issue of Serbia vs. Kosovo. In order to make it obvious to Milosevic that the stakes in this situation are as real and as high as they were in the case of Bosnia, President Clinton sent Richard Holbrook, who led the Dayton negotiations, to Serbia. With him he brought a warning issued by President Clinton that the U.S now regarded the situation in Kosovo to be dangerous not only to Yugoslavia but also to all of the countries neighbours (Kaufman 2002: 158).

After having sent Holbrooke to negotiate with Milosevic, a cease-fire was adopted in October of 1998 (Independent International Commission on Kosovo 2000: 76).

This Holbrooke-Milosevic cease-fire agreement was initially implemented by Serbia, but it did not take more than a few months to note that neither the Serb military, nor the Kosovar Albanians had kept the agreement (Independent International Commission on Kosovo 2000: 78).

From this moment on, NATO, with the United States in the lead, issued numerous threats of repercussions, should Milosevic not comply with the ultimatums presented to him, including the cease of fire. The former NATO indecision and the former lack of public certainty

regarding whether the United States should endorse a military campaign in Kosovo, sent a message to Milosevic and the Serbs that the repeated threats was without credibility (Redd 2005: 133).

The Rambouillet Peace Talks – a failed negotiation

In January 1999, the North Atlantic Council (NAC), a fraction within NATO meets with Kofi Annan, who urged the members of the council to act in the case of Kosovo and to remember the lessons learned from Bosnia. He stated that the previous international bloody conflicts have taught us a lesson, that if all other means have failed, the use of force is sometimes necessary. The fact that Annan urged the NAC to take action in Kosovo against Serbia, indirectly gave them his blessing, even though NATO stood without the explicit approval of the UN Security Council (Kaufman 2002: 173).

As a member of the UN Security Council, Russia had yet to resist giving its veto in the discussion on whether the UN should support the NATO action taken in Kosovo. However, Secretary Albright, together with several other foreign ministers of NATO, met with Russian officials during the last weeks of January. This meeting resulted in the issuing of a joint statement, on behalf of Russia and the United States, calling on both Serbia and the Kosovar Albanians to halt the fighting in order to achieve a political settlement through diplomatic negotiation. Secretary Albright publicly indicated that this joint statement should point out to Milosevic that he could not automatically count on Russian support in the case of military action taken in Kosovo. This was a step towards bringing Milosevic to the negotiation table, and it appeared to be a successful one. With the repeated threats of air strikes submitted by NATO together with the increased international pressure, both Milosevic and the Kosovar Albanians succumbed to the negotiation table in early February. In a very different environment compared to the military base of Dayton, Ohio, this peace negotiation took place in the castle of Rambouillet, outside of Paris. The peace talks were held under the supervision of European leadership, co-chaired by the British and the French and assisted by American Chris Hill. Also present at the negotiations were a Russian representative and Austrian ambassador to Belgrade as well as an EU special envoy (Kaufman 2002: 175). Taking part in the peace talks were the Kosovar Albanians, represented by the KLA, and the Serbs, however not represented by Milosevic but by his Serbian official representative. The inevitable comparison between the Dayton negotiations and the Rambouillet negotiations illustrates many differences. As stated above, while the peace talks that took place in the U.S. military base of Dayton, Ohio, with the very potent American military force as a constant reminder

and under forceful U.S. leadership, the Rambouillet peace talks occurred in an eighteenth-century brick castle, not far from a very small town, gave no reminders of which consequences the actors could face when it came to modern warfare. Combined with the very different scenery and the lack of forceful U.S. leadership, Slobodan Milosevic chose not to attend the Rambouillet peace talks, in contrast to his very active presence at the Dayton peace negotiations. Even though Milosevic had a representative present at Rambouillet, the deputy was not allowed to accept any agreement without consulting with Milosevic first. This obviously altered the dynamics of the peace talks, and was a clear contribution to their adversity. Also absent at the Rambouillet negotiations was Richard Holbrooke, who had provided a forceful presence at Dayton and had also been determined to achieve a compromise and an agreement (Kaufman 2002: 176).

Once the negotiations were initiated, it did not take long until quarrels broke out among the supervisors of the negotiation, this besides the natural disagreements between the belligerents. All combined, the negotiation came to be a slow process, constantly halted. Furthermore, Milosevic had come to Dayton open to the idea of an agreement being reached. However, on the contrary to NATO assumptions, the Serbs were never interested in bargaining. When it came to the imminent threat that NATO presumed lie over Milosevic's shoulders, they were mistaken. Milosevic was, according to Kaufman, under the impression by the public statements in the press, that NATO was not nearly as unified as it ought to be in order to present a credible threat of military action (Kaufman 2002: 177).

Something that would jeopardize the entire negotiation process was in fact the indecision within NATO, as mentioned above. Still, as the negotiation underwent, the actors involved were very much aware that NATO had yet to agree on whether to send in troops, and should that be the case, when to do so (Kaufman 2002: 178).

This set aside, the Serbs were repeatedly warned by NATO that if they did not agree to the demands set by NATO and stipulate to every aspect of the Rambouillet Peace Agreement, then NATO would be left with no choice but to force compliance upon the Serbs (Redd 2005: 134). Even though the negotiations went in every direction but forward, the supervising power came to the conclusion that a sufficient amount of progress had been made for NATO to be able to extend the deadline of the negotiations, as would be done several times in the coming weeks of February (Kaufman 2002: 182).

The end of the Rambouillet Negotiations

By March 1999, President Clinton had, due to repeated empty threats, put himself in a corner, meaning that should the Serbs, led by Milosevic, fail to comply one more time the only viable option left for him was the use of air strikes and/or ground troops (Redd 2005: 134). On the 18th of the same month, the last draft of the Rambouillet Peace Agreement was signed by the representatives of the Kosovar Albanians. Seeing as the Serb deputy refused to sign the agreement, the British and the French co-chairs, saw no other opportunity than to adjourn the meeting. Du to this last set back, American and Dayton key-actor Richard Holbrooke was sent to Belgrade in order to meet with Milosevic. Holbrooke was to present to Milosevic the final warning issued by NATO and specifically the United States. Having issued the warning of air strikes against Serbia and its fraternal co-operational partner Montenegro without success, Holbrooke left Belgrade. On March 24, 1999, twenty-four hours after the meeting, NATO began the bombing of Serbia (Kaufman 2002: 185).

Theory applied on the case of Dayton and, to a greater extent, Rambouillet

In order to answer the underlying, if not explicit, question that is raised after having presented the empirical evidence above is as follows; was a compromise harder to obtain at the negotiations of Rambouillet than they were at Dayton? As made clear on numerous occasions, this is not the main research question upon which this research is conducted. But, it is however, a question in need of answering should one attempt to answer the actual research question stated earlier in the text. In the light of the theory of Przeworski presented above, the focus is turned both to the mutual gain for the different actors, as well as to the example given by Przeworski regarding an authorized external actor.

Mutual gain for the different actors partaking in the negotiations

The main actors involved in the conflict of Bosnia-Herzegovina and later the negotiations of Dayton, were the three Balkan presidents; Milosevic of Serbia, Izetbegovic of Bosnia, and Tudjman of Croatia. In this conflict, the Bosnian Croats, supported by Croatia and the Bosnian Muslims, represented by the President of Bosnia, had undergone numerous assaults upon its ethnic groups respectively and could with a great amount of certainty see how they would gain on the halt of the fighting. Seeing as the three-way civil war had come to a start due to the fact that Bosnia-Herzegovina had declared independence and that this independence would be obtained according to the Accord brokered in Dayton, the two actors (Bosnian Croats and Bosnian Muslims) were not to go empty handed from the negotiations.

Even though the accord, as stated above, greatly favoured the Bosnian Serbs since they were given a large scale territory that mounted the area in which said ethnic group would enjoy autonomous rule (Source?), the remaining two ethnic groups within the newly founded republic would have faced the return into the union of Yugoslavia, had they lost a war against Serbia and the Yugoslavian army. These factors combined with the fact that if Serbia and its leader Milosevic had not agreed to sign the Dayton Peace Accord, it would have faced extended and extensive military encounters with the NATO military forces. One can almost state with certainty, based upon the empirical evidence presented above, that the threat of NATO military action was both more imminent and credible, that it was four years later in the conflict of Kosovo. All in all, one might conclude that in the negotiations revolving around the civil war in Bosnia-Herzegovina, the actors involved could definitely see a mutual gain on signing the agreement. However, in the negotiations revolving around the conflict on whether Kosovo should enjoy independence or not, the mutual gain was not so clear for the actors to see. This because of the notion kept by Milosevic, that the threats issued by the United States and NATO, in his eyes, were not as credible as they had once been. Combined with the fact that in Milosevic's interest lay the keeping together of the remains of the Republic of Yugoslavia, and should Kosovo declare its independence it might trigger a wave of the independence of its province Vojvodina and the republic of Montenegro. Adding to this, the Kosovar Albanians would have, in compromising with its independence, reverted to the very same stage in which they found themselves before the violence began. This implies that it would have been immensely hard for the supervising and partaking external actors to be able to broker an accord that both parties would sign, i.e. immensely hard for the conflicting actors to see a mutual gain on compromising to the point of an accord being brokered that both parties would agree to sign. In conclusion of the first identified factor of the reason as to why the Rambouillet Accord was never signed, it depended a great deal upon the fact that Milosevic did not put any faith in the threat issued by the United States and NATO. This, combined with other reasons mentioned above, denied him the vision of mutual gain upon a compromise with the Kosovar Albanians. The lack of credibility lying with the United States and NATO is the other factor identified as a reason why the Rambouillet Peace Accord was never signed by both belligerents. This will be further elaborated on below.

The diluted credibility of the NATO military threat

In order to examine the factors that contributed to the Rambouillet Accord never being signed by both the Serbs and the Kosovar Albanians, and to furthermore attempt to present a theory

on why this could be, a somewhat close examination on both the Dayton negotiation process and the Rambouillet negotiation process has been conducted. The first result, the factor of mutual gain that might have had an impact on the outcome, was presented above. The remaining factor is, according to the facts accumulated in this research, is with high probability the dilution of NATO's and the United States' military threat. NATO publicly displayed its inability to remain stable and unified within its own ranks. One main factor that contributed to the conflicts of interests that characterized NATO's discussion revolving around whether it should deploy military troops to face Milosevic's systematic abuse of its Kosovar Albanian population was the indecisiveness of the United States. President Clinton, as mentioned earlier on in this research, lacked both the Congress' and the American public's approval to deploy any American troops in Kosovo. Combined with this notion on behalf of President Clinton, as stated previously in the empirical evidence, he was under the impression that he had learned from his predecessor President Bush's mistake in gaining U.S. casualties on his conscience and what affect that political bad-will may have on his continued political career and legacy. Now, President Clinton, as said earlier, may not have wanted to protect the extension of his own political career, but to ensure and not jeopardize the future of the presidential candidate to be, Al Gore. All combined, there were many a reasons for President Clinton to hesitate in the decision on the possible deployment of troops and military action in Kosovo against the Serbs and Milosevic. This, as also stated above, was on public display in the media, well exposed for Milosevic to see. With the uncertainty on whether there would even be a NATO military action in Kosovo, the threats issued on precisely this, parallel to the information given in the press diluting the very same threat, Milosevic thoroughly misjudged the credibility of the warning.

If one continues to apply the theory of Przeworski regarding negotiations and the positive effect of an authority as an external actor controlling the course of events, and with its potent authority making the conflicting actors comply with the compromise that is being set, then the case of Kosovo is a clear one. Seeing as this research presented the case of Bosnia-Herzegovina and the negotiations revolving around it, it might be appropriate to begin applying the theory, while comparing what went down in the two very similar cases. Although, as stated very clearly above, the case of Bosnia-Herzegovina is used merely as comparative background in order to illuminate the differences and the occurrences of relevance in the case of Kosovo.

Comparing the two cases in order to illustrate possible flaws in Przeworski's theory

In Przeworski's theory, it is clearly stated, and illustrated in practice, that the main factor that will force compliance between two arguing actors in a negotiation situation is a forceful external actor with a great amount of authority. In the case of Bosnia-Herzegovina, the negotiations were supervised by Americans and set on the American military base of Dayton, Ohio. Indirectly reminding the arguing and negotiating actors of the powers of modern warfare that lay in the hands of the United States and NATO. To that date, there had been little to make Milosevic question the credibility of a threat of military action issued on behalf of NATO and the United States. Whereas in the case of the negotiations that took place in Rambouillet, as mentioned several times previously in the research, Milosevic had, by public display of uncertainty regarding the use of military force in Kosovo, been given several reasons to question the validity and credibility of the threats issued by NATO. Not only because there was an air of indecisiveness around NATO, but also because of the great number of threats issued without any repercussions when ignored by Milosevic. The last threat issued to him, delivered by messenger Richard Holbrooke, twenty-four hours before the air bombardment of Serbia began, was like any of the other threats issued many times before. How was Milosevic to know that this particular threat was to be acted upon? Clearly, NATO had lost its credibility and thus diminished its role as an external actor with authority to make conflicting actors comply with compromises.

One further observation that has been made throughout this research is the importance of a strong military force associated with the external actor. We have seen this in the two cases thoroughly examined above. In the case of Dayton, NATO was the supervising external actor, forcing compliance upon the differing actors. This was shown to be successful in the case of whether the actors were to sign the accord or not. In the case of Rambouillet, the supervising power was mainly the EU, within which some countries (France, United Kingdom etc.) distinguished themselves as more active actors. However, the latter negotiation process was not a successful one due to certain factors speculated on above. As mentioned several times, the theory after having conducted this research is that the credibility of threats issued concerning the use of military force, is crucial when an external actor is attempting and in some cases forcing compliance upon two conflicting actors. This implies that an external actor may have a great political authority to issue threats that will have political repercussions (i.e. the European Union and the unsuccessfulness of Rambouillet), but if an external actor is to force conflicting actors to comply with compromises, it seems to be important that there is a strong military force associated with the external actor. In the case of Rambouillet, NATO

was present and its military force was used by the EU as a threat to force Milosevic to comply, but the credibility of the threat had been diluted.

These observations will be examined below, in the light of whether the research question presented in an early part of the thesis has been answered. Furthermore, the research conducted has a close resemblance to a theory-testing case study, and thus the results on whether the theory was applicable in the two examined cases will also be elaborated on below.

Conclusions

When examining the two cases in the light shed by Przeworski's theory on negotiation and compromise, and after having conducted a case study research with strong resemblance to a theory-testing one and with influences of a comparing nature, it has become clear that while many aspects of the theory passed when scrutinized, there is one clause to be added. Namely a clause that reminds the reader of the fact that an external actor of great authority, needs to have the credibility of any threats issued, intact.

Furthermore, it has been the aim of this thesis to attempt to answer the research question presented earlier on in the thesis;

- Which were the main factors that led to the Rambouillet Peace Accord never being signed, and the Serbian-Kosovar war put to an end with NATO bombardment instead?

In order to attempt to give a plausible answer to this question, or rather a suggestion on what the factors might be, it has been this thesis' course to conduct a somewhat comparing case study with theory testing elements. The case study has also been characterized by Mill's method of difference, in its choice of two cases that initially gives the impression of being very similar to one another. This, among other reasons, due to the fact mentioned above in the research, that many of the negotiating actors were the same in both cases, and that the conflict revolved around a declaration of independence from the Republic of Yugoslavia. Seeing as many factors seem to be very similar but that the outcomes however, were in vast contrast to one another, one or several factors had to be identified as differing factors. These were the very same factors referred to in the research question, preciously mentioned.

Thus, after having presented a discussion revolving these factors in the analysis above, a suggestion as to which these factors may be will be presented as an answer to the question.

Firstly, one factor that, after having conducted this comparative case study, is believed to be the lack of mutual gain on a compromise, seen from the negotiating actors' point of view. This in contrast to the mutual gain that the negotiating actors in the case of Dayton, Ohio, could envision.

Secondly, another contributing factor to the outcome in the case of Rambouillet, is believed to be the fact that the credibility of the threats issued by NATO and the United States regarding the use of military force against Milosevic and Serbia, had been diluted. The reason for its dilution was the numerous threats issued without any repercussions when ignored by Milosevic, and also the very public discussion revolving President Clintons uncertainty on whether American troops were to be deployed in a military action against Serbia.

Suggestions on topics for further research

Seeing how this thesis only was to explore which main factors that might have contributed to the fact that the Rambouillet Peace Accord was never signed by both belligerents, there are several other aspects of this subject that would be immensely interesting to explore. For example, this research uses the theory of Przeworski regarding the use of an external actor as an authority in a negotiation. Here it might be interesting to conduct a normative research on whether we need a "world police" to sort out our differences. As discussed, the supervising actor during the Dayton negotiations was the United States backed up by NATO. During the negotiations in Rambouillet however, the supervising actor was the European Union, without a grand and united military force and supposedly backed up by NATO, whose military threats had been diluted. So one can normatively ask oneself, do we need a "world police"? Or, perhaps even more interesting and contemporary; does the European Union need to form a unified army?

Another interesting angle of a research conducted with this thesis as background material might be the role played by Russia. As mentioned in the empirical evidence, Russia, as a member of the Security Council, refused to approve the military actions taken by NATO and the United States against Serbia. The reason for Russia's refusal of approving the military mission might have been the fear of Chechnya declaring independence as well, and that the endorsement of Kosovo's declaration of independence would send the wrong signals.

However, Russia, together with the United States, did issue a joint statement urging both the Serbs and the Kosovar Albanians to halt the fighting. Therefore, it would be equally interesting to explore further on the somewhat unobtrusive role played by Russia during the conflict and negotiations of Kosovo's independence.

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