

The Consequences of Kosovo

The humanitarian catastrophe in Kosovo has been contained by the international ground intervention initiated in June, and for the immediate victims, that is a vital accomplishment in the most literal sense of the word. It is also a precedent of considerable promise for the Balkan region and for many other parts of the world afflicted with endemic communal violence. The full consequences of this episode are still to be determined, however, and the prospects of a constructive outcome are seriously endangered by reverberations that have not yet been acknowledged let alone mastered. It is prudent to assume that the violence inflicted and the resentment implanted have put the viability of coherent government into question throughout the area and that political reconstruction will require an effort well beyond anything yet designed. It is quite evident that NATO's bombing campaign crystallized a sense of threat in Russia likely to affect the massive internal transformation occurring there, and Russia's acute sensitivity is reflected in quieter form throughout the world. The engagement of the most capable alliance with a small dissident state is necessarily a matter that commands global attention. General lessons will be drawn from this experience. The fundamental conditions of international security will be reshaped as the extended outcome unfolds.

It is of course difficult to discern what the extended outcome will be five years or a decade hence. A judicious combination of humility and courage is undoubtedly the prime qualification for attempting such a judgment. For those who dare to try, however, there are plausible grounds both for hope and for fear. A broadly constructive outcome to the Kosovo episode is conceivable, but it will require some remedial correction of the egregious mismatch between ends and means that threatened the NATO operation right up to the point that it succeeded. That in turn will require the most difficult of political feats – a recognition

by the immediate victors of their own contribution to the catastrophe. Alternatively a cascading disaster is also conceivable, particularly if the ever powerful impulse for belligerent self-justification overcomes the practical interest in refined accommodation. It is customary in these situations to assume that results will fall somewhere in the murky middle, as does frequently happen. But in attempting to understand what has already occurred and to shape the extended outcome, it is important to explore the coherent edges of the situation before attempting to contend with its bewildering and demoralizing ambiguities.

Developing a Constructive Outcome

The document that now provides the legal basis for intervention in Kosovo, UN Security Council resolution 1244, proclaims that violent displacement of the civilian population is a threat to international peace and security and thereby enables the assertive use of force under Chapter VII of the Charter. It specifically authorizes both an international military »presence« in the province and an international civil administration, in effect imposing comprehensive international authority in Kosovo to be exercised until an indigenous government can be established on the basis of legitimate consensus. Under the terms of the resolution all armed units within the province are to be effectively subordinated to international authority, and all segments of the population are to be given equal protection. The nominal sovereignty of Yugoslavia is acknowledged in principle, but the actual exercise of it has been categorically and indefinitely suspended.

Those provisions represent an assertion of international responsibility going well beyond the standards of recent decades. If the international community had been willing to assert such decisive

responsibility earlier, many lives could have been spared and much of the social devastation prevented. If the principle is to be effectively enacted from this point forward and especially if it is to be extended to other instances, then its implementation clearly will require greater refinement than has accompanied its emergence. Resolution 1244 provides the foundations for a broadly constructive outcome, but the actual result is still to be achieved.

The unusually assertive features of the resolution indicate that there has been a significant evolution of international attitudes over the course of the crisis. Prevailing opinion in most societies seems to have registered the systematic brutalization of civilians in Kosovo as a significant threat to their own well-being and seems to have absorbed the implication that minimum essential features of human civilization must be defended everywhere if they are to be preserved anywhere. Certainly the major governments did in the end endorse a greater degree of involvement than they were willing to accept a year ago. Even China, provoked by the bombing of its Belgrade embassy and clearly alarmed by any doctrine of international intervention, withheld its potential veto. And even rabid isolationists in the United States Congress did not make any major attempt to contest what promises to be a very lengthy commitment. It is perhaps too early to declare that apparent shift in sentiment to be an enduring accomplishment, but it does suggest that a new stage of political consciousness may be emerging. If the basic principle of international responsibility is in fact accepted, then a more penetrating understanding of its implications might follow.

It might be possible to question, for example, whether the radical breakdown of legal order in Kosovo was so exclusively the work of Slobodan Milosevic that he can be assigned the preponderant blame. Convenient as it is to have a central demon to prosecute and guilty of criminal brutality as Milosevic does appear to be, the dynamic of violence that has engulfed Kosovo has almost certainly been generated by much more extensive causes. He could have prevented the social disaster that has occurred had he pursued policies of political accommodation rather than divisive repression extending back over a decade. The international community might have induced such poli-

cies had it made a dedicated effort to do so throughout the Balkan region. But those possibilities have long since been forfeited. The amount of violence that has been inflicted and the massive grievances that have accumulated have generated an endemic pattern of conflict defined in ethnic terms that is almost certainly beyond the capacity of any of the indigenous leaders to control with the means at their disposal.

Particularly for future reference, it is important to question whether it was appropriate to conduct a bombing campaign for the purpose of securing Milosevic's permission to enter Kosovo. From the outset there was never any reasonable prospect that air bombardment could protect the civilian population. The process of intimidation and expulsion to which they were subjected was conducted by small units whose most relevant actions could not be detected by remote observation and at any rate were too intricately interspersed with their victims to be controlled by that means. Even at the highest standards of feasible performance, air power cannot be directly applied to the fine scale of violence entailed, and the commitment to use it therefore required the indirect theories of effect that were applied – the general assault on the military establishment and civilian infrastructure of Yugoslavia rationalized as coercive pressure on the political leadership. Previous efforts of that sort have never been rapidly decisive and have always produced substantial social damage of their own. Since this one culminated in acquiescence, it is being hailed by those who conducted it as an exception, but that judgment will assuredly be contested in retrospect. The general bombing campaign did a great deal of damage but did not have any apparently decisive physical effect and appears to have done more to rally than to undermine immediate political support for the Milosevic government, as has happened in most previous instances. Agreement on resolution 1244 came at a moment when the air campaign was inflicting its highest levels of damage in Yugoslav units in Kosovo, but that was enabled by the fact that KLA ground operations had forced concentration of their forces. Moreover, NATO at that moment was observably beginning to contemplate a ground operation of its own, and that prospect is an alternative explanation for the timing of Milosevic's acquiescence. As an issue of fact, it is a fair pre-

sumption that air bombardment intensified the danger to Kosovo's population in the initial stages and it is not evident that it actually achieved the eventual agreement. As an issue of principle, it is highly questionable whether that agreement would justify the air campaign even if it were assigned full credit. In effect, the air operation accepted civilian casualties to prevent military ones and did so at an implicit rate of 1000 to 1 or even more. That is not a practice that could ever be resumed in Kosovo or defended in any other instance.

If it is admitted that blame cannot be encapsulated and that the result so far achieved is not a triumph of air power but a failure of prevention, then it is more likely that the hard realities of the situation will be acknowledged and some serious efforts made to respond to them. The burden of restoring a shattered civil order in Kosovo will primarily fall on the international community for an indefinite period of time and that burden will have to be carried in comprehensive and equitable detail. There is no political formula currently available that could plausibly generate a consensual government. It is emotionally and politically tempting to impose the claims of the victimized Albanian majority on the Serbian minority heavily implicated in violence, but that is not a means of stable reconstruction. The neglect of minority rights has been a consistent theme in all the violent episodes that have accompanied the breakup of Yugoslavia, and it would be inexcusable to reiterate that failure. The international military force in Kosovo and the civil administration associated with it will have to accept primary responsibility for assuring that police functions, public services and judicial processes are all performed in an effective and equitable manner and will not be able to devolve that responsibility to an indigenous government until the political basis for it is reliably established.

The necessary conditions, moreover, involve a great deal more than physical reconstruction and the safe return of refugees. The genesis of the conflict, it must be presumed, has a something to do with the endemic austerity and economic isolation of the entire region, and reliable regeneration of civil order will require substantial improvement in those chronic conditions. Indeed an outcome that is truly constructive in the sense that more good than harm is eventually done depends primarily on

overcoming the historical separation of the Balkan region from the rest of Europe. Such an effort would have to be organized and financed on an international basis. The communities emerging from the Kosovo crisis will not themselves have adequate resources for reconstruction on that scale. They will require debt relief and new credit, but even more they will need much greater market access than has ever been granted to the Balkan region.

One can take some hope in the fact that the theme of economic reconstruction appears in the background documents incorporated in resolution 1244. A »comprehensive approach to the economic development and stabilization of the crisis region« was one of the seven general principles advanced by the G-8 foreign ministers in a statement that was attached to the resolution. But obviously it remains to be seen whether that theme will be developed to the unprecedented extent that a truly constructive outcome would require.

Understanding the Deeper Dangers

On the pessimistic side of the spectrum, the most common speculation about how the disaster in Kosovo might be compounded centers, naturally enough, on the immediate region. It is all too readily imaginable that a massively aggrieved Albanian diaspora not successfully settled back into Kosovo might introduce into the Balkans some variation of the extended pattern of conflict associated with the displacement of Palestinians in the Middle East. It is also conceivable that the two situations might reinforce each other, might be mutually reinforced as well by the Kurdish insurgency in Turkey and Iraq, and might in combination infect the entire area with an endemic level of violence that would virtually preclude stable democratic government in most of the affected states. That in turn might so inflame the many interstate tensions within the region that the entire situation becomes a constant source of communal violence with periodic outbreaks of active warfare – a political equivalent of the AIDS epidemic. None of the security policies currently in effect or currently being contemplated could be expected to cope with that situation.

But unsettling as that possibility certainly is, it is not the exclusive danger and probably not even the predominant one. The potential effects on Russia are yet more ominous simply because the situation in Russia is itself more ominous even though it is less immediately visible or at any rate less explicitly recognized. That is not because a general Balkan conflagration is likely to spread directly to Russia or because Russia could be expected to be aggressively involved in it. Both of those things could occur, but they would probably be marginal complications of the Balkan problem. The much greater danger is that the Kosovo crisis might so thoroughly entrench a siege mentality within the entire Russian political system and so decisively preempt policies of constructive engagement that the internal crisis within Russia itself reaches explosive proportions.

The path to comprehension of that problem begins with appreciation of some very stark economic facts. The aggregate Russian economy is extremely small for a society of 150 million people. Annual GDP is on the order of \$165 billion at current exchange rates, and it has declined by roughly half over the history of the Russian Federation. That process of decline is driven by deeply ingrained structural defects that have not even been measured let alone addressed by any reform program yet developed within Russia or anywhere else. The limited segment of the economy that produces products of economic value under international market conditions – largely oil, gas and other resource commodities – is being utilized to sustain a larger component of the manufacturing sector whose products are less valuable in economic terms than the resources they consume. That practice, which has been systematically preserved through a pattern of barter trade, protects nominal employment and the many basic community services traditionally provided by manufacturing enterprises and is politically compelling for that reason. It does not generate productive investment, however, and it retards rather than facilitates the adjustment to market discipline necessary to support such investment. The longer it is sustained the more ruinous it will be in economic terms. At some point, presumably, a natural limit would be reached where the minimum requirements of economic subsistence could not be met and the fundamental elements of social

coherence would come into question. There is no guarantee and in fact no reason to believe that such a limit would automatically produce a process of productive regeneration without conscious design.

The Russian government embedded in this situation quite simply does not have the financial resources to perform any of its basic functions, and no amount of political will or procedural reform could alone provide them. Its nominal budget for the current year is 500 billion rubles – the equivalent of \$20 billion at current exchange rates. Cash tax receipts are currently running at an annual rate somewhere between \$8 and 12 billion. Debt service requirements alone are \$17 billion for the year. There is no prospect that those debt requirements or any other major obligation can be met. As a result of that evident fact Russia is effectively severed from access to any new international credit.

The consequences for the military establishment are extreme. It does not have adequate financial resources to perform any of its traditional security missions and is being subjected to an inexorable process of internal decay that brings its basic ability to preserve internal coherence into question. The limited forms of international collaboration in which it participates do not provide any material assistance in performing its core missions or any reliable assurance that those missions would not have to be performed. It stands in implicit confrontation with an expanding NATO, and most of its embryonic mechanisms of cooperation with the alliance have been suspended in reaction to the air campaign against Serbia. That campaign was received as evidence of a stark threat to Russia itself, and it is quite unrealistic to imagine that any amount of diplomatic visitation or rhetorical reassurance could overturn that impression. In Russia's reading of the historical record, NATO has reneged on political promises not to expand eastward after German unification and not to initiate offensive operations outside of its treaty area. That perceived record of betrayal will effectively eliminate for quite some time the ability of NATO to provide credible reassurance to Russia.

It is reasonably predictable that Russia will attempt to enhance its military investment in response to the Kosovo episode. That will almost certainly be seen as a security imperative

and probably presented as strategy of industrial development as well. It may well put the entire process of formal arms control into indefinite suspension. In suitably modest form that reaction might well have a helpful settling effect within Russia by preventing more extremist reactions, but it involves two major longer term dangers. Russia is even less able than was the Soviet Union to support active military confrontation with the rest of the world. A sustained effort to do so could readily preempt the very extensive form of economic engagement that clearly will be necessary to extract the country from its deep and enduring economic crisis. And yet more ominously a military investment program operating under severe financial restriction can be expected to put heavy reliance on nuclear weapons to cover not only core deterrent functions but also the major missions normally assigned to conventional forces. That in turn would further entrench the inherently unsafe operational practice of depending on rapid reaction to attack warning in order to compensate for physical vulnerability of the deterrent force. Those developments would make the pattern of military deployment in Europe a great deal less benign than has been commonly assumed over the past decade – not because of any impulse for aggression but rather for the far more serious reason that the extreme desperation of one side is not comprehended by the other.

Extracting the Lessons

As best anyone can yet judge, the ultimate consequences of the Kosovo crisis are still to be determined and will depend upon actions yet to be taken. The meaning of the event will be much more apparent in retrospect and emotionally easier to absorb than it is at the moment. One cannot postpone the effort to extract major lessons, however, since that will necessarily be a guiding feature of the efforts that must be made to devise a tolerably safe and reasonably constructive result. And the most fundamental of the lessons, it is immediately important to recognize, have to do with the scope of responsibility and the determination of interest – the underlying themes reflected in resolution 1244.

A disaster of the magnitude that has occurred in Kosovo inevitably evokes the ever powerful

human instinct to assign blame and to indulge in recrimination. Fearing that instinct, all those who might be said to be responsible are currently very eager to deflect preponderant blame and to promote an interpretation of the event that enables them to do so. To the extent that the violence in Kosovo can be attributed to the individual criminals who clearly have been at work there and to historical animosities indigenous to the local cultures, the burden can be lifted from everyone else who has been involved. The deeper truth, however, is that there is plenty of blame to be shared. Massive crimes have occurred because there has been a systematic failure of prevention just as epidemics of infectious disease occur when there is a breakdown in public hygiene. Containing the catastrophe in Kosovo is closely related to determining what would have avoided it.

Even without the full power of retrospect, there is ample evidence available to address that question. The egregious brutalization of the Kosovo population has had many recent precursors within the region and throughout the world. The artillery assaults on Dubrovnik and Vukovar in 1991, the systematic expulsions conducted by all the ethnic communities in Bosnia from 1992 to 1995 and the mass execution of Muslim men by Serb militia in Srebrenica in 1995 set direct precedents, with some of the same people involved. The genocidal slaughter of the Tutsi population in Rwanda in 1994 demonstrated the danger on a yet greater scale. The members of NATO and of the international community generally tolerated these actions, were implicated in them and ratified the results despite the fact that in every case, it is now recognized, there was sufficient immediate warning of the incipient violence to have been able to prevent it. The level of effort and degree of risk entailed would not have been greater than that incurred in reacting belatedly to the consequences. Moreover all of these episodes emerged after a lengthy process of internal social deterioration that could have been substantially mitigated had the resources eventually devoted to reaction been provided in anticipation. The strong international interest in preventing massive communal violence eventually surfaced in reaction to these events but not until it was too late to act effectively.

If we are to avoid an indefinitely continuing repeat of that misjudgment, it is vitally important

that this interest be more assertively formulated and more effectively defended. In a spontaneously globalizing economy with intensifying interactions across cultures and an inexorable diffusion of technology, common standards of law are of truly critical significance. They are the only plausible means of preserving fundamental order in a world that assuredly will not have any other form of comprehensive government any time soon. By their very nature the common standards able to provide this organizing effect would have to be equitably applied across all differences of culture, history, ethnicity, national sentiment or any other human distinction, and they would have to be assertively defended on a global basis. There is scope for reasonable argument about the content of such standards but not about the murder, rape, robbery and arbitrary expulsion that has occurred in Kosovo. Such actions are not consistent with any legitimate claim to sovereign authority and present a severe practical threat to the international community as a whole. It is a compelling international interest to restore them whenever they have broken down to the extent that they have in Kosovo, and for that reason it is a compelling interest as well to act both in immediate and in more distant anticipation of such a breakdown.

Realistically it would require extensive and time-consuming effort to work out all the detailed specification that would have to accompany a doctrine of assertive international responsibility for fundamental legal standards. Obviously the world as a whole is at best at an early stage of that effort. But for exactly that reason it is important to recognize that the intervention in Kosovo is an occasion for intensifying that effort and that Russia is an even more critical venue. As a practical matter, most of the current citizens of Europe can reasonably expect to survive whatever ultimately happens in Kosovo. They cannot afford to be so assured about whatever happens in Russia and cannot consider current efforts there to be even remotely adequate.

Practical Aspirations

It is not plausible to expect that a decisively constructive outcome could be fashioned rapidly in either case. The level of political leadership and the

degree of public responsiveness that would be required have not been demonstrated over the lengthy gestation of the overall crisis, and such qualities do not appear without notice. A stable political settlement in Kosovo, a credible program of economic engagement with the Balkan region and a comprehensive economic and security program for Russia all undoubtedly lie beyond a five-year horizon. But fortunately there is also no obvious reason to believe that the situation will generate some violent explosion of volcanic proportions within that time. The larger opportunities and the major dangers both appear to be longer term matters. There probably is time to rise to the occasion.

The evolution of the international operation in Kosovo will inevitably be an immediate test of major significance. If the operation is primarily concerned with minimizing the immediate effort and perceived risk for those who conduct it, then it might well gravitate to some implicit partitioning of the province despite the current denial of that intention. That method would allow the intervening force to concentrate its efforts on maintaining the boundaries of separation between Serbian and Albanian communities and to limit its involvement in their internal affairs. It is the primary method that has in fact been applied in Bosnia, despite the nominal vision of a unified state advanced in the Dayton agreement, and it is quite explicitly the method used since 1974 to control conflict between the Greek and Turkish populations on Cyprus. The record, as most would read it, suggests that a minimized effort of that sort does control active communal violence, but it does not provide for social reconstruction and it must be indefinitely sustained. One can argue that an effort of that sort in Kosovo would be sufficient to provide immediate relief for the Kosovars and to contain the worst dangers of a regional conflagration, but it is very dubious that it would provide the basis for a constructive trend. Such a result would have to be welcomed but is hardly an occasion for celebration. As with many things, immediate effort can only be minimized at the cost of longer term risk.

In the admittedly less probable event that immediate intervention in Kosovo is systematically conducted with longer term reconstruction in mind, as the G-8 statement suggests it should

be, then it must not only preserve the nominal administrative integrity of the province but must assertively promote direct engagement and consensual collaboration between the communities rather than their functional separation. That specifically means suppressing the militia leaders on both sides, who can be counted on to assert themselves as aggressively as they are allowed, while actively recruiting the more accommodating personalities who are generally the political victims of a violent conflict. That would unquestionably involve a more intrusive effort of greater scope – not merely the patrolling of a cease-fire line but the assertive reconstruction of an integrated civil order. Thus a dedicated program would have to be undertaken to replace damaged infrastructure, both private homes and public services, on an equitable basis across the ethnic divisions of the population. Similarly the critical matter of re-establishing police functions and the judicial process in which they are embedded would have to be accomplished on a reliably equitable basis. The principle and effective practice of equitable management would be as important as the direct results of pacification and reconstruction. In order to conduct a more expansive effort of this sort the intervening parties would undoubtedly have to develop an appropriately refined distinction between the international responsibility to protect universal legal standards and the indigenous right to determine sovereign authority. In that sense the exercise would be more demanding. In terms of actual resource commitments and risk over time, however, a more expansive exercise can plausibly claim to be less costly. The difference between an effort that is imagined to have minimal requirements and one that is more demanding in its aspirations is largely conceptual. The latter clearly entails higher standards and a more advanced form of political consciousness, but it can certainly be expected to save lives and probably money as well. An intervention of this more expansive sort is much more likely to set a constructive trend that would eventually enable it to be phased out.

As for the yet larger matter of reassuring Russia, perhaps the most important immediate aspiration is simply that of setting a credible rule that henceforth remote bombardment of the sort undertaken by NATO against Yugoslavia can only be undertaken by explicit authorization of the UN

Security Council. The initial NATO operation was not an acceptable exercise of the right of self defense, even though the objective in question can be said to fit that category. It is truly imperative for all the members of NATO, the United States foremost among them, to align their collectively predominant military capacities with international standards of legal procedure. Otherwise they will create incentives for the development of countervailing capabilities that could be extremely dangerous over time. Again, acts of desperation are far more dangerous to the dominant alliance than the massive acts of deliberate aggression it was originally formed to prevent. If the alliance is to do more good than harm, then it must come to understand that basic fact better than it currently does. ◀