Fair-Weather Friend:
A Critique of the Humanitarian Intervention Norm in U.S. Foreign Policy

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Introduction

The evolution of the international political environment since the end of the Cold War has brought about substantial changes in the conceptualization and practice of humanitarian intervention. The end of bi-polar tensions between the United States (U.S.) and the Soviet Union removed systemic constraints on international intervention in foreign affairs. Although firmly embedded in existing international law, the concepts of state sovereignty and non-intervention have been somewhat displaced in favor of norms pertaining to the protection of individual rights, particularly among liberal, western states. The proliferation of humanitarian norms and the inefficacy of the United Nations (U.N.) have placed the impetus on the U.S. to respond to humanitarian crises through multilateral intervention. With the string of humanitarian crises in the 1990s, including in Iraq, Rwanda, Somalia, the former Yugoslavia (Bosnia), Haiti, Liberia, Kosovo and Sierra Leone, the norm of humanitarian intervention has become one of the principle concerns of the 21st Century.

The need for decisive action in the face of wide scale humanitarian crises has sparked normative and empirical debates over the legality, utility and morality of humanitarian intervention. The tension between the principle of state sovereignty and evolving international norms has led to an incoherent and inconsistent response by the international community. The circumstances in which states should take coercive action to protect foreign populations have been clearly defined, but to little effect. Why did capable states, such as the US, neglect the genocidal violence in Rwanda or Darfur, but take action against the perpetrators of violence in Kosovo and Libya? The selectivity with which the US intervenes in humanitarian crises provides insight into the nature of its foreign policy and the agency of
the humanitarian intervention norm. U.S. action is determined by the influence of competing norms, and the purpose of this paper will be to ascertain whether the norm of humanitarian intervention has been internalized in US foreign policy during the post-Cold War period.

The study of norm development in this paper is based on a wealth of theoretical work by scholars such as Martha Finnemore and Kathryn Sikkink. The process of norm internalization is based on their norm life-cycle model, which I have applied here to the emerging norm of humanitarian intervention. The analysis of the internalization of humanitarian intervention in this paper is based on four principle investigations of U.S. foreign policy: (1) the institutionalization of the norm and the extent to which the US has obligated itself to participate in humanitarian intervention; (2) the U.S.-led NATO intervention in Kosovo; (3) U.S. inaction during the Darfur crisis; (4) and the implications of the U.S. drone campaign in Pakistan. These cases provide a useful forecast for future U.S. foreign policy, and suggest that U.S. humanitarian intervention will continue to be selective, but not necessarily unpredictable.

The moral prerogative to protect foreign populations in crisis has frequently been overshadowed by self-interest, which is a major determinant of U.S. action. Principles of moral responsibility towards foreign populations are inherently vulnerable and must be reinforced by international and domestic law; instead, legislation in this area has been largely nonexistent. Thus, the norm of humanitarian intervention has had limited influence and is only partially internalized in U.S. foreign policy. Without the implementation of sanctions to enforce this norm, the American response to international humanitarian crises will continue to be discriminatory.
The act of intervention is defined quite broadly as interference into the affairs of a sovereign state, but the subcategory of humanitarian intervention requires a more comprehensive definition. For the purposes of this paper, humanitarian intervention is defined as “military intervention with the goal of protecting the lives and welfare of foreign civilians.”¹ Within the framework of this definition, humanitarian intervention specifically involves the use of military force to assist foreign populations. Humanitarian intervention is often conducted in the absence of permission from the target state, which has led to controversy over the violation of international law under the U.N. Charter. This classification cannot be confined to cases in which there has been explicit U.N. authorization for action, and in many instances, humanitarian intervention is conducted without legal mandate. The question of agency also requires some further clarification: humanitarian intervention can be carried out by a multilateral coalition of states or by a single state, acting unilaterally. Intervention is always motivated to some extent by national interest, but when humanitarian concerns are being addressed, the intervention may be defined as humanitarian.² Therefore, this type of intervention is not dependent solely on humanitarian motives, but also on humanitarian outcomes.

The role of human rights and humanitarian norms is central to any explanation of policy decisions concerning mass atrocities cases, including the use of force. Recently, humanitarian intervention has been justified by the argument that sovereignty implies responsibilities as well as rights. Where a state fails in the responsibility to protect its citizens, either through incapacity or ill-will, a secondary responsibility falls on the international community. The 1999 U.S.-led intervention in Kosovo was conducted without

authorization from the U.N., classifying it as a violation of state sovereignty and illegal under international law. Nevertheless, the international community viewed the NATO intervention as legitimate due to the widespread ethnical violence suffered by the Kosovo Albanians, and the inability of the U.N. Security Council to come to any agreement. The remainder of this introduction will focus on the methods through which I will analyze the norm of humanitarian intervention in U.S. foreign policy.

In the first chapter of this paper, I study the existing literature on norm development. These theories of norm proliferation detail the processes through which norms become embedded in domestic policy, and the conditions that are required for their success and longevity in an environment of competing interests. There is also a substantial base of literature dedicated to the mechanisms through which norms affect state behavior, which forms a crucial connection between norm theory and policy. Theories of norm empowerment form a concrete foundation for my argument, but fail to show how specifically norms have been institutionalized, and whether the norm of humanitarian intervention has been fully embraced in U.S. foreign policy.

A primary indicator of norm internalization is the degree to which it has been institutionalized in international and domestic law. In the second chapter, I approach the question of internalization by determining the extent to which the US is accountable to the international community and has obligated itself to humanitarian intervention in cases of mass atrocities. These modes of international legislation include the U.N. Charter, the U.N. Convention on Genocide and the World Summit Outcome document, all of which the U.S. is committed to on paper. I also examine the domestic legislative and institutional response to humanitarian crises by the Bush and Obama administrations. The following cases studies
show the selectivity with which the U.S. responds to humanitarian crises, and offers insight into the motives behind such discriminatory foreign policy.

The three case studies of intervention present in this paper represent a time period roughly from 1998 to present day. This extensive coverage offers a distinct advantage when assessing the internalization of humanitarian intervention, and importantly includes the post 9-11 “agenda-setting” period. In Research Design and Expectations, I establish the major independent variables present in American decision-making processes for the first two cases: public opinion, economic situation and international pressure. The dependent variable is the congressional response, and the development of US policy towards foreign humanitarian crises.

The first case is that of the U.S.-led intervention in Kosovo. From March 24 to June 10, 1999, Operation Allied Force was conducted by U.S. forces and NATO, with the intention of protecting Kosovo Albanians from ethnic violence perpetrated by Serbian forces. Although this revolutionary intervention was carried out in the absence of a U.N. mandate, it is impossible to establish a correlation between the intervention and the strength of the humanitarian intervention norm in U.S. politics; the conditions in which the U.S.-led operation took place were mostly favorable, and motivated to some degree by self-interest. The case of Darfur provides an excellent comparison case to determine whether causation is indeed the internalization of the humanitarian intervention norm.

The crisis in Darfur was similarly the result of widespread violence between two domestic ethnic groups, spanning from 2003 to 2010. The U.S. consistently reaffirmed its position against the actions of the Government of Sudan, going so far as to label the mass atrocities as acts of genocide. However, in this case, policy did not translate into practice and
the U.S. took no decisive action to protect the civilians of Darfur. The selectivity of U.S. humanitarian intervention here shows that the norm operates in an environment of competing national interests that are important factors in U.S. foreign policy.

Finally, I have included an extrinsic test case, in the current U.S. drone campaign in Pakistan. This intervention is clearly motivated by security concerns, rather than as a response to humanitarian crises. Nevertheless, it provides some useful insights into the influence of humanitarian principles, with significant implications for the internalization of humanitarian intervention.

Norm internalization is an extremely nuanced and convoluted concept that requires a wholistic and multi-faceted assessment. The norm of humanitarian intervention has received much attention in the post-Cold War period, and it is important to ascertain the role it has had, and will continue to have in American responses to humanitarian crises. The analysis of this paper delves deep into the motivations behind U.S. foreign policy to answer the question of whether the norm of humanitarian intervention has been embraced in both policy and practice.
I: Literature Review

The literature discussed in this chapter provides essential perspective on the process of norm internalization. In order to successfully evaluate the humanitarian intervention norm, it is necessary to first understand the processes of norm development, and the conditions through which norms achieve prominence in domestic and international politics. I review in detail theories on the influence of normative concern in policy formation, and the mechanisms through which norms affect state behavior. In the final section, I briefly examine the contentious literature on humanitarian intervention, which contextualizes this act as an emerging norm in international relations.

Contextualizing Norms within Political Theory

A norm is generally defined as “a standard of appropriate behavior for actors with a given identity.” The meaning and utility of this definition, however, is dependent on the theoretical lens through which it is viewed.

The current debate on the significance of norms in the international community has centered primarily around two extreme schools of thought: rationalism and constructivism. Rationalism, which attributes much of the realist characteristics of the state system to its theory on international relations, argues that states operate through cost-benefit analyses defined by self-interest. “Reasons of state” prevail over norms due to the decentralized nature of the international system, the “sanctionless nature of much of international law” and the

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3 Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change". Theories of International Relations, 2008. 892
relative weight of nationalism and sovereignty.\textsuperscript{4} Thus, states comply with international norms when it suits their interest and violate those same norms when they conflict with self-interests. There may be instances in which normative values align with state interests but in these cases, conformity to these norms is purely instrumental. This position, however, does not offer a satisfying answer for situations in which there is state action without any discernible material interest. There are various examples of states acting on norms or constrained by norms despite the utilitarian value of violation, which show that norms play an independent role in foreign policy behavior.\textsuperscript{5}

Situated between the extremes of rationalism and constructivism, neoliberal institutionalism similarly propagates an anarchical state society constituting selfish actors, but acknowledges that norms have some constraining power. Norms are seen to facilitate market efficiency and therefore are by definition compatible with interests. Constructivist scholars place a more intrinsic worth on norms in the international society, grounded in the “logic of appropriateness,” whereby states take cues from the social environment to determine how to behave and what interests and identity to claim.\textsuperscript{6} This form of norm “socialization” is presumed to operate through: (1) the emulation of other, successful states; (2) praise by states and other actors for conformity; (3) ridicule for deviation; (4) diplomatic and economic pressure to “induce norm breakers to become norm followers.”\textsuperscript{7} However, constructivism is ill-equipped to provide an explanation for the instances in which states do participate in war and chose to violate basic human rights. There are three main problems with this “norm socialism” approach: (1) the broad claims of structural variables and

\textsuperscript{4} Vaughn P. Shannon, "Norms are what states make of them: the political psychology of norm violation." \textit{International Studies Quarterly}. 2000. 296.
\textsuperscript{5} Shannon, “Norms are what states make of them: the political psychology of norm violation.” 296.
\textsuperscript{6} Ibid, 297.
\textsuperscript{7} Finnemore and Sikkink, “International Norm Dynamics and Political Change.” 902.
subsequent inability to account for deviations; (2) the assumption that norms are clearly defined and commonly understood by actors; and (3) the focus on norms as decision shortcuts, to the exclusion of other possibilities.\(^8\)

Scholars agree that the tendency to oppose norms against rational choice is not conducive towards explaining the decision making process of critical actors.\(^9\) Actors strategize rationally to reconfigure preferences, identities and social context, such that “rationality cannot be separated from any politically significant episode of normative influence or normative change, just as the normative context conditions any episode of rational choice.”\(^10\) An interactionist perspective, whereby “motivated yet accountable agents pursue goals with an eye towards what is acceptable according to the prevailing social structure,” is an example of such a middle ground or centrist approach.\(^11\) Finnemore and Sikkink propose that the cost-benefit analysis of norm-violation or adherence, and the extent to which norm-based behavior is driven by choice or habit, is determined by the stage of the norm’s development. They propose a three-stage norm life-cycle as framework for this evolution. Each stage in this life-cycle is characterized by different actors, motives and mechanisms of influence to provide a more wholistic explanation for the state decision making process.

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\(^8\) Shannon, “Norms are what states make of them: the political psychology of norm violation.” 297.
\(^11\) Shannon, “Norms are what states make of them: the political psychology of norm violation.” 298.
The Norm Life-Cycle

Stage I: Norm Genesis

In this first stage, norms are generated through two primary mechanisms: norm entrepreneurs and the organizational platforms from which entrepreneurs act. Norms must be actively built by agents who promote appropriate or desirable behavior, initially within their immediate community and if successful, on a national scale. With respect to humanitarian norms, it is often the pressure applied by norm entrepreneurs and non-governmental organizations (NGOs) that leads to policy reflecting humanitarian interests. Norm entrepreneurs must conduct intense campaigns by identifying a problem, specifying a cause, and proposing a solution, all with an eye towards producing procedural, substantive and normative change in their area of concern. While the hegemon may be the most influential

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13 Ibid, 896.
actor in international norm proliferation, the role of the individual in domestic norm socialization is indispensible; for example, Nelson Mandela’s role as the driving force in the South African anti-apartheid campaign.

Organizational platforms serve as avenues through which norms may be promoted. These may be organizations that are constructed specifically for the purpose of advocating a particular norm, or a wider set of interests. These organizations rely on the influence of expertise and information to change the behavior of critical actors. “Norm entrepreneurs and the organizations they inhabit usually need to secure the support of states to endorse their norms and make socialization a part of their agenda.” They are rarely able to coerce state participation, which reflects the state-centric nature of the international community and calls into question the agency or such norm-promoting organizations. In order to explain why some norms thrive and other die, Finnemore and Sikkink turn to an examination of the conditions that are required to foster ‘norm cascade’ or the global socialization of a normative value.

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16 The definition of a ‘critical state’ will vary from issue to issue. Here Finnemore and Sikkink define a ‘critical state’ as a state in which the achievement of the substantive norm is compromised. States may also be considered to be critical due to their military, economic or moral stature. Finnemore and Sikkink, “International Norm Dynamics and Political Change.” 901.
17 Ibid, 900.
Stage II: Norm Cascade

At this second stage in the norm life-cycle, states begin to adopt new norms more rapidly without significant pressure from domestic movements. Instead, the primary agents for change are international and transnational organizations. A critical mass of states must become norm leaders and adopt new norms in order for the norm to reach the threshold of cascade. “Empirical studies suggest that norm tipping rarely occurs before one-third of the total states in the system adopt the norm,”\textsuperscript{18} but the caliber of states that accept the norm is also of consequence. Scholars such as Stephen Krasner suggest that compliance will be greatest when international pressure is applied by the hegemonic state and the target state is relatively weak.\textsuperscript{19}

Finnemore and Sikkink argue that “the primary mechanism for promoting norm cascade is an active process of international socialization intended to induce norm breakers to become norm followers.”\textsuperscript{20} Socialization can develop through emulation, praise and ridicule, which are manifested through diplomatic approval or censure, and reinforced by material sanctions and incentives.\textsuperscript{21} Although the rhetoric coercion is evocative of realist theory, socialization often occurs for reasons that are tied to the legitimacy of states as members of the international community.

At this stage, enough critical states have endorsed the norm that appropriate state behavior is redefined and compliance is framed as a norm itself. Sikkink argues that we are

\textsuperscript{18}Ibid, 901.  
\textsuperscript{20}Finnemore and Sikkink, “International Norm Dynamics and Political Change.” 902.  
\textsuperscript{21}Ibid.
currently participating in a period of international human rights norm cascade, apparent from the number of states that have adopted and institutionalized human rights legislation.22

Stage III: Internalization

In this final stage of the norm life-cycle, norms acquire such widespread acceptance that compliance is no longer controversial. These norms are often removed from public and political debate, such that they are both extremely powerful and hard to discern.23 Internalized norms are constantly reaffirmed through practice and habit, and supported by legislation in international law.

Nevertheless, internalization does not imply that the norm is never brought into question. Since the end of the Cold War, theorists have begun to problematize Western norms such as market exchange, sovereignty and individualism. Additionally, the emergence of a string of humanitarian crises in the 1990s has led to considerable debate on the “obligation” or “responsibility” of the international community to intervene and prevent or cease such crises. The implication here is that in extenuating circumstances, even internalized norms such as state sovereignty can be complicated and necessarily violated. Norms can conflict with one another and the prominence of a norm is dependent on coherence with other norms.24 The emergence of the norm of humanitarian intervention, for example, contests the inviolable quality of Westphalian sovereignty in a way that will be discussed in further detail later in this chapter.

In the norm life-cycle theory, Finnemore and Sikkink present a theorization of the evolution of norms in the international system, examining the ways in which norms receive support through the actions of norm entrepreneurs and consequently affect state behavior through socialization mechanisms. Perhaps the greatest weakness of this theory of norm life-cycle is the inattention to the role of domestic pressure in the stages of cascade and internalization. Finnemore and Sikkink acknowledge the role of domestic pressure in stage I, but show disregard for the influence of domestic movements in the latter stages, favoring the agency of transnational organizations. The domestic coalitions that promoted their states to adopt a new norm in stage I will likely continue to support and pressure the decision-makers who compel other states to follow suit.

In *The Evolution of International Norms*, Florini attempts to modify the deficiencies of the life-cycle model of norm development, through evolutionary analogy that constitutes a close consideration of environmental factors and norm contestation.25 Greater attention is given to the domestic impact on state material interests and Florini furthers the available theoretical analysis by offering explanations for policy convergence among highly varied states that occurs with norm changes.

The Evolutionary Analogy of Norm Development

The use of the evolutionary argument functions on three main levels, creating an analogy between genes and norms. Genes are understood to strongly condition the behavior of most animals, and the constructivist approach to this model claims that norms govern state

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25 Ibid.
behavior in a similar fashion. Second, genes and norms are both seen to be transmitted from one individual to another through the process of inheritance, or socialization. Third, as with genes, norms are contested in the international environment and are in competition with other norms. Different norms are understood to have various levels of reproductive advantage and therefore different likelihoods of success, in a process similar to natural selection. Competition between norms is relatively direct and an actor cannot follow two opposed norms at a single time. Florini makes some concession for the irregularity of state behavior in similar situations by suggesting that “when norm variation is present, that is, when neither of the competing norms has driven the other to extinction, it is quite possible either for the population to be polymorphic (with some actors following one norm and some the other), or for an individual actor to pursue a mixed strategy.”

In order to accurately postulate which norms will experience reproductive success and inspire state behavior, scholars propose a number of factors:

1. The prominence of norms determines the likelihood of internationalization.

Norms widely respected by the international community have a greater chance of spreading through the system and asserting greater influence on state behavior. Most frequently norm prominence is dependent on the two primary elements of stage I of Finnemore and Sikkink’s norm life-cycle: norm entrepreneurs (either in the form of individual or state actors) and organizational platforms.

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27 Ibid, 373.
28 Ibid.
29 Ibid, 374.
2. **Coherence** is demonstrated in how well the norm is able to be assimilated into the existing normative structure.\(^{30}\) Coherence is lost when norms exist in opposition to one another.

3. **International environment** is another aspect that determines the success of new norms.\(^{31}\) Factors such as distribution of power, global financial situation and state security all affect the extent to which a norm will be adopted.

4. **Legitimation** is an important condition for domestic receptivity to international norms.\(^{32}\) Finnemore and Sikkink suggest that states in domestic turmoil often endorse international norms as a way of boosting reputation or esteem.\(^{33}\) Furthermore, if a norm has received the approval of governing bodies such as the United Nations (UN), states no longer run the risk of controversiality and peer condemnation. The definition of legitimation should also be extended to include those norms defined only by social behavior or customary law.

5. The **Intrinsic qualities** of the norm itself are also important. The qualities of a norm can be divided between those emphasizing the formulation of the norm (its clarity and specificity) and emphasizing the substance and the applicability (its content).\(^{34}\) In many instances, the intrinsic characteristics of the norm will determine its prominence, coherence, and legitimation.

These five factors provide some indication as to which norms will be selected and adopted by the international community, but they do not show how the norms are spread.

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\(^{30}\) Ibid, 376.  
\(^{31}\) Ibid.  
\(^{32}\) Ibid.  
\(^{33}\) Ibid.  
\(^{34}\) Ibid.
Here, the reproductive mechanism of the evolutionary model can be applied. Norm reproduction can be categorized into two forms: vertical or horizontal. Vertical reproduction refers to the continuation of a norm or set of norms through new generations of leaders within a single state. Horizontal reproduction refers to emulation, or the way in which states copy successful strategies or norm adoption. Emulation may occur due to self-interested motivations or normative concerns, or a combination of both. The following section is an evaluation of normative influence on state behavior.

Effect on State Behavior


Goertz and Diehl conduct an empirical analysis in which they attempt to “measure” the relative strength of the norm of decolonization, while controlling for self-interest. The strength of the norm is the extent to which states comply with the prescription; the weakness is the extent to which behavior diverges. I do not intend to delve into their methods here, but the authors present significant evidence that norms have an important influence on state behavior. Economic and political factors do not fully account for the process of decolonization, revealing the additional influence of the self-determination norm.

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36 Ibid, 378.
The authors admit however, to several problems and limitations of their experiment. A conclusion regarding the impact of norms cannot be generalized from this single test case. In addition, Goertz and Diehl account for only the economic importance of a colony and not its strategic or other importance.\(^{38}\) Also not included were the costs of holding onto the territory in a calculation of self-interest. At times these costs could have been fairly significant, considering the weakened economic positions of colonial powers such as Britain and France in the aftermath of World War II. This study also does not account for shifts in major power interests over time. Colonizers “no longer needed to directly control territories in order to exploit them, when neo-classical instruments would do just as well without the accompanying costs.”\(^{39}\) Although tests such as these can provide evidence for norms affect on state behavior, it is extremely difficult to isolate the relative strength of normative concerns. Internal and external state policy is generally seen to be the consequence of an amalgamation of both normative pressures and self-interested motives.

Richard K. Herrmann and Vaughn P. Shannon conduct a similar empirical experiment, but instead employ a bottom-up approach to test whether the leaders of the U.S. and its prevailing elite reflect the conclusions of Goertz and Diehl’s study.\(^{40}\) This survey relies on a large sample of U.S. elites, allowing the authors to distinguish between “idiosyncratic peculiarities and general patterns.”\(^{41}\) The participants comprise influential decision makers who shape the environment of both domestic and foreign policy. Herrmann and Shannon conduct four narrative experiments with each of the participants that are used to reflect

\(^{38}\) Ibid, 658.
\(^{39}\) Ibid, 660.
\(^{41}\) Ibid, 623.
material interests, felt normative obligation and perception of the situation. The conclusions reached in this complex study show that U.S. decision-makers “clearly do defend international norms sometimes,” and most often when U.S. economic and security interests are at stake. Material interests were seen to motivate behavior relatively more than normative concerns. In each of the scenarios presented, more leaders were willing to overcome potential costs and the countervailing influence of other norms, such as protecting U.S. lives, in the interest of material gains. These tests, however, fail to explain how norms acquire capacity to exert influence on decision-makers despite these competing interests. One answer to this question is the role of transnational actors in applying external pressure for norm compliance in the domestic arena.

**Norm Empowerment**

Norm empowerment may be defined as the process through which norms reach the domestic arena. Previously, the role of norm entrepreneurs has been explained within the contexts of norm advocacy on the domestic stage. Checkel presents two distinct processes whereby norms are empowered domestically. In the first, “non-state actors and policy makers are united in their support for a particular norm; they mobilize and coerce decision makers, who then instrumentally adopt the prescriptions embodied in the norm as their own.” The norm is not internalized, but rather serves as a constraint on behavior through external forces (like

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42 Herrmann and Shannon. "Defending international norms: the role of obligation, material interest, and perception in decision making." 624.
43 Ibid, 651.
44 Cardenas, "Norm collision: explaining the effects of international human rights pressure on state behavior". 476.
that of the norm entrepreneur). This instrumental policy change is most often driven by material interests that align with the objective of the norm in question.

In the second process-type, decision makers adopt prescriptions embodied in international norms.\textsuperscript{46} Here the norms in question are adopted and internalized in a way that reflects a genuine shift in “intersubjective understandings,”\textsuperscript{47} such that the norms acquire a more intrinsic importance. The elite ‘learning mechanism’ in this process is explained by constructivist theory. As elites embrace new values and interests, their policies begin to reflect a “logic of appropriateness” that is emblematic of global norms and the example of other states. In both of these models, it is important to recognize that norm endorsement by decision-makers is a necessary, but not always sufficient, condition for empowerment to occur.\textsuperscript{48} The mechanisms of domestic norm diffusion vary as a result of heterogeneous domestic structure but policy change and reform is most likely when both these factors are coupled: that is, when international and domestic forces converge to exert pressure on policy-makers internally and externally.

Scholars widely agree on the importance of transnational actors to supply the link between international norms and domestic policy-makers.\textsuperscript{49} Through collective action, transnational actors such as civil society organizations, think-tanks, human rights advocacy networks and the media can influence policy agendas. Keck and Sikkink identify five stages in which nonstate actors are influential: (1) issue creation and agenda; (2) influence on discursive positions of states and international organizations; (3) influence on institutional procedures; (4) influence on policy change in ‘target actors’ which may be states,

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{46} Ibid. 477.
\item \textsuperscript{47} Ibid.
\item \textsuperscript{48} Ibid, 476.
\end{itemize}
\end{footnotesize}
international organizations, or private actors; (5) influence on state behavior.\textsuperscript{50} Once a norm has become integrated into state policy, the role of the transnational actors continues in three main capacities: (1) to continue to advocate for the application of the norm; (2) to hold the policy-makers accountable for deviations from the norm; (3) to monitor the implementation of the norm.\textsuperscript{51}

Similar to the environmental factor in the success of a norm, Khagram, Riker and Sikkink argue that transnational advocacy must be coupled with receptive governments and constrained leaders, “The presence of democratic institutions or some degree of democratization is a must for global norms to become institutionalized practices.”\textsuperscript{52} The power of the demos and the various accountability mechanisms embedded in democratic governance create a system more conducive towards normative influence.

Keck and Sikkink present two models through which transnational organizations compel state leaders to embrace global norms that provide a more substantive picture of the role of these organizations.

The “Spiral Model” develops the link between the international normative context and the role of civil society. It argues that international pressure is likely to succeed when “members of a domestic society support international norms and join a transnational network of activists.”\textsuperscript{53} Domestic groups and transnational actors unite in this way to bring pressure “from above” and “from below” to accomplish reform. The authors use this example specifically in reference to the impact of human rights norms in Latin America.\textsuperscript{54}

\textsuperscript{50}Martinsson, “Global Norms: Creations, Diffusion, and Limits,” 10.
\textsuperscript{51}Ibid.
\textsuperscript{53}Cardenas, “Norm collision: explaining the effects of international human rights pressure on state behavior.” 216.
The “Boomerang Model” exists in situations in which domestic groups in repressive states bypass their governments and directly search out international allies to try to bring pressure on their states from outside.\textsuperscript{55} This is a process whereby national opposition groups link up with transnational networks to form alliances that gain support from international human rights organizations, donor institutions and critical states to apply pressure on noncompliant actors. International networks such as these amplify the demands of domestic groups and provide immense external pressure on rebellious policy-makers. Advocacy by transnational organizations can often catalyze the norm life-cycle process and motivate states to act on norms that have not yet been fully internalized. One example of this is the emerging norm of humanitarian intervention. Not yet codified into international law, critical states such as the US have been willing to act illegally to intervene in humanitarian crises, as shown in the case study of Kosovo.

Both of these models rely heavily on external interference in domestic affairs, and in many cases, the application of international solutions for domestic problems. Intense international pressure on unwilling regimes will likely only result in norm adoption on a superficial level. Stevenson provides a useful solution to the obstacle of disparity or inapplicability between global norms and national contexts that might arise in these situations. For a global norm to successfully diffuse to the domestic level there must be a match between domestic and international structures.\textsuperscript{56} Domestic actors must build congruence between a foreign idea and their local practices and beliefs through “framing” or “grafting.”\textsuperscript{57} Framing refers to the way the norm is communicated to the citizens of the state.

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\begin{itemize}
\item \textsuperscript{55} Ibid, 18.
\item \textsuperscript{57} Ibid.
\end{itemize}
Grafting refers to the tactic by which a new norm is associated with a preexisting norm in the same issue area, in an effort to increase the “coherence” of international norms on the domestic stage.

A two-level game approach is perhaps the most comprehensive explanation of the influence of international norms on domestic politics. Putnam describes the two-level game as the conflict between international and domestic interests and pressures; the common used image is one of national leaders negotiating simultaneously on the international and domestic interrelated “chessboards.” Domestic groups pursue their interests by pressuring the government to adopt favorable policies and politicians seek power by creating coalitions among those groups. National governments must attempt to satisfy these domestic pressures while minimizing the adverse consequences of reform on the international level. In any adjustment in domestic policy, national leaders must attempt to satisfy best the expectations of the domestic constituency and the international community.

The diffusion of humanitarian norms operates in a two-way relationship. In Finnemore and Sikkink’s conceptualization of the norm life-cycle, norm entrepreneurs initiate a movement through organizational platforms that gain prominence on the international level. This leads to the process of norm cascade and ultimately, internalization. In the Spiral and Boomerang models, international pressure is coupled with domestic forces to coerce national leaders and implement norms into government policy. Risse, Ropp and Sikkink provide four indicators to demonstrate whether governments have adopted a norm, specifically human rights norms. Governments have internalized the validity of human rights norms if and when:

58 Ibid.
1. They ratify the respective international human rights conventions including optional protocols.

2. The norms are institutionalized in the constitution and/or domestic law.

3. There is some institutionalized mechanism for citizens to complain about human rights violations.

4. The discursive practices of the government acknowledge the validity of the human rights norms irrespective of the (domestic or international) audience, no longer denounce criticism as “interference in internal affairs,” and engage in dialogue with critics.60

These stipulations are extremely demanding and require that the norm in question be at the stage of internalization, and probably at that stage for a considerable length of time. Although human rights principles have been accepted throughout the liberal world and with even greater force following the end of the Cold War, not all liberal democratic states have institutionalized these norms to the extents given above. In this final section, I will very briefly examine the existing literature on the emerging norm of humanitarian intervention. If humanitarian intervention is understood to be a metric of human rights, it exists in a much more contested space, relatively undefined by international law. A close examination of the literature shows that although humanitarian intervention is widely accepted as legitimate, there exists considerable theoretical debate on the impact of moral obligation and responsibility.

60 Risse-Kappen, Ropp, Kathryn Sikkink. The power of human rights: international norms and domestic change, 29.
The Normative Value of Humanitarian Intervention

There is much disagreement over the prevalence of the humanitarian intervention norm and the motives behind such intervention. Realists assert that states remain the predominant actors within international relations. From this perspective, state interests are motivated primarily by competition, diffidence, and the pursuit of glory and there is little incentive for humanitarian intervention. Humanitarian interests may only be served if they align with material concerns or are a bi-product of them. Neorealists might emphasize the economic or trade advantages for interveners as incentives. A liberal approach suggests that interventions have been motivated by the promotion of democracy and liberal values. In the cosmopolitan conception of society, states are understood to be challenged from below by individuals and non-governmental organizations and from above by international and regional organizations. The language of cosmopolitanism is largely normative and incorporates constructivist emphases on identities and values within the state decision-making process. Controversially, cosmopolitans frame humanitarian intervention as a right, or even a responsibility of capable states to act on the behalf of persecuted communities, heavily criticizing non-action in such cases. As such, the burden of proof for state-responsibility lies with this final group.

Parekh acknowledges the role of normative concern in state decision-making processes and observes that at times, governments feel drawn to both statism and humanitarian intervention. These states have sought to resolve this conflict in one of two (unsuccessful) ways. In the first, governments argue that humanitarian intervention is in their

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national interest. But most often these interventions are an act of self-defense, rather than a case of intervention for humanitarian purposes. Second, government leaders may argue that they have the right to engage in humanitarian intervention because there is a widespread popular demand for it. This popular demand is construed as providing the authority to subvert the statist paradigm and justifies any additional burdens the intervener now imposes on its citizens. International law has very few provisions for ‘just’ intervention and so the authority of popular demand remains uninstitutionalized. Parekh states that this authority cannot be granted equal weight with constitutionally derived authority, and is frequently a reflection of self-interest.

Irrespective of whether the popular demand for intervention has its source domestically or internationally, this approach still assumes a statist mode of thought. Finnemore offers a different view in *Constructing Norms of Humanitarian Intervention.* The tension between state sovereignty and normative concerns in humanitarian intervention demands that intervening states justify their actions. The focus on justification, Finnemore argues, “is important because it speaks directly to normative context.” The need for justification is evidence that states are acting in response to shared values and expectations held by other decision makers and other publics in other states. In these circumstances, states attempt to prove that their actions express “a logic of appropriateness” rather than “a logic of consequences,” which speaks deeply to the structure of international standards and the emergence of humanitarian concern.

63 Ibid.
The Legitimacy of Humanitarian Intervention

The lack of consensus and the need for justification stem from a distinct lack of definition for humanitarian intervention in international law. The constructivist claim is that the concepts, institutions and values of the international community limit a state’s actions and change its preferences. Despite this proposition, “the regular practice of states when faced with grossly repressive regimes has been not to intervene.”66 The existence of documents such as the Universal Declaration of Human Rights and numerous other treaties protecting the promoting international civil liberties have created a strong set of comprehensive norms to which most states publicly subscribe. Nevertheless, the existence of international norms “does not imply that any actor is authorized to implement or enforce them”67. Support for international norms has arguably been so widespread due to the fact that implementation measures are extremely weak or even non-existent. “None of the obligations to be found in multilateral human rights treaties may be coercively enforced by any actor,”68 suggesting that the norm has realistically reached only a limited level of internalization. The deficiency of international law concerning humanitarian intervention is the focus of the second chapter in this paper.

New approaches to humanitarian intervention emphasize the notion of “sovereignty as responsibility,” which suggests that both the legitimizing body and the source of obligation should be the people in need. These concepts attempt to resolve the contention between state sovereignty and humanitarian intervention by framing the argument such that humanitarian intervention is at times necessary to uphold state sovereignty in the long term.

67 Ibid. 623.
68 Ibid.
Scholars such as Joseph Grygiel recognize the potential costs and dangers of a foreign policy based entirely on a respect for the sovereignty principle. Traditionally, violations of sovereignty have only been acceptable in cases of self-defense, but this standard is changing as a result of the influence of human rights rhetoric and humanitarian concerns. Grygiel distinguishes three specific costs of “too much reverence for sovereignty”: (1) State security, in that respect for sovereignty deprives states of the ability to threaten other states; (2) legitimacy, in that a position that values the sovereignty of a state over the rights of the individual will result in a loss of domestic and international legitimacy; (3) effectiveness, in that violations of sovereignty are required for survival on the global stage. At the heart of this argument is a movement away from the statist approach in the international state society. There is a “growing acceptance of the idea that state sovereignty is conditional on good domestic behavior.” Held asserts that legitimacy has now been intimately linked to democracy and the human rights regime, and that states may forfeit claims to sovereignty if they violate these standards and values now embedded in liberal international order.

The concept of “sovereignty as responsibility,” redefines sovereignty as the responsibility to protect the people in a given territory. This normative assertion argues that when states do not conduct their internal affairs in ways that meet internationally recognized standards, other nations not only have the right, but the duty to intervene. This idea was further developed in the 2001 report by the International Commission on Intervention and State Sovereignty (ICISS), The Responsibility to Protect. Repeated humanitarian disasters in the 1990s have led a growing acceptance of this moral principle and its integration into

70 Ibid, 271.
71 Ibid, 275.
72 Amitai Etzioni, "Sovereignty as responsibility". Orbis, n.d. 71.
U.N. rhetoric. The U.N. high-level panel, *A More Secure Word, Our Shared Responsibility*, stated that the “emerging norm of a collective international responsibility to protect encompasses not only the right to intervene of any state, but the responsibility to protect of every state when it comes to people suffering from avoidable catastrophe.”

As will be demonstrated, one of the greatest impediments to the internalization of such a principle is the lack of codification to accompany such assertions of moral prerogative. But the authority of the “responsibility to protect” principle has been compromised by more than just an absence of implementation measures on the domestic level. Governments are affronted with the “complimentarity trap” in which the domestic ability of the conflict state to deal with internal strife creates an additional threshold for collective security action, leading to inaction and loss of life. Furthermore, no concrete solution has been offered with regards to violations of the “responsibility to protect.” Capable states may lose credibility or legitimacy as a result of inaction, but as shown in the study conducted by Herrmann and Shannon, few leaders are willing to make large material sacrifices in the interest of normative obligation. The fact that humanitarian intervention is currently not enforced by any legal sanctions, leads to incriminating questions about the nature, development and saliency of the humanitarian intervention norm.

**Next Steps**

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74 Ibid.
75 Ibid, 116.
76 Herrmann and Shannon, "Defending international norms: the role of obligation, material interest, and perception in decision making," 651.
Finnemore and Sikkink’s norm life cycle, coupled with the evolutionary model, present a substantive contextualization of norm development and the mechanisms through which norm influence state behavior. Studies such as those by Goertz and Diehl, and Herrmann and Shannon show decisively that leaders are affected by normative concerns, but are unable to ascertain the extent to which norms play a role relative to material interests. As Finnemore indicates, untangling precise motivations for state behavior is extremely complex and in likelihood, not fully possible. The political debate on the strength of norms in decision-making processes, framed within the political theories of rationalism and constructivism, has resurfaced in the current debate on humanitarian intervention.

Although existing norm theory details the ways in which norms might be empowered in domestic policy, it fails to show specifically how they might be institutionalized in critical states such as the US. In the following chapters, I will use this theoretical background to inform the empirical analysis of the humanitarian intervention norm.

The norm-life cycle provides an excellent model to measure the development and internalization of this norm. The mechanisms of norm effect on state behavior and the “spiral” and “boomerang” models highlight the ways in which external and internal pressures can impact decision-making processes. These pressures are consequently reflected in my choice of variables for the case studies of Kosovo and Darfur. Finally, humanitarian intervention is contextualized as an emerging norm in conflict with preexisting principles. In order for humanitarian concerns to fully materialize in U.S. foreign policy, sovereignty must be recast as conditional and the norm of humanitarian intervention embedded in domestic legislation. In the following chapter, I assess the extent to which international and domestic

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law has influenced the internalization of the humanitarian intervention norm in U.S. foreign policy.
II: The Institutionalization of Humanitarian Intervention

As established in the previous chapter, successful norm generation, development and dissemination is dependent on a number of factors. Norms that are highly coherent within the international legal framework will be far more resistant to change than those that are not so linked. Therefore, institutionalization is a measure by which to determine the extent to which a norm has been accepted and internalized by states that have readily ratified the relevant treaties.

The first intention of this chapter is to show the extent to which the U.S. is accountable to the international community, to act in cases of humanitarian crisis. Treaties such as the U.N. Charter, or the U.N. Genocide Convention, demonstrate how the U.S. has superficially committed itself to act on behalf of persecuted foreign populations. Second, I will examine the legitimation of humanitarian intervention within U.S. domestic politics. This will include the positions of key decision-makers, the prerogative of the 2002 and 2010 National Security Strategies, and relevant senate legislation. The level of domestic internalization of humanitarian intervention will be investigated in greater detail in the two case studies of humanitarian crisis succeeding this chapter. Finally, I will also mention the numerous instances of inaction and noninterference by the U.S. in this time period, as a reflection of the limited degree of accountability in both the international and domestic spheres.

International Accountability

Despite the growing rhetoric of human rights in the post-Cold War period, some legal scholars assert that international law does not sanction unilateral humanitarian intervention. The U.N. Charter is the fundamental treaty on the legality of the recourse to war. It states, “All members shall refrain in their international relations from the threat or use of force against territorial integrity or political independence of any state, or in any other matter inconsistent with the purposes of the United Nations.” As inscribed in the Charter, the only exception to the rule of non-intervention is the act of individual or collective self-defense. The prohibition on force implies that there is no obligation for humanitarian intervention aside from normative or self-interested motives. Included in the Charter are numerous references to “universal respect for, and observance of, human rights and fundamental freedoms,” however, all arise in a non-binding context and the U.S. is in no way committed to intervene to uphold these ideals.

Other legal observers regard humanitarian intervention doctrine as having an established canon of customary international law. These scholars suggest that the doctrine of humanitarian intervention is justified under the obligations of international law, but that

80 Ibid. Article 51.
81 Ibid. Article 55 (c).
See Myres S. McDougal & W. Michael Reisman. 1969. Response by Professors McDougal and Reisman, 3 Intl Law. 438, 438 (observing that humanitarian intervention is a well-established principle of customary international law); Intl Law Perspective, note 1, Page 77 (affirming that the doctrine of humanitarian intervention gained broad approval as a constituent element of customary international law); Richard B. Lillich. Humanitarian Intervention” A Reply to Dr. Brownlie and a Plea for Constructive Alternatives. Law & Civil War in the Modern World. 229, 232 (John Norton Moore ed.,1974) (stating that jurists such as Grotius, Vattel, Wheaton, and others have embraced the doctrine).
the boundaries of intervention continue to be controversial. Thus, the case for the legality of humanitarian intervention is relatively more complex.

The argument that the Charter does not preclude cases of unilateral humanitarian intervention requires a constructivist view, with an appreciation for the constantly evolving political environment. The first of these approaches argues that humanitarian intervention falls outside the bounds of article 2 (4), which only prohibits an attack that threatens the territorial integrity or political independence of its target state. Although the violation of sovereignty is an integral characteristic of humanitarian intervention, this is simply the necessary means to an end of averting further human rights violations. Acting states typically have exit strategies that limit their physical presence in the conflict state.

A second argument, advocated by scholars such as Michael Glennon, is that “the prohibition against the use of force in relations between states has been eroded beyond all recognition.” Glennon claims that the legal force of Article 2 (4) has been erased by a history of rule violation, as detailed in Stephen Krasner’s theory of sovereignty as “hypocrisy.” This school of thought implies that the U.N. maintains a mostly symbolic role, and its treaties are only as guidelines to inter-state relations.

A final argument proposes that the two concepts of sovereignty and humanitarian intervention are in fact complimentary, in the sense that sovereignty is conditional on a government respecting the obligation to protect its own people. Still, the problem remains that although these approaches may qualify humanitarian crises in situations of crises,

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powerful states such as the U.S. are immune to any form of legal commitment. This immunity is seen most clearly in the U.S. commitment to the 1948 U.N. Convention on the Prevention and Punishment of the Crime of Genocide.

The Genocide Convention is the most authoritative agreement with regards to humanitarian intervention. It is understood to prescribe intervention against genocidal regimes, based on its Article 1, which states: “The Contracting Parties confirm that genocide, whether committed in time of peace or time of war, is a crime under international law that they undertake to prevent and punish.” The U.S. government was seen to be an enthusiastic supporter of the convention at the time of its conception, although the senate took nearly 40 years to finally ratify the agreement due to concerns over its obligatory components. The 2007 judgment rendered by the International Court of Justice (ICJ) in the Bosnia v. Serbia case was the first to confirm that states may be held accountable for failing to prevent and punish genocide, thus making it clear that in this context, any state may be found responsible for actions outside its borders. According to the ruling of the Court, the obligation to prevent and the corresponding duty to act arises “the instant that the state learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed.” This statement creates a considerable precedent of accountability for states party to the Genocide Convention, but the effect was diminished by the fact that the Court ultimately reduced the obligation to “merely symbolism, by setting aside any truly meaningful

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88 See speeches by Ernest A. Gross, Legal Adviser, Department of State, in the Sixth Committee (Department of State Publication No. 3416, February, 1949. 36-43, 44-46.)
90 The ICJ established that while Serbia is not responsible for committing genocide, Serbia is responsible for failing to prevent and punish genocide in Srebrenica. Sheri P. Rosenberg, “Responsibility to protect: a Framework for Prevention”. Responsibility to Protect and International Law, 2011. 157-192. 165.
form of reparation.”

The Clinton administration stated that it did not believe that the Genocide Convention imposed any particular legal obligations on a state to respond to genocide outside of its territory, but rather that a member state’s choice to prevent or punish genocide was “necessarily discretionary.” The subsequent result was the complete failure of U.N. member states to prevent genocide in Rwanda. “The obligation to prevent genocide is a blank sheet awaiting the inscriptions of state and case law,” reflecting the fact that despite the relatively large amount of institutionalization in this area, international institutions have failed to trump state self-interest and place any substantial legal accountability on intervention for humanitarian purposes. One attempt to reconfigure existing international legislation and fill in the gaps of legal commitment has come in the form of the “responsibility to protect” principle.

In 2005, U.N. member states unanimously endorsed the “responsibility to protect” principle in the World Summit Outcome Document. However, formed as a compromise to bridge differing opinions, while recognizing the need for effective solutions to humanitarian crises, the Document is limited in its obligations. The language of paragraphs 138 and 139, directly relating to the principle of the “responsibility to protect,” suggests a voluntary rather than a mandatory engagement, and states are committed to act only on a “case by case basis”

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94 Ibid.
95 World Summit Outcome Document. 1, paragraphs 138, 139.
The U.S. has wholly rejected any interpretation of the Document implying binding legal obligations; on August 30, 2005, U.S. Ambassador John R. Bolton wrote that the U.S. would “not accept that either the United Nations as a whole, or the Security Council, or individual states, have an obligation to intervene under international law.” He acknowledged that states have a legal obligation to protect their own citizens, but insisted that the responsibility of the international community was purely moral. In addition, Bolton argued that the Outcome Document should not exclude the possibility of unauthorized intervention, so ensuring that the U.S. could continue to pursue its own agenda, whether in the form of a mandated Security Council operation or unilateral intervention.

The greatest flaw of the Outcome Document is its inability to challenge the monopoly of the Security Council, whose efficacy is so hindered by disproportionate power and disparate interests. The fact remains that the Charter grants the Security Council primary responsibility for the maintenance of international peace and security, and its five permanent members reserve the right to implement humanitarian intervention, or withhold it. The U.S. has rejected the idea of constraining their right to cast their veto whenever they see fit, and the “responsibility to protect” remains essentially unenforceable. From a theoretical perspective, states join treaties when the benefits of membership outweigh the costs. Treaty membership is effectively costless when: (1) a state’s domestic laws align with the treaty’s cause; (2) non-compliance is not detected, or if detected, is not sanctioned; or (3)

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96 Ibid. See appendix A.
97 John R. Bolton, Letter from John R. Bolton, Representative of the United States of American to the UN, to Jean Ping, President of the UN General Assembly. ’ 2005.
98 Ibid. 2.
joining does not impose any legal obligation to comply.\textsuperscript{101} These three factors characterize the American commitment to humanitarian treaties in international law.

The development of a moral contract towards humanitarian intervention is still in its infancy. Silvia D. Kantareva identifies three distinct categories that encompass the legalization process: obligation, precision and delegation, which provide a useful framework for the variability of legalization.\textsuperscript{102} Although the building blocks for the implementation of the “responsibility to protect” have been formed, it contains none of the three above characteristics. Until measures for enforcement and reparation are inscribed in law, the extraterritorial protection of populations from mass atrocities will continue to be dependent, as it has long been, on the vagaries of the political will of states.\textsuperscript{103} The next step is to observe the ways in which the U.S. has responded to the emerging norm of humanitarian intervention within the constructs of government decision-making processes. This approach examines the internalization of this norm specifically at the domestic level, and should provide further insight into the influence of the norm in domestic policy.

\textsuperscript{101} Ibid, 970.
Domestic Institutionalization

The lack of international consensus regarding the “responsibility to protect” principle has similarly emerged in U.S. foreign policy. The U.S. humanitarian intervention in Somalia has been described as an ideational false start; President Clinton was unwilling to accept the political costs of continued compliance with the fragile norm of humanitarian intervention where no strategic or economic interests were at stake. The premature withdrawal of troops from Somalia represents a normative retreat from which the U.S. has been unable to make much progress. Humanitarian crises, such as the Rwandan genocide that began in 1994, were repeatedly left unanswered, and in a decade permeated with large-scale human rights violations, the only sign of a genuine normative concern came in the unauthorized U.S. intervention in Kosovo. Kosovo has since proved to be an exception to the rule, rather than a precedent.

Since 2001, American humanitarianism has been subordinated by the commitment to the “war on terror.” The invasions of Iraq and Afghanistan have required immense economic, political and human cost, and consequently, the U.S. has been reluctant to commit to the protection of foreign populations. However, the emerging norm of humanitarian intervention and the conceptualization of “the responsibility to protect” have gained a little traction under the Obama administration. The following examples seem to indicate a more significant commitment to the prevention and punishment of genocide and mass atrocities, in particular.

105 Ibid. 2.
At the 39th Vienna Seminar, held in June 2009, U.S. ambassador to the U.N., Susan Rice, strongly endorsed the “responsibility to protect” in the first instance of explicit U.S. support and vision for the concept.106 Rice admits that the “responsibility to protect” is a duty that she feels deeply, while also acknowledging that turning this concept into established practice will take significant resolve. “Humanitarian intervention will often jostle with other legitimate policy concerns…and the greatest obstacle to swift action in the face of sudden atrocity is, ultimately, political will.” 107 Controversially, Rice states that if member states are reluctant to act, powerful countries must be willing to act outside of the U.N. chain of command. The implication here is that, intervention in cases of indubitable genocide is now considered legitimate, even if conducted without U.N. authorization. Finally, echoing Finnemore and Sikkink, Rice emphasizes the need to “put the bite back in sanctions”108 as a flexible and targeted instrument that has the capability to disincentivize genocide and punish those responsible. These statements set the tone for President Obama’s National Security Strategy (NSS), which distances itself from the rhetoric of preemptive war and focus on threats of national security.

The NSS documents of 2002 and 2010 provide insight into the transformation of U.S. foreign policy in the last decade. The foreign policy of the Bush administration was, to a large extent, focused on the international balance of power, but also the justification of preemptive, unilateral military action against “emerging” threats.109 In the 2002 NSS, there is little room for humanitarian concerns; the single mention of genocide in the 2002 NSS comes fleetingly, and in comparison to acts of terrorism, which is viewed in the same light and

107 Ibid.
108 Ibid.
treated with equal severity. In the 2010 NSS, emphasis is placed on the substitution of hard power with soft power in U.S. foreign policy, and a distancing from the role of the U.S. as the sole global policeman. Nevertheless, the Obama administration commits to military intervention in cases of genocide and mass atrocities, as an option of last approach. In contrast to its predecessor, the 2010 NSS reaffirms the U.S. commitment to the “responsibility to protect” and the responsibility of the broader international community to mobilize diplomatic, and if necessary, military means to avert wide-scale violations of basic human rights. Humanitarian concern has recently also surfaced in senate legislation.

The landmark senate resolution, S. Con. Res. 71, followed the lead of the 2010 NSS by acknowledging that the prevention and mitigation of genocide and mass atrocities is in U.S. national interest. The passage of this resolution, although not legally binding, is of great importance as it calls for the development of a whole government approach to averting genocide and mass atrocity crimes. S. Con. Res. 71 recognizes the U.S. commitment to the Genocide Convention, and urges the president to “direct relevant departments and agencies of the United States Government to review and evaluate existing capacities for anticipating, preventing and responding” to humanitarian crises. The resolution has led to the creation of the Presidential Study Directive on Mass Atrocities (PSD 10), a National Security Staff Director Focused on the Prevention of war crimes and atrocities, and most recently, the

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112 Ibid. 48.
113 111th Congress of the Unites States, 2nd Session. Senate Concurrent Resolution 71, August 2010. 1.
114 Ibid. 6.
formation of the Atrocities Prevention Board, which will strengthen the government’s ability to foresee, prevent and respond to mass atrocity threats.\footnote{Senators support improving US capacity to prevent and respond to mass atrocities.” Accessed 2/13/12. http://www.coons.senate.gov/newsroom/releases/release/senators-support-improving-us-capacity-to-prevent-and-respond-to-mass-atrocities}


following the Bush Presidency, the transformation has not been comprehensive. Key
decision-makers also remain critical of the humanitarian intervention norm, which has also
hindered the process of internalization.

The humanitarian intervention movement has been criticized by John R. Bolton, who
labels the ‘responsibility to protect’ a “gauzy, limitless doctrine without any anchor in U.S.
national interests,” and claims that in the absence of legal obligation, the “responsibility to
protect” “suffers from a lack of political will for multi-lateral coordination, and considerable
logistical restraints that make it a purely “aspirational” foreign policy.” He argues that this
putative responsibility emanates from the desire to divert American military power from
protecting U.N. interests to achieving humanitarian objectives, a doctrine which has only
reached measurable power under Obama. The President’s decision to intervene in Libya last
year received some resistance from select senators, such as Jim Webb. In 2012, Webb
introduced bipartisan legislation against military humanitarian intervention without
Congressional approval. For the relatively new concept of humanitarian intervention,
comprehensive congressional approval would give an intervention greater legitimacy, both
domestically and internationally. The success of an intervention is often dependent on timely
action; extended Congressional debate threatens to delay relief or military efforts and impede
whatever proclivity for humanitarian intervention the Obama administration has recently
gained. In this final section, I will detail various instances of U.S. inaction during

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humanitarian crises, to demonstrate the selectivity of U.S. foreign policy and the limited influence of the humanitarian intervention norm.

**Instances of Inaction**

The most substantial obstacle to the development of an effective international response system to humanitarian crises is the lack of legal obligation. Without a binding agreement enforcing humanitarian intervention, a considerable amount of political will must be generated in order for the U.S. or its partners to commit resources towards the rescue of foreign populations. The ambiguity of unilateral intervention in the World Summit Outcome Document and its inclusion in the 2010 NSS suggests that the U.S. would consider such action, if national interests were served.

President Clinton was unwilling to keep American troops in Somalia or intervene in Rwanda, despite hundreds of thousands of deaths. In 1994, Clinton described American inaction in situations of ethnic trouble: “We cannot turn away from them, but our interests are not sufficiently at stake in so many of them to justify a commitment of our folks.”

Although these instances of inaction point towards ambivalence in U.S. foreign policy, under-publicized cases of non-intervention show that this trend has permeated the domestic politics on a much deeper level. U.S. inaction in foreign humanitarian crises has continued with the Bush and Obama administrations; during the extended civil war and genocide in

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Darfur, the U.S. was unwilling to do more than impose economic sanctions in Omar Al Bashir’s regime. Chapter five explores this example of non-intervention in greater detail, showing that few lessons have been drawn from the ineptitude of the Rwandan Genocide.\textsuperscript{126}

\textbf{Conclusion}

The humanitarian intervention norm has been crippled by a lack of concrete institutionalization. Finnemore and Sikkink emphasize the importance of sanctions in the empowerment of international norms.\textsuperscript{127} Risse, Ropp and Sikkink also indicate that the ratification of international conventions and the institutionalization of norms in constitution or domestic law are two requirements of significant internalization,\textsuperscript{128} which has clearly not yet occurred in the development of this norm. The absence of international or domestic enforcement mechanisms for the humanitarian intervention norm points to the limited nature of its development. The U.S. has capitalized on this through a “suitability” approach in foreign policy, in which humanitarian intervention advocacy is only pursued when it does not include a legally binding commitment that may, at some point, conflict with national interest.

In order to further explain the extent of the internalization of humanitarian intervention in U.S. foreign policy, I will examine three case studies, as mentioned in the introduction to this paper. As seen above, factors of strategic and economic interest, cost and public opinion play a large role in the decision to intervene. In the next chapter I will detail

\textsuperscript{126} Minority Rights Group (MRG) "UN could have averted Darfur crisis." \textit{Independent Online}, 16 October 2006.

\textsuperscript{127} Finnemore and Sikkink. “International Norm Dynamics and Political Change.” 902.

the variables I plan to use across these three cases to establish the condition of the humanitarian intervention norm, as well the expectations of their affect on U.S. policy.
III. Research Design and Expectations

Research Design

The norm of humanitarian intervention involves a labyrinth of political, economic, strategic and social interests, leading to unpredictable state behavior. Finnemore and Sikkink’s life-cycle is, in many ways, an over simplified model for norm evolution, and the humanitarian intervention norm cannot easily be ascribed to a single stage. In some circumstances, Finnemore and Sikkink admit that and institutionalization may follow, rather than precede, the initiation of norm cascade.\footnote{Ibid.} This obscurity stems primarily from the fact that internalization may be identified through any number of indicators or foreign policy patterns; not all must be present for the internalization of an emerging norm, but it is unclear from the literature as to which of these indicators have precedence. In this chapter, I propose a number of variables that facilitate an evaluation of the humanitarian intervention norm. These variables contribute towards situating this emerging norm on the norm life-cycle, and gauging its influence in U.S. foreign policy.

The debate on the prevalence of emerging norms is often divided between realist and liberal interpretations, not least in the case of humanitarian intervention. This debate is formulated as a question of motive: states are perceived to commit to humanitarian intervention as a result of national interest (political, economic, strategic gain), or altruism (moral interest). Generally, it can be assumed that any humanitarian intervention is some
symbiotic combination of both.\textsuperscript{130} In order to accurately assess the agency of the humanitarian intervention norm, it is necessary to isolate it from other interests informing U.S. foreign policy in humanitarian crises.

Finnemore claims that an accurate assessment of motive in humanitarian intervention is extremely complex,\textsuperscript{131} as shown in the compound of domestic and international pressures that affect state behavior through the “spiral model.”\textsuperscript{132} To untangle this myriad of foreign policy motives, I propose independent and dependent variables which are used to analyze the influence of the humanitarian intervention norm in the case studies of Kosovo and Darfur. The interaction of these variables provides critical insight into the permeation of this norm into US foreign policy.

The independent variables I have chosen are as follows: (1) public opinion; (2) economic situation; (3) international pressure. Each of these variables exercise influence on U.S. foreign policy formulation; they can serve as mechanisms of “enforcement” for the U.S. response to humanitarian crisis, where none exist in domestic or international law. Congressional legislators depend on these factors to inform their decisions. The policy outcome in this model is either intervention, or non-intervention, and this decision lies with the representatives in Congress. The dependent variable in this model is congressional support, which also provides information about the internalization of the humanitarian intervention norm. Strong bipartisan support for humanitarian intervention, for example, could point towards greater internalization of the norm.

\textsuperscript{131} Finnemore. “Constructing Norms of Humanitarian Intervention,” 116.
\textsuperscript{132} See chapter 1, 23.
Due to the difficulty in assessing the motive(s) behind foreign policy, I plan to use the independent variables listed above to make an epistemological argument. When these variables are strongly present, we cannot make definitive claims about the degree of internalization of the humanitarian intervention norm; it is practically impossible to distinguish the relative influence of these independent variables in contention with the norm of humanitarian intervention. However, if there are instances in which the U.S. government takes humanitarian action against the grain of these variables, we will have probable cause to assume that the norm is exerting considerable influence on U.S. decision-makers. Such a scenario would provide possible evidence that the norm of humanitarian intervention has been internalized.

By analyzing the relationship between these variables and U.S. foreign policy, we can determine the embeddedness of this emerging norm; these three factors of influence will be used to gauge whether intervention or non-intervention was superficial and motivated by these variables, a reflection of norm internalization, or a combination of both. The next section of this chapter will address each independent variable separately, accompanied by projections and expectations of their effect on U.S. decision-makers. In the final section, I discuss the dependent variable, and ways in which the composition of congressional support can serve as an indicator of norm internalization.
The Independent Variables

Public Opinion

The relationship between public opinion and state behavior, specifically in foreign policy, has been well developed in political science scholarship. The influence of public opinion is perhaps most manifest in the consequences of the CNN effect. Maren and Kennan were the first to hypothesize the CNN effect, in which “heart-wrenching images of suffering children broadcast to millions of Americans generated intense public pressure on the Bush administration to intervene in Somalia.”\(^{133}\) In similar fashion, the dramatic images of a dead U.S. soldier dragged through the streets of Mogadishu produced overwhelming public pressure for President Clinton to withdraw.\(^{134}\) In Rwanda, limited media coverage and the ignorance of the American public regarding the genocide are frequently cited as factors leading to U.S. non-intervention.\(^{135}\) Public opinion is seen to have three conceptually different effects on foreign policy: (1) as an accelerant to intervention; (2) as an impediment to intervention; (3) as an agenda setting agency that can reorder foreign policy priorities.\(^{136}\) Graphic media coverage capitalizes on the perception that Americans have a “zero tolerance” for casualties,\(^{137}\) and the effect of public opinion as an impediment to intervention is amplified when national interests are not clearly defined and the cost of non-intervention is


\(^{134}\) Ibid.


However, when policy makers seem united on a particular course of action, critical coverage is unlikely to influence policy direction, as seen in the case of Darfur.\textsuperscript{139}

The reality of the relationship between public opinion and foreign policy is extremely complex and involves a variety of other circumstantial factors and influences. Scholars, such as James Burk, oppose the CNN thesis and argue that experts and foreign policy elites provide the media with its information.\textsuperscript{140} Nincic rejects the relationship between public opinion and foreign policy altogether, claiming that policy choice is undertaken “without regard for democratic procedure.”\textsuperscript{141} He states that: (1) foreign policy is not based on the public’s conception of a democratic national interest, since it may stem from the government’s misinterpretation, or may simply resemble the motivations and goals of the elites; (2) national interests may not be entirely knowable if not enunciated by policy elites; (3) national interests evolve so rapidly that they cannot be precisely evaluated.\textsuperscript{142} While there is some truth to Nincic’s observations, they were made in 1992, and are unable to account for the media revolution and the exponential growth in human rights advocacy during the 1990s.

Public opinion significantly affects presidential initiative during foreign humanitarian crises. A 1984 a report predicted that in the future, a President may elect to delay or forgo U.S. military intervention “because of concern that public support may decline or collapse once the United States is deeply committed. Even if public support for a specific intervention is initially high, it can be demonstrated that continuing U.S. casualties over time will

\textsuperscript{139} Ibid, 55.
\textsuperscript{140} James Burk, “Public Support for Peacekeeping in Lebanon and Somalia: Assessing the Casualties Hypothesis.” Political Science Quarterly. 1999. 53-78. 65.
\textsuperscript{142} Ibid, 50.
seriously erode public support.”

This effect has been witnessed repeatedly in military interventions, most evident in the abrupt policy reversal of the Clinton administration in Somalia, but also in Obama’s decision to withdraw from Iraq and Afghanistan. Ostrom, Job, and Fordham report evidence that U.S. presidents are more prone to use force abroad when their approval ratings are falling. In order to control for this diversionary motive when examining internalization, I will examine presidential approval ratings at the time of the crises in Kosovo and Darfur.

The crises of the 1990s have revealed a valuable correlation between public opinion and foreign policy. As explained earlier, the analysis here will have to be epistemological in nature; if the majority of American public opinion complements the outcome of foreign policy, it is not possible to know whether the humanitarian intervention norm had any influence, and if so, how much. However, if American humanitarian intervention is conducted against the weight of public opinion, it could reflect the internalization of this norm in U.S. foreign policy. This may be the case for the U.N.-led intervention in Kosovo. The comparisons between the similar crisis in Kosovo and Darfur reveal which variables must be present in order for intervention to take place. For both cases, I use poll results from the months preceding the crises to evaluate the positive, negative, or neutral attitude of public opinion towards intervention. In Kosovo and Darfur, the study of domestic public opinion towards these crises, coupled with an evaluation of presidential approval ratings, provides critical insight into the internalization of this norm in U.S. foreign policy.

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Economic Situation

In addition to party affiliation, members of Congress take into account social and political factors of their respective districts, so often influenced by the overall health of the economy. Meernik and Oldmixon observe that economic downturns tend to reduce congressional support for foreign policy activity, as constituents pressure their representatives to focus their energies on domestic issues.\textsuperscript{144} Similarly, Nicic’s study of public opinion data finds that public support for internationalism rises and falls largely on the health of the economy.\textsuperscript{145} Recent examples of the relationship between the U.S. economy and foreign policy can be found in the push for ground troop withdrawal from ongoing conflicts.

Estimates for the total cost of military action in Iraq, Afghanistan and Pakistan are between $3.7 trillion to $4.4 trillion- far higher than the $1 trillion price tag suggested by President Obama.\textsuperscript{146} A project conducted by Brown University’s Watson Institute for International Studies reports that war has probably stimulated the U.S. economy to some degree, but that “the extra income attributable to war spending has been partially offset by the negative macroeconomic consequences of increased deficits and debt used to finance the wars.”\textsuperscript{147} War spending has contributed immensely to national debt. The ratio of federal debt held by the public to gross domestic product (GDP), a good indicator of the sustainability of government spending, rose from 32.5% at the end of fiscal year 2001, to 69.7% at the end of


\textsuperscript{147} Ibid.
The result of a severely crippled economy has been expedited troop withdrawal from both Iraq and Afghanistan, leading to questions over the lasting impact of U.S. involvement. Evidently, economic milieu significantly affects the decision to intervene, or to remain committed to intervention.

The link between economics and intervention is not straightforward; DeRouen and Peake suggest that the use of force can also be used to divert public attention from a bad economy. Additionally, strategic and political advantages may outweigh the economic strain of intervention. However, these countervailing arguments do not challenge the fact that economic health will be a major point of consideration in intervention authorized in Congress.

Economic situation pervades every aspect of politics, and affects both public opinion and congressional support for humanitarian intervention at a fundamental level. This variable will be used in similar fashion to the variable of public opinion. If the health of the economy is seen to be strong during intervention, it is not within the boundaries of this study to make judgments as to the influence of the humanitarian intervention norm. However, if American humanitarian intervention is conducted during a time of economic stagnation or recession, it could reflect the internalization of this norm in U.S. foreign policy. Therefore, if the U.S.-led NATO intervention in Kosovo occurred during a time of U.S. economic weakness, other variables must have strongly motivated such action. The comparison between Kosovo and the non-intervention in Darfur exposes which variables lead to congressional support for intervention in such circumstances. To operationalize the variable of economic situation, I plan to conduct an in-depth analysis of U.S. unemployment rates and GDP in the months

148 Ibid.
leading up to and during the crises in Kosovo and Darfur. The effect of the economy cannot be understated, and in order to conduct an accurate assessment of norm internalization, intervention or non-intervention must be evaluated through this lens.

International Pressure

Another factor of influence on humanitarian intervention is international pressure. This pressure exists through two possible avenues: (1) the constraint of international law; (2) the opinion of powerful states. In cases of humanitarian crisis, the latter can be said to exert more influence than the former. The procedure governing debate, deliberation, and voting in the U.N. can affect the capacity of a state to achieve a given objective through U.N. instrumentality. However, this may not be an overall limitation upon the exercise of power if non-U.N. instrumentalities are equally available; history shows that U.S. policy decisions are largely unaffected international law, and that it is willing and capable of acting without U.N. consent. “The dominant international coalition (and particularly the U.S.) is perceived not merely as obstructing humanitarian intervention where it does not suit its interests, but also as promoting such action when it does.” Although the legal commitments of the U.N. Charter may not exert substantial pressure on U.S. decision-makers, powerful states such as Russia and China certainly have some effect on the formulation of U.S. foreign policy.

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151 In case Kosovo, the NATO intervention was conducted without UN authorization and widely considered to be illegal. However, it was also considered legitimate, due to the deaths of around 1,500 Albanians and the displacement of around 270,000 civilians, prior to the NATO invasion. This is intervention is the focus of the following chapter.

In some circumstances, the economic and political costs of action against the wishes of powerful states outweigh the benefits of intervention. Stalemate in the U.N. Security Council is often the consequence of this international pressure during times of humanitarian crisis. This is the current situation of the civil war in Syria. More than 60,000 people have now been killed during Syria’s 2 year war but any foreign intervention is prevented, in part, by the Security Council vetoes of Russia and China. In both the cases of Kosovo and Darfur Russia and China express their intention to veto any resolution for effective action.

The comparison of the similar cases of Kosovo and Darfur will establish whether this variable is a factor that seriously influences foreign policy, with important implications for the norm of humanitarian intervention. If the U.S. foreign policy outcome corresponds with the positions of powerful states, we cannot make inferences as to the strength of the humanitarian intervention norm. However, American humanitarian intervention could be reflective of the internalization of this norm when there is minimal or no support from other states, or they directly oppose it. To operationalize this variable, I plan to analyze U.N. initiatives during these crises, as well attitudes of powerful states towards intervention in both Kosovo and Darfur.

The Dependent Variable

Congressional Support

In the area of domestic legislation, the U.S. Constitution creates a detailed, finely wrought procedure in which Congress plays the central role in the decision-making process. In foreign affairs, however, the Constitution does not establish a mandatory, Congress-driven procedure for taking action. The President may use his authority as Commander-in-Chief to use military force, but his actions are subject to congressional review and appropriations under the War Powers Resolution of 1973. In a study of the internalization of humanitarian intervention in U.S. government, it is essential to consider the role of Congress, which has the power to limit the use of force by the executive. Since the end of the Cold War, Congress has become increasingly active in foreign affairs, driven by the synthesis of domestic and international issues, greater institutional resources available to Congress and mounting partisanship. In the absence of the Soviet threat, foreign policy consensus within Washington disappeared and the range of factors that influence foreign policy decisions by individual legislators multiplied. The partisan composition of Congress, in particular, has become decisive in determining whether lawmakers will oppose or consent to military intervention.

Scholars argue that the very nature of humanitarian intervention heightens partisan dynamics;\textsuperscript{158} the low probability of success, the absence of national interests and the likelihood of electoral punishment discourages opposition support, while members of the President’s party face pressure to show their support for the mission and their President. Congress reserves the right to cut funding for military intervention and set timelines for the withdrawal of troops, at times expediting the end of overseas involvement in the interest of preserving public and party support. Only in very particular circumstances-usually a direct attack on U.S. soil or on Americans abroad-have political parties temporarily united.\textsuperscript{159}

These findings indicate that the likelihood of congressional support for humanitarian intervention in the form of a bipartisan majority is low. The likelihood of bipartisan support for a President of a different party than the congress majority is exponentially lower. If a presidential call for humanitarian intervention were to be passed under these conditions, it would show that intervention was given precedence over party ideology and therefore could be reflective of internalization.

Bipartisan congressional support for humanitarian intervention could be a strong indicator of the humanitarian intervention norm, if some or all of the independent variables are not strongly present. Therefore, \textit{the level of U.S. congressional support for humanitarian intervention could correlate to the internalization of the norm in U.S. foreign policy}. In a political environment so clearly defined by partisan loyalty, this assertion is particularly true in instances in which Congress majority is a different party to that of the president. To study the congressional response to the independent variables, I detail the most significant Senate


and House resolutions made in the months leading up to, and during the crises in Kosovo and Darfur.

The nature of these arguments is extremely complex, and contingent on a wide range of external and internal variables. But such is the nature of U.S. foreign policy formation. In order to fully appreciate the weight of the humanitarian intervention norm in U.S. politics, we must first analyze the relationship between the independent and dependent variables. Without the nuances of this argument, humanitarian intervention would appear pre-fixed, linear and uncomplicated, based solely on the goals of the decision-makers. This is certainly not the case, and over the next two chapters, I use this model of research to explicate the internalization of the humanitarian intervention norm.
IV: Intervention in Kosovo

The first case study is the U.S.-led NATO intervention in Kosovo. In this chapter, I examine the independent variables of public opinion, economic situation, and international pressure, to show whether congressional support for intervention is indicative of the internalization of the humanitarian intervention norm.

Crisis in Kosovo

Following the death of Josip Broz Tito in 1980, the fragile ethnic coexistence of the Serbians and Albanians in Kosovo quickly deteriorated. Widespread protests, economic pressures, the growing Albanian birth rate and Serbian emigration patterns exacerbated the situation, heightening the sense of isolation among Kosovo Serbs.\(^\text{160}\) When Slobodan Milosevic gained power in Serbia in 1987, he capitalized on themes of Serbian victimization with inflammatory rhetoric and empowered the Serb nationalist movement. The Milosevic regime severely limited Kosovo Albanian freedoms and dissolved the Kosovo Provincial and government. Hyper-nationalism, coupled with ethnic discrimination against the population majority generated increasingly violent resistance from the Kosovo Albanians.\(^\text{161}\)

During the early 1990s, the Kosovo Albanians resistance first emerged in a non-violent form, led by Dr. Ibrahim Rugova. However, Rugova’s apparent failure to control growing human rights abuses through diplomatic mediation led to the creation of the Kosovo Liberation Army (KLA) in 1997. The KLA pursued a more radical agenda against Serbian

\(^{161}\) Ibid, 60.
security forces, who responded with violent military repression. The Clinton administration was wary of a protracted humanitarian crisis that could spill over Kosovo’s borders and initiated diplomatic processes, initially through the U.N. and then through NATO, to defuse the situation.

In response to the killing of 53 Kosovo Albanians in March 1998, a six-nation Contact Group, consisting of the U.S., the United Kingdom (UK), France, Germany, Italy and the Russian Federation condemned Serb reprisals and ethnic cleansing. The U.S. and the U.K., in particular, launched a diplomatic effort to increase international pressure on Yugoslavia. On March 31, 1998, the Security Council approved Resolution 1160, which denounced excessive force by Serbian forces, called for a multilateral police force in Kosovo and imposed a more comprehensive arms embargo. Milosevic escalated his ethnic cleansing campaign in the spring and by September 1998, around 250,000 Kosovo Albanians had been driven from their homes. On September 23, the Security Council adopted Resolution 1199, which called for both sides to end hostilities.

After negotiations with U.S. Envoy Richard Holbrook, Milosevic consented to the deployment of roughly 2000 unarmed monitors from the Organization for Security and cooperation in Europe-Kosovo Verification Mission (OSCE-KVM), to monitor, document and publicly report violations. On January 8, 1999, KLA forces killed 3 Serb policemen and the Serbs responded through a massacre at the village of Racak, killing 45 ethnic Albanians and 9 KLA soldiers. Racak proved to be a turning point that galvanized Western outrage and

\[162\] Ibid.
energized NATO; at this point, the increase in Serbian military activity and the accumulation of violence against innocent citizens was viewed by the international community as genocide. The mass migration of Albanian refugees and civil war in Kosovo prompted President Clinton to claim that the situation now endangered the entire Balkan region and represented a strategic threat to NATO. On January 30, 1999, the high water mark of NATO threat diplomacy, NATO announced that it was prepared to initiate air strikes against Serbian targets. An ultimatum called for the restoration of Kosovo’s pre-1990 autonomy and democratic elections, as well as the demand that both sides attend the Rambouillet Peace Conference.

On March 18, 1999, the Albanian, U.S. and U.K. delegations signed the Rambouillet Accords, which called for: a constitutional referendum on Kosovo autonomy to be held within three years; a force of 30,000 NATO troops to maintain order; the development of a free-market economy; and the provision of democratic self-government in Kosovo. The Serbian and Russian delegations protested the terms and talks were suspended on March 19, amidst intensifying violence and an increase of Serbian forces of 40,000 police and soldiers and 300 tanks in Kosovo. An estimated 1.5 million people fled, and between 6,000 and 11,000 Kosovo Albanians were killed in the Serbian Operation Horseshoe, intended to expel the Albanians from their homes.

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166 On March 28, 1999, German Defense Minister Rudolf Sharping said about the situation in Kosovo: “Genocide has begun. We must prevent that from happening.” The next day, US State Department officials remarked that “Genocide is unfolding” in Kosovo. British Defense Secretary George Robertson said “We are confronting a regime which is intent on genocide.” Ronayne, “Genocide in Kosovo”. 64.


169 Ronayne, "Genocide in Kosovo". 63.
Unity among the Contact Group members was weak; Russia expressed its intention to veto any enforcement action against Serbia in the Security Council, forcing NATO members to act without Security Council authorization. Concern over American fatalities led the Clinton administration to preclude the use of ground troops, and rely instead on a campaign of targeted air strikes. The OSCE monitoring force withdrew March 20, and on March 24, Operation Allied Force was launched against Serbia.\textsuperscript{170}

Operation Allied Force was conducted by U.S. forces in conjunction with NATO forces with the intention of protecting Kosovo Albanians, and lasted from March 24 to June 10, 1999. NATO at first underestimated Serbian resolve and was forced to increase the force of its bombing campaign, contributing to the humanitarian crisis. In the first week following the NATO bombing, 300,000 Kosovar civilians fled and in total more than 848,000 left the country. As a result of the prolonged air campaign, diplomatic efforts resurfaced in May, and both British and American administrations began to consider the use of ground troops. Russia agreed to the NATO demand that all Serb forced must leave Kosovo and on June 3, the weight of international pressure led to Milosevic’s capitulation.\textsuperscript{171}

The intervention in Kosovo was revolutionary in a number of ways: it was the first war in which air power alone was used to secure victory, and it was undertaken without Security Council consent. Additionally, the intervention in Kosovo set an important precedent for military intervention justified by humanitarian crises. Václav Havel argues that the U.S.-led NATO intervention in Kosovo was “probably the first war that has not been waged in the name of national interests, but rather in the name of principles and values…”\textsuperscript{172}


\textsuperscript{171} Ibid.
war places human rights above the rights of the state.”172 Although the intensity of ethnic violence in Kosovo was undoubtedly one of the main motivations for intervention, it was by no means the only concern. Both and Clinton and U.K. Prime Minister Tony Blair recognized that ‘to walk away from Kosovo would destroy NATO’s credibility;’173 NATO action against Serbia was designed to safeguard and ensure the credibility of NATO as a viable organization in the post-Cold War period.174

It is also important to note that while intervention in Kosovo may constitute an example of definitive action to protect a foreign population, the reluctance to use ground troops calls into question the depth of NATO humanitarian commitment. Allied planes were flown at 15,000 to avoid casualties, significantly reducing accuracy and in some cases, inadvertently accelerating the Serbian campaign of ethnic cleansing. At its surface, the intervention in Kosovo constitutes only partial humanitarian concern. The following analysis of the effects of public opinion, economic situation and international pressure on U.S. congressional action and foreign policy will provide further insight into the strength of the humanitarian intervention norm in U.S. politics.

Public Opinion

If the Clinton administration was perceived to have taken the wrong approach to the humanitarian crisis unfolding in Kosovo, the political costs would have been significant. The civil war in Kosovo received intense media attention; in the three months before the NATO intervention in Kosovo, coverage of the conflict in the *New York Times* averaged more than 14% of the international coverage. The media generalized the crisis as a conflict between good and evil, painting the KLA as “freedom fighters.” In May 1998, *Newsweek* revealed that 69% of the public believed that Serbia was the sole perpetrator of genocide against Kosovo Albanian citizens, but opinion polls taken between 1998 and 1999 show that the US public was more ambivalent about the prospect of intervention. President Clinton heavily relied on polls for his success while in office, and U.S. public opinion on intervention would have no doubt affected his decision-making processes.

The first U.S. opinion poll available was conducted between October 9 and 12, 1998, at the height of tensions between NATO and Milosevic. The Gallup poll asked: “Based on what you have read or heard, do you think the United States and its Western European allies should or should not conduct military air strikes against the Serbian forces in Kosovo?” 42% were found to be in favor, 41% opposed and 17% had no opinion. The second poll conducted before the start of the NATO intervention was conducted between February 19 and 21, 1999. 43% were found to be in favor of use of military action against Serbian forces

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179 See appendix D.
in Kosovo, 45% opposed and 12% did not answer.\textsuperscript{180} As appendix D shows, this question was asked a total of 21 different times, and changes in its formulation showed little variation; support for war consistently remained around 50%, and the launching of NATO air strikes in March, 1999 has little perceivable effect.\textsuperscript{181} Support for U.S. participation in the NATO intervention rises slightly by April to 60% and then erodes slowly and returns to its pre-war level in May, 1998. Altogether, U.S. public opinion polls did not provide much guidance to the Clinton administration, with the exception of slight weariness at the prolonged nature of the air campaign. Public opinion was considerably more definitive on the question of whether the U.S. should commit ground troops to the NATO intervention.

The American public was primarily in favor of finding a diplomatic solution to the crises in Kosovo. Between March 25 and April 17, 1999, 30% of U.S. citizens were in favor of increasing diplomatic efforts, and this number rose to between 52 and 62% according to a \textit{Newsweek} study, by early May.\textsuperscript{182} The Clinton administration initially ruled out the possibility of a ground invasion, wary of the political repercussions of American casualties. In the U.S., a consistent gap of about 10% existed between support for air strikes and support for ground troops, should bombing be ineffective; as shown in appendix F, the question of ground troops is asked a total of 19 times between March 14 and 6 June, 1999, and support averages around 40%.\textsuperscript{183} U.S. support for NATO air strikes remained at the steady level throughout the intervention, despite an indecisive bombing campaign and a growing number of civilian causalities, highlighted by the Serbian media. Despite the loss of prestige and civilian life, there was never any significant support for a ground operation.

\textsuperscript{180} Ibid.
\textsuperscript{181} Ibid.
\textsuperscript{182} See appendix E.
\textsuperscript{183} See appendix F.
Due to a variety of different factors, Clinton enjoyed high approval ratings throughout his presidency, the high-point being in December, 1998, at 73%. In addition, the President was in his second term during the development of the Kosovo crisis. As a result, Clinton was probably less concerned with the effects of public opinion, and given the freedom to act upon other motivating factors. Although public support for intervention during the crisis was consistently below 50%, the administration chose to conduct a campaign of air strikes against Serbia. Intervention in Kosovo was carried out against the weight of public opinion, and could indicate influence of humanitarian concerns in the decision-making process. Although this concern was not so great as to warrant the risk of American life, there is some indication that the U.S.-led NATO intervention was informed, in part, by humanitarian interests. In the following section, I evaluate the impact of the economy on U.S. foreign policy in Kosovo.

Economic Situation

In 1998, the U.S. economy experienced immense macroeconomic growth, performing above the domestic long-run average in a variety of different areas. The state of the economy was undoubtedly a major factor in the support of the public and policy-makers for the intervention in Kosovo. Despite operating only from the air, U.S. intervention in Kosovo would be extremely costly and required NATO involvement long after the conflict had been resolved. On April 14, 1999, the New York Times estimated that the war had cost $4 billion in its first month. On April 17, 1999 President Clinton requested an additional provision of $5.9 billion.

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billion to continue the war. These costs were not a significant disincentive for intervention due to the strength of the economy.

During 1998, U.S. Gross Domestic Product (GDP) averaged in the range of 3.0-3.5%, above the average of 2.5-3.0% which has been observed since the early 1970s. This trend continued into the first quarter of 1999, in which U.S. GDP grew at 3.7%. Unemployment rates also reflected a healthy economy. The national unemployment rate dropped from 4.6% in the first quarter of 1998 to 4.4% in the second quarter. In 1999, the average unemployment rate was 4.2%, the lowest since 1969. At this point, unemployment had remained below 5% for 30 consecutive months.

Figure 3: Unemployment Rate in the United States from 1990 to 2012

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In similar fashion, U.S. inflation rates fell to a level in 1998 that had not been reached since the early 1960s. Perhaps the most significant macroeconomic development was the decline in the federal government budget deficit. In the early 1990s, the deficit reached a peak of $300 billion, but was eliminated by the beginning of 1998. At the end of 1998, the government budget was running a surplus of nearly $70 billion; the last annual budget surplus had been in 1969. As a result these macroeconomic developments, the U.S. economy grew at the staggering rate of 5.9% in the fourth quarter of 1998. Polls show that national confidence in the economy was extremely high: in June 1998, 74% of Americans said that economic conditions in the U.S. were “excellent” or “good.” 69% of Americans believed that the economic situation would only continue to improve.

Public concern about the financial costs of intervention was only significant with relation to the possibility of sending ground troops: 29% were worried about the cost of ground troops in March, and 38% in April, when it appeared that the bombing campaign would not be a brief operation. Economic cost and public intolerance for casualties no doubt contributed to Clinton’s refusal to consider sending U.S. ground troops to Kosovo. Nevertheless, the Clinton administration was able to act on the humanitarian crisis in Kosovo knowing that the economy would be able to sustain costs of prolonged conflict. While the strength of the economy does not suggest that humanitarian motives were absent, it does not confirm that they played a significant part in influencing foreign policy in Kosovo. The economic health of the country provided U.S. policy-makers with the license to act, but this decision could have been informed by any number of factors apart from humanitarian

interest. As such, we cannot conclude that this variable points towards the internalization of
the humanitarian intervention norm in U.S. foreign policy.

**International Pressure**

In January, 1999, following the brutal Racak massacre and under withering attack from the
European press, the NATO alliance was forced to concentrate on its search for a consensus
on action. Both the U.S. and Britain emphasized the moral and humanitarian obligation to
intervene: Blair with the “Doctrine of International Community” laid out in a speech to the
Economic Club of Chicago on 22 April 1999, and Clinton in a June 1999 press conference,
stating that “if the world community has the power to stop it, we ought to stop genocide and
ethnic cleansing.” However, consensus on NATO intervention received some resistance
from France and Germany, which favored a Security Council decision on intervention.

France’s Foreign Minister, Hubert Vedrine, feared that the use of force could in fact
cause a greater number of refugees, and President Jacques Chirac called for a new
international plan to restore autonomy to Kosovo. The French insistence on U.N. approval
reflected resistance to U.S. leadership and the desire for a compromise that would preserve
the international status quo.

NATO remained at an impasse for almost a year on the use of force in Kosovo, allowing the consensus process to also be influenced by outside forces. Most notably,
Russian and China denounced any international military interference in Kosovo without

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Security Council authorization, as a violation of international law. Russian President Boris Yeltsin continued to maintain close relations with Milosevic and presented Russia as a counter-weight to what it perceived to be strong anti-Serbian tendencies. With the promise of a Russian and Chinese veto against intervention, the role of the U.N. became merely symbolic. Its resolutions had no discernible impact and it did not apply any significant pressure on Milosevic or the members of the Security Council.

Figure 4: International public opinion on Kosovo intervention

By the end of September, 1998, NATO began discussing the use of force to protect the Kosovo Albanian population. Clinton rallied international support for intervention, and President Chirac and Chancellor Kohl approved of an air campaign if diplomatic efforts

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failed. Russia’s foreign minister, Igor Ivanov, indicated that Russia would veto proposals of intervention to the U.N., but would not retaliate to a NATO operation.\textsuperscript{198} When the severe limitations of the air strike operation had become clear by April, 1999, Russian diplomats provided essential support in the concentrated diplomatic efforts to end the war. In early June, Russia endorsed the critical NATO demand that all Serbian forces must leave Kosovo, leading to Milosevic’s surrender.\textsuperscript{199}

A survey of international opinion on the question of intervention in Kosovo shows large variance in support. Although there was support for action within NATO, intervention was conducted in direct opposition of both Russia and China, two of the most powerful states in the international arena. The U.S. and the U.K. in particular were persistent in the search for a diplomatic solution to the ethnic violence in Kosovo. Once all diplomatic options had been exhausted, the NATO allies were willing to commit to a military operation legitimized through humanitarian duty, rather than submit to stalemate in the Security Council. The NATO intervention was carried out without the approval of Russia and China, although Russia did play an essential diplomatic role in the final stages of the operation. Taking these facts into consideration, this proactive U.S.-led intervention could have been motivated in part by humanitarian interests and the emerging humanitarian intervention norm.

\textsuperscript{198} Rogel, “Kosovo: Where It All Began,” 176.
\textsuperscript{199} Ibid, 179.
Congressional Support

From 1997 to 1999, the Republicans had the majority of seats in the 105th Congress, with 55; the Democrats were the minority party with 45 seats. From the end of 1998 till the end of Clinton’s presidency, antipathy between the Democratic president and the Republican Congress led to a legislative stalemate. A hostile Congress and Clinton’s oncoming lame-duck status further amplified party divisions. A study shows that party affiliation is one of the most important indicators of legislator’s support for intervention, and that under the Clinton administration, this effect was particularly pronounced; in the 30 days leading up to a congressional vote, Democrats were 13% more likely to support humanitarian intervention than Republicans. More liberal members were also more likely to support humanitarian military initiatives than those who were conservative.

If the intervention in Kosovo ended badly, “Republicans would have a powerful stick with which to beat their Democratic foes.” Nevertheless, the Republican Party remained divided on foreign policy throughout U.S. action in Kosovo, and once the war had begun, Republican House leadership opposed the efforts of Representative Tom Campbell (R-Calif.) to assert Congress' constitutional war powers. Bipartisan support for the U.S.-led intervention grew by the first week of bombing: 60% of Republicans, 59% of Independents

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204 Ibid.
and 68% of Democrats approved of the air strikes.\textsuperscript{205} Such overwhelming support for intervention despite a neutral American public and the opposition of Russia and China suggest that strategic and humanitarian interests must have played a significant role in motivating action.

On March 23, 1999, the Senate passed, by a vote of 58-41, S.Con.Res. 21, a non-binding resolution, authorizing the President of the United States to conduct military air operations and missile strikes against the Federal Republic of Yugoslavia (Serbia and Montenegro).\textsuperscript{206} The House of Representatives also voted on a number of subsequent measures relating to U.S. participation in the NATO intervention. On April 28, the House passed H.R. 1569, which prohibited the use of Defense Department funds for the deployment of “ground elements” of the U.S. Armed Forces in Yugoslavia, unless specifically authorized by law. On the same day, the House defeated H.Con.Res. 82, which would have directed the President to remove U.S. Armed Forces from their positions of operation against Serbia. On April 28, the House defeated H.J.Res. 44, a joint resolution that would have declared a state of war between the United States and the Federal Republic of Yugoslavia. In a statement against the President’s concern over Kosovo, the House defeated S.Con.Res. 21, the Senate resolution passed on March 23, 1999.\textsuperscript{207}

On May 4, 1999, the Senate tabled S.J.Res.20, a joint resolution sponsored by Senator John McCain, that would a authorize the President “to use all necessary force and other means, in concert with United States allies, to accomplish United States and North Atlantic


\textsuperscript{207} Ibid, 5.
Treaty Organization objectives in the Federal Republic of Yugoslavia.” On May 20, 1999, Congress authorized H.R. 1141, which provided billions in funding of the operation in Kosovo. On May 25, a small number of Congress members sued President Clinton in Federal Court, arguing that his actions constituted a violation of the War Powers Resolution “stipulating a withdrawal of US forces from the area of hostilities occur within 60 days in the absence of congressional authorization to continue.” The suit was dismissed in both the Federal and Supreme Courts.

Although Congress never put the full weight of its support behind the Clinton administration’s initiative in Kosovo, it did not significantly restrict the President or call for an end to U.S. involvement. Just hours before the start of NATO air strikes, the Senate passed S.Con.Res. 21, giving the green light to humanitarian intervention despite the road blocks of party disunity, a poor relationship with the President, and the Republican majority. Even the unexpected complications and inefficiencies of the bombing campaign did not deter congressional support.

Conclusion

It is important to reiterate the fact that the determination of the driving factors behind foreign policy in this situation involves a variety of different variables. Three of the most important independent variables have been closely examined in this chapter. The strength of the U.S. economy in 1999, and the reasonable support of the public suggest that there would have been few ramifications to a difficult or unsuccessful operation in Kosovo. Russia and China

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208 Ibid.
209 Ibid.
refused to endorse a Security Council resolution for intervention, but ultimately it was Russian diplomatic efforts that spearheaded negotiations and led to Milosevic’s capitulation.

The conditions in which the U.S.-led NATO intervention in Kosovo took place were, on the whole, favorable, and so it is difficult to prove definitively the strength of the humanitarian intervention norm in this case. The following examination of U.S. policy during the Darfur crisis will provide a comparison case, and help to further elucidate what factors most inform U.S. policy towards foreign humanitarian crises. In doing so, it will help to answer the question of whether intervention in Kosovo was a result of the internalization of the humanitarian intervention norm, or merely a combination of favorable conditions and strategic interests.
V: Non-intervention in Darfur

The second case study is the American non-intervention U.S. in Darfur. As in the previous chapter, I will use the independent variables of public opinion, economic situation, and international pressure to show why congress was reluctant to act decisively in Darfur. The utility of this case lies in its similarity to the crisis in Kosovo; the comparison of the two cases provides further insight into the factors that have informed U.S. foreign policy, and the agency of the humanitarian intervention norm.

Crisis in Darfur

The outbreak of violence in Darfur began as a series of localized conflicts between indigenous farming tribes and pastoralist nomadic tribes over diminishing resources, but escalated into a war of attrition. The violence of the Sudanese civil war, between the Islamic Sudanese Government (GoS) of the North and the Sudan’s People Liberation Army (SPLA), eventually spread to Darfur. Throughout the 1980s, the GoS mobilized nomadic Arab herders, the Janjaweed, against southern communities in support of the SPLA, but in the early 1990s, the Arab militia began to carry out a series of systematic attacks against indigenous tribes in Darfur. The primary victims of this violence were the Fur, Massalit and Zagawa tribes of Darfur.210

By the mid 1990s, attacks by the Arab nomadic tribes were becoming more frequent and destructive. In August 1995, Arab raiders attacked and burned the village of Mejmeri in

West Darfur, stealing 40,000 cattle and killing 23 civilians.\footnote{211} By 1998, over 100,000 Massalit had fled to Chad to escape the violent attacks on their communities.\footnote{212} In response to the “brutal oppression, ethnic cleansing and genocide sponsored by the Khartoum government,”\footnote{213} an African political resistance movement, the Sudanese Liberation Movement, and its military wing, the Sudan Liberation Army (SLM/SLA) began to provide security for African villages and conduct retaliatory attacks on the GoS. A second rebel group, the Justice and Equality Movement (JEM) also began to protest against the economic and political marginalization of Darfur.

On April 25, 2003, SLA and JEM forces struck a GoS air force base at el Fasher, killing 75 and destroying several planes and bombers. This pivotal point in the conflict led to an intensification of the so-called “scorched-earth attacks” by the GoS and Janjaweed against indigenous tribes in Darfur. Attacks most often involved bombing by GoS aircraft, followed by ground attack by hundreds of Janjaweed on camels and horses and four wheeled vehicles, resulting in mass killing, gang rape and the wholesale destruction of African villages.\footnote{214} By spring 2002, Fur politicians reported to Sudanese President Omar al Bashir that 181 villages had been attacked, resulting in hundreds of deaths and thousands of stolen animals.\footnote{215} On December 9, 2003, the U.N. estimated that there were 600,000 internally displaced people in Darfur,\footnote{216} and Médecins Sans Frontières estimated that by November 2004, 1.8 million

\footnotesize{\begin{itemize}
\item \footnote{212} Ibid.
\item \footnote{213} The Sudan Liberation Movement and Liberation Army, 2003. Pages 1-2.
\item \footnote{214} Totten and Parsons. \textit{Century of genocide critical essays and eyewitness accounts}. 514.
\item \footnote{215} Ibid.
\end{itemize}}


On June 29, 2004, U.S. Secretary of State Colin Powell indicated that the crisis in Darfur contained elements of genocide, and in July and August 2004, the U.S. sent a team of 24 investigators (the Atrocities Documentation Team or ADT) to conduct interviews with Sudanese refugees in Chad to ascertain whether genocide had been perpetrated by the GoS and the \textit{Janjaweed}.\footnote{Totten and Parsons, \textit{Century of genocide critical essays and eyewitness accounts}, 529.}


The U.N. Security Council has released a number of weak resolutions addressing the crisis in Darfur. In May and July, 2004, Resolutions 1547 and 1556 placed the responsibility
of action on the GoS, by demanding that it disarm the *Janjaweed* and end humanitarian disaster.\(^{222}\) Both resolutions failed to include sanctions against the GoS in case of non-compliance, because seven of the fifteen Security Council members were reluctant to endorse threatening diplomatic measures.\(^{223}\)

In September, 2004, Resolution 1564 ordered the Sudanese Government to bring to trial those responsible for abusing human rights, and in November of the same year, U.N. Resolution 1574 called for all armed groups to end violent attacks and facilitate the safety of humanitarian staff in Darfur.\(^{224}\) After much deliberation, the U.N. Security Council passed Resolution 1593, on March 31, 2005, to refer the Darfur case to the International Criminal Court (ICC). This resolution provided an alternative mode of action for those members of the Security Council unwilling to commit significant financial, military or logistical support to the humanitarian crisis in Darfur.\(^{225}\)

The Darfur Peace Agreement (DPA), signed on May 5, 2006, by the GoS and the SLM, called for a number of initiatives, including the incorporation of SLM delegates into national and regional parliaments, the reconstruction of Darfur and the disarmament and demobilization of the *Janjaweed*. A result of international pressure rather than reconciliatory spirit, the DPA was rejected by the JEM and other rebel movements, and ultimately failed as both sides breached the terms of the agreement and failed to meet deadlines.

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\(^{223}\) Peter J. Burgess, Paul D. Williams, and Alex J. Bellamy, “The responsibility to protect and the crisis in Darfur.” *Sage Publications Ltd*, 2005. 32.


In July 2007, the U.N. Security Council issued Resolution 1769 to authorize the deployment of a joint UN-AU peacekeeping force in Darfur (UNAMIS), but included no mechanisms of enforcement. As a result, the GoS continued to refuse to comply with U.N. initiatives, and without consensus in the Security Council, the U.N. remained only a nominal force. Peace talks in Libya in October 2007 achieved no results and in December, U.N. Under Secretary General for Humanitarian Affairs John Holmes informed the Security Council that 280,000 people had been forced to flee Darfur in 2007 alone, and that attacks on aid workers had reached unprecedented levels.

The violence between the GoS/Janjaweed, and indigenous Darfur tribes intensified in January and February 2008, when the GoS attacks in West Darfur led to the decimation of four villages. As a result, 115 civilians were killed, including children, women and the elderly, and an estimated 30,000 people were displaced. On July 8, 2008, ICC Chief Prosecutor Luis Moreno-Ocampo announced that he had evidence to convict al Bashir of committing genocide. The Sudanese President immediately adopted a more conciliatory response and in November, 2008 called for a national vision of peace, and an unconditional cease-fire. On February 17, 2009 the GoS and JEM signed a declaration of goodwill in an effort to bring peace to Darfur, but the peace effort was short lived and rebel groups quickly rescinded their commitments.

On March 4, 2009, the ICC issued an arrest warrant for Omar al Bashir, charged with seven counts of crimes against humanity. Amidst ongoing violence, Al Bashir rejected the charges and the claim that his troops had targeted any civilians in Darfur. In 2010 and 2011,

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227 Totten and Parsons, Century of genocide critical essays and eyewitness accounts. 536.
228 Ibid, 537.
229 Ibid, 540.
civilians in the Jebel Marra region of Darfur were consistently bombed by GoS aircraft: there were an estimated 182 bombings in 2010 and an additional 84 by May 2011. On February 23, 2010, the GoS and JEM signed a peace treaty known as the Doha Agreement, but only since early 2012 have displaced civilians found it safe enough to return to their homes in Darfur.

The hollow and ineffective international response facilitated a continuation of violence in Darfur; the United Nations estimates that the death toll was between 300,000 to 400,000, and reports that up to 2.5 million in Darfur were displaced from their homes. In the following sections, I plan to use the variables of public opinion, economic situation and international pressure to assess the internalization of the humanitarian intervention norm in the U.S. foreign policy.

Public Opinion

The first polls of U.S. public opinion on Darfur indicate substantial support for U.N. military intervention to stop the genocide in Darfur. In a PIPA/Knowledge Networks Poll conducted in 2004, 74% of respondents answered that the U.N. should intervene with military force in Darfur (83% of Republicans, 71% of Democrats). 60% believed that the U.S. should be

230 Ibid, 546.
willing to contribute troops to a multi-lateral UN force in Darfur, again achieving bipartisan support (62% of Republicans, 64% of Democrats).\textsuperscript{233}

In 2005, public opinion polls reflect substantial American support, across all party and religious lines, for a much tougher response to the crisis in Darfur. “Some 84% of respondents said that the U.S. should not tolerate an extremist government committing such attacks, and should use its military assets, short of inserting U.S. combat troops on the ground to protect civilians, to help bring them to a halt.”\textsuperscript{234} A strong majority also supported tough sanctions on the Sudanese leaders (81%), a no-fly zone over Darfur (80%), and NATO logistical and troop support for an expanded African peacekeeping force (76%). As for the question of U.S. troops in Darfur, polls showed considerable variance in public support.\textsuperscript{235}

A survey conducted by the Pew Research Center in 2007 shows similar results. Around 49% of Americans believed that the U.S. has a responsibility to “do something” about the ethnic genocide in Darfur. A narrow plurality of 49% favored the use of U.S. troops as part of a multinational force, with 37% opposed and 18% unsure. Although these polls show a decline of support for U.S. military intervention, research shows that those who


\textsuperscript{235} The poll conducted by the International Crisis Group received only 38% of support for the insertion of US troops into Darfur. A poll conducted by PIPA around the same time showed 54% in support of using US troops.


were more aware of the details of the Darfur crisis were more likely to support US intervention.236

The print media is seen to have largely failed to explain the targeted nature of the killing, and gave little attention to the failure of the AMIS and its lack of supply.237 A plurality of the public in 2007 believed that Darfur was receiving too little coverage, and as much as 46% said that they were only “slightly aware” of the crisis.238 Among those who had heard a lot about the crisis, support for U.S. intervention rose to 72%.239

The crisis in Darfur began to receive international attention at an extremely inconvenient time for the administration of President George W. Bush, immediately following the invasion of Iraq. In addition to the strain of these financial and military commitments, the presidential approval ratings dropped significantly over the course of 2003: from a high of 90% approval in the aftermath of the September 11, 2001 terrorist attacks, the rating dropped to 63% by the end of 2003 and to just 49% by the end of the next year. As seen in the table below, Bush’s approval ratings continued to drop during the most violent and destructive period of the crisis in Darfur. Unlike his predecessor, Bush was restrained by concurrent military commitments, falling approval ratings, and the fact that he was in his first term as President. As a result, the consistent public support for U.S. intervention in Darfur was only met with an irresolute and non-committal approach to the crisis that points to the limitations of the humanitarian intervention norm.

237 International Crisis Group, “Do Americans Care about Darfur?” 2.
238 Ibid.
239 Pew Research Center, “Public Wants to Know More about Darfur and Many Favor US Involvement.”
Despite the lack of media coverage, the prospect of U.S. intervention in Darfur, and particularly as part of a multilateral force, received consistent support. In contrast to U.S. inaction in Darfur, the Clinton administration had strongly promoted intervention in Kosovo, even without any definitive public support. The reluctance of U.S. decision-makers to be involved in Darfur could imply two things: that the variable of public opinion does not affect U.S. foreign policy, or that a number of other factors deterred Congress from taking action. As seen in the Research Design and Expectations chapter, public opinion does affect foreign policy. Bush’s actions were constrained in part by his plummeting approval ratings. In his first term of presidency, the prospect of another prolonged and costly war would have been a significant disincentive to decisive action in Darfur. It remains to be seen whether Bush was unwilling to act because of the additional pressures of the economic situation or international opinion, but inaction in Darfur highlights the vulnerable nature of the humanitarian intervention norm is U.S. decision-making processes.

Economic Situation

Perhaps the largest inhibitors to effective action by the United States in Darfur were the pre-existing military commitments in Afghanistan and Iraq. The U.S. military was overstretched in these two operations, and the cost of a military intervention in Darfur would have been too great a burden on the U.S. economy. On April 22, 2004, Samantha Power testified before the House International Relations Committee that it would require 10,000 troops to effectively stop the killing in Darfur;\(^{241}\) although the U.S. has consistently provided aid to Darfur, the Bush administration determined that the crisis in Darfur was not worth that level of military or economic commitment.

In the second half of 2003 when the crisis in Darfur first came to international attention, U.S. economic growth was booming. After growing at a rate of 3.3% in the second quarter of 2003, U.S. GDP grew at a rate of 7.2% in the third- the fastest pace in nearly two decades.\(^{242}\) The economic confidence of the nation consequently rose from 60% at the beginning of the year to a high of 71% at its end.\(^{243}\) The Bush tax rate reductions in May 2003 energized the economy in 2004, leading to a growth rate of 4.4%, the best since 1999. Unemployment rates in the U.S. fell consistently from 6% in 2003, to just 4.6% in 2006.\(^{244}\) However, by 2005, the sustained financial burden of the simultaneous wars in Afghanistan and Iraq began to slow the economy and dramatically increase the fiscal deficit.

GDP growth in 2005 decreased from almost 4.2% in 2004, to an average of 3.5%. In the final quarter of the year, economic growth slowed in just 1.1%. The U.S. GDP growth rate continued to fall over the next four years, culminating in the financial crisis of 2008. The U.S. unemployment rate increased to 10.1% by October 2009, the highest rate since 1983. The Bush administration experienced a steady drop in public economic confidence in the period between 2003 and 2008, to a low of around 25%. It is important to note that the U.S. economy had arguably reached greater heights in 2003-2004 than it had in 1999, when Clinton announced to Congress that NATO had commenced air strikes against the Serbian government. In contrast, the U.S. policy in Darfur was of hollow condemnation of the GoS, and financial support. Between 2000 and 2009, the U.S. provided 33.9% of the total aid to Sudan, making it the largest donor over this period. U.S. aid to Sudan increased quite significantly from $140.1 million in 2002, to $942.6 million in 2009, showing that it was willing to alleviate some of the suffering in Darfur, despite the deteriorating state of the economy.

The deterioration of the U.S. economy during the Darfur crisis was a major reason why the Bush administration remained uninvolved. The simultaneous American operations in Afghanistan and Iraq also played a part; Congress was unwilling to commit further military resources to Darfur, in what may have become a long and costly war, with little strategic gain. Because of the strong presence of these countervailing factors that were not present during the crisis in Kosovo, it is impossible to know whether the norm of humanitarian

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intervention was stronger or weaker than it was in 1999. What we can deduce, however, is that the U.S. foreign policy discrepancy between Kosovo and Darfur reveals the subservient nature of this norm. There was no shortage of humanitarian need in Darfur, but the situation lacked the strategic interest that drew the U.S. into Afghanistan and Iraq. International pressure also played a role in impeding humanitarian action in Darfur.

International Pressure

The resolutions of the U.N. were only a nominal force against the mass atrocities taking place in Darfur. The ineffectiveness of U.N. initiatives in Darfur was amplified by the absence of any significant sanctions in case of non-compliance by the GoS. Various members of the Security Council chose to preserve strategic, political and economic ties with Sudan: China relies on Sudan for much of its petroleum, and along with Russia, has a major arms deal with the Sudanese Government. Although both these powerful states presented an initial obstacle to substantial action, the U.S. was also restrained by its own interest in securing help from the GoS to shut down terrorist cells within Sudan.

In the early stages of the conflict, China framed its opposition to international intervention in Darfur on the basis of state sovereignty and non-intervention, as the main pillars of the U.N. Charter. However, by mid-2004, Chinese defense of the Sudanese government buckled under the weight of international pressure and renewed efforts to coordinate with Western powers. China began a diplomatic campaign of negotiation with the GoS, and resorted to abstentions in the passing of the Security Council Resolutions 1556,

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1564, 1593, and 1706. In 2006, Chinese President Hu Jintao met with al Bashir and was instrumental in convincing the GoS to accept U.N. peacekeeping forces into the Darfur region. The U.S. was eager to recognize Chinese diplomatic efforts; President Bush commented on China’s positive role in the Darfur crisis when he met with Hu Jintao in April 2006, and U.S. Secretary of State Condoleezza Rice affirmed that “the U.S. highly appreciates the positive role which China plays in Darfur.”

Russia, Pakistan and Algeria in particular offered some resistance to intervention and economic sanctions, similarly citing the norm of non-intervention. These states refused to label the crisis in Darfur as genocide, and Russia indicated its dissent through abstention from Security Council resolutions.

Other states, such as Romania and the Philippines advocated for military intervention, propagating the need to stem the tide of violence from a standpoint of legal and moral responsibility. However, on the whole, Europe did not offer much support to the U.N., or to the prospect of military humanitarian action. Even before the U.S. administration announced its position in Congress, the European Union made a statement saying that the Darfur crisis did not meet the legal requirements of genocide. Both Britain and France pursued a number of half-hearted attempts to approach the violence in Darfur, but domestic pressures restricted any meaningful efforts. Britain was facing severe public disapproval of its involvement in Iraq and France was already committed in conflict zones in Africa, and felt

250 Ibid.
251 Ibid.
253 Ibid. 377.
that it could not make further commitments. Neither showed “interest in deploying its own peacekeepers to Darfur.”\textsuperscript{255}

In the case of Darfur, Security Council action was defined by a moral ambivalence, prompted by the absence of self-interests. The “responsibility to protect” was left to the primary perpetrator of violence in the region, the GoS, and there was little support for effective action. The crisis in Darfur generated intense publicity and pressure from a number of NGO interest groups, eventually forcing China down a route of diplomatic negotiation with the GoS. However, this pressure fell well short of stimulating effective action by the U.S. and the international community. Although the nature of international pressure was very similar to 1999, U.S. inaction during the Darfur crisis shows that other interests were given precedence over any humanitarian concern.

\textbf{Congressional Support}

As in the previous chapter, congressional initiatives can be evaluated as a dependent variable to reflect the motivations of foreign policy action. Joseph Uscinski et al. state that although public awareness of the crisis in Darfur was fairly low, this was not the case for elite groups and activist organizations.\textsuperscript{256} Pressure from these interest groups amplified the moral imperative placed on the Bush administration, but congressional action never moved beyond diplomatic negotiation, and there were few mentions of military intervention.

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From 2003 to 2005, Republicans had a majority in the 108th Congress, with 51 seats; the Democrats were the minority with 48 seats. The Bush administration also enjoyed a Republican majority between 2005 and 2007 in the 109th Congress, which suggests that there would be less opposition to legislation on Darfur proposed by the administration.

As established earlier, party affiliation has a significant effect on voting behavior, and on average there exists a 42-point difference between partisans in all congressional votes. However, legislation on Darfur had an average difference of only 28-points. As with Kosovo, the humanitarian crisis in Darfur was an example of genuine support across party lines, and on June 22, 2004, a bipartisan roster of 52 senators wrote to Powell urging an increase of assistance to Darfur, targeted sanctions, a travel ban, freezing of assets, and a U.N. resolution calling for robust monitoring and peacekeeping. On July 22, both chambers adopted concurrent, nonbinding resolutions condemning the atrocities in Darfur as genocide, asking the president to do the same. This was followed by H. Con. Res 467, which urged the U.N. to “take appropriate action with respect to the crisis in Darfur,” absolving the Bush administration from responsibility to stop the crisis. Despite a Republican majority in Congress and bipartisan unity on Darfur legislation, Congress did not meet the declaration of genocide with the effective action it required.

On September 23, 2004, the Senate approved by unanimous consent S.2781, “The Comprehensive Peace in Sudan Act.” This act authorized humanitarian assistance to address the crisis in Darfur, Sudan and eastern Chad, primarily through the appropriation of $200

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258 Uscinski et al., “Congress and Foreign Policy: Congressional Action on the Darfur Genocide.”
million in aid. It also directs the President to implement specified sanctions on the GoS, including a ban on travel and the freezing of assets of Sudanese officials.²⁶²

Facing international and domestic pressure, the 109th Congress proposed several measures to provide funding and peacekeeping forces for Darfur. The failure of H.R. 1424, the Darfur Genocide Accountability Act of 2005, is particularly notable. This resolution reiterated the need to impose sanctions on the GoS, but also authorized the President to: (1) “use force to stop the Darfur genocide, including the establishment of a no-fly zone and the use of unmanned armed planes;” and (2) “deny U.S. port entry to ships doing business in the Sudan oil sector and/or with the Sudan armed forces.”²⁶³ Congress passed numerous other resolutions condemning the acts of the GoS and authorizing sanctions, but in contrast to Kosovo, it rejected taking decisive action during the worst period of the crisis. Succeeding peace and accountability acts did not include any provisions for a no-fly zone over Darfur or the use of armed planes, and as such, all were passed in both the House and Senate.

In March, 2005, Senator Biden introduced a bill that called on NATO to examine options to enforce a no-fly zone in Darfur, which was referred to the Committee on Foreign Relations.²⁶⁴ On September 27, 2006, Congress passed H.R. 3127, which contained much of the same rhetoric in resolutions that had gone before it, in identifying the atrocities in Darfur, and calling for the continuation of existing sanctions.²⁶⁵ This was followed in 2007 by Senate Resolution 276, which called for the deployment of a multi-lateral peacekeeping

mission with mandate to protect civilians in Darfur, and Resolution 404 in 2010, which supported the full implementation of the Comprehensive Peace Agreement.

Despite the continuation of human rights violations in Darfur, the prospect of U.S. military intervention never materialized. In 2007, former Assistant Secretary of State for African Affairs and current US Ambassador to the UN Susan Rice attacked the Bush administration for their “feckless” diplomacy, and called for the initiation of military action to stop the Darfur atrocities. As senators, Obama and Biden denounced the actions of the GoS and supported a NATO enforced no-fly zone in Darfur, but the once in power, the Obama administration has been mostly inactive.

Conclusion

The U.S. repeatedly affirmed its position on the atrocities and its commitment to the people of Darfur, but refused to leave the path of diplomacy. When Powell testified before the Senate Foreign Affairs Committee that the GoS and Janjaweed were responsible for genocide in Darfur, he paradoxically declared that “no new action by the US is dictated by this determination.” The Bush administration seems to have adopted a position between the two extremes of inaction and humanitarian intervention, persisting on the diplomatic track far past its prime and placing the responsibility in the hands of the GoS, the primary perpetrators of genocidal violence.

Although public awareness of the crisis in Darfur was generally low, there was widespread acknowledgement of the U.S. responsibility to act, and consistent support for the establishment of a NATO enforced no-fly zone and a multi-lateral peacekeeping force. Human rights NGOs also campaigned widely for a more effective response by the Bush administration, to no avail.

Ultimately, the Bush administration pursued a policy in direct opposition to the majority of domestic public opinion. This could suggest that the humanitarian intervention norm is more internalized in the American public than in its government. In these two instances, the impact of public opinion was somewhat diminished by other factors of influence. In the case of Kosovo, Clinton was willing to act without comprehensive public opinion, which could point towards the influence of humanitarian interest. In Darfur, however, U.S. non-intervention despite public support for action reveals the subsidiary nature of this norm.

Between 2003 and 2005, the U.S. economy was growing at a faster rate than in 1999, and in and of itself, was no real restraint to increased action in Darfur. The military commitments in Afghanistan and Iraq, however, left the Bush administration unwilling to invest the political, human and economic resources to spearhead an effective humanitarian intervention. The economic situation variable cannot show whether the humanitarian intervention norm exerted influence, but U.S. aid to Darfur does reveal that some humanitarian concern was present.

Russia and China offered some opposition to international and U.S. action in Darfur, but on the whole, international opinion was characterized by ambivalence and a distinct lack of leadership. In the case of Darfur, a policy of non-intervention aligned with American
strategic interests in the region. In order to maintain political leverage and prevent a unilateral U.S. intervention, al Bashir offered the Bush administration assistance in identifying the inhibiting terrorist activity in Sudan. In return, the U.S. offered the GoS a kind of *de facto* immunity. Additionally, there were fears that an aggressive U.S. reaction in Darfur would further exacerbate anti-Western sentiments and fuel al-Qaeda terrorist activity.

The comparison of U.S. foreign policy in Kosovo and Darfur reveals a number of characteristics of the humanitarian intervention norm. This analysis shows that humanitarian concern affected both the Clinton and Bush administrations, despite the fact that the policy outcomes in these cases were so different. The U.S. reluctance to become involved in Darfur shows that although the humanitarian intervention norm exerted some influence in U.S. foreign policy formation, it was not sufficient to motivate action. Internalization of this norm has occurred only partially and cannot compete with the other self-interests that are strongly present. The U.S. campaign of drone strikes in Pakistan provides some further insight into the current political climate, and the capacity of the humanitarian intervention norm to exert influence in competition with other norms.

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VI: Intervention in Pakistan

The purpose of this chapter is to use the U.S. security intervention in Pakistan for additional insight on the internalization of humanitarian intervention in U.S. foreign policy. The U.S. policy of targeted unmanned aerial vehicle (UAV) strikes against insurgents has significant implications for the priorities of U.S. foreign policy and consequently, the prominence of the humanitarian intervention norm.

U.S. Counter-Terrorism Operations in Pakistan

Following the invasion of Afghanistan in October, 2001, the Federally Administered Tribal Areas (FATA) in northwest Pakistan became a haven for Taliban and al-Qaeda insurgents, extending the U.S. War on Terror. Since September 11, unmanned drones have been used to kill members of al-Qaeda in Afghanistan and Yemen, and in 2004, President Bush began a campaign of targeted strikes against suspected militants within Pakistani borders. From June 2004, to January 2009, the Bush administration authorized 49 strikes. The Obama administration has greatly escalated and expanded the scope of the drone campaign against militants, ordering a total of 373 strikes with a high of 122 drone strikes in 2010 alone.  

Although the targeted strikes have achieved some success in the elimination of numerous high-ranking Taliban and al-Qaeda militants, it has come at significant cost for the Pakistani people living along the Durand line. The accuracy of drone strikes has differed

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considerably between the Bush and Obama administrations, but estimates of non-militant (civilian) casualties have ranged from 276 to as much as 891, with between 1,267 and 1,431 injured since 2004.\textsuperscript{272} The lack of transparency with which the U.S. conducts its drone campaign in Pakistan, coupled with the considerable collateral loss of life, has led to international outcry by NGOs, advocacy organizations such as the American Civil Liberties Union (ACLU), and the U.N. On June 3, 2009, the United Nations Human Rights Council (UNHCR) criticized U.S. tactics in Pakistan, claiming that the U.S. had failed to track civilian casualties, or create concrete disincentives for the repetition of further errors or judgment and inaccuracies.\textsuperscript{273} In October 2010, U.N. special rapporteur on extrajudicial executions Philip Alston called for an end to CIA-directed drone strikes in Pakistan, and accused the U.S. of being “the most prolific user of targeted killings” in the world.\textsuperscript{274} The U.N. has since launched an inquiry into the impact of drone strikes and other targeted killings on civilians, citing instances in which civilians have been killed in follow-up strikes and strikes on funerals and mourners.\textsuperscript{275} In order to maintain its legitimacy on the world stage, the Obama administration has been forced to provide some mode of accountability and defend its policy of targeted killings.

\textsuperscript{272} Ibid.
The Justification of Drone Strikes

The drone campaign in Pakistan is affected by all of the variables identified in the previous cases studies: public opinion, economic situation, and international pressure. The economic cost of the operation remains relatively low. Although U.S. public opinion is widely in support of drone attacks on terrorists abroad, the Obama administration has faced considerable pressure from elite international and domestic groups. This pressure has elicited policy justifications by the U.S. government, which indicates some consideration of human rights and humanitarian norms.

In April, 2012, the Obama administration offered its first public admission of the use of UAVs against suspected terrorists, emphasizing the legality of the process, as well the precautions taken to avoid collateral damage. John O. Brennan, President Obama’s top counterterrorism adviser, stated that the targeted strikes were in “full accordance with the law- and in order to prevent terrorist attacks on the United States and to save American lives.” Brennan claimed that drone strikes significantly reduce the risk posed to civilians in comparison to other forms of counter-insurgency operations, and controversially, that the U.S. was establishing a precedent by placing a premium on protecting human life. In the same year, U.S. Defense Secretary Leon Panetta supported the use of drones in Pakistan as a

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defense mechanism for Pakistani civilians, as well as an instrument for self-defense.\textsuperscript{279} The White House has repeatedly endorsed the use of targeted strikes as “legal, ethical and wise,” defending the use of lethal force with comparisons to combat in the Second World War and relying heavily on the principle of self-defense.\textsuperscript{280}

### Implications for the Humanitarian Intervention Norm

This test case provides a couple key insights into the condition of the humanitarian intervention norm in U.S. foreign policy. Due to the unique threat posed by nonstate actors and the frequent ambiguity on the legal categorization of conflict, powerful States frequently commit human rights violations in the pursuit of their own interests. The perception of a threat to national security can supersede public support for international law and more diplomatic avenues of involvement, meaning that human rights “tend to be the first casualty of unconventional war.”\textsuperscript{281} In the case of the American intervention in Pakistan, U.S. policymakers were intensely aware of domestic and international pressure, and in particular, the possibility of domestic prosecution under U.S. statues implementing international human rights law. Nevertheless, such awareness did not lead to greater compliance until the end of the Bush presidency.\textsuperscript{282}

The Obama administration has intensified the drone campaign, while simultaneously distancing itself from the more irresponsible approach of its predecessor; the non-militant


\textsuperscript{280} Yager, “White House defends drone strikes.”


fatality rate under Bush was 46%, which has decreased to just 14% since 2008.\textsuperscript{283}

Additionally, the rhetoric used by White House officials makes reference to humanitarian norms, claiming that the drone strikes are legal, ethical, in defense of human rights, and a mechanism of protection for the Pakistani people. Proponents of the drone campaign draw attention to the fact that drones are carefully targeted and far more accurate than previous bombing operations in Korea, Vietnam, Kosovo, Afghanistan and Iraq.\textsuperscript{284}

As established in the introductory chapter to this paper, the human rights and humanitarian norms form the foundation of the conception of humanitarian intervention. The rhetoric and approach used by the Obama administration shows some concern for humanitarianism, which has implications for the humanitarian intervention norm. It can be argued that the more attention given to humanitarian norms (whether in humanitarian or security interventions), the greater the potency of the humanitarian intervention norm in U.S. foreign policy, during humanitarian crises.

However, in the case of Pakistan, the rhetoric of humanitarian values has not always translated into action. The economic and political costs of the drone campaign have been insignificant in a way that that compounds the problem of accountability; drones have replaced strategic decision-making in Pakistan and any civilian casualties are eclipsed by economic and military gains. The constraint placed upon the U.S. government is extremely limited and has allowed the Obama administration to prioritize its security concerns over the humanitarian cost.

In \textit{The Persistent Power of Human Rights}, Risse, Ropp and Sikkink propose a reevaluation of the final stage of the norm life cycle, ‘internalization’ as discussed in the


chapter II. They concede that American counter-terror operations show that a country which has already ratified and implemented treaties on core human rights norms could nevertheless have a profound backlash and reversal of these commitments, even when they are deeply embedded in both international and domestic law. In the U.S. drone campaign, there has been a significant lack of transparency, a willful repression of information, and a questionable legal prerogative. The irregularity of the U.S. compliance with fundamental human rights standards is evidence that the norms of humanitarianism and national security often exist in a state of competition.

Forceful pressure campaigns against human rights violations by both domestic and international actors have been mainly ineffective in affecting policy change, because the U.S. government has felt not moral vulnerability to these pressures. Scholars have argued that the Bush and Obama administrations have not felt obligated to these pressures because of the compelling counter-norms of anti-terrorism, which includes the preservation of national security and the right to self-defense. In this case, U.S. action in Pakistan suggests that the anti-terrorism norm has trumped legal prohibitions, international sovereignty and humanitarian principles. The instrumental nature of humanitarian incentives in U.S. foreign policy implies that U.S. humanitarian intervention will continue to be unpredictable. On a similar note, the precedence of the anti-terrorism norm suggests that in the absence of self-interest, humanitarian intervention is unlikely; the US will continue to expend its defense budget and resources in anti-terrorism or operations with national security interests. This

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285 Ibid.
286 Ibid.
288 Ibid.
view is substantiated by the disparity of U.S. foreign policy in Kosovo and Darfur, despite the similarity in the nature and gravity of ethnic violence in these two cases.

Conclusion

On the surface, the language of humanitarian responsibility used by the Obama administration, coupled with the increased accuracy of drone strikes, suggests that there is some interest in the preservation of humanitarian principles in Pakistan. This indicates that humanitarian norms, and therefore, the emerging norm of humanitarian intervention, do hold some weight in U.S. foreign policy. However, the actions of the U.S. government are under the close scrutiny of the UN and other advocacy organizations, which has no doubt restricted the U.S. prerogative in Pakistan. Additionally, the argument could be made that the nature of the intervention is simply the best option for the U.S. government, rather than a product of humanitarian concerns.289

The concept of norm competition between humanitarian and anti-terrorism norms accounts for the inconsistencies of U.S. foreign policy in the face of humanitarian crises, and is explored briefly in the first chapter. Competition between two or more norms can result in the pursuit of a mixed strategy, which has characterized U.S. foreign policy in general.290

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289 The Pakistani government had objected vehemently to a Special Forces raid in South Waziristan in September 2008 and to NATO helicopter strikes in Kurram in September 2010. In order to avoid further controversy over violations of Pakistani sovereignty, CIA chief Leon Panette commented in May 2009 that the strikes are still ‘the only game in town.’


290 Competition between norms is relatively direct and an actor cannot follow two opposed norms at a single time. Florini makes some concession for the irregularity of state behavior in similar situations by suggesting that ‘when norm variation is present, that is, when neither of the competing norms has driven the other to
This test case reveals the precedence of national security concerns, and highlights the often instrumental nature with which recent administrations have referred to humanitarian principles. The susceptibility of humanitarian norms in U.S. foreign policy reaffirms that the emerging norm of humanitarian intervention has experienced only partial internalization, and will continue to be conducted selectively.

VII: Conclusions

The purpose of this paper has been to evaluate the condition of the humanitarian intervention norm, and the extent to which it has been internalized in U.S. foreign policy since the end of the Cold War. The intervention-outcome in response to humanitarian crises is a simple binary, but the variables of the decision-making processes provide critical insight into the development of the norm. Using the framework of the norm life-cycle, I have considered a wide range of empirical data to provide a wholistic perspective on the complexities of competing interests in U.S. foreign policy. Realist and idealist paradigms are insufficient to explain the influence of the humanitarian intervention norm, and U.S. intervention cannot be explained by any linear set of policy goals. The last twenty years have been stained with humanitarian crises, forcing U.S.-decision makers to constantly adjust foreign policy to placate domestic and international pressures. The result has been an inconsistent and selective policy of humanitarian intervention, reflecting the shortcomings of the norm, and the limited nature of its internalization. In this final chapter, I will briefly address each of the three case studies, identify the primary obstacles to the internalization of the humanitarian intervention norm, and offer some recommendations for its success.
The Case Studies

The two case studies of Kosovo and Darfur have been used to demonstrate the influence of the humanitarian intervention norm in U.S. foreign policy decision-making processes. The below table is a simple model of the factors that informed U.S. foreign policy during these two instances of widespread ethnic violence.

Figure 6: The Effect of Independent Variables in Kosovo and Darfur

<table>
<thead>
<tr>
<th></th>
<th>Public Opinion</th>
<th>Media</th>
<th>Economic Situation</th>
<th>Int. Pressure</th>
<th>UNSC</th>
<th>Strategic Interests</th>
<th>Humanitarian Intervention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kosovo (1999)</td>
<td>N</td>
<td>+</td>
<td>+</td>
<td>N</td>
<td>-</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Darfur (2003-2010)</td>
<td>+</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

+ Motivated congressional support for intervention
- De-motivated congressional support for intervention
N Neutral

The U.S.-led NATO intervention in Kosovo was driven by a myriad of different factors. NATO action was intended to reaffirm its legitimacy on the world stage, particularly after the end of the Cold War. Following the failure of the international community to respond to the genocide in Rwanda, NATO inaction in Kosovo may have rendered the coalition obsolete. In addition, the intervention was motivated by strategic relations with Europe, and the need to stabilize the Balkan region due to the mass migration of Albanian refugees. The Clinton Administration was uninhibited by domestic public opinion, and able
to capitalize on intensive media coverage, a healthy economy and international support for humanitarian action. The absence of legal mandate from the U.N. Security Council, and the violation of legal norms set out in the U.N. Charter did not exert sufficient clout to disincentivize the NATO action.

From the perspective of Kosovo alone, it is impossible to know the extent to which the norm of humanitarian intervention influenced U.S. policy. NATO action could have been generated by genuine humanitarian interest, a combination of humanitarian and strategic interests, or mostly strategic interests. From an epistemological stand-point, it is impractical to discount the influence of the norm. Humanitarian intervention is rarely, if ever, motivated by humanitarian concern or national interest alone, and in many cases, the two factors are interconnected. The comparative case study of U.S. inaction in Darfur sheds more light on the agency of the humanitarian intervention norms in U.S. foreign policy.

The crisis in Darfur held little incentive for American intervention. Africa is considered a secondary sphere of influence, and in Darfur, humanitarian interest was not accompanied by any significant strategic, political or economic interests. Although the American public was generally supportive of intervention in the form of a multi-lateral coalition, there was little congressional momentum for decisive action. The atrocities of Darfur received sparse domestic media attention, and the instability of the economy was not conducive to the start of another costly foreign war. Both the Bush and Obama administrations considered themselves too overstretched in Afghanistan and Iraq to invest the political, military and financial resources to spearhead a humanitarian intervention similar to the one in Kosovo.
Under the conditions of the Genocide Convention, Colin Powell’s declaration of genocide before the Senate’s Foreign Relations Committee obligated the U.S. to act on behalf of the persecuted Sudanese population. After the backlash from inaction in Rwanda, denial of genocide was no longer a viable option for the U.S. However, intervention is practically unenforceable under the current statutes of international law, and all international accountability was lost when the U.N. COI failed to assert that genocide had been committed. The U.S. non-intervention in Darfur over a period of seven years is a complete policy reversal from the aggressive approach towards the similar crisis in Kosovo. The inconsistency of U.S. foreign policy with regards to humanitarian intervention exposes the partial internalization of this norm, and its vulnerability when not supported by other interests.

The intervention in Pakistan was included in this paper experimentally, but lends some credence to the conclusions made above. There have been some indications of humanitarian consideration in the drone campaign, but these have been eclipsed by the countervailing norm of anti-terrorism. In this case, the precedence of national security interests reveals the secondary nature of humanitarian concerns, which weakens the impetus of humanitarian intervention considerably.

These case studies show that there is an emerging paradigm within which the international community reacts to gross human rights violations, though it is not yet powerful enough to affect a concrete behavioral shift in favor of a policy of humanitarian intervention. The norm has not developed to a point where it can decisively shape action. The political will required to generate humanitarian intervention is overly dependent on self-

interests, rather than the imperative of humanitarian responsibility. Until the balance is shifted in favor of humanitarian concern, the norm of humanitarian intervention will remain only partially internalized in U.S. foreign policy, and contingent on a variety of other factors.

The Futility of International Institutionalization

The deficiency of international law in the area of humanitarian intervention has been one of the reasons for inaction during humanitarian disasters. In both the Kosovo and Darfur crisis, the U.N. Security Council served as an obstacle to effective action, rather than an enforcer of it. It is problematic that the NATO intervention in Kosovo was considered legitimate without U.N. authorization. On the other hand, NATO leaders did not wish to set a precedent with Kosovo, and the alliance has since not taken a leadership role in responding to humanitarian crises.

Three suggestions for international reform commonly arise, but each is problematic in the present charged political environment: (1) reform of the U.N. Security Council; (2) an additional “humanitarian intervention clause” in the UN Charter; (3) and the creation of multi-lateral reaction force to terminate humanitarian crises. Although the structure of the U.N. Security Council is not conducive towards quick, effective action in the face of crisis, it is unlikely that the permanent members will relinquish their vetoes in favor of an alternative governing body. There is no need to include a clause in the U.N. Charter on humanitarian intervention, nor will it likely have any effect, as shown in previous chapters. Finally, the notion of an independent rapid reaction force to halt major humanitarian catastrophes is

economically, logistically and politically infeasible.\textsuperscript{293} Such a force would most likely still be answerable to the U.N. Security Council, and problematically funded by Western, liberal governments to intervene in developing countries.

The U.S. has not been deterred from intervention by the international norms of sovereignty and non-intervention, and the political costs of acting without a U.N. mandate have been insignificant. The same would most likely apply if the norm of humanitarian intervention were inscribed in international law; the U.S. would continue to pursue a policy of intervention based primarily on national interest. In terms of a cost-benefit analysis of U.S. foreign policy, decision-makers no doubt believe that international condemnation has been well worth the pursuit of geo-strategic, political and economic interests around the globe.

Scholars have argued that the legal uncertainty of humanitarian intervention places a very high burden of justification on those who would intervene without U.N. authorization.\textsuperscript{294} While this might be true of lesser states, evidence suggests that it is not applicable to the privileged position of the hegemon. Currently, no sanctions accompany unauthorized interventions, and even so, who would enforce sanctions against the U.S.? The Bush and Obama administrations have violated international norms to pursue national security goals, and they have also taken advantage of the vague and non-binding legislation with regards to genocide. However, a legally binding doctrine of humanitarian intervention could be equally problematic: by justifying the use of force, the codification of humanitarian intervention could encourage a more frequent resort to the practice in less compelling circumstances.\textsuperscript{295}

\textsuperscript{293} Ibid.
\textsuperscript{295} Ibid, 257.
The nature of U.S. foreign policy since the end of the Cold War indicates that the distinct lack of political will, rather than the absence of international legislation, is the real source of inaction in humanitarian crises. The American approach to such crises must be altered by incremental change through domestic and international pressure on decision makers. There must be a normative consensus on when intervention should be legitimate and lawful, and the internalization of the norm facilitated through its maturation into domestic customary law.

Towards Internalization

In the following section, I offer a few recommendations for the success of the humanitarian intervention norm. While this is not an exhaustive list, it includes some of the most important changes that are required, based on the empirical evidence gathered in this paper.

Customary Law

In the absence of a doctrine of humanitarian intervention, the U.S. has preferred to approach humanitarian crises on a case-by-case basis. Each crisis involves different actors and different contexts and through a policy of selectivity, the U.S. has been able to prioritize national interests. This policy is a recipe for abuse, and if it persists, the norm of humanitarian intervention is unlikely to gain prominence in foreign policy decision-making processes. In order to exert influence in decision-makers, this norm must become a part of international customary law.
A new norm of customary law is created as the result of the emergence of a persistent pattern of behavior by states, accompanied by the belief that the behavior in question is legally required or legally permissible. 296 With regards to the humanitarian intervention norm, there are two distinct advantages in this path towards internalization. First, it acknowledges the importance of practice in the evolution of foreign policy. Second, it endorses justification for the use of force through legal means, and as part of existing international law (as in Kosovo). The suggestion here is that over time, a normative consensus on humanitarian intervention that transcends the literal text of the U.N. Charter is likely to be reflected in practice. 297 However for internalization to occur, humanitarian interventions must be conducted consistently, and based on concrete cases and presidents. The Obama administration has taken some steps in this direction, but the overall inconsistency of U.S. foreign policy towards humanitarian crises bodes ill for the advance of the norm.

Another lesson from the case studies used in this paper is that the norm cycle does not necessarily proceed in a smooth and sequential manner. In many instances, the contextual dynamics may be more important than the norm’s inherent substance, leading to variance in policy outcomes. So where does the norm of humanitarian intervention currently lie in the norm-life cycle? According to Finnemore and Sikkink “in most cases, for an emergent norm to reach the threshold and move towards the second stage, it must become institutionalized in specific sets of international rules and organizations.” 298 While the Genocide Convention and the World Summit Outcome Document indicate humanitarian interest on the part of the

international community, no binding codification of the humanitarian intervention norm has occurred. It not yet reached the stage of “cascade,” in which critical states begin to rapidly adopt and endorse the norm. It appears that the humanitarian intervention norm is still in the first stage of the norm life-cycle, and very much dependent on support from domestic agents. As such, the focus of this paper has been to analyze the influence of this norm within U.S. politics, and in the final section I discuss the merits of domestic institutionalization as a catalyst for internalization.

Domestic Reform

In order for the norm of humanitarian intervention to exert influence on foreign policy, independent of any national interest, domestic legitimation is paramount. In keeping with the model of the norm life-cycle, effective reform must first materialize at the domestic level. In terms of norm proliferation, the importance of domestic interest groups cannot be overstated; they must continue to propagate humanitarian responsibility by the U.S. government, and serve as “enforcers” where none exist in legislation. Norm entrepreneurs must continue to exert their influence on decision-makers, the media and the public, to galvanize support in favor of such interventionary action. If the American public is consistently supportive of this norm, there will be a pronounced effect on their representatives in Congress. If self interest cannot be separated from foreign policy, there must be consolidation between humanitarian and self interests. At this stage in the norm life-cycle, the norm of humanitarian intervention is not self-sustaining, and is dependent on such a synonymous relationship.

Although the institutionalization of this norm at the international level would most likely be ineffective, domestic legislation in this area could produce sustained change in U.S.
foreign policy. Such legislation would affirm the conditional nature of international sovereignty and obligate the U.S. to intervene in appropriate circumstances. Domestic institutionalization of this norm would hopefully contribute towards a more consistent and reliable response to humanitarian crises, and generate the development of humanitarian intervention as customary law.

The analysis of this paper demonstrates the limited influence of the humanitarian intervention norm in the current American political climate. The advancement of the norm has been hindered by a variety of factors, one of which is context. The emergence of this norm has come at an inopportune time: U.S. foreign policy has been preoccupied with the war on terror for over a decade, and humanitarian concerns have only received secondary attention. The subordinate nature of the humanitarian intervention norm reflects its limited internalization in U.S. foreign policy, but this does not mean that its inherent qualities limit its capacity for development. Perhaps the true test of its performance will come after the conclusion of the 9/11 wars.
Appendix

Appendix A 299


‘138. Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing early warning capacity.’

‘139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.’

299 World Summit Outcome. I, paragraphs 138, 139.
Appendix B


‘Prevent Genocide and Mass Atrocities: The United States and all member states of the U.N. have endorsed the concept of the “Responsibility to Protect.” In so doing, we have recognized that the primary responsibility for preventing genocide and mass atrocity rests with sovereign governments, but that this responsibility passes to the broader international community when sovereign governments themselves commit genocide or mass atrocities, or when they prove unable or unwilling to take necessary action to prevent or respond to such crimes inside their borders. The United States is committed to working with our allies, and to strengthening our own internal capabilities, in order to ensure that the United States and the international community are proactively engaged in a strategic effort to prevent mass atrocities and genocide. In the event that prevention fails, the United States will work both multilaterally and bilaterally to mobilize diplomatic, humanitarian, financial, and—in certain instances—military means to prevent and respond to genocide and mass atrocities.’

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Appendix C

Instances of Inaction

1. In May 2010 (and again in October 2011), the East Africa security bloc Inter
   Governmental Authority for Development requested that the UN institute a NFZ and naval
   blockade in Somalia.
2. In February 2011, the Cambodian prime minister appealed to the UN to establish a buffer
   zone along the border between Cambodia and Thailand to prevent the escalation of
   skirmishes over the disputed territory near the Preah Vihear Temple.
3. In June 2011, Vice President of South Sudan Riek Machar requested that the UN Security
   Council establish an international buffer zone between Sudan and South Sudan to prevent
   military confrontations.
4. At a regional summit in September 2011, Ethiopian Prime Minister Meles Zenawi called
   on the United Nations to support Somalia's Transitional Federal Government, and the
   African Union Mission forces helping it, in implementing "corridors of humanitarian
   assistance" in Somalia.
5. In October 2011, Kenyan and Somali government officials called on "big countries and big
   organizations" to blockade the seaport of Kismayo, Somalia, which is controlled by al-
   Shabaab militants.
6. In December 2011, over 20 international nongovernmental organizations (NGOs)
   petitioned the UN Security Council to establish a NFZ over "Blue Nile, Nuba
   Mountains/South Kordofan, Darfur, Abyei and also along the border between South and
   North Sudan," an area slightly smaller than Texas, "for protection of civilians." (About a
   month earlier, 66 American NGOs had made a similar request.)
7. The same month, Salva Kiir, president of South Sudan, sent a letter to the Obama
   administration in December 2011 that asked for the United States to impose a NFZ over
   the border between Sudan and South Sudan.
8. Also in December 2011, the African Union appealed to the UN Security Council to
   establish a NFZ over and maritime blockades around Somalia. It made similar requests in
   October 2010, April 2011, and September 2011.

http://www.theatlantic.com/international/archive/2012/01/intervention-please-the-no-fly-zone-requests-you-dont-hear-about/251170/##

|                      | a | b | c | d | e | f | g | h | i | j | k | l | m | n | o | p | q | r | s | t | u | v | w | x | y | z | Row | Average |
| 1998, 9-12 October   | 42|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 42 |
| 1999, 19-21 February | 43|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 43 |
| 1999, 11-14 March    | 26|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 26 |
| 1999, 19-21 March    | 46|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 46 |
| 1999, 23 March       | 47|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 47 |
| March 24, 1999 - NATO air strikes campaign begins |     |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |      |
| 1999, 24 March      | 50|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 50 |
| 1999, 24-28 March   | 60|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 60 |
| 1999, 25 March      | 50|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 50 |
| 1999, 25-26 March   | 44|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 44 |
| 1999, 26-28 March   | 53|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 53 |
| 1999, 28 March      | 60|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 60 |
| 1999, 30 March      | 55|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 55 |
| 1999, 30-31 March   | 55|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 55 |
| 1999, 1 April       | 53|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 53 |
| 1999, 1-2 April     | 51|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 51 |
| 1999, 5 April       | 58|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 58 |
| 1999, 5-6 April     | 68|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 68 |
| 1999, 7-8 April     | 64|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 64 |
| 1999, 8 April       | 64|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 64 |
| 1999, 8-9 April**   | 64|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 64 |
| 1999, 8-13 April    | 64|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 64 |
| 1999, 13-14 April   | 61|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 61 |
| 1999, 14-19 May     | 59|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 59 |
| 1999, 15-18 April   | 62|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 62 |
| 1999, 17-19 April   | 60|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 60 |
| 1999, 21 April      | 51|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 51 |
| 1999, 21-22 April   | 49|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 49 |
| 1999, 22 April      | 51|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 51 |
| 1999, 25-26 April   | 55|    |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   | 55 |

http://media.leidenuniv.nl/legacy/Poll%20Data%20Kosovo.pdf
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Column average: 42, 45, 54, 26, 47, 54, 59, 44, 54, 54, 64, 62, 60, 53, 58, 58, 53, 55, 51, 53, 49, 52

Cell entries are the percentage of those who support it.

Questions:

a- Based on what you have read or heard, do you think the United States and its Western European allies should or should not conduct military air strikes against the Serbian forces in Kosovo? [Gallup]

b- If a peace agreement is not reached between the Yugoslavian Serbs and Kosovo’s ethnic Albanian majority, NATO has said it would carry out air and missile attacks against Serb military installations. Would you favour or oppose the U.S. being a part of that military action? [Gallup]

c- As you may know, the military alliance of Western countries called NATO, has launched air and missile attacks against Serbian military targets in Yugoslavia. Do you favour or oppose the United States being a part of that military action? [Gallup]

d- The United States has said it may bomb Serbia unless Serbia agrees to a peace plan for Kosovo. If Serbia does not agree to the peace plan, should the United States bomb Serbia or not? [ABC News]

e- The United States and its European allies have said they may bomb military targets in Serbia because it won’t agree to a peace plan for Kosovo. If Serbia does not agree to the peace plan, should the United States participate in bombing Serbia, or not? [ABC News]

f- Do you favour or oppose the United States and NATO conducting air strikes against Yugoslavia? [Prior to 5-6 April ‘... against Serbia?’] [CBS News]
g.- Do/did you approve or disapprove of NATO forces, including the United States, conducting air strikes against Serbia to force the Serbs to agree to the terms of the peace agreement to end the fighting in Kosovo? [Princeton Survey Research Associates for Newsweek]

h.- Do you approve or disapprove of the NATO (North Atlantic Treaty Organisation) air strikes against Serbian targets in Yugoslavia and Kosovo? [Yankelovich Partners for Time/ CNN]

i.- Do you approve or disapprove of the decision to send American military troops to be part of the NATO (North Atlantic Treaty Organisation) air operation against the Serbs (in Kosovo)? [Los Angeles Times]

j.- Do you support or oppose the United States and its European allies conducting air strikes against Serbia? [ABC News]

k.- Do you approve or disapprove of the United States and NATO conducting military air strikes against Serbian targets? [Hart and Teeter Companies for NBC News/Wall Street Journal]

l.- Do you support or oppose the President's decision to launch military air strikes? [Rasmussen Research]

m.- Do you approve or disapprove of the President's decision to have U.S. military forces join the NATO air strikes in Yugoslavia over the issues of Kosovo? [Princeton Survey Research Associates for Newsweek]

n.- Do you approve or disapprove of the President's (Bill Clinton's) decision to have US (United States) military forces join the NATO (North Atlantic Treaty Organisation) air strikes in Yugoslavia to support the peace plan for the Kosovo province? [Princeton Survey Research Associates for Newsweek]

o.- Do you think the U.S. government's bombing Serb targets was the right or the wrong decision? [Asked only of those who have seen, heard or read about recent events in Kosovo] [Louis Harris Associates]

p.- Do you think the U.S. made a mistake in getting involved in Kosovo, or not? [CBS News]

q.- Considering everything, do you think the United States did the right thing in getting involved in the military conflict in Serbia, or do you think it was a mistake? [ABC News/Washington Post]

r.- Do you think it was a mistake for the United States to become militarily involved with Kosovo, or don't you think so? [Yankelovich Partners/CNN/Time]

s.- Do you think the United States did the right thing in getting involved in Kosovo, or should we have stayed out? [CBS News]

t.- All things considered, do you think the United States should be involved in Kosovo or should we have stayed out of it? [Opinion Dynamics for Fox News]

u.- In view of the developments since we entered the fighting in Yugoslavia, do you think the United States made a mistake ... Sending military forces to fight in Yugoslavia? [Gallup for CNN/ USA Today]

Notes:
* Based on half sample
** ... over the issue of Kosovo
1 right decision
2 right thing
3 should be involved
4 No
Appendix E

a. As you may know, NATO has recently taken military action in Kosovo. Do you support or oppose NATO’s decision to carry out air and missile attacks against Serbian military installations?

b. Thinking now of the crisis in Kosovo in former Yugoslavia, which of the following comes closest to your views of what kind of role NATO should play there? Do you think NATO should send more armed forces in to the area; NATO should do more to seek a diplomatic solution but should not send more troops; NATO should keep its involvement at the current levels; NATO should reduce its involvement in Kosovo; or NATO should completely end any involvement in Kosovo?

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Angus Reid group/The Economist, N= about 500 per country

303 Ibid
Appendix F

a- Would you support or oppose the US, along with its allies in Europe, sending in ground forces to try to enforce a peace treaty in Kosovo?
b- If the Serbs launch an armed offensive against the Kosovo Albanians, should the United States intervene by sending ground troops into battle?
c- If the current NATO air and missile strikes are not effective in achieving the United States’ objectives in Kosovo, would you favour or oppose President Clinton sending U.S. ground troops into the region to stop the Serbian attack on Kosovo?
d- Would you favour or oppose sending American ground troops into Kosovo?
e- If the current NATO air and missile strikes are not effective in achieving the United States’ objectives in Kosovo, would you favour or oppose President Clinton sending U.S. ground troops into the region along with troops from other NATO countries?
f- If the air strikes do not stop Serbian military attacks in Kosovo, would you favour or oppose sending U.S. ground troops to Kosovo along with troops from other NATO countries [to try to end the conflict in Kosovo?], half sample each.
g- If NATO (North Atlantic Treaty Organisation) decides to send ground troops to Kosovo, do you favour or oppose sending US (United States) ground troops as part of the NATO force?
h- Suppose US (United States) and NATO (North Atlantic Treaty Organisation) goals are not reached through the bombing campaign, would you favour or oppose the United States and its NATO allies sending in ground troops to fight in Kosovo?
i- If the air strikes are not effective in stopping the Serbian attacks, would you favour or oppose President Clinton sending U.S. ground troops into Bosnia to join ground troops from other Western European countries? [Based on half sample]
j- Should the U.S. send ground troops into combat against the Serbian Army in Kosovo?

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\(^a\) ABC News  
\(^b\), \(^c\), \(^f\) Rasmussen  
\(^e\), \(^g\) Gallup  
\(^f\) Princeton Research Associates for Pew Research Center  
\(^1\) and \(^2\) Opinion Dynamics/ Fox News  
\(^3\) ICR Survey Research Group for National Public Radio/ Henry J. Kaiser Family Foundation, Harvard University's Kennedy School of Government

\(^304\) Ibid
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Additional Reading

The following is a list of works that have been influential in the development of this paper.


