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# Piecing Together the Democratic Peace: The CSCE, Norms, and the "Construction" of Security in Post–Cold War Europe

Gregory Flynn and Henry Farrell

## Introduction

The end of the Cold War has profoundly transformed Europe's security situation. Although traditional security issues remain important, the most immediate threats to security since 1989 have originated not from relations between states, but from instability and conflict within states that has threatened to spill over into the interstate arena. States' efforts to shape and control this new security environment have resulted in a unique hybrid arrangement containing elements of traditional alliances, great power concerts, state and community building, and collective security.[1]

Arguably the most interesting and important dimension of this still emerging architecture is the roles that different institutions have acquired in dealing with substate conflict. The long-term strategy for the "pacification" of the continent is to create systems of governance that will possess sufficient legitimacy to defuse or resolve conflicts before they erupt. Both NATO and the European Union (EU) have been involved in programs to support the emergence of democratic institutions, to modify civil-military relations, and to help create an economic infrastructure in the transition states of Central and Eastern Europe. By making membership possible, though only under specific conditions, both institutions have sought to gain leverage over the process of domestic transformation in these states. The possibility of membership in these institutions has created powerful incentives as transition states shape their new

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1. See Flynn and Scheffer 1990; and Betts 1992.

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domestic political and economic systems. However, many conflict situations in post–Cold War Europe have not been controllable through the use of this leverage alone, partially because membership is simply not available to many states in the foreseeable future, and partially because even where membership is available, purely external leverage may be insufficient to bring about the required domestic changes.

More immediate threats from substate conflict have required the development of more tangible mechanisms for managing crisis. Three collective institutional responses have been particularly significant. In reaction to the violent collapse of Yugoslavia and the inefficiency of existing frameworks for consultation, a new forum known simply as the Contact Group emerged as a means for coordinating the response of the major powers to conflict in the Balkans.[2] Although the Contact Group has sought solutions to the unending string of crises, its primary function is to prevent local instabilities from provoking renewed geostrategic posturing among the major powers. It has functioned essentially as the Concert of Europe did in the early nineteenth century. Its quiet success makes it likely that it will be used for responding to other crises as appropriate.

The second track has been located in NATO. The threat or use of military force has been neither appropriate to most intrastate conflict situations nor the preferred solution of states for dealing with such conflict. It has nonetheless been a crucial ingredient in controlling conflict in the Balkans and may prove necessary elsewhere. NATO has become the dominant institution for coordinating military intervention when this becomes necessary.[3] Military intervention, however, remains highly controversial and a tool of last resort.

The final track has been developed within the Conference on Security and Cooperation in Europe (CSCE).[4] During the collapse of Yugoslavia, states found themselves without collective tools at the European level with which they could try to defuse substate conflict through mediation or through promoting confidence-building exercises among conflicting groups. In 1992 the participating states of the CSCE created several new security mechanisms with these objectives in mind, most significantly a High Commissioner on National Minorities (HCNM) and "missions of long duration." These mechanisms involve very extensive forms of intervention but are constituted so that they do not automatically involve formal sanction of a state either by the decision to use them or as a consequence of their usage. Their

2. Members of the Contact Group are Britain, France, Germany, Italy, Russia, and the United States. Up to now, the Contact Group remains without any formal structure.

3. NATO has adapted its forces structure to permit the eventual creation of Combined Joint Task Forces (CJTF) that allow coalitions of the willing to intervene militarily to stop bloodshed or to enforce peace agreements, such as the Dayton Accord in Bosnia. Moreover, training and joint exercises under Partnership for Peace provisions make it plausible for partners to participate in NATO-led operations such as those in Bosnia. The issue of mandate is another matter. Although the United States has claimed that NATO needs no mandate to use force to suppress conflict in a situation like that in Kosovo, the reality is that NATO military intervention beyond the borders of its member states needs legitimation that NATO alone cannot provide.

4. In December 1994 the Conference on Security and Cooperation in Europe (CSCE) became the Organization for Security and Cooperation in Europe (OSCE). This article will use "CSCE" to refer to the organization, given that the events discussed here took place in the period prior to the name change.

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mandates include mediation, preventing conflict, managing crisis, aiding reconstruction, and monitoring human rights.

We suggest that these CSCE mechanisms, dubbed tools of "preventive diplomacy," have proven to be the real workhorses of the international community in its attempts to control substate conflict in post–Cold War Europe. This perspective contrasts sharply with the common view that the CSCE is irrelevant to the important security issues on the continent and that NATO and the EU are the only European security organizations with weight. In reality CSCE mechanisms have been involved in managing far more potential substate conflict situations than either of the other institutions. Since 1993, the HCNM, Max van der Stoel, has been involved in mediation in thirteen states, ten of which are still ongoing.[5] Since the CSCE's creation of "missions of long duration" in 1992, a total of thirteen such missions have been deployed to Bosnia-Herzegovina, Croatia, Estonia, the Former Yugoslav Republic of Macedonia, Georgia, Kosovo, Latvia, Moldova, Sanjak, Sarajevo, Tajikistan, Ukraine, and Vojvodina.[6] Of these, ten were still in place in March of 1999.[7] Moreover, nearly all of these missions involved circumstances where it would have been impossible for states to have used either of the other two institutions for collective intervention, because neither had been endowed with the instruments to deal with prevailing conditions.[8]

These situations have not all been equally important nor did they all possess the same potential for escalation or spillover. But they do include arguably the single most potentially explosive region of post–Cold War Europe: the Baltic states. Here the CSCE, through both the HCNM and the missions, must be given primary credit among the various external actors concerned for keeping ethnic tensions from escalating to true crisis proportions.[9] The case of Estonia was perhaps most

5. Albania, Croatia, Estonia, the Former Yugoslav Republic of Macedonia, Hungary, Kazakstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Romania, Slovakia, and Ukraine. The HCNM has also been appointed special representative of the Chairman in Office for Kosovo (although Belgrade has continued to withhold a visa). For details of each case, see FIER 1997, 43–76.

6. In addition, there have been broadly equivalent efforts under different names in Chechnya (Assistance Group) and Belarus (Advisory and Monitoring Group) as well as a new Presence in Albania to deal with conditions after the civil war broke out in 1997. For detailed description of the activities of each mission, see OSCE 1995, 1996, 1997a,b. This material, along with regular updates, is also available online at the OSCE website: <www.osceprag.cz>. Lapidus also provides an excellent brief account of the role of the OSCE in Chechnya, concluding that "the OSCE presence . . . paved the way for the direct negotiations that ultimately produced the peace agreement." Lapidus 1998, 39.

7. Only those in Kosovo, Sanjak, and Vojvodina were suspended in 1993 when Belgrade refused to renew its permission for their presence. Yugoslavia was suspended from the CSCE during the spring of 1992 and has linked any resumption of missions to its reinstatement by the OSCE.

8. The Contact Group did not even exist when most of these actions were undertaken, and in any case, it has no formal operational capability. NATO was inappropriate on two grounds: military power was not considered appropriate to the types of problems the HCNM and the missions were sent in to address, and NATO members did not want to develop tools for preventive diplomacy within this institutional framework. NATO was also not "collective" enough to receive this type of mandate from nonmembers.

9. Clearly, other forms of leverage were used on the parties in the Baltic states, including, especially, the carrot of potential membership in the EU and NATO. But potential membership itself was not enough to defuse the ethnic tensions in the Baltic states. This required a presence on the ground, in daily monitoring of the situation, and in timely intervention with authorities that only the HCNM or heads of missions could provide. For an excellent analysis of the conflicts over citizenship in the Baltic states and the role of international intervention, see Barrington 1995.

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acute.[10] Had the Estonian state been unable to resolve the problems with its Russian minority, the domestic and international consequences would have been considerable. In no other post–Cold War situation have the vital interests of Russia and the West come so close to directly conflicting with each other. Avoiding such conflicts of interest among major powers, and especially between Russia and the West, has been perhaps the single most important characteristic of conflict management in the new Europe. The CSCE has been instrumental in helping to manage the gray zone between Russia and the West in ways that have made this possible.

There have also been disappointments, most visibly in Yugoslavia but elsewhere as well.[11] More important, however, is the fact that CSCE mechanisms remain the tools of first resort for the international community as it seeks to deal with substate conflict in Europe, hardly a sign of irrelevance.[12] Moreover, unlike the other types of

10. For the most complete accounts available of the crucial phases of the Estonian crisis, see Törnudd 1994; and Lahelma 1994. Törnudd was the first head of the CSCE mission to Estonia, Lahelma the second head. Briefly, when Estonia regained its sovereignty in 1991, it faced a potentially catastrophic problem with its Russian minority population. Out of a population of 1.6 million, close to half a million residents were not able immediately to claim citizenship under Estonian law. Furthermore, most of these residents were ethnic Russian or Russian speaking and had immigrated relatively recently during the period of Soviet hegemony. Ethnic Estonians were (and remain) extremely bitter toward Russia and Russians: they legitimately felt that their culture and language had been systematically undermined during Estonia's enforced membership in the USSR. The Russian speakers of Estonia were themselves confused and resentful: they found themselves unexpectedly in an independent state that was hostile to Russian culture. Hard-line Estonian nationalists argued that all ethnic Russians should be expelled, while Russian speakers in the northeast of the country had created a local autonomy movement with pronounced separatist tendencies. The continued presence of Russian troops on Estonian soil and the pronounced ambiguity of Russia's future intentions toward Estonia further complicated matters. Russia's rhetoric left little doubt that it was prepared to defend the interests of Russians in Estonia and that it still considered Estonia part of the Russian sphere of influence.

Beginning in December 1992, the CSCE (both through a mission and the HCNM) became heavily involved in helping to sort out the relationship between the Russian ethnic community and Estonian authorities, especially in relation to the Law on Aliens. This followed a failed Russian attempt to have a CSCE mission report on the condition of the Russian minority and the visit of a human rights mission at the invitation of the Estonian government. Although profound tensions still exist in Estonia, the efforts of the HCNM and the mission clearly played a crucial role in helping to create the modus vivendi that now prevails. Much of the relevant information remains confidential, but it appears that the mission and the HCNM were decisive in persuading the minority to accept the state and political system in which they found themselves. By discouraging action that would lead to political destabilization and encouraging the Russophones to engage in constitutional politics, the HCNM and the missions helped to prevent a spiral of confrontation that could very easily have facilitated Russian military intervention, as occurred in Moldova and (in a somewhat different fashion) Georgia. Moreover, their activities went far beyond simple attempts to conciliate between the two communities—the HCNM and the mission were active participants in shaping laws and institutions that would have long-term implications for the constitution of Estonian politics. In this sense, their work stands out as an example of how international institutions may in certain situations act to bolster and rebuild the domestic foundations of order.

11. If, however, being incapable of preventing a conflict like that in Bosnia or of resolving a situation like Nagorno-Karabakh constitutes a failure, then not only must the CSCE be classified as a failure but also NATO, the EU, and the UN. Casting the issue this way tells us nothing. It focuses on only one of many objectives associated with intervention. Equally important objectives of every intervention have been (1) to control the conflict situation within the borders of the affected state, and (2) to buy time, in the hope that neutral mediation may eventually help parties to transform the situation that gave rise to conflict into one that no longer provokes conflict. Measured against these objectives, intervention by the CSCE has a high rate of success.

12. This role was most recently demonstrated in the Kosovo crisis but was also true when Albania collapsed into civil war in 1997 and in the civilian implementation of the Dayton Accords. That these

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intervention described earlier, there are no historical precedents for the type of "constructive intervention" developed within the CSCE since 1989. Intervention is not new, but the way it is currently practiced in Europe is. How and why these new tools of intervention were developed provide one of the most interesting as well as theoretically significant stories of post–Cold War European security.

This story is not limited to the history of the CSCE's specific intervention mechanisms. The CSCE has also provided the normative framework within which the mechanisms of intervention detailed earlier have all been legitimated. Indeed, much of the international response to Europe's new security situation arguably could not have been undertaken, at least not without significant international repercussions, without the anchoring set of norms contained in the Charter of Paris signed by the heads of state and government of the participating states of the CSCE in November 1990.[13] These norms guarantee neither their respect nor consensus in the face of specific crisis situations, but they have regularly made international action possible. Intervention violates such a basic norm of international relations that its collective use requires an agreed set of conditions under which it will be acceptable.[14] How this was achieved within the CSCE, how this grew from the way states wrestled with the need for tools to keep substate conflict from undermining security in post–Cold War Europe, is crucial to understanding Europe's new security architecture.

In this article we analyze how the participating states of the CSCE grappled with the practical and normative issues associated with intervention to control substate conflict. We first situate the case being examined here theoretically, and we explore its significance in terms of prevailing theories of norms. We then discuss the institutional evolution of the CSCE between early 1989 and the end of 1992, the period in which the major innovations took place. We show how decisions taken embodied a fundamental reexamination and reinterpretation of the basic norms of international relations in Europe. In the final section we compare alternative ways of explaining this evolution and conclude by arguing that a constructivist approach is more powerful than other available theoretical frameworks.

## Norms and International Order

The role of norms in the international realm has recently been the subject of heated debate.[15] Neorealists maintain that norms simply codify relations that originate in

interventions have not always gone smoothly illustrates the problems of intervention and the unwillingness of states to endow institutions with the means to achieve the ends they are assigned.

13. Included in the text of the Association Agreements (also known as "Europe" Agreements), which are the basic legal instruments of the relationships between the EU and the states in transition, is reference to the firm commitment of both EU member states and the states in question to the principles and provisions of the Charter of Paris. The basis on which the Contact Group has sought solutions to the various crises in Yugoslavia is this same charter. In NATO, for its part, the Partnership for Peace agreements refer to the obligations states have assumed under the Helsinki Final Act and all subsequent CSCE documents.

14. See Lyons and Mastanduno 1995; and Forbes and Hoffmann 1993.

15. See Axelrod 1986; Dessler 1989; Kratochwil 1989; Jackson 1990, 1993; Goertz and Diehl 1992; Finnemore 1993, 1996a,b; Goldstein and Keohane 1993; Thomson 1993; Klotz 1995a,b; Katzenstein 1996; Jepperson, Wendt, and Katzenstein 1996; Kowert and Legro 1996; Legro 1997; and Checkel 1998.

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material conditions, whereas neoliberals and constructivists argue that norms can have autonomous power in forming state interests. The latter two differ, however, over how interests are shaped. Neoliberals use a rationalist cost–benefit logic to argue that states develop norms to facilitate cooperation in order to minimize transaction costs or to maximize utility. Constructivists use a social logic based on the notion that agent and structure are mutually constitutive to argue that states develop norms to provide structure to their relations and that these norms help constitute the identity and interests of states by creating standards of appropriate behavior.

This debate is important, but the way it has been cast carries an inherent bias that has narrowed the scope of inquiry into the role of norms. Scholars generally agree that norms can regulate, constitute, or enable state behavior.[16] Recent thinking about norms in international relations, however, concentrates only on how they regulate or, even more narrowly, on how they constrain behavior. This view is largely a result of neoliberal institutionalism emerging in contention with neorealism. Regime theorists have sought to demonstrate that norms can create interests in a way neorealism will accept: that norms can cause behavior that a state has the power to prevent and that norms can prevent state behavior that otherwise would have been likely.[17] A key part of the research agenda of regime theorists has thus been devoted to decision making and how rules are enforced, and the theoretical debate over regimes has been obsessed with the issue of compliance and how "violations" of rules or norms might be interpreted.[18]

More recently, constructivists have sought to broaden the consideration of norms by including their constitutive dimension, that is, how norms define not only the "terms" of international action but also the actors themselves. The authors in *The Culture of National Security,* for example, divide the social determinants of international behavior into the cultural–institutional context, embodying the social bargains states strike to regulate their interaction, and collective identity, that is, those elements of social bargains, such as sovereignty, that define what it is to be a state actor on the international stage.[19] As yet, however, constructivists have not succeeded in redefining the debate in international relations theory, despite the plausibility of their claim that interests are endogenous to social interaction. This failure is largely because they have been pulled into the ongoing battle over whether and how norms can cause behavior that would not otherwise occur. Thus, instead of fully exploiting the power of the insights they borrow from social theory about the recursive nature of the relationship between agent and structure, constructivists have ended up seeking to demonstrate only that norms as elements of structure (alongside material conditions)

16. See Kratochwil 1989, 26, 61; Hart 1961, 32–34; and Legro 1997, 33.

17. See Krasner 1983; Keohane 1984, 1989; Hurrell 1993; and Rittberger 1993. Krasner provides a widely accepted definition of regimes: "International regimes are defined as principles, norms, rules, and decision-making procedures around which actor expectations converge in a given area of international relations." Krasner 1983, 2.

18. See Donnelly 1986; and Kratochwil and Ruggie 1986. This approach has led to considerable skepticism about whether regimes can provide durable answers to the security dilemma or, more generally, be a major source of a state's security. See Haas 1983; and Jervis 1983.

19. See Katzenstein 1996; and Jepperson, Wendt, and Katzenstein 1996.

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can determine the interests and identity of agents, rather than seeking to locate the power of norms in the process whereby they are created in the first place.[20]

To be sure, it is important to understand when and why states may either adapt practices to conform with international norms or modify objectives because they do not wish to violate an international norm. But to restrict our consideration of the role of norms to such cases is to accept a very narrow definition of what matters in international relations. It is equally important to investigate when and how states choose to use norms as a means of ordering the interstate environment—in other words, to investigate norms as a means of agency. If one can demonstrate that alternative paths for ordering are discarded in favor of collective norm construction, one has demonstrated an important role for norms. Furthermore, continued usage can be equated with continued interest. By concentrating on agency, one can separate the function and importance of norms from the debate over the origin of state interests, an unfortunate conflation that has occurred in the debate thus far. If one can demonstrate choice, the importance of the norms to state behavior cannot be in doubt, regardless of the origin of state interests.[21]

The third function of norms, their power to enable action, is an important area for research into how and why states choose to construct normative frameworks. The enabling power of norms has been virtually ignored in the debate over norms and state behavior up to this point.[22] An enabling norm is one that allows, or greatly facilitates, actions that would otherwise be impossible or unlikely to occur. The action does not occur without collective legitimation because, in the absence of that legitimation, the action is likely to violate other collectively legitimated norms and call forth counteraction that will make it costly or ineffective or both. Enabling norms are as important as regulative or constitutive norms to the functioning of any social system because they address what will or should happen (as opposed to what should not happen or what is required to play the game to begin with) for the system to function as agents collectively desire. A powerful case would be made for the importance of norms in international relations by demonstrating that not only does it matter to states whether they have a collective normative framework in place (the issue of choice), but also certain actions legitimized by this framework are unlikely to take place in its absence (the issue of enablement).

We are still left with the issue of where states' interests originate, why states make the initial choice. The origin of interests will remain an important area of inquiry, and the debate between rationalists and culturalists will continue for some time to come. The resolution of this debate, however, is not a necessary precondition for exploring

20. For a similar argument, see Checkel 1998.

21. It is important to study when and how states choose to construct normative frameworks to guide or to govern their relations, independent of whether the origin of states' interests in this framework can be demonstrated to lie in the distribution of power in a given transaction setting or elsewhere. The importance of the framework lies as much in its specific character as in the fact that it is supported by powerful states.

22. The partial exception here is international legal scholars, whose arguments have always included reference to both regulation and enablement, even if they have not always been careful to sustain the separation of functions. See Hart 1961; Kocs 1994; and Beck et al. 1996.

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the importance of choice and enablement, and it will remain bracketed for the purposes of this article.[23]

The case we consider here, the evolution of post–Cold War European security structures, and specifically the institutional development of the CSCE, provides strong evidence of state usage of norms as a means of agency. It provides evidence of choice by the international community to alter the normative framework by which interstate relations in Europe have been conducted in order to enable collective action that would, moreover, have been unlikely in the absence of the normative changes. In brief, the international community has considered it necessary to intervene in the transformation process in the states of the former Eastern bloc to control conflict as well as to help consolidate democratic systems of governance. Successful democratization has been considered necessary for the security system states have strived to create. For any intervention to be acceptable, however, it had to be collective or at least collectively legitimated. This requirement meant adapting the content of other norms to which states still subscribed—most particularly, sovereignty, self-determination, and nonintervention. The collective commitment to democracy became an "enabling" norm: it was used to justify behavior that had until that point been proscribed by the content given to the other norms; and it became the vehicle through which new content could be given to these other norms.

The recent record thus demonstrates that state choice has altered the normative distinction between legitimate and illegitimate state behavior in Europe, as states have resorted to cooperation and sought collective solutions to difficult issues of both domestic and international order. This alteration was not simply an imposition of a "victorious" set of values by those that emerged more powerful from the Cold War, for the states of the former Soviet empire, indeed the Soviet Union itself, were full participants in the process by which norms were being validated and given new content. Nor was it the "socialization" described by G. John Ikenberry and Charles A. Kupchan, though its impact was similar; the process was a collective ordering of power, rather than a projection of hegemonic power.[24] The normative framework of the CSCE emerged from participating states' collective attempts to develop rules and standards through which a new security order could be maintained. The framework was consciously created, it addressed critical new security issues that states either could not or did not want to deal with through traditional means to security, and it enabled new forms of collective state action. This action would have violated the

23. Ultimately, the reintroduction of agency into our understanding of the role of norms in international relations will almost certainly strengthen the culturalist case. It will also force constructivists to explore more thoroughly whether the state can properly be considered an agent, as it has been in much early constructivist scholarship (for example, Wendt), or whether agency even in the international arena must be sought at the level of individuals within societies who exist in a reflexive relationship with their environment (which is more true to Giddens' theory of structuration). See Wendt 1987; and Giddens 1979, 1984. The latter is surely more promising and theoretically coherent. By focusing on norms as a means of agency, however, we are consciously sidestepping this issue. We believe it is legitimate to separate the debate over the ultimate source of agency from the demonstration that states use norms to shape the interstate arena.

24. Ikenberry and Kupchan 1990. The tools of constructive intervention may themselves have coercive elements, but the process of adjusting the norms to permit these tools to operate was not.

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previous normative framework, and a formal alteration of norms was considered important to legitimate the action, even though there were no material conditions that would have prevented it. In other words, the data illustrate the value of focusing on the path from agency to structure rather than simply on how structure constrains agency as a way to understand the role of norms in international relations.

## Weak States, Democracy, and Intervention: The CSCE in the New Europe

The institutional evolution of the CSCE after the end of the Cold War provides significant data for testing the theoretical propositions elaborated here, particularly the issue of choice.[25] In the late 1980s the CSCE was the sole European institution in which all states were represented. Moreover, it operated on the basis of consensus. Each participating state possessed veto power, and there is ample evidence that states small and large were not shy about using this power. Consensual institutions have many drawbacks, not least of which is an incapacity for acting decisively. But when consensus does exist, particularly when it is a consensus to modify existing norms of state behavior, it becomes all the more significant precisely because each state has the power to prevent collective choice from being made.

The early post–Cold War period unfolded in two distinct phases. As the Soviet empire collapsed and the Berlin Wall crumbled, Europe entered a period of euphoria. Many wished to capture the extraordinary convergence that was occurring around the values of democracy, human rights, and collective security and to make this the irreversible core of Europe's new order. Within a short time, however, the collapse of Yugoslavia shattered the euphoria, and policymakers were confronted with a range of difficult procedural questions as they sought to develop mechanisms for controlling potential conflict in Europe. At this stage the issue became how and under what circumstances states would attempt collectively to compel one of their own to adhere to principles and procedures domestically that had been agreed to internationally. Both phases involved important debate over the rules that would govern international relations on the continent. The operational and normative dimensions of these questions most clearly intersected in the CSCE.

The CSCE's institutional development was substantially affected by each of these challenges. During the first phase, between the Vienna Follow-up Meeting (1986–89) and the signing of the Charter of Paris by the heads of state and government in 1990, the CSCE for the first time acquired a permanent institutional framework. This phase was primarily characterized by participating states' attempts to codify norms for a new Europe, to cement the Eastern European domestic revolutions in international agreements, and to build a new European order on the basis of these agreements. In the second phase, from the winter of 1990–91 through the Helsinki II

25. Bloed provides the most comprehensive description of the CSCE as well as all relevant documents. Bloed 1993.

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negotiations to the Stockholm meeting of the Council of Ministers in December 1992, participating states endeavored to adapt the newly created institutions to meet the unanticipated security problems associated with Yugoslavia's disintegration into fratricide and the Soviet Union's collapse. The steps taken were primarily ad hoc responses to particular problems, but by the end of 1992 the CSCE had acquired a range of options to permit international community involvement in regulating and preventing conflict within participating states. These mechanisms were operationally modest but revolutionary in their normative implications.

As we demonstrate through the account presented here, the second phase was not a sharp break with the idealism of the first, but rather an adaptation of the commitments of that period in the face of new problems of ethnic violence. The creation of collective intervention mechanisms would not have been possible had participating states not reconceived democracy as vital to their security and thus committed themselves to a European order based on democracy. Action in the first phase, however, was not guided by anticipation of the problems of the second. Though this commitment to democracy necessarily implied that democratic institutions were the most appropriate means for mitigating conflicts within states, attention initially focused on how democracy might promote peace between states. Nobody anticipated how much work would be required by the international community to help construct viable democratic institutions within states.

In this section we explore how the CSCE was reconceived to deal with Europe's new challenges, focusing on the struggle to create usable tools of conflict prevention; in the next section we analyze the evolution of undergirding norms that made their creation possible. Each step along this path depended on prior steps: first, the adoption of democracy as a central precept for security; second, wrestling with classical interstate decision-making mechanisms to find a way for the CSCE to become involved in helping prevent potential conflict within as well as between states; and third, finding a way to resolve the dilemmas of the classical approach, which was clearly insufficient for the problems of the new Europe.

### *From Vienna to Paris: Writing Europe's New "Constitution"*

During the Cold War, the CSCE was a "process" among its participating states and was never endowed with the formal and organizational attributes of an international institution.[26] This lack of structure was well suited to its role in this period: it captured whatever little common ground existed between East and West and allowed the exploration of ways to bridge the divide between them.[27] Appropriately, it was during the CSCE Vienna Follow-up Meeting that the fundamental divide between East and West over human rights was bridged, resulting in the creation of the "human dimension mechanism." This mechanism was used some seventy times during the dramatic

26. Schlager 1991.
27. On the original Helsinki negotiations, see Maresca 1985.

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events of 1989, most notably to secure the release of Vaclav Havel.[28] The Hungarian government also cited multilateral political obligations under the CSCE as taking precedence over bilateral treaties when it opened its borders in September 1989 so that the citizens of the German Democratic Republic could travel freely to the Federal Republic of Germany.[29]

During 1989–90 participating states debated about how the CSCE should move from being a process to an institution. Although most agreed that the CSCE required institutionalization, few agreed on the form it should take.[30] The unification of Germany was still in progress, and the Warsaw Pact still existed; few understood how much change was still to come in Europe. Motivated by pragmatism as well as idealism, most thinking about the CSCE was concerned with how it might bring East and West together: West German foreign minister Hans-Dietrich Genscher, like many others, was skeptical that the Soviet Union would permit German reunification in NATO and believed that German unity had to be embedded in a larger, all-European framework to make it acceptable.[31] He developed a scenario for the future of Europe that saw both Cold War alliances disappearing into a new collective structure based on the CSCE.[32] Many East Europeans, including Czech foreign minister Jiri Dienstbier, advanced similar proposals.[33]

But there were other visions, and during the summer and early fall of 1990, the more far-reaching plans for the CSCE were "quietly abandoned."[34] The "London Declaration on a Transformed North Atlantic Alliance," issued by NATO leaders on 6 July, predetermined most of the institutional changes made by the CSCE in November in the "Charter of Paris for a New Europe." The CSCE was given a secretariat, an office charged with monitoring elections, and a conflict prevention center, but its center of gravity remained political, with the creation of a series of regular consultations to be held at the levels of heads of state, foreign ministers, and senior officials, and the endowment of a Chairman in Office with primary executive functions.[35]

These developments had important consequences for the CSCE, but the truly revolutionary changes had taken place earlier in the year in Bonn and Copenhagen. The Bonn conference (March–April 1990) was ostensibly devoted to issues of economic cooperation but was also the first CSCE meeting after the eventful fall of 1989 and saw participating states achieving consensus on agreements that, in Arie Bloed's description, had "hitherto had been completely unimaginable."[36] The concluding document of the conference saw the former socialist states embracing traditional Western values, including multiparty democracy based on free elections, the rule of

28. Lehne 1991, 6.
29. Ibid.
30. See Hutchings 1997; and Flynn forthcoming.
31. Zelikow and Rice 1995.
32. Genscher 1990.
33. Lehne 1991.
34. Ibid., 18.
35. Schlager 1991, 234.
36. Bloed 1993, 85.

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law, and the recognition of a relationship between political pluralism and the market economy.

The Copenhagen conference (June 1990) was even more dramatic and saw the drafting of one of the most far-reaching human rights documents ever concluded. According to Thomas Buergenthal, a public member of the U.S. delegation, the results of the conference were nothing less than the proclamation of a "new public order" for Europe based on democratic pluralism—an order as important in its way as the Peace of Westphalia.[37] In the Copenhagen Document,[38] participating states

> Express their conviction that full respect for human rights and fundamental freedom and the development of societies based on pluralistic democracy and the rule of law are prerequisites for progress in setting up the lasting order of peace, security, justice, and cooperation that they seek to establish in Europe.[39]

Having linked domestic and international order, they go on to declare that "democracy is an inherent element of the rule of law,"[40] and that "the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government."[41] The document further spells out with precision those elements considered essential to the expression of human dignity, the will of the people as the source of governmental authority, and the institutions of viable democracy. Henceforth, participating states would be violating their commitments if they maintained or established a nondemocratic political system.[42] The Copenhagen Document also spoke to the international community's obligations to guarantee these commitments as well as recognized (in chapter IV) that national minority questions could only be resolved in a democratic political framework based on the rule of law and with an independent judiciary.

The Charter of Paris, signed in November, took the Bonn and Copenhagen texts, which had been drafted by groups of "experts," and made their provisions the subject of solemn state commitments. Perhaps the most important commitment made by the signatory states was "to co-operate and support each other with the aim of making democratic gains irreversible."[43] Few participants realized how seriously their ideals would be tested by the ethnic forces unleashed by communism's collapse. Much of the subsequent two years was spent trying to translate good intentions into effective mechanisms to deal with these forces.

### *From Paris to Stockholm*

If the first phase of the CSCE's post–Cold War evolution was about principles of order in the new Europe, the second was about how the international community, and

37. Buergenthal 1990, 3.
38. Bloed 1993, 439–66.
39. Preamble.
40. Art. 1, para. 3.
41. Art. 6.
42. Meron 1990, 23.
43. Charter of Paris, chap. 1. The full text is in Bloed 1993, 537–66.

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the CSCE in particular, might help bring about that order. The states of Central and Eastern Europe were very much the objects of this exercise and were naturally dubious about anything that smacked of the "doctrine of limited sovereignty." But they were also full participants in the process that brought the CSCE to create new forms of collective intervention.

The CSCE's interventionary framework had two main lines of institutional ancestry. One was the human dimension, which grew from the original commitment of participating states to protect human rights and became the natural focus for attempts to create mechanisms to deal with problems inside participating states. The other was the "peaceful settlement of disputes" (PSD), which also had a basis in the original Helsinki Final Act and became the basis for attempts to create mechanisms that would control interstate disputes. Until the end of the Cold War, the human dimension had been the primary battleground between East and West over systemic legitimacy, whereas PSD had been a dead letter. From early 1991 both human rights and PSD became focal points for efforts to control the new forces threatening European security. Although developments in the two areas were nominally separate from each other, in retrospect they can be seen as interwoven parts of the CSCE's evolution toward greater involvement inside its participating states.[44] The basic issue in each area was how the community of states could agree on legitimate procedures for becoming involved in questions that had previously been beyond its reach but were now declared central to Europe's future security. Inevitably, the search for legitimacy was intimately bound to the struggle over acceptable mechanisms for decision making.

The first move after the Paris summit came in January 1991. A meeting of experts was convened in Valletta, Malta, to discuss how the CSCE could become more actively involved in conflict settlement between states.[45] The mechanism that emerged from this meeting (the Valletta mechanism) was an important, if tentative, step in that it limited the principle of unanimity: any CSCE state could initiate it, and invoke a commission of independent experts, without the consent of the other state involved in the dispute. However, it was rendered impracticable by escape clauses that excluded certain key categories of dispute and by the fact that a commission was in any case only empowered to make nonbinding recommendations. The Valletta mechanism has never been employed in practice, although it is credited with having demonstrated the drawbacks of a legalistic approach to conflict resolution and prompted officials in several participating states to think about more flexible alternatives.[46]

Early attempts to create a more effective political decision-making procedure for crisis situations were not much more successful: various states were worried about how a general mechanism might be used or what its adoption might signify.[47] At the Paris summit the CSCE participating states had adopted the Vienna Document on

44. See Korey 1993; Heraclides 1993a; and Helsinki Commission 1993.

45. There had been two previous meetings of this kind, at Montreux (1979) and Athens (1984), but fundamental disagreements meant that they did not achieve any real advances. See Bloed 1993.

46. Conversation with Erika Schlager, Helsinki Commission, Washington, D.C., March 1997.

47. Korey 1993, 31.

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Confidence- and Security-Building Measures, which contained a mechanism by which a state could request clarification of any unusual military activity by another state within forty-eight hours and if the clarification was unsatisfactory, call for an emergency meeting of the CSCE within the newly created Conflict Prevention Center.[48] However, events during the winter and spring of 1991, especially the activities of Soviet troops in the Baltic region and the growing crisis in Yugoslavia, convinced participating states of the need for a more general emergency mechanism. This emergency mechanism was established at the first meeting of the CSCE Council of Ministers in Berlin in June 1991. It could be invoked in cases of a "serious emergency situation which may arise from a violation of one of the Principles of the Final Act or as the result of major disruptions endangering peace, security, or stability."[49] Again, any state could request information to be provided within forty-eight hours; if the response was unsatisfactory, a state, with the support of twelve others, could request an emergency session of the Committee of Senior Officials (CSO). In a small step forward, the CSO was empowered to make recommendations about how a situation might be resolved, though these recommendations required a consensus. The mechanism was used almost immediately in the summer of 1991 to address the situation in Yugoslavia; several meetings of the CSO were called, but the need for Yugoslav consent blocked collective action.[50]

At this point the mismatch between the collective tools available to the states of Europe and the problems they were designed to address was becoming painfully apparent.[51] It was increasingly clear that the emergence of political pluralism, combined with the strategies of certain domestic actors, might bring with it fragmenting pressures that threatened the break-up of individual states or serious conflict within them.[52] The immediate threat of civil war in Yugoslavia was seen as perhaps being the harbinger of even more serious struggles over the relationship between the constituent parts of the Soviet Union.

Minority rights were the subject of a CSCE experts meeting in Geneva in early July 1991; its outcome, however, was dictated more by the sensitivity of the issues than by the urgency of events in Yugoslavia. Participants feared that a frank review of the implementation of minority rights would be confrontational,[53] and they disagreed about whether minority rights were best seen as group rights or individual rights, a long-standing legal–ethical dispute. The United States had hoped to build on the Vienna mechanism and to develop additional tools for addressing national minority problems and ethnic disputes but was unsuccessful, and the issue was deferred until

48. Ibid., 32–33.

49. Bloed 1993, 811–13.

50. A useful account of the incapacity of the CSCE and other institutions to prevent Yugoslavia's collapse into war is provided by Woodward 1995, chap. 6.

51. Korey 1993, 361–87.

52. See Mansfield and Snyder 1995; and de Nevers 1993.

53. Korey 1993, 374. The core issue was the definition of what constituted a minority. Going beyond the texts negotiated in Copenhagen was impossible without such a definition, but several states, most particularly France, had no interest in seeing such a discussion take place. Interviews with staff of the Helsinki Commission, Washington, D.C., March 1997.

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the forthcoming Moscow meeting on the human dimension. Nonetheless, the Geneva Report[54] did make an important breakthrough when it declared that "Issues concerning national minorities . . . are matters of legitimate international concern and consequently do not constitute exclusively an internal affair of the respective state."[55]

The third review conference on the human dimension, after some considerable uncertainty resulting from the attempted coup in the Soviet Union in mid-August, took place in Moscow in the fall of 1991. No new normative commitments were undertaken, but the commitments to democracy and the rule of law were reiterated, and the participating states

> categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all the participating States, and do not belong exclusively to the internal affairs of the State concerned.[56]

The Vienna mechanism was enhanced by the creation of a five-part system for sending missions of experts or rapporteurs to investigate human rights situations in participating states. Although the Moscow mechanism is complex, it authorizes a group of participating states to send a mission into another participating state even against that state's will. This provision was innovative both in that it established the N – 1 principle (consensus minus the party in question) for CSCE action and in its introduction of a nongovernmental dimension to the CSCE's menu of options. Missions of experts were empowered to "facilitate 'resolution of a particular question or problem relating to the human dimension of the CSCE.' "[57] However, the CSO still had to agree on all follow-up action on the basis of consensus.

Efforts to develop a viable decision-making procedure to deal with problems caused by participating state action or inaction reached their high-water mark in Prague in January 1992 at the second meeting of the Council of Ministers. This meeting formally adopted the consensus-minus-one principle, empowering the council to take political action against any one participating state against its will if it was deemed guilty of gross violations of human rights commitments.[58] These actions were limited to application outside the territory of the recalcitrant state, but the principle still created a legitimate basis for formal sanctions against states that breached CSCE human dimension obligations. In the spring of 1992, the principle was used to suspend Yugoslavia from the CSCE. By then, the human dimension had come to embrace a very wide range of issues: as Arie Bloed notes, the decision to suspend Yugoslavia was "a de facto extension of the scope of the consensus-minus-one principle to the political and security field."[59]

54. Bloed 1993, 593–604.
55. Chapter II.
56. Preamble. The full text is in Bloed 1993, 605–30.
57. Bloed 1993, 43.
58. Prague Document on Further Development of CSCE Institutions and Structures. Bloed 1993, 830–37.
59. Bloed 1993, 21.

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In October 1992, at a meeting in Geneva on peaceful settlement of disputes, participating states formally extended to interstate conflicts the principle of condemning a state that was violating its commitments. This involved a package of measures, the most visible of which was a "Convention on Conciliation and Arbitration within the CSCE." The convention was unique among CSCE agreements in that it was formally binding and would apply only to signatory states, not to all participating states.[60] More important from the perspective of this article was a provision for "directed conciliation," essentially a consensus-minus-two measure, permitting the CSO to direct two participating states in conflict to seek help in resolving the dispute, even without their consent. Both the convention and the provision were officially adopted by the Council of Ministers in Stockholm in December 1992.

In many ways the evolution of the CSCE over this period was remarkable: states were prepared to develop broad procedures to sanction one of their own for conditions or actions within the state. However, this evolution also bears witness to the limitations of this approach to conflict resolution, whether within or between states. States were only reluctantly willing to make agreements that might undermine their own autonomy, and many of the mechanisms on which they did agree were unworkable in practical terms. Most tellingly, in the face of the violence that accompanied the collapse of Yugoslavia the CSCE was powerless, which did lasting damage to its reputation. In short, the lesson of the phase being discussed is that comprehensive security organizations like the CSCE are simply unwilling to develop decision-making procedures that permit decisive action.

### *Helsinki II and After: The Marriage of Human Rights, Intervention, and Preventive Diplomacy*

If the preceding were the end of the story, it would merely confirm many of the traditional preconceptions about state behavior and the weaknesses of collective institutions. But even while participating states were debating formal decision-making procedures, they were also developing new ways of thinking about conflict resolution. In an important way, the former facilitated the latter: unless participating states had already worked through the problem of how and under what conditions they were willing to abrogate the principle of consensus, it is inconceivable that they would have been ready to create innovative intervention mechanisms.

The new Europe clearly faced profound challenges at the state level. Simply declaring that democracy was the most appropriate means of dealing with ethnic conflicts was not enough: if the political instincts and traditions were not there, the international community had to find a way to help them develop. The intractability of Yugoslavia also convinced many that the international community had to become involved in potential conflict situations before the fighting broke out. This nascent

60. Several states, most notably the United States, declared that they would never sign this particular convention.

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awareness ultimately turned the CSCE toward "preventive diplomacy,"[61] most clearly articulated in the Stockholm meeting in December 1992. But the key decisions making preventive diplomacy possible had been made the previous summer at the Helsinki II summit and in its immediate aftermath.

The Helsinki Follow-up Meeting (Helsinki II), held in March–July 1992 and concluding with a summit meeting in July, reconceived the CSCE so that it could play a more effective role in the new Europe.[62] The 1992 Helsinki Document, "The Challenges of Change,"[63] noted that "for the first time in decades . . . warfare [was taking place] in the CSCE region," and warned of the dangers posed by aggressive nationalism, xenophobia, ethnic conflicts, and the gross violation of human rights commitments to stability and the peaceful development of the new democracies.[64] Interestingly, the concept of substate preventive diplomacy neither dominated discussions nor was yet operationally concrete. It received some attention at the meeting and was the intellectual basis of Hungarian and British proposals on conflict prevention,[65] but the main discussions became mired in the controversial question of how the CSCE could become involved in peacekeeping activities.[66]

The Helsinki Document set out various mechanisms to provide early warning and conflict prevention. Impetus for the new institutions arose at least as much from the desire to do something to prevent future Yugoslavia-type crises as from theoretical arguments about how to approach such crises. Of particular concern were national minority issues, where security, human rights, and the absence of viable domestic institutions for conflict resolution collided. The most important resulting initiative was the creation of a High Commissioner on National Minorities (HCNM).[67] The commissioner was charged with providing

> "early warning" and, as appropriate, "early action" at the earliest possible stage in regard to tensions involving national minority issues that have the potential to develop into a conflict within the CSCE area, affecting peace, stability, or relations between participating states.[68]

The HCNM is the commissioner "on" national minorities, not "for" them. Although the HCNM's inspiration derives from the human dimension (and especially

61. Preventive diplomacy came to be defined, in the words of Margaretha af Ugglas (Swedish chairman of the Council of Ministers from December 1992 to December 1993), as "the use of diplomacy to prevent disputes from arising between parties, to prevent disputes from developing into conflicts, to eliminate conflicts when they occur, and to contain and limit the spread of those conflicts not amenable to swift elimination." Ugglas 1994.

62. For thorough discussions of the various aspects of Helsinki II, see the valuable contributions in Bloed 1994; and Heraclides 1993b. See also Helsinki Commission 1992a.

63. Bloed 1994, 385–446.

64. Ibid., 387.

65. Heraclides 1993b, 85–89.

66. Sheltema 1994. Interestingly, the human dimension at first seemed irrelevant to security: "the comments heard in corridors [at Helsinki II indicated] that the problems of the Human Dimension were now largely solved." Helsinki Commission 1992a, 3.

67. For a definitive discussion of the HCNM's mandate, see Zaagman 1994. For an account of the discussions leading up to the creation of the position, see Zaagman and Zaal 1994.

68. Helsinki Decisions, sec. I, para. 23. Bloed 1994, 396.

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the Copenhagen Document), the person in this position is officially designated as an instrument of conflict prevention, allowing this person to preserve security as a primary concern, to avoid becoming a prisoner of specific claims of injustice, and to act as a "neutral" third party. The HCNM is expected to act as a mediator in disputes, and the position was designed to represent the interests of the CSCE in resolving minority-related conflicts beneath the state level.[69]

If the HCNM believes that a situation warrants attention, this person is mandated to ask for an invitation to visit a participating state, giving two weeks notice. Although a state could in theory refuse, a refusal would violate its CSCE commitments. The HCNM's mandate is to issue an early warning in situations with a serious risk of conflict, calling the political level of the CSCE into action and allowing the CSCE to become involved in a potential conflict situation without having to "decide" to do so.[70]

The political organs of the CSCE were also given enhanced mandates at Helsinki II. The CSO became a central clearinghouse for much of the CSCE's regular activity. It was to consult on potential crises, be warned about dangerous situations through a number of means, set up frameworks where necessary to promote negotiated settlements between disputants, dispatch rapporteur or fact-finding missions, and delegate tasks to other CSCE bodies or actors as appropriate. The Chairman in Office remained responsible for coordinating CSCE business and was given the explicit power to dispatch a personal representative to crisis situations as deemed appropriate.[71] By virtue of the representative's national authority as a foreign minister, the Chairman in Office has additional diplomatic clout, which on more than one occasion has been used successfully.[72]

Helsinki II marked the end of an era: the CSCE was no longer overwhelmingly a diplomatic process, shaped almost entirely by meetings of negotiators with carefully constructed agendas. It now had a definite institutional core, with some independence of action from the intergovernmental process.[73] New evolutionary forces began shaping the CSCE as it responded to problems on the ground, and less than a month after Helsinki II, another substantial innovation emerged in the field of preventive diplomacy.

In August 1992, the CSO decided to send fact-finding missions to Kosovo and Sandjak in the former Yugoslavia (this occurred after Yugoslavia had been suspended from participation in the CSCE). In the process it decided to supersede the Moscow mechanism, which was too cumbersome, and to organize the missions on an ad hoc

69. The innovation in creating the HCNM was to substitute a "managerial" for an "enforcement" mode of intervention, creating what Chigas calls an "insider third party." Chigas 1996.

70. In fact, this power has never been used. In the experience of Max van der Stoel, the first HCNM, his leverage has been most effective in confidential meetings with the parties involved.

71. László Kovacs considered his dispatch of Istvan Gyarmati to Chechnya to have been an important and successful tactical step in responding to the crisis. See Kovacs 1995; and Lapidus 1998.

72. The chairman has on occasion personally investigated potential crisis situations; viz. Baroness af Ugglas's tour of the Central Asian Republics during Sweden's chairmanship in 1993.

73. There remained overall agreement, however, that any general standard-setting activity of the OSCE would remain subject to a requirement of consensus in the decision-making process, whereas operational tasks could gradually come to be dealt with by executive action of the Chairman in Office. Kovacs 1995.

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basis, creating a new category of mission, "missions of long duration." A semi-informal set of procedures evolved whereby a fact-finding mission would spend a few days examining a situation and could, if deemed necessary, recommend a mission of long duration, the constitution and funding of which would be determined by the CSO.[74] A mission of long duration was later established at Vojvodina, and all three missions continued into early 1993, when Belgrade refused to cooperate in their extension. As noted earlier, the mandates of missions have been multifaceted, and missions have been used in thirteen different situations of crisis or potential crisis.

Although the CSCE has continued to evolve, its institutional tool kit was effectively complete at the end of 1992, after the Stockholm meeting of the council. The participating states of the CSCE had endowed themselves with a set of mechanisms allowing active engagement in conflict prevention through a form of substate intervention. These mechanisms circumvent formal decision-making procedures (to a greater or lesser extent), and most significantly they do not involve states taking action against other states. Rather they are intended to strengthen a state, and more specifically its internal capacity for conflict resolution, in order to prevent domestic conflict from leading to wider instability. In other words, unlike traditional types of intervention, these mechanisms are "constructive" in both their form and purpose. The normative change that made this possible is the subject of the next section.

## Europe's New Norms

Collective intervention has required a revision of the normative framework of European interstate relations. In the absence of this modification, intervention would have violated more than one prevailing norm, and no basis would have existed from which states could agree to act. The CSCE was the natural institutional framework for states to use to bring about the necessary adjustment, given its membership and its normative role during the Cold War.[75]

The account just presented makes it clear that states did not always see the creation of norms as their primary task at hand, nor did they have a desire to alter in any major way their commitment to sovereignty and nonintervention as basic norms of interstate relations. But it also demonstrates their commitment to finding a collective mechanism for preempting substate conflict. In other words, normative change after 1989 came through two different types of choice: sometimes it was consciously sought, and sometimes it came as a by-product of decisions on the need for action. States were able to create the mechanisms of "constructive intervention" because their commitment to democracy as the central anchor of the new order in Europe both established the grounds on which states could agree to act and provided a legitimate way to modify the content of other norms. This section analyzes the substantive

74. For a full description of the development and transformation of missions, see Höynck 1994.
75. See Maresca 1985; and Russell 1976.

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changes that took place in Europe's normative framework and more precisely how democracy as a norm enabled new content to be ascribed to other key norms.

Democracy's normative power came in part from the desire of Eastern European leaders to emulate the path of the West; without their open embrace of democracy, it could hardly have been a consensual norm. It also surely stemmed from how the collective commitment was made. The conferences in Copenhagen and Paris in 1990 were widely regarded as "constitutional moments" for the new Europe, and the commitments undertaken there had special meaning for participants.[76] Neither of these events alone, however, would have been enough to bring about a collective modification of the norms of sovereignty and nonintervention. History has too many examples of such formal commitments that then turn hollow when confronted with the immediate demands of domestic politics or sources of national interest. The final and perhaps most important element in the power of democracy as a norm lies in the nature of liberal democracy: it embodies fully developed concepts of how conflicts must be resolved and how power should be managed, most importantly the rule of law and equality before the law. It thus could enable changes in other norms—it provided an alternative understanding of social regulation that could substitute for these norms' previous content.

The recognition of democracy as the only legitimate form of governance in Europe had profound implications for the conception of sovereignty. For most of the history of the modern state system, the external sovereignty of a state has been deemed independent of where sovereignty resides within the state. The norm of autonomy inscribed in the Peace of Westphalia sought to guarantee that the way sovereignty was organized inside a state was beyond the reach of other states. The Charter of Paris modified this understanding.[77] Where sovereignty resides within the state became central to the interstate order that was being created and thereby of concern to other states.

Because of the particular nature of democracy, however, this did not necessarily clash with the principle of autonomy for states. In a democracy, sovereignty is not vested in the state, but in the people. Consequently, for the first time, the quality of a state's sovereignty could be open to international scrutiny on normative grounds without necessarily undermining the formal independence of the state. Although all states were equal as formal members of the European society of states, some states, those that were still undergoing the transition to democracy, possessed incomplete (or, more precisely, incompletely realized) sovereignty in that they were not supported by fully viable democratic institutions. The international community could therefore support the growth of democracy within a participating state in the name of

76. Conversations with members of several delegations to Copenhagen (four members of the U.S. delegation as well as representatives from Finnish, Swedish, and West German delegations) confirm that all viewed themselves as possessing a historical opportunity to lay the foundations for a new kind of European order.

77. See Franck 1992; Farer 1993; and Halberstam 1993. Although the consequences were undoubtedly not fully intended or understood at the time, they have since been validated by state action.

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strengthening its sovereignty. Such support was also necessary if states wanted the new European order to be anchored by democracy.

The implications for the norm of nonintervention had surely not been thought through by those who drafted or signed the Charter of Paris, although all signatories made an explicit commitment that progress toward democracy would not be reversed in any state. It did not take long, however, before events brought home the need for difficult choices, as the breakup of Yugoslavia made a mockery of commitments to territorial integrity, inviolability of frontiers, human rights, and democracy, and highlighted the dangers of allowing self-determination to be defined by individual political leaders in search of political gain.[78] In the new Europe nonintervention could no longer be the anchoring norm for a system of sovereign states, because sovereignty had reacquired its internal dimension, and external sovereignty depended on the state's ability to provide internal order according to agreed-on domestic structures. Incomplete internal sovereignty had deep implications for the quality of the state as an international actor, thus undermining the formal equalizing power of nonintervention. For a system of sovereign states based on the principle of equality to be sustainable, individual states had to be capable of sustaining their position of equality in the system, especially in a system that was attempting to delegitimize imperial domination, the previous tool for dealing with a state incapable of maintaining its equality of status.[79]

The logic that emerged pushed the international community toward action to strengthen the internal sovereignty of states, thus reestablishing the system's ability to function on the basis of equality. This logic obviously had its own difficulties: the international community had to steer a tortuous course between the Scylla of insufficient action and the Charybdis of overly intrusive interventions that might further weaken the very foundations of state legitimacy they intended to stabilize. The outcome of this wrestling with the content of the most basic norms of international order has been fundamentally different than at any other point in the history of the modern state system.

For states experiencing difficulties with domestic order, the norm of nonintervention could no longer be an excuse for nonfulfillment of commitments undertaken within the CSCE. By the same token, the idea that states had obligations to the international community whose nonfulfillment could provide a justification for intervention was, by definition, less divisive than it had been. In post–Cold War Europe, the examination of states' human rights implementations was no longer "an exercise in confrontation and . . . [an] outdated relic of the era of a divided Europe."[80] But human rights had a new political force precisely because they were depoliticized. They came to be viewed as a necessary basis for comprehensive international security in the region. New institutions such as the HCNM were possible because human rights had largely ceased to be a matter of controversy between states and had be-

78. Weller 1992.

79. Of course, imperial domination was motivated by concerns that were, to put it mildly, not reducible to the functional need to maintain system order.

80. Helsinki Commission 1992b.

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come norms appropriate to the well-being of states considered individually and collectively.[81] Thus action taken on the basis of human rights could be consensual, and the international community could become involved in the domestic politics of a state without necessarily impinging on the interests of the state. With the recognition of some linkage between the "quality" of a state and its internal political institutions, the norm of nonintervention was given a much more restricted content.

The new normative logic had important implications for attitudes toward minority rights. The Helsinki Final Act had discussed national minority issues briefly; however, they only began to play a major role in CSCE deliberations after the end of the Cold War. The Copenhagen Document of 1990 stated, among other things, that national minority problems could only be solved in a democratic framework and that individuals belonging to national minorities had the right to use their mother tongue freely and to establish their own cultural, educational, and religious institutions. National minority rights were treated primarily as an extension of human rights, but their new importance signaled growing concern about ethnic problems. The creation of the HCNM, however, marked a new emphasis on the security implications of minority issues and a substantial change in how minority and group rights were conceived.[82]

The Helsinki II negotiations moved beyond the traditional emphasis on the relationship between the individual and the state as the basis for minority rights. Ambassador Kenneth Blackwell, the member of the U.S. delegation responsible for the working group on minority issues at Helsinki II, argued that "*government* sponsored persecution of national minorities has fortunately become less of a concern" and that the CSCE's attention would have to move away from governments, instead "focusing on communities and the forces in society which made them flourish."[83] Blackwell's statement was emblematic of a redefinition of minority rights that proved essential to the operation of the HCNM and the missions of long duration. The problems of the new Europe could now be viewed as problems of coexistence among groups within a state rather than problems in the relationship between the state and groups. The international community could therefore intervene to mediate without openly acting against the interest of the participating state in which the intervention was taking place. It could appear as a relatively neutral actor to disputants and potential disputants even while it strove to preserve the stability of the state system as a whole.

This new approach to minority rights fit into a framework where a reassertion of the inviolability of borders coincided with a modification of the understanding of self-determination. During the Cold War, the norm of inviolability of borders was

81. Of course, human rights are still politicized to some extent, and intervention based on human rights may cause some resentment in the state in which the intervention is occurring. Furthermore, actually implementing human rights is, to put it kindly, patchy in many participating states. The point is that enough general agreement existed at the international level to permit effective action on the basis of these norms.

82. Schöpflin 1996.

83. Helsinki Commission 1992c (emphasis in original).

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conditioned by the Soviet preoccupation with the immutability of the territorial status quo and the German desire to preserve the option of future reunification.[84] After 1989 the norm derived its importance from states' fear of both irredentist and separatist ethnic forces. The mismatch between borders and ethnic groups in Central and Eastern Europe had obvious potential for violence, and participating states equated maintaining the current dispensation of state frontiers (that is, those emerging from the collapse of the USSR) in Europe with preserving general European order. Changes in borders, even if justifiable, were to be strongly discouraged, lest the general principle be weakened.

The norms of inviolability of borders and of self-determination clearly clashed, as had been recognized in the original Helsinki negotiations. Certain states, most particularly Yugoslavia, were concerned that self-determination could facilitate the breakup of states along ethnic cleavages, and a formula was found "to avoid any implication that the principle could be used to bring about the dissolution of federated states comprised of people of different nationalities or other minorities."[85] After the Cold War, this concern was no longer a theoretical problem. Any unbounded self-determination of ethnic groups could have catastrophic results for regional stability in Central and Eastern Europe, and it was necessary to reemphasize that the norm of self-determination was subordinate to the inviolability of frontiers.[86] As Max Kampelman, chair of the U.S. delegation in both Copenhagen and Geneva, put it,

> The right of self-determination does not include within it the right of secession for minority groups. . . . They are separate issues. The framers of the concept within the Helsinki Final Act had no intent of legitimizing actions which could lead to the destabilization of Europe. Indeed, the Helsinki Final Act emphasized the stability that comes from respect of existing boundaries.[87]

The norm of self-determination was not only subordinated to the norm of inviolability of borders; it was also effectively removed as an independent principle of international relations in Europe separable from the norm of democracy.[88] Self-determination was to be directly and exclusively related to creating political institutions that would protect cultural and ethnic differences within common frameworks, rather than using these differences as a basis in themselves for separation. Minority problems were to be resolved, with rare exceptions, within existing state borders, and this could only be accomplished if the political institutions of those states were sufficiently pluralistic to accommodate minority groups and allow them to feel that they had some control over their collective destiny. In the words of HCNM van der Stoel,

84. Russell 1976.
85. Ibid., 270.
86. Shehadi 1993.
87. Korey 1993, 382. The quote is from a speech to the Geneva Meeting of Experts on National Minorities.
88. Indeed, in hindsight the norm of self-determination was primarily appropriate for attempting to liberate those still subjected to empire; it offered no obvious answer to the core problem of governance and, consequently, provided no limits to its own applicability.

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> One cannot overestimate the importance of effectively functioning democratic institutions in this regard (minority participation). If minorities feel that their voices are being heard through the democratic process, then they will be unlikely to resort to less acceptable means for representing their interests. Participation in public affairs is also very important to create links of mutual loyalty between the state and the minorities.[89]

Thus states have attempted to reconcile minority ethnic groups to the states where they find themselves and discourage changes of border as a solution to ethnic problems. To quote van der Stoel again,

> The means for containing and eventually reducing ethnic tensions should be sought as much as possible within the framework of the existing state. There are few "quick-fixes," so to speak, when it comes to minority issues, least of all through secession, irredentism, or other formulas involving even minor border changes. Wherever the border is drawn, there will almost always be different ethnic groups living together. They will have to learn to live harmoniously with one another. State sovereignty for each group is thus not a cure-all; it might instead lead to greater ethnic tensions and regional instability.[90]

In many ways, the normative framework to emerge during the early post–Cold War period differs little from the framework that preceded it. But in crucial dimensions, the differences are profound. A new hierarchy of norms, centered around an altered sense of sovereignty, nonintervention, and self-determination, has emerged. The quality of interstate order has been linked to the quality of states—to their ability to organize internal sovereignty along liberal democratic lines. This new hierarchy permits "constructive intervention," which is seen as enhancing sovereignty (in its new sense) rather than undermining it. Collective intervention as a means for furthering the implementation of norms, including democracy and human rights, has become a legitimate way to address security problems because collective intervention is viewed as preserving the state system, including its current borders, through improving the quality of states within it.

## Conclusions

Europe is witnessing the emergence of an order that has significantly corroded the boundaries between the national and the international, and this time it is not due to global market forces, but to the choices of states themselves. Specifically, the family of European states has sought to revise formally its membership criteria to include democratic governance—to make membership conditional on specific forms of internal authority that derive from collectively determined principles. Moreover, the international community has agreed to intervene collectively to help states meet these criteria, altering both the prevailing meaning of sovereignty in the interstate arena

89. Helsinki Commission 1994.
90. Ibid.

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and the general understanding of legitimate interstate behavior.[91] These steps are unprecedented consensual choices by states.[92]

The most important steps in reconstituting Europe's normative framework were taken between 1989 and 1992 within the CSCE. The record demonstrates that states considered the collective commitment to new norms as central to the order they wanted to construct. It also demonstrates that collective action was considered necessary to support the construction of this order, but that collective action required an additional adjustment of prevailing norms. Whereas initial changes to norms were consciously sought, subsequent modifications were derivative of the initial choices.

This behavior is not easily explained using the traditional paradigms dominating the debate about European security. Neorealism falls short on three main grounds. First, the disposition of "material structure" (neorealism's key independent variable) in post–Cold War Europe has been compatible with more than one outcome: that which we have witnessed, and that predicted by John Mearsheimer.[93] Second, the ordering process is better characterized by multilateral institution building than by power or threat balancing. States have sought to shape institutions to address collectively the changing European security situation and, in particular, the problem of weak states in Central and Eastern Europe. Furthermore, the ordering process is not simply the consolidation of a larger Western sphere of influence in order to manage from a more advantageous position the balance of power with Russia. This may well be one consequence of constructing a larger democratic zone in Europe, especially if the Russian transition falters. But the chronology must be kept straight: the logic of building a democratic community of states and what might be necessary to bring this about predates substantially both concern with the outcome of a Russian transition and any consideration of enlarging NATO or the EU.

Third, the new normative framework is clearly not simply a reflection of power relationships or the imposition by Western states of their security interests and no-

91. Comparing these choices with those made by the international community in the wake of decolonization is useful. The weakness of what Robert Jackson calls quasi-states was far more profound than that of those states emerging from communism in Central and Eastern Europe, but this was partially concealed by their international status and made "tolerable" by their marginality and distance from the center. The states of Central and Eastern Europe are integral to the emerging European system, and their weakness matters more because of their proximity: the instability caused by weak states creates insecurity for the countries of Western Europe. Recognition and nominal aid are thus not enough. In order for the international community to participate in the state-building process and thus control the potential for domestic instability, the bounds between the domestic and the international had to be reinscribed. Although the result has been carefully circumscribed, it is a more fundamental change "in the rules and modes of operation of international society" than that described by Jackson: the international community is not only strengthening the external "shell" of statehood; it is also reaching inside states to make them more effective providers of domestic order and thereby more effective units in the interstate system. See Jackson 1990, 1993.

92. This consensus is all the more extraordinary given that many of the states in question had only recently emerged from a condition of external domination.

93. Mearsheimer foresaw that the end of the Cold War and a withdrawal of the Soviet Union from Central Europe would lead to the removal of U.S. forces from the continent, the dissolution of NATO and the Warsaw Pact, and a return to earlier patterns of great power multipolarity. Europe would thereby become substantially more prone to major conflicts and violence than during the Cold War. Mearsheimer 1990.

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tions of social organization on weaker states. To be sure, the norms are consistent with Western interests, and some aspects of the institutions that emerged are asymmetrical in effects and costs imposed. However, all major institutional decisions described here were made under the principle of unanimity. Weaker states had veto power over the decisions to anchor Europe's post–Cold War order in the logic of democracy and to develop collective mechanisms of intervention to facilitate democratization. Moreover, theories of hegemony or empire falter in one key area: the current process aims to strengthen states so that they can perform their roles as autonomous members of European international society, rather than to create some form of permanent, structured relation of dependency between a core and its periphery.

None of this is meant to deny the neorealist contention that power plays a central role in determining the behavior of states. Clearly, powerful states can block action they consider to be against their interest. But focusing on relative power relations tells one little about preferences or about the purposes for which power is used. Neorealism provides no explanation for why states, both powerful and less powerful, chose norm construction as their path to a new European security order. Indeed, it provides no help in understanding why the current transition differs from past transitions, and why outcomes might as well.

Neoliberalism is clearly more comfortable than neorealism with the case presented here. It would predict the type of multilateral institution building that we have witnessed in post–Cold War Europe, and it has a place for rules and norms at the center of state negotiating behavior. Moreover, there is almost certainly a utilitarian logic to the kinds of state bargaining that have taken place among the states in the emerging democratic zone: the costs of providing for security and order are reduced both for the transition states and for the states of Western Europe. Where neoliberalism falls short, however, is on the substance of the bargaining: European states have been pursuing far more than efficiency; they seek a philosophy of international order that links their relations with one another to a specific form of domestic rule. At issue is not how states can agree to constrain themselves, or even how they can agree to alter their domestic practices, in order to gain from reduced transaction costs or enhanced information and predictability. At issue is the nature of the states themselves and how states use a convergence of internal structural preferences to organize their participation in a particular society of states.

Liberalism is more helpful because it locates state behavior in domestic preference structures.[94] It would thus be more inclined to look at the convergence of states around democratic governance as a key factor in promoting the behavior we have observed. Where liberalism provides us with little guidance is in explaining why states would turn their preferences into action the way they have: why they would construct an international normative framework to organize relations, and, above all, why they would seek collective intervention mechanisms to bring about the order they desire. Other level-two theories, such as those focusing on the role of domestic

94. Moravscik 1997.

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interest groups, have the same strengths and weaknesses as liberalism: they correctly make clear that the anchors of policy lie in the preferences of specific constituencies within states, but they do not help us explain the dynamic and the outcomes when these preferences are brought to bear in the interstate arena.

Of the approaches currently dominating debate in international relations theory, constructivism is the one that most easily foresees the full range of behavior we have witnessed in Europe since 1989. Constructivist social theory has a place for power but views the creation of rules and norms as one of the primary vehicles for agents to shape their material environment and as such can easily accommodate the priorities of the early post–Cold War years.[95] Constructivism also would expect states to seek to alter a normative framework before taking action that would violate previous norms. Perhaps most importantly, Europe's attempt to make the quality of a state a precondition for its participation in European international society is precisely the type of unit construction through social interaction that lies at the heart of constructivism. Because this group of states wants to conduct relations within the group according to a certain set of rules, it creates a more complex definition of the properties all members of the group must possess in order to make this possible.

This said, constructivists have hitherto primarily focused on demonstrating that international structure has an ideational component that can "cause" behavior of a type that cannot be explained by either neorealism or neoliberalism. However, constructivist social theory is unique in foreseeing a role for agency that is indissociable from that of structure. The case we present here provides a good example of precisely how states use norms as a means of agency, and how the importance of norms to state behavior comes not only from their power to constrain but also from their power to enable.

We do not provide definitive answers to the questions of how and when states will choose to mold their power relations through modifying collective normative frameworks. Our case does, however, provide an empirical example of states having made this choice and yields three propositions for further empirical testing: (1) States are more likely to focus on shaping normative frameworks when the conditions and assumptions on which the previous structure of relations was based have been thrown into disarray;[96] (2) creating new norms requires some minimal agreement among states as to the basis on which normative changes should be made—in other words, the shaping of power relations through modifying norms requires basic "ideational convergence," at least among those with the material power to block the path; and (3) states will attempt to shape the normative framework of their relations when they want to do something that violates previous norms and when they want this action to be collectively legitimized. All of these conditions pertained in the case examined.

Finally, we make no generalizable claims about the particular kind of normative change that has taken place in Europe. It was revolutionary but relatively limited—

95. See Wendt 1992; Klotz 1995b; and Finnemore 1996a.

96. Scholars have begun to exploit the substantial historical evidence for this proposition. See Osiander 1994; and Schroeder 1994.

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both by power realities and by states' hesitancy to modify sovereignty in a way that could undermine their own autonomy. Whether this kind of change can deliver the goods is also not clear. Constructive intervention has appreciably affected real security outcomes in some cases, but fostering democracy from the outside is still incredibly difficult. What is important theoretically, however, is that states have chosen to pursue this security strategy, they have made normative changes to do so, and they continue to use the mechanisms they created for this purpose.

## References


Axelrod, Robert. 1986. An Evolutionary Approach to Norms. *American Political Science Review* 80 (4):1095–111.

Barrington, Lowell. 1995. The Domestic and International Consequences of Citizenship in the Soviet Successor States. *Europe-Asia Studies* 47 (5):731–53.

Beck, Robert J., Anthony Clark Arend, and Robert D. Vander Lugt, eds. 1996. *International Rules: Approaches from International Law and International Relations*. New York: Oxford University Press.

Betts, Richard K. 1992. Systems for Peace or Causes of War? Collective Security, Arms Control, and the New Europe. *International Security* 17 (1):5–43.

Bloed, Arie, ed. 1993. *The Conference on Security and Cooperation in Europe: Analysis and Basic Documents, 1972–1993*. 2d ed. Dordrecht: Kluwer Academic.

———. 1994. *The Challenges of Change: The Helsinki Summit of the CSCE and Its Aftermath*. Dordrecht: Martinus Nijhoff.

Buergenthal, Thomas. 1990. Copenhagen: A Democratic Manifesto. *World Affairs* 153 (1):5–8.

Checkel, Jeffrey T. 1998. The Constructivist Turn in International Relations Theory. *World Politics* 50 (2): 324–48.

Chigas, Diana, with Elizabeth McClintock and Christophe Kamp. 1996. Preventive Diplomacy and the Organization for Security and Cooperation in Europe: Creating Incentives for Dialogue and Cooperation. In *Preventing Conflict in the Post–Communist World*, edited by Abram Chayes and Antonia Handler Chayes, 25–97. Washington, D.C.: Brookings Institution.

Dessler, David. 1989. What's at Stake in the Agent-Structure Debate? *International Organization* 43 (3):441–73.

Donnelly, Jack. 1986. International Human Rights: A Regime Analysis. *International Organization* 40 (3):599–642.

Farer, Tom J. 1993. Collectively Defending Democracy in a World of Sovereign States: The Western Hemisphere's Prospect. *Human Rights Quarterly* 15 (4):716–50.

Finnemore, Martha. 1993. International Organizations as Teachers of Norms: The United Nations Educational, Scientific, and Cultural Organization and Science Policy. *International Organization* 47 (4): 565–97.

———. 1996a. *National Interests in International Society*. Ithaca, N.Y.: Cornell University Press.

———. 1996b. Norms, Culture, and World Politics: Insights from Sociology's Institutionalism. *International Organization* 50 (2):325–47.

FIER (Foundation on Inter-Ethnic Relations). 1997. *The Role of the High Commissioner on National Minorities in OSCE Conflict Prevention*. The Hague: FIER.

Flynn, Gregory. Forthcoming. Europe After the Cold War: Realism, Idealism, and the Struggle for Order Without Empire. In *Altered Strategic Landscapes in the Twentieth Century: Essays on the Making of International Order*, edited by William I. Hitchcock and Paul Kennedy. New Haven, Conn.: Yale University Press.

Flynn, Gregory, and David J. Scheffer. 1990. Limited Collective Security. *Foreign Policy* 80:77–101.

Forbes, Ian, and Mark Hoffmann, eds. 1993. *Political Theory, International Relations, and the Ethics of Intervention*. New York: St. Martin's Press.


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All use subject to JSTOR Terms and Conditions

Franck, Thomas M. 1992. The Emerging Right to Democratic Governance. *American Journal of International Law* 86 (1):46–91.

Genscher, Hans-Dietrich. 1990. Zur deutschen Einheit im europäischen Rahmen (Speech Before the Tutzing Protestant Academy). Der Bundesminister des Auswärtigen Informiert, Mitteilung für die Presse, No. 1026/1990. Bonn: Bundespresseamt.

Giddens, Anthony. 1979. *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis*. Berkeley: University of California Press.

———. 1984. *The Constitution of Society: Outline of the Theory of Structuration*. Berkeley: University of California Press.

Goertz, Gary, and Paul Diehl. 1992. Toward a Theory of International Norms: Some Conceptual and Measurement Issues. *Journal of Conflict Resolution* 36 (4):634–66.

Goldstein, Judith, and Robert O. Keohane, eds. 1993. *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*. Ithaca, N.Y.: Cornell University Press.

Haas, Ernst B. 1983. Regime Decay: Conflict Management and International Organizations, 1945–1981. *International Organization* 37 (2):189–256.

Halberstam, Malvina. 1993. The Copenhagen Document: Intervention in Support of Democracy. *Harvard International Law Journal* 34 (1):163–75.

Hart, H. L. A. 1961. *The Concept of Law*. Oxford: Clarendon Press.

Helsinki Commission. 1992a. The Helsinki Follow-up Meeting of the Conference on Security and Cooperation in Europe: March 24–July 8, 1992. Washington, D.C.: Commission on Security and Cooperation in Europe.

———. 1992b. Statement of Sherwood McGinnis, U.S. Delegation to the Helsinki Follow-up Meeting Working Group III (17 June 1992). Washington, D.C.: Commission on Security and Cooperation in Europe.

———. 1992c. Statement of Ambassador J. Kenneth Blackwell, U.S. Delegation to the Helsinki Follow-up Meeting, Working Group III (26 May 1992). Washington, D.C.: Commission on Security and Cooperation in Europe.

———. 1993. Update on Peaceful Settlement of Disputes in the CSCE Process. Washington, D.C.: Commission on Security and Cooperation in Europe.

———. 1994. Max van der Stoel, Controlling Ethnic Tensions: The Experience of the CSCE High Commissioner on National Minorities (remarks at the annual conference of the European Research Centre on Migration and Ethnic Relations (ERCOMER), Utrecht University, 19 September 1994). Washington, D.C.: Commission on Security and Cooperation in Europe.

Heraclides, Alexis. 1993a. *Security and Cooperation in Europe: The Human Dimension, 1972–1992*. London: Frank Cass.

———. 1993b. *Helsinki II and Its Aftermath: The Making of the CSCE into an International Organization*. New York: Pinter Publishers.

Höynck, Wilhelm. 1994. CSCE Missions in the Field as an Instrument of Preventive Diplomacy—Their Origin and Development. In *The Challenge of Preventive Diplomacy*, edited by Staffan Carlsson, 55–72. Stockholm: Ministry of Foreign Affairs.

Hurrell, Andrew. 1993. International Society and the Study of Regimes: A Reflective Approach. In *Regime Theory and International Relations*, edited by Volker Rittberger, 49–72. New York: Oxford University Press.

Hutchings, Robert L. 1997. *American Diplomacy and the End of the Cold War: An Insider's Account of U.S. Policy in Europe, 1989–1992*. Baltimore, Md.: Johns Hopkins University Press.

Ikenberry, G. John, and Charles A. Kupchan. 1990. Socialization and Hegemonic Power. *International Organization* 44 (3):283–315.

Jackson, Robert H. 1990. *Quasi-states: Sovereignty, International Relations, and the Third World*. Cambridge: Cambridge University Press.

———. 1993. The Weight of Ideas in Decolonialization: Normative Change in International Relations. In *Ideas and Foreign Policy*, edited by Judith Goldstein and Robert O. Keohane, 111–38. Ithaca, N.Y.: Cornell University Press.

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Jepperson, Ronald L., Alexander Wendt, and Peter J. Katzenstein. 1996. Norms, Identity, and Culture in National Security. In *The Culture of National Security: Norms and Identity in World Politics*, edited by Peter J. Katzenstein, 33–75. New York: Columbia University Press.

Jervis, Robert. 1983. Security Regimes. In *International Regimes*, edited by Stephen D. Krasner, 173–94. Ithaca, N.Y.: Cornell University Press.

Katzenstein, Peter J., ed. 1996. *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.

Keohane, Robert O. 1984. *After Hegemony: Cooperation and Discord in the World Political Economy*. Princeton, N.J.: Princeton University Press.

———. 1989. *International Institutions and State Power: Essays in International Relations Theory*. Boulder, Colo.: Westview Press.

Klotz, Audie. 1995a. *Norms in International Relations: The Struggle Against Apartheid*. Ithaca, N.Y.: Cornell University Press.

———. 1995b. Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions Against South Africa. *International Organization* 49 (3):451–78.

Kocs, Stephen A. 1994. Explaining the Strategic Behavior of States: International Law as System Structure. *International Studies Quarterly* 38 (4):535–56.

Korey, William. 1993. *The Promises We Keep: Human Rights, the Helsinki Process, and American Foreign Policy*. New York: St. Martin's Press.

Kovacs, László. 1995. The OSCE: Present and Future Challenges. *Helsinki Monitor* 6 (3):7–10.

Kowert, Paul, and Jeffrey W. Legro. 1996. Norms, Identity, and Their Limits: A Theoretical Reprise. In *The Culture of National Security*, edited by Peter J. Katzenstein, 451–97. New York: Columbia University Press.

Krasner, Stephen D., ed. 1983. *International Regimes*. Ithaca, N.Y.: Cornell University Press.

Kratochwil, Friedrich V. 1989. *Rules, Norms, and Decisions: On Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*. New York: Cambridge University Press.

Kratochwil, Friedrich, and John Gerard Ruggie. 1986. International Organization: A State of the Art on an Art of the State. *International Organization* 40 (4):753–75.

Lahelma, Timo. 1994. The Role of the CSCE Missions in Preventive Diplomacy—The Case of Estonia: August 1993–June 1994. In *The Challenge of Preventive Diplomacy*, edited by Staffan Carlsson, 87–99. Stockholm: Ministry of Foreign Affairs.

Lapidus, Gail W. 1998. Contested Sovereignty: The Tragedy of Chechnya. *International Security* 23 (1):5–49.

Legro, Jeffrey W. 1997. Which Norms Matter? Revisiting the "Failure" of Internationalism. *International Organization* 51 (1):31–63.

Lehne, Stefan. 1991. *The CSCE in the 1990s: Common European House or Potemkin Village?* Vienna: Braumüller.

Lyons, Gene M., and Michael Mastanduno, eds. 1995. *Beyond Westphalia?: State Sovereignty and International Intervention*. Baltimore, Md.: Johns Hopkins University Press.

Mansfield, Edward D., Jack Snyder, and Alexander Wendt. 1995. Democratization and the Danger of War. *International Security* 20 (1):5–38.

Maresca, John J. 1985. *To Helsinki: The Conference on Security and Cooperation in Europe, 1973–1975*. Durham, N.C.: Duke University Press.

Mearsheimer, John. 1990. Back to the Future: Instability in Europe after the Cold War. *International Security* 15 (1):5–56.

Meron, Theodor. 1990. Democracy and the Rule of Law. *World Affairs* 153 (1):23–27.

Moravcsik, Andrew. 1997. Taking Preferences Seriously: A Liberal Theory of International Politics. *International Organization* 51 (4):513–53.

Nevers, Renée de. 1993. Democratization and Ethnic Conflict. *Survival* 35 (2): 31–48.

Osiander, Andreas. 1994. *The States System of Europe, 1640–1990: Peacemaking and the Conditions of International Stability*. Oxford: Oxford University Press.

OSCE. 1995. *Annual Report 1994 on OSCE Activities*. Vienna: OSCE.

———. 1996. *Annual Report 1995 on OSCE Activities*. Vienna: OSCE.

This content downloaded from 128.164.118.58 on Thu, 6 Mar 2014 15:00:29 PM
All use subject to JSTOR Terms and Conditions

———. 1997a. *Annual Report 1996 on OSCE Activities*. Vienna: OSCE.
———. 1997b. *Annual Report 1997 on OSCE Activities*. Vienna: OSCE.
Rittberger, Volker, ed. 1993. *Regime Theory and International Relations*. New York: Oxford University Press.
Russell, Harold S. 1976. The Helsinki Declaration: Brobdingnag or Lilliput? *American Journal of International Law* 70 (2):242–72.
Schlager, Erika. 1991. The Procedural Framework of the CSCE: From the Helsinki Consultations to the Paris Charter, 1972–90. *Human Rights Law Journal* 12:221–36.
Schöpflin, George. 1996. Nationalism and Ethnic Minorities in Post–Communist Europe. In *Europe's New Nationalism: States and Minorities in Conflict*, edited by Richard Caplan and John Feffer, 151–68. Oxford: Oxford University Press.
Schroeder, Paul. 1994. *The Transformation of European Politics 1763–1848*. New York: Oxford University Press.
Shehadi, Kamal S. 1993. Ethnic Self-determination and the Break-up of States. Adelphi Papers No. 283. London: International Institute for Strategic Studies.
Sheltema, Gajus. 1994. CSCE Peacekeeping Operations. In *The Challenges of Change*, edited by Arie Bloed, 23–45. Dordrecht: Martinus Nijhoff.
Thomson, Janice E. 1993. Norms in International Relations: A Conceptual Analysis. *International Journal of Group Tensions* 23 (1):67–83.
Törnudd, Klaus. 1994. The Role of the CSCE Missions in Preventive Diplomacy—The Case of Estonia. In *The Challenge of Preventive Diplomacy*, edited by Staffan Carlsson, 73–99. Stockholm: Ministry of Foreign Affairs.
Ugglas, Margaretha af. 1994. Conditions for Successful Preventive Diplomacy. In *The Challenges of Preventive Diplomacy*, edited by Staffan Carlsson, 11–32. Stockholm: Ministry of Foreign Affairs.
Weller, Marc. 1992. The International Response to the Dissolution of the Socialist Federal Republic of Yugoslavia. *American Journal of International Law* 86 (3):569–607.
Wendt, Alexander. 1987. The Agent–Structure Problem in International Relations Theory. *International Organization* 41 (3):335–70.
———. 1992. Anarchy Is What States Make of It: The Social Construction of Power Politics. *International Organization* 46 (2):391–425.
Woodward, Susan L. 1995. *Balkan Tragedy: Chaos and Dissolution After the Cold War*. Washington, D.C.: Brookings Institution.
Zaagman, Rob. 1994. The CSCE Commissioner on National Minorities: An Analysis of the Mandate and the Institutional Context. In *The Challenges of Change*, edited by Arie Bloed, 113–175. Dordrecht: Martinus Nijhoff.
Zaagman, Rob, and Hannie Zaal. 1994. The CSCE High Commissioner on National Minorities: Prehistory and Negotiations. In *The Challenges of Change*, edited by Arie Bloed, 95–111. Dordrecht: Martinus Nijhoff.
Zelikow, Philip, and Condoleeza Rice. 1995. *Germany United, and Europe Transformed: A Study in Statecraft*. Boston, Mass.: Harvard University Press.

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