LEVERAGING LEGITIMACY IN SECURING U.S. LEADERSHIP

NORMATIVE DIMENSIONS OF HEGEMONIC AUTHORITY

A Dissertation
submitted to the Faculty of the
Graduate School of Arts and Sciences
of Georgetown University
in partial fulfillment of the requirements for the
degree of
Doctor of Philosophy
in Government

By

Andrew Joseph Loomis, M.I.A.

Washington, DC
August 4, 2008
I am indebted to Dr. Andrew Bennett for his persistence in helping to see this project through to completion. Dr. Bennett was a steady source of enlightening insights, political commentary, and intellectual encouragement at every stage of my academic life at Georgetown. I have relied extensively on his deep knowledge of both the academic and policy dimensions of U.S. foreign policy and related themes, as well as his mastery of qualitative methodology. This final product was immeasurably improved as a result of his time and attention.

I am deeply grateful for the contributions that each of my committee members made to this project. I could not have asked for more astute observer of the U.S. and European political scenes than Dr. Charles Kupchan, who provided critical correctives to my analysis along the way. Dr. Christopher Joyner provided a breadth of knowledge on international law that greatly improved my analysis of the legal matters related to this project, and his sense of humor helped to establish an atmosphere of levity in my academic experience and rescue me from excessive seriousness. I have long considered the work of Dr. Richard Falk to be a model of sophisticated analysis presented through the lens of a supremely humane worldview, and I have benefited enormously from his legal and normative insights and his prophetic voice, both in this project and in my emerging perspective on world politics.

In addition to the intellectual acuity of each of my committee members’ observations on international politics, each have consistently expressed a commitment to applying their insights to the practical formulation of U.S. foreign policy. I am particularly grateful of their encouragement to continue to explore the applications of this study to both the academic and political dimensions of U.S. foreign policymaking.

I am most grateful to my wife, Jenny Russell, for her enduring support. Jenny was a steady source of confidence and encouragement in the darkest hours of this project, and always ready to provide an intellectual outlet when I was in desperate need for distraction. I now understand the sentiment expressed by author’s at this stage in their writing when they profess that their work could not have been accomplished without the strength of their spouse. This has never been more true than in my case, and Jenny’s insights, love, and common sense have been a steady wind at my back. I am grateful as well to the support of our daughter Olivia, who suffered in her own way as a result of the distractions caused by this project but was a wellspring of great humor and pleasure, and to Jackson, who arrived midstream and was always quick with his characteristic radiance to help me carry on day after day.
Copyright 2008 by Andrew Joseph Loomis
All Rights Reserved
LEVERAGING LEGITIMACY IN SECURING U.S. LEADERSHIP

NORMATIVE DIMENSIONS OF HEGEMONIC AUTHORITY

Andrew Joseph Loomis, M.I.A.

Thesis Advisor: Andrew Bennett, Ph.D.

ABSTRACT

The unpleasant diplomatic experience preceding the 2003 Iraq War generated deep resentments between the United States and many of its closest European allies. Yet while a descriptive account of this trauma has been covered in the popular press, a thorough explanation has not been advanced in the academic literature of the factors that produced this pattern of defiance by traditional U.S. allies. This dissertation investigates the variables that generated diminished authority of the United States with respect to its European allies and finds that a particular form of public opinion—specifically, the public perception of the legitimacy of U.S. foreign policy—played a critical causal role in shaping the substance and timing of reactions to U.S. requests in this use-of-force context. This finding is tested against two additional episodes—the 1991 Gulf War and the 1999 Kosovo Crisis.

The question of U.S. authority deficits sits in the broader terrain of the study of the relationship between legitimacy and authority. This dissertation focuses on the public dimension of legitimacy perceptions and develops a metric of international authority, which has been imprecisely specified in the international relations literature. The project then tests the specific way in which the violation of legitimacy norms—specifically norms establishing the permissible use of force—degrades authority levels. The findings suggest that the United States undermines its own capacity to wield influence with its allies when it rejects constraints on its own behavior.
# TABLE OF CONTENTS

Chapter

1 Introduction 1

2 The Legitimacy Concept 42

3 The Politics of Hegemonic Authority 100

4 Iraq, Threat Perceptions, and Diverging U.S. and European Narratives 163

5 The 1991 Gulf War, the Consolidation of Europe, and the New World Order 258

6 The Kosovo Crisis, the Rise of Europe, and NATO’s New Role 367

7 Conclusion 474

Bibliography 494
Chapter 1

INTRODUCTION

This project begins with a political drama set in another time, a diplomatic story that unfolded under circumstances in which legitimacy norms defining the outer boundaries of the permissible use of force were less rigid than they are today.

In the West's anxious attempt to forestall a resurgence of violence in the inter-war period, the diplomatic record reveals that Western leaders, confronted with the growing German appetite for territory, sacrificed the principle of sovereign rights on the altar of power politics. George Kennan's account of the dispatches from Prague immediately following the disastrous 1938 Munich agreement forged by British and German officials reveals the ease with which European officials deferred to the prudence of immediate self-interest, bargaining away the sovereignty rights of Eastern Europeans. In his commentary, Kennan's characteristic insightfulness examines the mind of Hitler as he calculated his early moves in eliminating potential resistance points on Germany's eastern front. Hitler's plotting—in fact, Hitler's worldview (as well as Kennan's analysis)—is a striking reminder of how different the international environment was in 1938 compared to today, including the legitimacy norms that constituted that environment.

According to Kennan's dissection of the historical record, Hitler initially had reservations that German occupation of Czechoslovakia beyond the "Historic Provinces" of Bohemia and Moravia granted to Germany at Munich would invigorate Western European resistance and risk a Slovakian reunion with Hungary or annexation by Hungary and Poland. Hitler soon discovered, however, that British and French weakness and Slovakian
permissiveness toward Fascist Germany gave him a freer hand than he expected with regards to occupying Czechoslovakia. This altered pictured encouraged him to promptly develop a strategy for engorging the entire country. Kennan wrote, “Hitler lost no time in laying his plans for the early destruction of the rump Czechoslovakia to the existence of which he had just agreed.”

Hitler’s calculations reveal his perception that a political strategy involving territorial expansion into Eastern Europe rested solely on the basis of military capabilities and strategic necessity. He betrayed no concern about constraints of foreign interpretation of international norms, unified international opposition converging on normative or legal aberrance, or domestic public outrage. The international rules defining permissible extraterritorial behavior were insufficiently formed in 1938 to serve as a rallying cry for the generation of a meaningful opposition. There were few documents designating jointly agreed standards of permissible uses of force, little public unrest over “illegitimate” German flouting of international “rules”, and no great powers willing to sacrifice lives and treasure for the sake of common principles (since common principles, in fact, were an abstraction). Hitler correctly calculated that military capabilities—and economic health to equip those capabilities—were all he had to consider. Thus, material power truly was the final arbiter in whether Germany could have its way. It is precisely this context on which E.H. Carr grounded Realist international relations theory, deconstructing “Utopian” grand strategy in the process.

In the contemporary international environment, however, a country’s annexation or occupation of another state or region of strategic importance will be vigorously contested from several directions, sparking a withering diplomatic response and the threat of punitive measures. Leaders operate within a more restricted range of acceptable behavior compared to that which existed 70 years ago. The common factor that explains the unified resistance to the Iraqi invasion of Kuwait in 1990, European condemnation of large scale Serb violence against Kosovo’s Albanians, and international outrage of U.S. intervention in Iraq in 2003 is that the norms defining acceptable behavior were violated. When Hitler planned his invasion of Czechoslovakia, established rules prohibiting territorial aggrandizement were underdeveloped, inhibiting a common public reaction necessary to generate a common Western response. Military capabilities were all he had to concern himself with, just as Carr imagined. This dissertation tests the extent to which this same logic still applies.

The Puzzle and Argument

Judging from the reaction to the U.S. invasion of Iraq launched in 2003, it is evident that a revised formulation of legitimate international behavior is being expressed by the academic and political commentariat. Compared to the case of Germany’s behavior in the late 1930s, new standards of behavior are in operation. One question deserving increased attention, however, is whether violations of those standards have any effect.

A frequently leveled criticism is that U.S. foreign policy under the Bush Administration has seriously damaged America’s standing in the world. This has had the unfortunate effect, the argument proceeds, of impairing the United States’ ability to lead its
allies in critical strategic policy coordination. Emblematic of this claim, Charles Kupchan argues, “Washington’s swaggering brand of global leadership and its dismissive attitude toward international institutions have succeeded in alienating much of the world and straining to the breaking point many of America’s key partnerships… America seems well on its way to compromising perhaps its most precious asset—its international legitimacy.”

Joseph Nye concurs, writing, “Anti-Americanism has increased in recent years, and the United States’ soft power… is in decline as a result.”

In diplomatic circles, former UN ambassador Richard Holbrooke recently suggested that “The United States must also understand, and deal with, the wider consequences of its own actions and public statements, which have caused an unprecedented decline in America’s position in much of the world and are provoking dangerous new anti-American coalitions.” Writing in Foreign Affairs, he grandly states, “George W. Bush and his team came to office proclaiming that they would restore the United States’ leadership role in the world. They have since diminished it.”

The general thesis running through these statements is that U.S. belligerence has led to the deterioration of U.S. authority on the world stage. Yet it should be puzzling for some structural theorists that resistance has intensified despite the absence of a traditional threat posed by the United States to the territorial integrity of secondary states. Theories that rest their explanations of this phenomenon solely on the quantification or perceived threat of

---

material assets are poorly equipped to account for the allied states' rejection of U.S. authority in cases in which traditional threats from the United States are non-existent. Ideological receptivity to the normative character of U.S. foreign policy and the role of societal and legal standards of legitimacy in reinforcing U.S. authority is a variable that demands greater academic inquiry.

More fundamentally, while the claim that anti-Americanism has generated resistance seems reasonable, the relationship between legitimacy and U.S. leadership remains untested according to the requirements of good social science. The fundamental deficiency with this conventional wisdom is the lack of precise metrics or clear evidence that U.S. authority has in fact suffered. Does Western allies' resistance to U.S. policies have a significant degrading impact on U.S. efforts to secure its interests? In order to answer this question, a more precise concept with well-structured indicators of authority level must be developed.

Besides the poorly specified concept of authority, the second deficiency with the conventional wisdom is that the precise factors that actuate shifting levels of U.S. authority are rarely explicitly defined. There is little support in the literature for the seemingly reasonable claim that anti-Americanism degrades U.S. capacity in ways that significantly impair U.S. influence. Compounding the confusion, the commentary attributes the erosion of U.S. authority to policies of the Bush Administration but fails to clearly specify a mechanism that translates perceptions of aberrant behavior into reduced U.S. influence. It is inferred that anti-Americanism reduces U.S. influence, but the process by which anti-American opinion erodes U.S. influence is rarely explained.
This dissertation is designed to address these deficiencies in the literature. I aim to enhance understanding of international leadership—captured by the concept of “authority” in this study—by introducing a set of indicators designed to facilitate the evaluation of when authority is effectively exercised. I evaluate this set of metrics against a three post-Cold War cases in which the United States appealed to its European allies to contribute to military operations against a sovereign state. This framework will assist in rendering judgments of the precise ways in which U.S. authority has been challenged in consequential ways, beyond rhetorical anti-Americanism that has a questionable impact on U.S. influence.

In short, I argue that U.S. authority is degraded when U.S. policy departs from normative standards of legitimacy. This project seeks to isolate normative factors from material variables in assessing variation in authority levels, and considers the United States’ strategic utilization of normative standards to achieve consent and enhance its leadership position vis-à-vis the Unites States’ most significant Western European allies. I focus on European states’ compliance with U.S. authority and the rules that underlie the U.S.-led liberal order—specifically the legitimacy standards that define the limits of acceptable behavior related to the use of military force. I argue that U.S. authority atrophies when U.S. policy violates this legitimacy norm of constitutionality, and is enhanced when U.S. policy is consistent with these legitimacy norms.

The causal mechanism identified here demands an investigation of the link between domestic political support and the character of foreign policy and is premised on the argument that domestic politics infiltrate decision-making processes consistent with
normative concerns that exist in the body politic. This model assumes that the mass public, while less cognizant than elites of highly sophisticated cause-effect relationships, is more likely than elites to privilege policies that conform to widely-shared normative legitimacy.

This dissertation tests four broad claims. First, the ideological climate in which legitimacy norms are situated influences the character of international politics. These ideas of acceptable standards of behavior are widely shared through domestic publics and across national boundaries, and serve as the basis of evaluating a state’s policies and the policies of other states. These norms are time-bound, as demonstrated by the comparison between Europe’s response to Germany’s expansion in the late 1930s and Europe’s response to contemporary cross-border aggression. To demonstrate specifically how legitimacy shapes state behavior, I focus on the role of legitimacy norms that define the permissible use of force in three post-Cold War cases.

Second, legitimacy norms that have an effect on international politics can be traced to the domestic public in democratic societies. The ideological climate influences public receptivity to government policy in a wide range of issue areas. These normative standards exert themselves on the nature of international politics by generating public pressure on policymaking elites, effectively limiting the range of acceptable policy options. Legitimacy norms are defined here as the normative component of public opinion and reflect broad national values that are more stable than the notoriously erratic measures of public sentiment captured in narrowly framed public opinion polls. As a result of the inherent stability of societal values, elected officials are highly attuned to the content of this normative structure and construct policy and adjust their public rhetoric accordingly.
Third, the specific way in which legitimacy perceptions impact the contours of international politics tested in this project is the willingness of European states to consent to U.S. requests in the use-of-force context. In short, controlling for other factors, I will test whether legitimacy deficits produce resistance in the timing and nature of ally support, and legitimacy surpluses generate consent. The theoretical framework that structures the relationship between legitimacy and U.S. authority is extended in chapters 2 and 3.

Finally, material factors interact with legitimacy perceptions to affect states’ willingness to consent to or resist U.S. authority. The model developed here includes a measure of economic and military capacity that combines with domestic evaluations of legitimacy to influence the nature of states’ reaction to U.S. requests.

The Static Model: The impact of normative constraints on U.S. authority

For the purposes of this study, U.S. authority is evaluated in terms of the consistency between U.S. requests of its allies and conformity to those requests in the context of an imminent military intervention. Divergence between U.S. requests and secondary-state responsiveness to those requests is measure of a U.S. authority deficit.

This work draws on an earlier study by Andrew Bennett, Joseph Lepgold, and Danny Unger in which they study alliance behavior in the U.S.-led opposition to Iraq leading up to and including the 1991 Gulf War. In their study, they test several structural and domestic-level hypotheses to explain the degree to which states participated in this coalition. They

---

find that “domestic-level variables intervene between international pressures and state outcomes,” and that the form and magnitude of contribution in the 1990-91 period were influenced by the domestic variables of “state autonomy, societal preferences, and bureaucratic politics.”

This project both extends and narrows their study. This dissertation extends their study by evaluating the 1999 Kosovo War coalition and 2003 Iraq War coalition in addition to that of the 1991 Gulf War. They admit that the truncated scope of their project inhibits their ability to draw larger conclusions about alliance behavior. For example, in the case of Turkey, they argue that a threat-based model explains why Turkey contributed to Operation Desert Storm. This model is less effective, however, in providing insights into Turkey’s parliament’s refusal of U.S. appeals for basing rights during the 2003 Iraq War. The legitimacy model presented here helps to explain this disjunction.

This dissertation narrows their study by focusing intensively on the domestic dimension of the alliance equation, specifically on the quality of hegemonic authority. As Bennett et al. write, “The existent burden-sharing literature is seriously limited by its inattention to sub-systemic causal factors.” They find that the level of executive autonomy and the nature of public resistance explain the character of assistance in the most-likely cases of Germany and Japan. Left unexplored in their study, however, is the full extent to which public opposition is a reflection of normative legitimacy. The theory developed in this project helps to add texture to the finding of Bennett et al. that domestic factors influence

---

8 ————, Friends in Need: Burden Sharing in the Persian Gulf War, 4.
alliance behavior by examining the relationship between domestic considerations of the legitimacy of U.S. policy and U.S. authority.

The inclusion of legitimacy considerations in the story of Desert Storm helps to explain one of the empirical puzzles of the 1991 Iraq War—namely, why costs of the war were not disproportionately borne by the United States, given the public good of reversing Iraqi aggression and the asymmetric capabilities of the United States. The legitimacy of the U.S.-led operation is a plausible explanation for the broad level of support for U.S. policy, particularly relative to the response leading up to the 2003 Iraq War.

Lastly, and more basically, they note, “Scholars only recently have begun to examine the domestic sources of alliance behavior.”\(^9\) While considerable scholarship has been conducted on this issue since they made this assertion, domestic-level variables—and particularly ideational dimensions of domestic politics—continue to be under-represented in the international relations scholarship. This project aims to contribute to this literature.

**The Literature**

The influence of legitimacy on a state’s ability to exact compliance from its allies has been under-emphasized in the literature. Research that restricts measures of influence to coercive capabilities misses the wide swath of anecdotal evidence of states that respond to non-material qualities, such as desire for legitimacy, credibility, and reputation.

Utilitarian theories such as Neorealism and Neoliberalism differ over the possibilities of cooperation and the efficacy of institutions to coordinate transactions, but they both are

trapped by a materialist preoccupation that excises non-material factors to the periphery of their respective causal explanations. According to their respective ontologies, in anarchic conditions, isolating and quantifying material resources are sufficient to assess a state’s ability to secure its vital interests. All other variables are combined within the error term to account for unexplained variation.

The argument here accepts the prominence of considerations of security and the operation of a self-help system and shares the neo-utilitarian assumption of rationality in decision-making. The thesis here departs from the material-based theories with respect to the relevance of non-material factors in explaining impaired leadership capacity. John Ruggie suggests that a postwar academic aversion to liberalism “resulted in a widespread discounting of, and thus a poor grasp on, the role of (ideational) factors in international life.” Ideational factors deserve greater academic treatment in a wide range of issue areas.

In short, my argument suggests that materialist or structural explanations for state behavior insufficiently account for variation in a state’s ability to gain consent from its allies. As Ian Hurd has recently written, “the distribution of material power among states is not necessarily a good guide for predicting the distribution of power in the symbolic economy of the system.” This logic suggests that states with significant material power capabilities may experience a deficiency of influence as a result of policy conduct that contravenes accepted normative standards. Varying levels of U.S. authority vis-à-vis its European allies in the

---

relatively short time frame covered in this study (when relative material capabilities were stagnant) demonstrate that other variables are needed to explain this phenomenon.

Yet of the literature that imports ideational factors into causal explanations frequently advances the view that ideas and norms are infused into the identity of individuals and states. Thus norms are reflexively manifested in decisions of the policy-making apparatus. Normative standards are revealed not by choice, but by habit. James March and Johan Olsen’s “logic of appropriateness” embodies such a conception of legitimacy—norms are included in policy decisions as a result of internalized practices. March and Olsen write, “What is appropriate for a particular person in a particular situation is defined by political and social institutions and transmitted through socialization.”

According to March and Olsen, the appropriateness logic infers that decision-making processes are forged by a culture and circumstances and that people ascribe to a set of obligations consistent with their environment. They write, “Political actors associate specific actions with specific situations by rules of appropriateness.”

As the Western alliance began to take shape in the late 1940s, this appropriateness logic suggests that secondary states accepted constraints on their behavior on the basis of values shared with the dominant members—in particular the United States. These institutions then propagated shared norms and cultures and reinforced prescriptions for appropriate behavior. As March and Olsen write, “Institutions are constructed around clusters of appropriate activities, around procedures for assuring their maintenance in the

---

13 Ibid.
face of threats from turnover and from self-interest, and around procedures for modifying them.\textsuperscript{14} This process of socialization within the alliance can also work in a hierarchical fashion, serving as a source of power for the leading state. Ikenberry and Charles Kupchan write, “Elites in secondary states buy into and internalize norms that are articulated by the hegemon and therefore pursue policies consistent with the hegemon’s notion of international order.”\textsuperscript{15} In time, shared norms evolve into shared identities and actors respond to such norms without consciously deliberating the utility of such behavior. In this way, by perpetuating certain norms, the hegemon utilizes the norms as a source of power.

Yet restriction of the impact of legitimacy to its socialization effects, as March and Olsen’s appropriateness logic does, complicates efforts to isolate the strategic use of aligning foreign policies with normative standards in order to achieve national goals. In considering the effects of self-interest, and seemingly in his effort to set aside this mechanism for generating compliance before moving on to his real interest of legitimacy norms, Ian Hurd overstates the fragility of the normative system that guides self-interested behavior: “A social system that relies primarily on self-interest will necessarily be thin and tenuously held together and subject to drastic change in response to shifts in the structure of payoffs.”\textsuperscript{16} Yet norms such as state sovereignty, human rights, or restrictions on aggressive war, which can be accessed by policymakers to pursue self-interested behavior, are hardly so excessively frail that they cannot provide form in establishing predictable behavior in world politics.

\begin{flushright}
\textsuperscript{14} Ibid., 24.
\end{flushright}
While norms of legitimacy may in fact become embedded into the psyches of key decision-makers, this process is separate from the mechanism tested in this project. The focus here is on explaining how norms are used by decision-makers to achieve the national interest. Progress toward this goal requires that I import normative factors into utility-based decision-making processes, collapsing neo-utilitarian theories (without the focus on material factors) and constructivist theories (placing the focus on choice rather than identity) into a single space.

In short, the focus of this study is the extent to which alliance leadership is facilitated by normative appeals to legitimacy. This study will assess the extent to which policy elites of key U.S. allies justified their decision to consent to or reject U.S. authority as a result of the consistency of U.S. policy with prominent legitimacy norms in circulation in their respective domestic publics. This study seeks to gain understanding of the degree to which legitimacy standards that constituted European public opinion influence European policymakers’ decisions of how to respond to displays of U.S. authority.

Concepts

Legitimacy

Talleyrand, Napoleon’s foreign secretary who negotiated the French position at the Congress of Vienna, leveraged the “principle of legitimacy” to maximize France’s advantage that had greatly diminished after Waterloo. Bargaining from weakness, Talleyrand relied on
the moral appeal of a historic institution, suggesting that “justice” demanded that territories seized in warfare ought to revert to hereditary claims unless voluntarily forfeited or bargained away. Guided by this logic (and French self-interest), Talleyrand appealed to the diplomats in Vienna to prioritize the hereditary right of kings. If no hereditary right existed, only then could the Great Powers carve up the territory according to national desires.

Bertrand Russell noted, “Having suffered military defeat, France was obliged to rely upon moral force.”17 The remarkable aspect of this case is that the Great Powers respected this hierarchy of criteria at the Congress, which determined the post-1815 territorial boundaries of Europe. Talleyrand’s “principle of legitimacy”—the legitimacy of Kings, or of governments—which he wielded like a cudgel, was a re-articulation of the terms of Westphalia and a variant of the law of nations, and effectively safeguarded vulnerable French territory sought by the victors of the Napoleonic wars.

This dissertation resurrects this age-old concept of legitimacy to determine the effect of shared legitimacy norms on state behavior in the contemporary order. The starting place is accepting that legitimacy is a perceptual matter. The legitimacy dynamic reflects John Ruggie’s view that legitimacy is a “dialogical process of persuasion,” that depends on a complex array of interactions and cannot be captured solely by the fulfillment of a set of prescribed guidelines and procedures.18

I consider here two primary bases of legitimacy. The first measure is the standard of *Societal or Cultural Norms*. Legitimacy is assessed on the basis of the behavior’s consistency with customary and cultural practice. The second measure of legitimacy is a behavior’s accordance with *Legal Rules*. Legitimacy follows from positivist principles determined by formalized procedures.

The concept of legitimacy has received high levels of attention in contemporary scholarly and policy-oriented literatures. The fundamental problem with much of this literature, however, is that a legitimacy judgment usually is assumed with no reference to an agent making the claim. This omission is problematic. Given the common view that legitimacy has no inherent value, the concept of legitimacy is meaningless without some reference to a claimant. Christian Reus-Smit refers to this audience as “the social constituency of legitimation,” defined as “the actual social grouping in which legitimacy is sought, ordained, or both.” Failing to define the audience making this judgment denies legitimacy of its social content.

This conventional narrative that fails to account for legitimacy’s social constituency generates two additional complications for analysts attempting to evaluate whether policy legitimacy has an independent effect on policy choice and international outcomes. First, this view is biased because the reference to legitimacy usually implies the perspective and judgment of the policymaking elite, but without making this claim explicit. This depiction of legitimacy discounts the role of the public voice, a particularly egregious error when assessing the utility of legitimacy in advanced democracies, where publics are most likely to

---

affect the positions of the policy-making elite. The view that the mass public has no role in assessing policy legitimacy not only is profoundly anti-democratic, but also generates a blind spot that complicates empirical pursuits.

The more fundamental complication that this account creates is that bypassing the role of the public misses an important pathway by which legitimacy perceptions influence state behavior. Of particular interest here, and the dependent variable in this project, is the weakening of U.S. authority levels as the result of secondary-state resistance to the character of U.S. foreign policy. In short, dismissing the public voice in evaluating policy legitimacy obscures the way in which strong states that engage in illegitimate behavior encounter substantial costs.

The claim that the public plays an assertive role in legitimacy assessments and thus the course of international behavior is premised in part on the observation that the same geopolitical forces that have undermined state-centric orientation to world politics—sharp power asymmetries, technological change, and normative progress—have opened the space for the public to operate. These forces have all eroded the ideal form of Westphalian sovereignty. Contrary to the structural-rationalist conception of the international environment of billiard balls and black-boxed states, the public has greater capacity to influence policy in the 21st century. As one close observer of international trends recently noted, “foreign policy is no longer a rarefied game of elites; public opinion shapes the world within which policymakers operate.” As a result, the significance of the public’s evaluation of a policy’s legitimacy correspondingly has increased. This dissertation evaluates the

conditions under which public opinion reflects policy legitimacy of U.S. foreign policy and influences secondary state decisions of whether to consent to U.S. requests.

**Hegemonic Authority and Secondary State Resistance**

The heart of this research is the disaggregation of material and non-material factors to determine their respective role in strengthening U.S. authority. International authority generates compliance without the threat of force. This conception of consent is consistent with Robert Keohane's definition of leadership, in which hegemonic leadership is anchored in goods provisions as well as controlling influence, combining "paternalistic redistribution and authoritative control." Authority is exercised if the United States non-coercively induces other states to consciously adjust their behavior.

In historical terms, during the Cold War the Soviet Union maintained the Warsaw Pact largely as the result of pressure applied to its satellites. According to the definition of authority employed here, the Eastern Bloc was not a creation of effective Soviet authority but rather of military coercion. The Western Alliance, conversely, was the product of diplomacy, tradeoffs, and American leadership, measured by ally consent. Membership was voluntary and the U.S. presence was welcomed. As Geir Lundestad has noted, the Europeans “invited” the Americans to dominate Western Europe.

---


In other words, authority enables a state to command its desired results without the requirement of issuing punitive threat. The effective exercise of authoritative leadership is meaningless if commands are refused and coercion is required to generate desired behavior.

Accordingly, resistance to U.S. policies involves refusal to accept direct U.S. requests. In the short run, resistance may take the form of such behavior as diplomatic friction and open defiance of U.S. appeals for support. Evidence of these activities would suggest that in this circumstance secondary states are denying U.S. authority. In 2003, for example, the United States was deficient of authority to achieve a UN Security Council Resolution that explicitly authorized the use of force against Iraq, or to persuade many of its closest West European allies to provide substantive assistance to the operation to destabilize Saddam Hussein’s regime. The United States failed to exercise authority vis-à-vis these Western states, but exercised authority over many of its East European allies. This project examines the factors that contributed to the differences in U.S. authority levels toward these two respective groups of states.

Counterpoints and Competing Explanations

Recent research by Robert Keohane and Peter Katzenstein, for example, reveals little evidence that adverse international reactions to the character of U.S. policy has a discernable impact on the U.S. ability to maintain its leadership role with its allies. The study presented here sidesteps this question of the effects of anti-Americanism, which primarily measures

U.S. popularity. Instead, this project evaluates the extent to which a correlation exists between domestic policy legitimacy and U.S. authority and focuses on authority deficits that are presumed to have a consequential impact on U.S. interests.

There are three lines of attack that a study of the effect of domestic policy legitimacy on authority levels may invite. The first challenge disputes the theoretical soundness of the proposition that illegitimate behavior actually incurs costs, and that international resistance to U.S. authority is inconsequential. This argument suggests that while periodic displays of anti-Americanism and rhetorical and diplomatic defiance of U.S. policies by U.S. allies may occur, U.S. military and economic preponderance equips the United States to bear insurrection at relatively low cost. The thrust of this argument holds that the theoretical architecture of the prominent structural international relations theories do not logically support the conclusion that a causal relationship exists between perceived illegitimacy and authority deficits.

The second line accepts the legitimacy-authority link but questions the relevance of such a study in light of the existing literature. This argument suggests that a system-level institutional explanation is sufficient and adding domestic-level variables needlessly complicates the causal story.

The third line is agnostic on the legitimacy-authority link, but offers alternative explanations for why ally partners reject U.S. requests in the use-of-force context. I will take each line of argument in turn before moving to the domestic policy legitimacy model developed in this project.
Questioning Illegitimacy Costs: The Brooks-Wohlforth Challenge

A nuanced perspective that avoids taking a paradigmatic position on the question of legitimacy costs is that recently advanced by Stephen Brooks and William Wohlforth.²⁴ Brooks and Wohlforth focus their argument on the impact of U.S. unilateralism and insist that current international relations theory simply does not support an academic claim that U.S. unilateral behavior negatively impacts U.S. interests in the divergent ways that Neorealism, Neoliberal Institutionalism, and Constructivism predicts.

United States unilateralism is a prime candidate for conduct perceived to be illegitimate and thus is a good test for my argument that perceived illegitimacy degrades U.S. influence. Given the extensiveness of U.S. power, the exaggerated levels of alarm that U.S. unilateralism presumably has generated, and the extent to which legal and social norms proscribe unilateral behavior, it is widely expected that U.S. unilateralism has a particularly strong deteriorating effect on U.S. authority.

Brooks and Wohlforth conclude that the empirical evidence and the logical sequence of each of the three mainstream traditions of international relations theory provide insufficient evidence that the United States faces tangible costs as a result of unilateral behavior. Their analysis, however, suffers from a misspecification of the “costs” that they are looking for in response to U.S. unilateralism. Because the heart of their argument is that

the costs of unilateral behavior are relatively low, a close inspection of the contours of these costs is required to evaluate their claim.

First, challenging the Realist critique of U.S. unilateralism, the authors propose that balancing behavior against the United States is an expected cost of U.S. unilateralism. They conclude that because balancing is not observable, there are no tangible costs. Yet given the vastness of U.S. military preponderance, balancing is unlikely irrespective of U.S. behavior. Yet despite the fact that balancing is remote considering its short-term futility, the absence of balancing is not a fair test of the costs of illegitimate behavior. They do point to resistance strategies of key European states—notably Germany and France—as a form of “soft balancing”, but they suggest that this behavior was the result of German and French domestic politics and had little to do with unilateralism of the United States. Yet they do not make clear why ally domestic opposition to U.S. behavior, which restricts ally behavior vis-à-vis U.S. requests, should not be considered a cost of U.S. unilateralism. This oversight is particularly problematic in cases in which domestic opposition generates real costs for the United States. Furthermore, irrespective of the fact that this behavior would be difficult to characterize as acts of balancing (soft or hard) in the definition they provide, their restriction of authority costs to balancing-type behavior renders an analysis of the impact of perceived illegitimacy incomplete.25

Second, Brooks and Wohlforth suggest that the paucity of evidence that unilateral behavior resulted in a major reduction in efficiency gains predicted in the neoliberal literature

undermines the institutionalist critique of unilateralism. For one thing, they argue, there is no clear consensus in the literature on the impact of unilateral behavior on U.S. bargaining leverage. In addition, they argue, much of this literature is heavily empirical and devoid of theoretical content. Furthermore, the costs of multilateral action are significant and must be considered against the professed gains of multilateral coordination. Lastly, they suggest that the claim that the United States suffers from bad-faith behavior vis-à-vis institutional engagement is entangled with the emerging literature on reputation effects, which is, in their words, “woefully underdeveloped.”

In sum, in their view, the theoretical and empirical evidence is insufficiently robust to identify the precise costs that the U.S. faces as a result of a unilateral foreign policy. It is not so much that the institutionalist literature is incorrect on the subject, but that the research agenda is incomplete. Yet by missing the costs in the form of degraded authority, they are prevented from assessing the full range of effects that U.S. unilateralism triggers.

Third, Brooks and Wohlforth raise doubts about the constructivist argument that U.S. unilateralism degrades the legitimacy of the architecture of international order—an order from which the United States directly benefits—requiring increased U.S. costs for continued maintenance of the existing order. In establishing the contours of constructivism, they restrict this school of thought to its emphasis on the habituation of international rules, consistent with James March and Johan Olsen’s suggestion that a “logic of appropriateness” shapes decision-making processes. Brooks and Wohlforth then challenge constructivist

---

26 Brooks and Wohlforth, "International Relations Theory and the Case against Unilateralism," 516.
claims that unilateral behavior toward Iraq in 2003 will generate unacceptable costs by suggesting there were other degrading effects of the onset of the Iraq war besides the fact that it was largely unilateral.

Their criticism here, too, fails to explore the full range of authority costs, and thus fails to undermine the essential core of my argument. First, the argument I am advancing suggests that ideational factors—perceived fidelity to widely accepted international norms—influence decisions to resist U.S. authority. While legitimacy is widely considered to be the realm of constructivist scholarship, as discussed above, its effects are not dependent on the socialization effects and subsequent internalization of those norms. The argument here is that states can choose to comply with normative influences as a matter of strategic choice, which bypasses the centrality of identity transformation often identified with constructivists (and presumed by Brooks and Wohlforth as forming the outer boundary of constructivist thought).

The main reason the Brooks and Wohlforth critique is unconvincing with respect to the constructivist expectation of legitimacy costs again turns on the subject of costs. They argue that because constructivist scholarship fails to satisfactorily answer three entangled complexities—that some forms of unilateralism are more costly than others, compensating strategies may mollify the possible costs, and unilateralism can shape the normative landscape to the hegemon’s advantage—constructivism cannot establish any generalities regarding the legitimacy effects of unilateralism with any degree of confidence. The problem is not that constructivist arguments about unilateralism are wrong, but rather that the scope
conditions have not been sufficiently specified. As a result, they argue, the constructivist perspective is deprived of analytical leverage.

The 2003 Iraq war is a single data point, they suggest, exhibiting many features that may have degraded U.S. legitimacy. Here their entire argument hangs on the fact that constructivism has not provided sufficient purchase beyond the case of Iraq. How can one be certain that it was unilateralism that had the effect that constructivists now claim in retrospect? This question is valid. Yet in making this case they admit that "many other aspects of the (Iraq) case… are obviously corrosive of legitimacy." Limiting constructivist arguments to unilateralism may be overly restrictive, but according to Brooks’ and Wohlfirth’s own standards, the soil is fertile for new work on the broader question of the costs of perceived illegality and illegitimacy. It is on this broader question that this dissertation seeks to provide insight.

Brooks and Wohlfirth ultimately conclude that academic criticisms of President Bush’s unilateral policies were motivated largely by the substance of the policies (on which academia traditionally has little to offer), but focused on procedural issues (on which it does). They call for increased attention to clarifying the distinction between criticisms of substance and of procedure. In one respect, this dissertation is an answer to their skepticism that international relations scholarship has much to offer in terms of generalities around unilateralism. I am seeking to expand the specification of the independent variable beyond unilateral behavior to include the character of U.S. foreign policy, measured by its normative

---

28 Brooks and Wohlfirth, "International Relations Theory and the Case against Unilateralism," 518.
consistency with international standards regulating the use of force. This should help satisfy the criticism that the outcome of unilateralism is under-determined.

The (In)Sufficiency of Rationalist Institutionalism

The argument that normative evaluations of legitimacy by the public affects hegemonic authority levels is susceptible to the critique that the existing literature covering Neoliberal Institutionalism already provides a thorough explanation for the reasons that state behavior is consistent with a high regard for rules that constrain aggression and the unregulated use of force. If this standard, strategic rationalist, third-image explanation is sufficient, adding an additional layer of explanatory variables that includes norms of legitimacy and public opinion provides minimal additional leverage in explaining outcomes and only serves to muddy the causal story.

This criticism misses on three counts. First, by marginalizing agency in the form of the public voice, structural institutional theories are thin on providing the necessary detail explaining why institutional theory exhibits predictive power. This is particularly true in the contemporary era in which democratization has firmly taken hold in increasing numbers of states, where the public is presumed to take a more active role in shaping policy outcomes. This project is an attempt to open up institutional theory and shed insight into what makes the “institutional bargain” stick. For John Ikenberry, the durability of the order is provided by an array of institutions that reward reinvestment in existing regimes and reduce the

30 Ikenberry, After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars.
returns to power. His argument is premised on rational elite decision-making, and he expresses skepticism of the influence of domestic politics on order-generating strategies of great powers. He even voices concern that his theory is in danger of falsification if the Bush Administration does not operate in a way consistent with his theory. It is possible, however, that his theory does not depend on the self-restraint of capricious elites and is less vulnerable than he presumes. The responsiveness of government to the aggregation of mass public opinion enhances the stability of state behavior predicted by the logic of Ikenberry's institutional bargain, a consideration that Ikenberry himself fails to consider.

The research presented here directly evaluates the extent to which the mechanisms by which U.S. authority is challenged along normative lines involve the transmission of dissent along the public-elite axis. As a result, this research generates insights into the influence of domestic and international public opinion on U.S. authority levels that third-image theories are ill-equipped to address.

The second deficiency of the prototypical structural rationalist account is that it excludes an important variable that explains anomalous outcomes. In short, the inclusion of public perceptions of legitimacy in the causal chain helps to provide an explanation of variance in hegemonic authority that a structural explanation does not. In secondary states' reaction to U.S. entreaties to support the 2003 Iraq War, material-based systemic explanations, which include institutional theory, have difficulty explaining the behavior of 10 European states that provided political support to the United States and joined the symbolic coalition of the willing yet refused to provide the substantive support in the form of military
troops. Structural rational theories predict greater continuity of secondary states' supporting behavior. This result, however, is consistent with the argument that norms of legitimacy filtered through public discourse constrained leaders from providing substantive support. The inclusion of public reactions to the perceived illegitimacy of U.S. policy helps to explain the unevenness of this support and why in certain cases support was restricted to symbolic measures.

The third deficiency is that this structural explanation is overly restrictive in its materialist ontology. In the most common form of the strategic rationalist third-image explanation, rationality, utility maximization, and material assets are the foundation on which institutionalism operates. Normative and ideational influences on state behavior are marginalized in the causal chain. This project makes the ontological stand that ideational sources of international stability are underweighted within the academy. The principal problem with dismissing ideational factors from the explanation of outcomes is that doing so fails to uncover the forces that actuate the public response. Once we accept that the public voice has an important role to play in the causal story of variation of hegemonic authority, we need the tools to evaluate the standards that the public utilizes to assess policy. It is here that normative standards of legitimacy have an important role to play. I accept the rationality assumption but reject that states operate entirely due to materialist factors.

31 Jurgen Schuster and Herbert Maier, "The Rift: Explaining Europe's Divergent Iraq Policies in the Run-up of the American-Led War on Iraq," *Foreign Policy Analysis* 2, no. 3 (2006): esp. 228-29, 32-33 and Table A2 on p. 39. The number of states that provided political support but refused to provide troops was determined by counting the cases that were “Not confirmed” for “Societal Hypothesis (b)” but “Confirmed” for “Societal Hypothesis (Military)”.

28
In addition to its impact on public opinion, the inclusion of legitimacy norms also provides an explanation of change that structural explanations cannot. Since legitimacy standards change across time, and these standards shape public opinion and constrain options of the policymaking elite, bringing legitimacy into the causal story helps provide insight into the dynamic effects of hegemonic authority.

In sum, including public perceptions of legitimacy in the causal sequence provides purchase on explaining variation in strategic behavior and hegemonic authority.

Alternative Explanations

This study evaluates the effect of normative aberrance on U.S. authority levels vis-à-vis European allies in the context of an imminent use of force. Three alternative theories present a different explanation for the variation of authority. Two theories provide a structural explanation for this phenomenon—balance of threat theory and collective action theory. A third theory presents a sparse domestic political model that suggests that public opinion directly influences the behavior of policymaking elites. I will differentiate the expectations that these theories generate from the predictions of the domestic policy legitimacy model employed in this project.

- Balance of Threat

Balance-of-threat theory was first articulated by Stephen Walt, who observed in a comprehensive study of Middle East politics that alliance formation was less a function of power distribution as the sparsest variant of structural Realism predicted, but rather a
function of threat perceptions.32 The hypothesis generated by balance-of-threat theory is that states facing an external threat likely will bandwagon with the hegemon or otherwise balance against the source of the threat in order to alleviate that threat. In the cases examined here, balance-of-threat theory predicts that the European states most threatened by the state at the core of the crisis—a function of proximity to the conflict, capabilities of the European states, and intentions of that state—will be most likely value allegiance with the United States, and thus consent to U.S. requests.

Given the geography of the two Iraq conflicts and the minimal threat that Serbia posed to Europe outside the former Yugoslavia, balance-of-threat theory predicts that European states’ willingness to contribute to the U.S.-led operations should have been minimal. Only Turkey should have responded to U.S. requests to intervene in Iraq leading up to the 1991 and 2003 interventions, and given Serbia’s minimal power projection capabilities, no state should have acceded to U.S. requests to contribute to the 1999 Kosovo intervention. The empirical evidence sharply contradicts this prediction, suggesting the limitations of balance-of-power theory in the three cases presented in this study.

• Collective Action

A second structural theory that makes predictions of ally contributions is collective action theory, which expects that in cases of asymmetry among alliance members’ capabilities, small states will be more likely to submit to the temptation to free ride and

contribute at a level beneath their ability to do so. In general, the theory predicts that “the weak will tend to exploit the strong.”

Given the response of European allies to U.S. requests in the episodes examined here, however, collective action theory by itself is not a sufficient explanation. In the 1991 Gulf War, more than 30 states did not ride free, despite the vast level of power asymmetry between the United States and its allies. In the 2003 Iraq War, nine relatively small Central and Eastern European states contributed troops, while the majority of the stronger and wealthier European states rejected U.S. appeals to participate. Clearly, a more complete explanation is required.

- Alliance Security Dilemma

Alliance Dependence Theory posits that states face two fears in alliance relations—abandonment by alliance leaders and entrapment in a conflict peripheral to the state’s interests. States in which abandonment fears overshadow entrapment fears are expected to respond favorably to the alliance leader’s requests. In each of the cases examined in this project, given the power asymmetry between the United States and its European allies and the threat that the United States’ oldest allies faced from abandonment from the United States, Alliance Dependence theory predicts that all else equal, European states should accede to U.S. authority.

---

As the evidence will reveal, however, the adequacy of the material explanation advanced in the Alliance Security Dilemma is deficient. For example, of the four EC states that were economically weak and expected to fear U.S. abandonment and thus contribute to the Gulf War, only Spain provided substantial levels of military and economic assistance. Portugal, Greece, and Ireland either offered low levels of direct military assistance or refused direct military assistance altogether.

Conversely, stronger states that were expected to resist U.S. requests to contribute due to entrapment fears, such as the Netherlands, Belgium, France, and Denmark, were among the most generous contributors to the coalition’s efforts relative to the size of their economies. Thus the Alliance Dependence model provides at best a partial explanation.

- Domestic Politics and Public Opinion

Another explanation that deserves explanation involves a theory of domestic politics that suggests that public opinion levels directly influence elite behavior. According to this theory, European publics, heavily exercised over the perceived legitimacy or illegitimacy of U.S. policy, pressure their respective policy elites to accept or reject U.S. authority. This theory relies heavily on a domestic political dynamic that transmits legitimacy norms between European publics and their respective policymaking elites.

There is a growing body of empirical work that provides evidence of precise ways in which the public affects policy considerations.³⁵ This literature and the related arguments

will be examined extensively in chapter 2. The prediction of a pure domestic politics explanation related to the dependent variable of U.S. authority is that a state's decision to consent to or resist U.S. requests is a direct function of public opinion levels in that state regarding the popularity of the intervention.

One common criticism of this explanation is that public opinion is highly volatile and thus an unreliable guide for public sentiment. For this reason, policymakers are more likely to discount short-term measures of public opinion and thus are less responsive to fluctuations in opinion levels that reflect narrow parochial concerns such as economic self-interest. This study will test the extent to which straight public opinion levels correlate with decisions of their respective governments of how to respond to U.S. authority. In brief, the evidence suggests that the correlation between opinion levels for each operation and each state's response is imprecise.

Methodological Approach and Case Selection

The theoretical approach followed in this research is a structured, focused comparison between three cases of post-Cold War military intervention that revealed varying degrees of U.S. authority vis-à-vis its European allies. The two-step process followed here first tests variation in the dependent variable in relation to the coding of the independent variables associated with each state in the sample observed in each of the three episodes. After identifying three interesting states within each episode, I conduct a process-tracing


exercise on each state to test whether the rhetoric deployed by policymaking elite is consistent with the expected results with regard to the presence of legitimacy norms motivating public opinion.

The Variables

The dependent variable is U.S. authority level as measured by the consistency between U.S. requests of its European allies prior to the initiation of military force and the contribution of each ally. The greater the difference between U.S. requests and ally contributions, the less U.S. authority is exercised. The specific way in which the dependent variable is operationalized in each of the three empirical chapters is discussed in the description of each respective case.

The key independent variable is the perception of illegitimacy by international publics in the context of U.S. use-of-force decisions. This explanation is distinct from the pure public opinion model and is premised on the argument that legitimacy perceptions are a particular form of opinion and subsequently both more stable and consequential with respect to U.S. authority levels. This perception of legitimacy will be determined by analyzing public opinion polls and comparing the popularity of the intervention with the preference for an approach that is consistent with the legitimacy norms in circulation in each respective state. To further differentiate public opinion driven by individual self-interest from perceptions of normative policy legitimacy, process tracing of European elite decision-making will provide evidence of the extent to which standards of legitimacy are articulated in elite rhetoric and an aspect of the discourse among European policymakers. If norms align and if normative
standards were articulated as reasons for achieving or granting authority, the evidence would support the hypothesis that norms can serve utilitarian purposes in hegemonic leadership.

Two additional variables measuring relative material capabilities assess the extent to which economic and military capacity explain variance in the dependent variable. The model presented in Table 3-1 suggests that these material variables are expected to interact with policy legitimacy on the form and timing of European state assistance to the intervention coalition. In the short run, economically capable states in which the public perceives U.S. policy to be illegitimate can withstand the losses that are incurred by U.S. divestment and are more likely to resist. Weak states with populations strongly opposed to U.S. policy are less likely to publicly resist and are expected to signal their support for U.S. policy in less costly ways, such as joining a list of political supporters of U.S. policy.

Rhetoric and Causation

To identify the causal role played by legitimacy claims among elites regarding decisions to resist U.S. authority, I borrow Patrick Jackson's conception of "rhetorical commonplaces" that facilitate successful legitimation claims. Jackson's account charts the topography of the debates over post-war U.S. policy in order to establish the basis on which policymakers can acquire support for desired policy. For evidence of the factors that determine the contour of the legitimacy landscape, Jackson cites the public statements of influential members of the policy debate at key moments in the deliberation process. In

37 Patrick Thaddeus Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West (Ann Arbor: University of Michigan Press, 2006), 41-42.
order to ensure that one’s preferred policies are enacted, policymakers must place those policies in a context that is familiar to the domestic base. In this way, policymakers are constrained to construct and defend policies that are consistent with the legitimacy norms that constitute the common language of the electorate.

By employing Jackson’s strategy of mapping the “rhetorical topography” to trace the formation of those commonplaces that are then used by policymakers as a strategic resource, patterns of argumentation provide evidence of the ways in which norms shape the policy debate and which specific arguments tip the balance in decision-making schemas.\(^{38}\) The use of normative legitimacy employed here and its relation to political behavior is distinct from the conventional way in which norms are invoked in the constructivist literature. In brief, rather than advancing an internalized conception of legitimacy norms, I present a theoretical treatment of the conscious manipulation of societal norms—what I identify as the “strategic use of norms.”

The evaluation of the utility of normative arguments requires the conscious processing of norm structures, which is a departure from habitual accounts of normative influences. The use of normative arguments by political elites gives elite rhetoric a causal role. Policymakers’ use of rhetoric is the means by which agents exercise normative appeals in a strategic environment. The persistent presence of specific norms in the political maneuvering for support is evidence of the public salience of specific normative arguments as well as the elite consciousness of the political utility of the invocation of certain norms. It

---

\(^{38}\) Ibid., 46-71.
also provides a means of deciphering which rationale were decisive in determining the policy avenues that ultimately were selected.

Patrick Jackson writes, “Rhetorical commonplaces and the legitimation process involving them can certainly be understood as causal, to the extent that the overall ‘shape’ of the discursive environment contributes to the formulation of policy initiatives.”\(^{39}\) In other words, reasons are causes because they contribute to defining and redefining the boundaries of “legitimate” policy and ultimately shape policy outcomes. Given the value that regimes place on reputations of credibility and consistency, irrespective of negotiators’ actual belief in the normative content of their claims, they become “rhetorically entrapped” by the normative character of their arguments and tend to comply with the spirit of their rhetoric—a pressure that Jon Elster refers to as the “civilizing force of hypocrisy.”\(^{40}\)

To summarize, it is not the motivations of the various actors that play a causal role in this account, but rather the normative content of elites’ public pronouncements. It is the content of their public claims, to which they are held accountable by their publics and other policymaking elites, and the particular constellation of arguments that succeed in policy deliberations and are present in policy rationalization that give legitimacy norms their causal properties. The specific contents of elite rhetoric hold important causal characteristics.

\textit{The Cases}

\(^{39}\) Ibid., 41.
Because I am testing the effects of perceived legitimacy or illegitimacy rather than threat perception, I have selected cases in a relatively narrow time frame in which fluctuations in relative material capabilities are less pronounced than in longer time frames. The episodes containing the cases tested are:

1) Iraq War (2003)
2) Gulf War (1991)
3) Kosovo War (1999)

These episodes exhibit variation in the level of U.S. authority and cover modest levels of variation between the European states in material capabilities. This case selection will facilitate the examination of the effects of economic and military capacity on the value of the dependent variable. This strategy in case selection can reasonably be considered “heuristic” in nature due to the attempt to isolate normative consistency as a key variable in the phenomena of secondary-state consent decisions.41

Within each episode, I have selected three cases representing a combination of dependent and independent variables that will generate useful findings. Within each case I will investigate the rhetorical patterns of the policymaking elite. This strategy will provide insight into the causal properties of public perceptions of legitimacy norms.

The standardized set of questions I am asking for each episode includes:

1) What was the nature of the U.S. request of each state in question?
2) What was the nature and extent of European public opinion with respect to the military intervention, specifically the regard for use-of-force norms?
3) What was the content of European elite rhetorical claims, as evidence of the normative environment as well as the decision-making criteria?
4) Was European states’ consent granted or withheld?

41 George and Bennett, Case Studies and Theory Development in the Social Sciences, 75. George and Bennett credit Arend Lijphart and Harry Eckstein for formulating this type of theory-building research objective.
5) What was the nature and timing of the response to U.S. requests?
6) Are the states consenting to U.S. requests proximate to the area of operation (balance of threat hypothesis)?
7) What are the relative military and economic capabilities between each state and the United States (collective action hypothesis)?

Most-likely cases are those in which secondary states pay no material price for acceding to U.S. authority, or that material benefits coincide with claims to legitimacy. Least-likely cases include those in which normative concerns are decisive during deliberations despite expectations that material calculations should dominate the decision-making process. Other unlikely cases are those in which states face material costs but still operate according to calculations of norm-based legitimacy.

Each of the cases involves the United States’ relationship with another state co-located within the Western Alliance. This choice was deliberate, as the study of the effects of divergence from legitimacy norms on authority levels necessarily includes only those states in which shared notions of rightful behavior exist. As Ian Clark argues, by definition “legitimacy denotes the existence of international society.” It makes little sense to investigate the impact of shared norms on relations where few shared norms exist. The choice to restrict the universe of cases to European states is consistent with Schimmelfennig’s suggestion that the study of rhetorical action and shaming strategies as a test for the causal role of legitimacy norms is valid only in a community environment that exhibits “a common ethos and high interaction density.”

---

Falsification

Evidence that would disprove my claim that U.S. aberrance from normative standards depletes U.S. authority would come in two forms. First, if perceived illegitimate behavior appeared to have no impact on the authority indicators, then it is logical to conclude that variation of authority is being driven by other factors. Second, if material variation—measured by extreme shifts in relative size of military expenditures or economic output—accompanies variation in authority levels, the evidence would suggest that other factors besides ideas are at work in establishing hegemonic authority. At the very least, this would complicate my efforts to isolate ideational factors as the variable driving authority levels.

In a sense, this study will test whether legitimacy norms have in fact evolved since the Munich Agreement of 1938, when strategic necessity and the logic of power politics were the determining factors in whether extra-territorial aggression would be rewarded or confronted. This study will test whether ideational factors in the form of normative legitimacy standards have a measurable effect on the contours of international politics, specifically on the United States’ ability to generate support for its desired policies. By developing a precise measurement indicator of U.S. authority, I can test the variables that generated sustained U.S. authority in the 1991 Gulf War and 1999 Kosovo war, but degraded levels in the wake of the 2003 Iraq invasion. If the evidence suggests that legitimacy norms do have an effect, U.S. policymakers would benefit from paying more
deliberate attention to the character of international normative standards and consider accessing those standards to serve both national and human interests.
Chapter 2

THE LEGITIMACY CONCEPT

He is prosperous who adapts his mode of proceeding to the qualities of the times; and similarly, he is unprosperous whose procedure is in discord with the times.44

Niccolò Machiavelli

But in order to understand it, one must understand the period in which it happened.

Ernst Janning, German jurist in the 1961 film “Judgment at Nuremberg”

In this current era of exaggerated levels of U.S. power and unpopularity, the subject of legitimacy has gained currency in both the academic and popular presses. In the international relations literature, ontological debates between structuralists and ideationalists have been rejoined over the extent to which perceived legitimacy is disruptive to expected international political outcomes. In much of the recently published discussion, however, the prior question that has largely been circumvented is what the concept “legitimacy” actually entails. The lack of consensus on the terms has limited the utility of this debate. This definitional task must first be completed to facilitate progress as well as to ensure the validity of the subsequent discussion over the effects of behavior that is perceived to violate legitimacy standards.

I am not presenting an original definition of the concept of legitimacy, nor a comprehensive overview of the evolution of various interpretations of legitimacy expressed in the literature. I present here a definition that builds on prior work on the subject that will inform the subsequent discussion on how a specific legitimacy norm can be utilized by

political leaders and will facilitate testing of the effects of disregarding legitimacy standards on levels of hegemonic authority.

For the purposes of this project, the contours of the term are straightforward. Legitimacy denotes mass U.S. and international public acceptance reflecting a symmetry of expectations constructed on legal and societal norms. In the context of international politics, legitimacy is assessed as a measure of ideological receptivity of policy choice. While a wide variety of subjects can be regarded as legitimate, including institutions, governing regimes, and political actors, this project focuses on the legitimacy of the implementation of foreign policy choice.\textsuperscript{45}

I will argue that perceived legitimacy reflects but also enhances and reinforces public support and exhibits consistent effects across political contexts. In the domestic context, broad domestic acceptance of policies enables executive leaders to prevail against countervailing forces in the immediate term that would otherwise degrade their efforts to pursue preferred policy prescriptions. In the international context, broadly perceived legitimacy of U.S. policy equips U.S. leaders with enhanced suasion in diplomatic efforts in ways that material capabilities cannot explain. The effects of policy legitimacy are the heart of this project and are investigated through this dissertation. The task here is advancing a description of the concept of legitimacy employed in this project, the metrics I will use to assess the attainment of legitimacy, and a description of the operation of legitimacy in the domestic and international contexts.

\textsuperscript{45} The extent to which the legitimacy of policies actually influences international outcomes is of course highly contested. The point here is not to assert without evidence that it legitimacy does exert itself in consequential ways, but rather to establish what it is that is being discussed here—namely, the perceived legitimacy of foreign policy conduct.
Legitimacy: Definitions and Sources

The starting place in this discussion is accepting that legitimacy is a perceptual matter, resulting in determinations that vary depending on the perceiving actor’s status, role, gender, nationality, and personal history. Max Weber is culpable for generating extensive confusion within the social sciences over the concept of legitimacy by reducing it to its perceptual components. In essence, Weber suggests that legitimacy is that which people believe is legitimate. In such a conception, belief in an action’s legitimacy constitutes its legitimacy. Yet, void of intrinsic content, such a definition fails to uncover the precise elements that render some policies acceptable and others abhorrent. Furthermore, such a rendering of the concept confounds a thorough investigation of legitimacy’s effects.46

The apparent subjectivity of the perceptual dimension of legitimacy expressed by Weber, however, does not render the concept unavailable for deeper theoretic treatment. While it is beyond the scope of this project to investigate intensively the subtleties of Weber’s sociological treatment of the concept of legitimacy, given his early work on the connection between legitimacy and authority, several key aspects of his work thread through the working definition of legitimacy that is constructed here.

46 Ian Clark writes that since Weber, theorists “have found themselves unable to live comfortably either with, or wholly without, this concept.” See Clark, *Legitimacy in International Society*, 18. David Beetham goes so far as to suggest that Weber’s influence across a range of social science disciplines on the subject of legitimacy “as been an almost unqualified disaster.” See David Beetham, *The Legitimation of Power*, Issues in Political Theory. (Atlantic Heights, NJ: Humanities Press International, 1991), 8. It should be noted, however, that some scholarship suggests that this criticism of Weber is premised on a misunderstanding of Weber’s work. For example, Patrick Jackson suggests that Weber was interested in the sociological process of legitimation more than the transcendental quality of “legitimacy”, and thus the criticism of his work is misdirected. See Jackson, *Civilizing the Enemy: German Reconstruction and the Invention of the West*, 16-21.
Despite his conception of legitimacy as a subjective quality, Weber identifies standards that demonstrate that generalities do exist in the legitimation process and that the notion of legitimacy is not an erratic measure that fluctuates dramatically with the shift in political winds. Weber writes that the legitimacy of an order is reinforced by “the expectation of specific external effects,” and distills these types of order as *convention* and *law*. For Weber, the threat of widespread disapproval from one’s social group provides enforcement of conventions, whereas a “staff” is assigned to ensure compliance with laws. In either case, Weber accepts that aberrance from legitimacy standards carries some cost and thus restricts the boundaries in which behavior can tolerably operate.

Weber argues that the source of legitimacy is threefold. *Rationality* captures the perception that normative rules have a legal character, enacted through a legal process by legally sanctioned agents. * Tradition* engenders societal patterns reinforced through historical repetition. *Charisma* is an individualistic quality embodying a leader’s ability to draw on societal standards of model characteristics, such as sanctity or heroism. For Weber, these three sources form the basis on which successful claims to legitimacy are made. While others have criticized this typology for the implication that three types of legitimacy exist (as opposed to one unified source), the intersection of these three sources serves as a useful starting point for this discussion.

---

47 Max Weber, *Economy and Society: an Outline of Interpretive Sociology* (New York: Bedminster Press, 1968), 33-34. Weber also suggests that legitimacy of an order may be provided subjectively through affectual (“emotional surrender”), value-rational (belief that ultimate values express the validity of the order), or religious means. See Weber, *Economy and Society: an Outline of Interpretive Sociology*, 33.


49 For a criticism of Weber’s three-fold typology, see Beetham, *The Legitimation of Power*, 25.
For the purposes of this project, two strands of legitimation are extracted from Weber’s work. The first is the legal rationale on which leaders assert authority. The legal basis of legitimacy is a set of positivist principles determined by formalized procedures and is perhaps the most widely accepted conception of legitimacy, particularly in the domestic context. Legal positivists assert that legitimacy and law are coterminous and that what is lawful is necessarily legitimate. David Beetham writes that legal legitimacy is provided by “the legal validity of the acquisition and exercise of power.”

The alleged illegality of the U.S. decision to invade Iraq in 2003 became the basis of many critics’ claim of the war’s illegitimacy. The lack of a UN Security Council resolution explicitly authorizing the use of force and the dubiousness of the U.S. claim of self defense served as the central critique of the U.S.-led invasion around which the opposition mobilized. The illegality of the invasion reinforced perceptions of its illegitimacy. The fact that the legality of the operation was a point of severe contestation reinforces the centrality of the legal dimension to the conception of legitimacy.

Yet legal codes often are unable to capture normative expectations that shape or constrain behavior in the domestic and international arenas, and exclusive focus on procedural rectitude is incomplete. Specifically, some acts might be considered to conform to strict legal guidelines but illegitimate in the minds of an affected population, such as the international sanctions on Iraq following the 1990 invasion of Kuwait as perceived throughout the Arab world. The sanctions took a heavy toll on the Iraqi population. Other

---

acts might be considered illegal but legitimate, such as the 1999 NATO military campaign to reserve ethnic cleansing operations by Serbian forces in Kosovo in the judgment of an overwhelming majority of international observers. While the law is one important determinant of legitimacy, exclusive consideration of this dimension is overly restrictive. To analyze fully the character of legitimacy, definitions must reach outside the legal domain and include non-legal norms and moral considerations.

This second dimension of legitimacy relies on an assessment of the consistency of the state’s behavior with societal beliefs. This concept is consistent with Weber’s focus on tradition, but also captures his belief that charisma serves to legitimate leaders. Charisma is constructed from societal expectations of the basis of legitimate leadership. At its core, charisma is a socially constructed quality.

The basis of this judgment is the latticework of social norms that reinforce an assessment of the legitimacy of policy. Beetham writes that in determining the legitimacy of power arrangements, social scientists must make a judgment of “the normative standing… that the law validates… against those criteria of the right or the good… that pertain within the society in question.”51 The definition of “right” or “good,” in other words, depend upon the social values that have been constructed and reinforced in a given setting. Beetham concludes, “Legitimacy for the social scientists is always legitimacy-in-context.”52 The grounds on which legitimation claims are made are conformity with established rules that are

52 Ibid., 14.
justified according to shared beliefs and the existence of evidence of consent.\textsuperscript{53} Mlada Bukovansky, writing on the French and American revolutions, expresses the socially derived basis of legitimacy, writing, "Culture shapes the international system because beliefs about legitimacy are forced through cultural discourse, and without legitimacy power cannot endure."\textsuperscript{54}

The impact of societal norms on legitimation decisions is demonstrated by the 1999 NATO alliance's military intervention in Kosovo. The intervention was broadly supported in the West as a result of the objective to alleviate human suffering, ultimately the consequence of an evolving human rights norm, as will be demonstrated in chapter 6, despite the fact that the absence of a UN Security Council mandate rendered the intervention technically illegal (by most accounts) under international law.

The Independent International Commission on Kosovo, for example, separated legality from legitimacy in its 2000 report on NATO's humanitarian intervention in Kosovo. The Commission found that as a result of political intransigence as well as the divergence of contemporary threats to international peace from those of 1945, the UN Charter is often ill-equipped to protect threatened populations in humanitarian crises. Normative changes in conjunction with increased frequency and intensity of internal conflict have produced an intolerable gap between expectations of an observing population decreasingly tolerant of widespread human endangerment and ineffective legal instruments. As a result, the Commission found that the responsibility to intervene in another state's internal affairs to

\textsuperscript{53} Ibid., 15-25.
stop humanitarian crises, even absent the legal allowance that a Chapter VII or Article 51 claim would provide, reflects the spirit of the UN Charter and should thus be permissible.\textsuperscript{55} The Commission found that “the effectiveness of rescue initiatives would seem to take precedence over formal niceties,” and by exhausting diplomatic measures and liberating an oppressed population, NATO’s 1999 actions in Serbia were “illegal but legitimate.”\textsuperscript{56}

Richard Falk, a member of the Commission, later refined his viewpoint on the relationship between legitimacy and legality. The NATO-led intervention, he wrote, “while technically illegal, was politically and morally legitimate.”\textsuperscript{57} Chris Brown wrote that “it may not be too fanciful to see the Kosovo coalition as the agent of a new conception of international society based on a substantive understanding of the requirements of humanitarianism.”\textsuperscript{58}

In the same spirit as Weber’s description of the interaction of values determining the contours of legitimacy, Ian Clark has written, “the notion of legitimacy is always mediated through a composite of other norms, and cannot be ranged against them individually.”\textsuperscript{59} Clark describes legitimacy as a balance of norms pulling to different degrees and often in different directions.

\textsuperscript{55} Chapter VII of the UN Charter permits the use of force with an affirmative vote of the UN Security Council. Article 51 of the UN Charter allows the use of force as an act of self defense.


\textsuperscript{59} Clark, Legitimacy in International Society.
It is important to note that legitimacy is a measure of the degree of uniformity of thought regarding the salience of a given normative principle, but it is not itself the principle. Legitimacy is premised on underlying legal and societal norms that form its substantive content. The legitimacy of a principle is merely a signal that the principle enjoys either widespread or deep acceptance. Clark argues, "There is no doubt that legitimacy has an irreducibly normative quality," but that in the end it is a "factual matter" that is the product of a political judgment by international society. As a result, Clark writes, legitimacy "is never in direct tension with other norms: it is amongst those norms that any tension exists."  

Ultimately, the standards of legitimacy are the byproduct of a political dynamic. They are subjected to the dynamics of power relations in which legal norms and societal standards are contested. Rodney Barker writes that the process of legitimation is "an active, contested political process, rather than legitimacy as an abstract political resource." This legitimation process raises the importance of consensus and the "arbitration between interests, and between multiple, but often inconsistent, norms." John Ruggie writes that legitimacy judgments emerge as the result of a "dialogical process of persuasion." Clark adds that legitimacy norms are subjected to a "complex universe of politics, consensus, and power." Quoting the opening sentence of an eminent international law textbook, "First,

60 Ibid., 253.
61 Ibid., 207.
63 Clark, Legitimacy in International Society 216.
64 Ruggie.
65 Clark, Legitimacy in International Society 254.
law is politics." To acknowledge this fact is not to concede that legitimacy loses its prosocial content, but rather allows one to simultaneously assess its characteristics and effects while confronting the reality that legitimacy is not the divine providence of kings and saints. Rather, legitimacy standards are the product of advocates, academics, practitioners, and pundits, all contributing to shift the terms of what is acceptable in the eyes of the greater public.

In sum, both narrowly constructed objective legal guidelines and broadly accepted but subjective societal norms conspire to form the outer boundary of legitimacy standards, reflected in the degree of public and elite receptivity. Legitimacy can be conceived of as the resultant of a set of norm vectors. When a given policy choice is perceived to be legitimate, it serves as a signal that the policy is consistent with subjective yet broadly accepted societal norms and legal standards, both of which are the culmination of a political process.

Process legitimacy

Two dimensions of legitimacy commonly discussed in the literature deserve brief mention. Closely associated with legal legitimacy is the concept of process legitimacy, which presents the rules that emerge from legally sanctioned procedures to be a foundation of legitimacy. Weber advanced the argument that constructed procedures legitimate the rules that they create. Considering the impact of socially constructed standards, Jürgen Habermas conjoins procedural and normative dimensions, asserting that legitimacy is derived from

both procedural rectitude and equity. Strict conformity with established procedural
guidelines is essential for Habermas, as is the perception that an agreement was freely
brokered. Decisions that are the result of “forced consensus” are less likely to be obeyed
due to the dubiousness of their legitimacy.67

Legal scholar Thomas Franck also joins the objective dimension of legal process with
the subjective normative component in his conception of legitimacy, suggesting that
legitimacy is “primarily procedural” and distinct from notions of distributive justice, which is
constructed on a foundation of moral precepts.68 Franck defines legitimacy as a “property of
a rule or rule-making institution which itself exerts a pull toward compliance on those
addressed normatively because those addressed believe that the rule or institution has come
into being and operates in accordance with generally accepted principles of right process.”69

The principles of right process generate the quality of general acceptability, the very basis of
a finding of legitimacy.70

**Outcome legitimacy**

*Outcome* legitimacy—the perceived consistency of the results of political strategies
with societal and legal norms—is often posed in the literature as a dueling basis of legitimacy
standards with process legitimacy. Outcome legitimacy is determined by the acceptability of

---

the policy results and is often considered in terms of improvement of the public’s general wellbeing.

The notion of “substantive legitimacy” advanced by a number of scholars shares features of outcome legitimacy. David Beetham and Christopher Lord suggest that some rules are legitimate not because of procedural rectitude but because they exhibit “proper ends and standards.” Thomas Franck suggests that “Neo-Marxist philosophers and related students of radical social restructuring” focus principally on outcome legitimacy, in which resultant policies and systems are legitimated on the basis of their ability to correct structural maladies, injustices, and imperfections. The bridge between outcome and substantive legitimacy—and that which distinguishes them from process legitimacy—is that moral and societal beliefs form the exclusive basis of a judgment of a given policy’s legitimacy.

Outcome legitimacy is a key determinant of broad public perceptions of the legitimacy of policy. The counterfactual of the U.S. invasion of Iraq demonstrates this point. If weapons of mass destruction had been found following the U.S. invasion, if the exercise led directly to spasms of democratic activity throughout the Middle East, or even if evidence suggested a true democratic emergence exclusively within Iraq, it is highly possible that the public would be rendering a more positive assessment of the Bush Administration’s decision to invade Iraq than currently is the case. The fact that the experience has unfolded

---

73 According to a March 2007 USA Today/Gallup Poll, 56 percent of the U.S. public believe the United States made a mistake in sending troops to Iraq, compared to 27 percent in July 2003. The judgment of the worthiness of the war’s objectives eroded as the outcome of U.S. policy devolved (USA Today/Gallup Poll, March 23-25, 2007, http://www.pollingreport.com/iraq.htm). As the situation has deteriorated, increasing
negatively has served to reinforce public perceptions in the illegitimacy of the pre-war decision to invade Iraq. The suppression of intelligence that conflicted with White House objectives, the insular nature of deliberations among top Administration officials, and the President’s personal reliance on ideology in the construction of U.S. policy have all surfaced as loci of criticism of U.S. policy, arguably intensified as a result of the sub-optimal nature of the post-invasion experience.

Yet outcome legitimacy—ex post determination of a policy’s legitimacy based on the effects of its implementation—obscures the role that legitimacy plays in decision-making processes. While the legitimacy of projected results is a dimension of whether policies are perceived to be legitimate, the goal of this project is to assess the utility of legitimate behavior in the context of strategic interaction in which the foreign policy behavior of the United States is assessed in accordance with legitimacy norms in the short run. As a result, while the legitimacy of U.S. policy may appreciate as a result of positive results in the long run, in the immediate term outcome legitimacy is peripheral to this discussion.

The above discussion provides an annotated description of the sources of legitimacy—legality and social custom; generated from process or from outcome—and establishes a framework in which the effects of legitimacy can be examined. A more extensive theoretical treatment of the origins of legitimacy standards will not appear here, as the debate over the sources of legitimacy standards—the reason that certain policies are

numbers of the public also predictably disapprove of President Bush’s handling of the war. According to April 2007 Associated Press-Ipsos poll results, in early November 2004, 51 percent of the public disapproved of his handling of the war, compared to 64 percent in early April 2007 (Ipsos Public Affairs, April 2-4, 2007, http://www.pollingreport.com/iraq.htm).
regarded as legitimate—falls outside the scope of this project. Much of the legitimacy literature, as outlined briefly above and demonstrated by the debate over the distinction between process and outcome legitimacy, is preoccupied with the question of the sources of legitimacy and the rationale for public support. The extended debate of *why* people accord the legitimacy of some policies over others, however, strays deeply into other literatures, such as that of psychology and sociology, and serves as a distraction from a disciplined focus on the *effects* of legitimacy on international diplomacy that this project seeks to provide.

This study circumvents the examination of the rationale for legitimacy decisions and instead uses perceived legitimacy as the starting point, evaluating the effect of policy legitimacy on diplomatic outcomes. The claim is narrow. Foreign policymakers adjust behavior and decisions to consent to U.S. authority in accordance with elite and public assessments of the legitimacy of U.S. foreign policy behavior in the immediate term. Widespread perceptions of illegitimacy generate resistance strategies.

Deficiencies in the existing literature

---

74 An example is the debate that transpired in the popular press between Robert Kagan and Robert Tucker and David Hendrickson. See Robert Kagan, "America's Crisis of Legitimacy," *Foreign Affairs* 83, no. 2 (2004), Robert W. Tucker and David C. Hendrickson, "The Sources of American Legitimacy," *Foreign Affairs* 83, no. 6 (2004). Kagan presents a structural view that the source of the United States' legitimacy during the Cold War was premised on its role as a material and ideological bulwark to Soviet expansionism. Tucker and Hendrickson counter that the United States' legitimacy was grounded on such ideational features as its commitment to the rule of law, consensual decision-making, and moderation in policy.
To an extensive degree the scholarship on legitimacy suggests that legitimate rule commands habitual obedience.\textsuperscript{75} Two components of this definition—obedience and habit—need to be separated and examined.

\textit{Legitimacy and Obedience}

The relationship between legitimacy and compliance is imprecise. First, measuring legitimacy in terms of the behavior it generates does not get us closer to a clear understanding of the term, whether legitimacy is defined as “the evidence of consent derived from actions,” “habitual social assent,” or “non-coercive factors in the engendering of obedience.”\textsuperscript{76} Defining legitimacy strictly in terms of its effects is tautological and complicates efforts to differentiate between behavior guided by legitimacy and that directed by narrow self-interest or subtly coercive measures. Franck’s proposition that legitimacy exerts a “pull toward compliance” is surely correct, but such a definition fails to unearth the precise elements of legitimacy that have such an effect.\textsuperscript{77} Rather, legitimacy is the widespread expectation that a framework of legal and societal standards should guide the behavior of states. Clark identifies this as the “substantive” dimension of legitimacy, the values “and which combinations, are to be privileged at any one moment.”\textsuperscript{78}

Franck’s definition also designates \textit{legitimacy} as generating compliance. This is distinct from the operation of legitimacy advanced in this project’s central hypothesis, which is that

\textsuperscript{75} Weber, \textit{Economy and Society: an Outline of Interpretive Sociology}, 31. See also Franck, \textit{The Power of Legitimacy among Nations}, 17.


\textsuperscript{77} Franck, \textit{The Power of Legitimacy among Nations}, 16.

\textsuperscript{78} Clark, \textit{Legitimacy in International Society} 3.
states—in particular the United States—that engage in policies widely perceived as disruptive of legitimacy standards experience degraded levels of authority. It is the quality of authority that commands compliance. Thus, I am hypothesizing that a state that maintains a steady level of material power but implements a series of policies that undergo a decrease in legitimacy will experience a decrease in authority. If compliance is not realized, then the commanding figure has lost some authority. This project intends to test whether legitimacy is an attribute of an authority figure or his commands. While non-compliance is a good test of a loss of authoritativeness, it is an unreliable test of loss of legitimacy. It is legitimacy's effect on a state's authority that we are interested in, as opposed to Franck's notion of the authority of legitimacy itself.

Second, in addition to obscuring what legitimacy is, conceiving of legitimacy as generating habitual obedience fails to uncover the full range of legitimacy's effects by precluding the existence of outliers. While consistent aberrance from an accepted standard may undermine the legitimacy of that norm, occasional violation that departs from normative standards is not sufficient to invalidate the norm. In fact, as Clark argues, violation of norms may focus attention on those norms, thus "they may actually be reinforced as a result."\(^79\) While nuclear proliferation activities of North Korea in recent years, for example, may endanger the non-proliferation norm, it may also increase attention and raise the specter of wider proliferation, spurring international efforts to reinforce the jeopardized norm. A conception of legitimacy predicated on habitual obedience, however, would by definition invalidate nuclear non-proliferation as a legitimacy norm. This would

\(^79\) Ibid., 247.
hopelessly complicate efforts to isolate the effects of violating legitimacy standards since the standards themselves would no longer be regarded as legitimate.

Legitimacy and Habit

There is a deeper problem with limiting the concept of legitimacy to ‘‘habitual obedience’’. In addition to the problematic aspects of defining legitimacy in terms of its effects, the concept is further muddled by some scholars’ suggestion that habituation is required for a norm to be regarded as legitimate. Franck, for example, suggests that the nature of legitimacy could be revealed by studying ‘‘rules which are habitually obeyed in international relations’’ (emphasis his).\(^80\) According to this construct, decisions over legitimate and illegitimate behavior exist subrationally and the wisdom of illegitimate policies is not actively considered. Changes in identity have incorporated legitimate behavior into habitual patterns and excised illegitimate acts from conscious thought.

James March and Johan Olsen’s ‘‘logic of appropriateness’’ reduces the conception of legitimacy to agent identity. They argue, ‘‘Within a logic of appropriateness, a sane person is one who is ‘in touch with identity’ in the sense of maintaining consistency between behavior and a conception of self in a social role.’’\(^81\) In his earlier work, Ian Hurd draws on

---

Max Weber's distinctions in the forces that generate compliance—coercion, self-interest, and legitimacy. In his discussion of legitimacy, Hurd, as did March and Olsen before him, also relies on the socialization effects and subsequent internalization of legitimacy standards in assessing the effects of legitimacy and regards self-interest and legitimacy as distinct mechanisms for generating compliance.

Much of the constructivist literature has adopted this conception of legitimacy, which infuses ideas of legitimacy into agent identity. The principal deficiency with restricting legitimacy in this way is that legitimacy is cordoned off within the realm of identity politics. Such a focus hinders the investigation of the interaction of legitimacy standards and political choice and complicates efforts to isolate the strategic use of aligning foreign policies with normative standards in order to build public support and achieve national goals.

Jeffrey Checkel suggests that a chief contribution of constructivist theorizing is rejecting the preoccupation with materialism and introducing an emphasis on rule-governed action over rational choice theorists’ focus on utility maximization. Yet Checkel suggests that in its earlier form, constructivism lacks agency in that it fails to adequately explain the origins of norms or the trajectory of their evolution. As a result, “Constructivism might be

---

82 Hurd, "Legitimacy and Authority in International Politics."
best at explaining identity and interest formation, but as some later time, when interests were stable, rationalism might be the right method.”

This project does not aim to defend the Constructivist research program. Yet the insistence to keep rationality and ideas ontologically distinct has impeded the investigation of the utilitarian use of ideas. While some legitimacy norms unquestionably are eventually reflected in an agent’s self-conception, they also can serve as a resource by profit-maximizing actors. As discussed above, perceptions of legitimacy are standards of behavior grounded in broadly accepted societal and legal principles. These legitimacy standards may operate reflexively as a result of adoption into agent identity, which hegemonic socialization seeks achieve. They may also be accessed as a means of achieving a set of policy goals.

The Strategic Use of Norms

There is no theoretical reason why legitimacy norms must be fenced off from considerations of rationality and strategic choice. Considerations of legitimacy can operate consciously in a strategic environment in which political elites consider policies with an eye on prospective public and elite receptivity. Under such circumstances, where norms and interests are relatively stable, restricting legitimacy to its influence on identity makes little sense. The conception of legitimacy that views international society and legitimacy as

necessarily coincident, however, hopelessly complicates efforts to identify the effects of behavior that departs from legitimacy norms. Either sustained aberrance carries no costs, which would challenge the relevance of the concept of legitimacy, or it threatens to undermine the foundations of international society, which renders the question moot if legitimacy standards and international society simultaneously dissolve.

The argument advanced here, however, contrary to Clark's sweeping conception of legitimacy constituting international society, is that the decision of policymakers to reject legitimacy standards in the execution of foreign policy is possible (that is, it is not subrational). The choice to accept or reject legitimacy standards is a strategic choice, and legitimacy standards can serve as a resource for policymakers seeking to achieve national objectives.

An example of this choice environment is the consideration of National Security Council staffer Richard Haass during the 1991 Gulf War, who expressed concern that seeking UN approval would create a precedent and thus an expectation that future uses of force without prior UN approval would be seen as illegitimate. This strategy, however, vigorously pursued by Secretary of State James Baker and President George H.W. Bush, did help mobilize contributions to the U.S.-led war.

---

87 Ian Clark goes so far as to argue that the mark of international society is the corporate perception of being bound by obligations to accepted norms of behavior. The focus of his study on international legitimacy is that legitimacy is the very premise of international society, the foundation on which a notion of a community of states can be said to exist. The "core principles of legitimacy articulate a willingness to be bound, both to certain conceptions of rightful membership of society, and to certain conceptions of rightful conduct within it." For Clark, this shared conception of boundedness is the first-order principle. The second-order principles are the specific behaviors and procedures proscribed through political agreement. See Clark, *Legitimacy in International Society*, 19-25.

88 For a deeper theoretical treatment of the strategic use of normative frameworks, see Schimmelfennig, *The E.u, Nato and the Integration of Europe: Rules and Rhetoric*, 194-228.

Jeffrey Legro’s work on ideational influences in grand strategy formulations draws on both the strategic interaction and constructivist literatures. Legro rejects the tendency in the literature to place cultural analysis associated with ideational variables in a mutually exclusive category from the study of rationality. “To focus on collective ideas… is not to deny strategy. Typically states will instrumentally pursue their interests and in a reasoned way connect means to goals.”

Similarly, in their edited volume exploring the impact of ideas on foreign policy, Judith Goldstein and Robert Keohane argue for an approach that simultaneously utilizes rational and ideational approaches. “Even if we accept the rationality premise, actions taken by human beings depend on the substantive quality of available ideas… this volume criticizes approaches that deny the significance of ideas, but does not challenge the premise that people behave in self-interested and broadly rational ways.”

Ian Hurd’s discussion of Libya’s use of the norm of “liberal internationalism” in the UN sanctions case demonstrates the conception of legitimacy utilized in this project. In Hurd’s rendering, the Libyan government publicly defended the norm of liberal internationalism in an attempt to delegitimize the UN sanctions that remained in place following a finding of Libya’s involvement in the 1988 airline bombing over Lockerbie, Scotland. Through Libya’s presentation of a reinterpretation of liberal internationalism, the sanctions risked losing legitimacy and efficacy as participating states began to defect from the sanctions regime. Furthermore, the weakened UN sanctions compromised the

91 Goldstein and Keohane, Ideas and Foreign Policy: Beliefs, Institutions, and Political Change, 5.
legitimacy of the Security Council itself. Powerful western states—in particular the United States and the United Kingdom, unwilling to permit a sustained weakening of an institution that served to reinforce the liberal order—ultimately acquiesced and negotiated a compromise solution with Libya. The norm of liberal internationalism was not infused into the identity of the Libyan regime—in fact the appeal to the norm very likely was insincere. Yet the case demonstrates how norms can be utilized by states in achieving national objectives.

While norms of legitimacy may in fact become embedded into the psyches of key decision-makers, the focus here is on how norms can be used by decision-makers to achieve national objectives. Alternatively, I will evaluate how the failure to accord with legitimacy norms can impede the pursuit of national objectives. Progress toward this goal requires that I import normative factors into utility-based decision-making processes, collapsing neo-utilitarian theories (without the focus on material factors) and constructivist theories (placing the focus on choice rather than identity) into a single space.

The Legitimacy Norm of Constitutionality

To restate, legitimacy denotes broad public acceptance and reflects legal and societal norms that compete in a political process. Legitimacy norms form a standard against which behavior is assessed and the validity of which requires neither perfect allegiance nor internalization into agent identity. Legitimacy does have the effect of generating compliance, but cannot be defined solely in terms of its effects. As a result of the social and material
benefits of acting in accordance with standards of legitimacy and the costs associated with violation, legitimacy norms are accessed for the purposes of utility maximization.

To test the role of legitimacy norms in modulating levels of hegemonic authority, this project explores the independent effect of the perception of legitimacy in use-of-force decisions. In particular, I am evaluating the relative importance of the norm of the willingness to be bound by rules proscribing aggressive force—the norm of constitutionality. I am examining the extent to which constitutional claims take precedence in legitimation efforts of elites and are prominent in the domestic and international public’s accounting of the legitimacy of U.S. foreign policy.

As a reference point, John Ikenberry suggests that three elements of constitutionalism are 1) shared agreement over the principles and rules of order, 2) rules and institutions set binding limits on the exercise of power, and 3) these rules are entrenched in the wider political system and not easily changed. A core feature of constitutional orders is their ability to place limits on the exercise of power by codifying costs associated with extra-constitutional behavior. The agreement on limits on the application of military force is one aspect of the constitutional order. This is consistent with Clark’s view that constitutionality is “a norm based on the political constraints that are voluntarily entered into within

---

93 Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars*, 29-32. Domestic orders have police forces to enforce rules and impose costs. In international orders, as in social groups, “enforcement” costs take other forms, such as stigmatizing, shunning, free riding, and non-cooperation.

94 In Ikenberry apt phrasing, constitutional agreements “reduce the returns to power” by limiting disproportionate gains that an agent can enjoy through the exercise of force, as well as the associated risks. Ibid., 32.
international society.” Constitutionality, Clark writes, is comprised of “political sensibilities about what can properly be done, and how affairs should be conducted.”

Moral and societal legitimacy serve as the backbone of early renditions of Just War Theory, first advanced in its comprehensive form by Saint Thomas Aquinas and advanced further by early legal theorists including Francisco de Vitoria, Hugo Grotius, and Emerich de Vattel. Increasingly, the principle of constitutionality and regard for the constraints of law lodged itself in the public’s mind, apace with liberalism as it progressed in Western political thought beginning in the 18th century.

Ikenberry argues that institutional arrangements that followed post-war agreements in 1815, 1919, and 1945 increasingly revealed a constitutional complexion. In part this was due to the success of these agreements in consolidating the political order, but presumably also due to the increased public and elite receptivity to utilizing legal principles and reinforcing the rule of law as a vanguard against the unpredictability of power politics. Constitutionalism emerged as a norm against which foreign policies could be evaluated.

"Increasingly, and mainly during the seventeenth and eighteenth centuries, legitimacy was attached to a conception of a legal order. From Vienna onwards, both (morality and legality) were to some degree relegated by a notion of legitimacy located in constitutionality."

There is an active debate, however, whether the legitimacy of constitutionalism is grounded in its material function of reducing threat or an ideational conception of

95 Clark, *Legitimacy in International Society* 209.
96 Ibid., 220.
97 Ibid., 249.
“oughtness” and an appeal to a broader substantive notion of morality.\textsuperscript{98} Realists conceive of legitimacy in narrow terms, as that diminishing disruption to status or stability. Stephen Walt, for example, equates a policy of restraint as legitimate due to an expectation that balancing behavior against the United States will be less likely.\textsuperscript{99} During the run-up to the Iraq War, Henry Kissinger wrote, “it cannot be in either the American national interest or the world’s interest to develop principles that grant every nation an unfettered right of prevention against its own definition of threats to its security.”\textsuperscript{100} The stabilizing function and diminution of threat is the principle role of constraining the erratic application of force.

Clark, on the other hand, in identifying the disruption of U.S. behavior in relation to the Iraq war, focuses on the fact of U.S. violations of an established legal framework. “Unilateralism incurred costs in the first place because it had infringed generally held precepts about how affairs should be rightfully conducted, at a time when the predisposition of international society was to be especially sensitive to the issues of constitutionality that they raised.”\textsuperscript{101} His focus first is on the ideational casualty of the principle of law than on the material consequences.

Clark goes on to suggest that “legitimacy needs to be understood as a first-order category,” that which will permit international society to exist in the first place, of which

\textsuperscript{98} Ibid., 17-19, 229-39, Kagan, “America’s Crisis of Legitimacy.”, Tucker and Hendrickson, ”The Sources of American Legitimacy.”


\textsuperscript{101} Clark, Legitimacy in International Society, 256.
constitutionality is a foundational norm. In his reading, legitimacy is the embodiment of international society and behavior reflects those legitimacy standards. Clark’s criticism of the threat- or power-based rendering of legitimacy is that it is places too high an expectation on what power can actually explain. “Power differentials are the backdrop against which policy must be formed, and which responsible leadership developed: they are not themselves a set of policies.”

Beetham similarly focuses on the ideational aspects of the legitimacy norm of constitutionality, writing, “… the legal validity of the acquisition and exercise of power… the justifiability of the rules governing a power relationship in terms of the beliefs and values current in the given society… (and) the evidence of consent derived from actions. These factors, successively and cumulatively, are what make power legitimate.”

David Lake takes a middle road, arguing that U.S. post-1990 legitimacy was grounded in the U.S. willingness to accept the constraints of multilateralism, a key feature of a constitutional order. Yet he leaves the question unanswered of whether this legitimacy was constructed on a materialist or ideational foundation. Kissinger accepts that both power and legitimacy serve to stabilize political orders. Describing the Vienna settlement of 1815, he writes “the new international order came to be created with a sufficient awareness of the connection between power and morality; between security and legitimacy.”

---

102 Ibid., 24.
103 Ibid., 237.
ideational sources worked in coordination in Europe following the Vienna settlement, and order was reinforced by “not only a physical equilibrium but a moral one.”

For the purposes of this project, the *raison* the legitimacy norm of constitutionalism is perceived as legitimate is a peripheral issue. The fact remains that the norm of constitutionalism is widely perceived to be a legitimate, evidenced by extensive public opinion polling and official rhetoric making appeals in consonance with the principle of high regard for international legal rules. Political elites are cognizant that they are evaluated for their consistency with this norm. Constitutional political orders have a stabilizing effect on international behavior and there exists a strong preference for the rule of law to tame the randomness and threatening aspects of anarchy. Subsequently, in the context of short-run evaluations of policy consistency with the constitutionalism norm, the determination of whether constitutionalism is regarded as legitimate because of its utility in diminishing threat or its stature as a more expansive first-order principle is inconsequential.

Focusing on legitimacy effects and normative considerations in the context of strategic interaction allows us to sidestep this distracting issue of whether the constitutionality norm has been put into action because of materialist notions of threat or because of ideational considerations of first-order principles. It is undeniable that the legitimacy of abiding by constitutional constraints is particularly acute in the current era of unipolarity. Yet the constitutionalism norm emerged through periods of multi-polarity and bi-polarity, as well, and increasingly exerted itself in political discourse. It is myopic to

---

reduce the norm solely to its materialist component of resisting U.S. power in the contemporary environment.

An obvious criticism of the strategy employed here stands out and deserves mention. What is gained by adding legitimacy to the list of causal variables? What does the inclusion of perceptions of legitimacy explain that the standard structural rationalist explanation cannot?

The argument advanced here is that ideas in the form of legitimacy beliefs activate the domestic public in a particular way, which directly affects political outcomes. Elites and the public simultaneously operate in an environment in which expressions of constitutionality serve as a “rhetorical commonplace.” Given the broad public perception of the virtues of voluntary constraints on the aggressive use of force, elite espousal of political rhetoric consistent with this norm both generates public support and narrows the boundaries of political behavior in which policymakers can tolerably operate. In other words, constitutional rhetoric serves as both a strategic tool (fostering public consent) and a strategic trap (foreclosing certain extra-constitutional options). As I will explain in detail below, this process has significant implications for secondary states’ willingness to consent.

Thus the public has a critical role to play in explaining variation in hegemonic authority, particularly in democratic regimes. Inclusion of the public voice and focus on ideational forces enriches the structural rational account of why states may give preference to constitutional constraints. The model presented here adds richness to the structural

108 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West.
explanation and more importantly, helps explain certain outcomes that sparser accounts are ill-equipped to handle.

For example, the normative ideational account provides a more fine-grained analysis of the cause of change in levels of hegemonic authority in periods of material stagnation, a phenomenon that materialist explanations are poorly equipped to explain.

Furthermore, an account that includes ideas and the domestic public helps to explain anomalous findings, such as the behavior of 10 European states that provided political support to the United States but refused to provide the substantive support in the form of military troops during the Iraq war. Structural rational theories predict greater continuity of secondary states’ supporting behavior. Including ideas in the form of legitimacy norms that are filtered through the public consciousness helps provide an explanation for this discontinuity.

Before moving to the discussion of the effects of policy legitimacy and illegitimacy on hegemonic authority, however, a fuller explanation of how legitimacy operates in the domestic and international context is required. Given that the public voice is central to the causal story presented here, a full account necessitates engaging the literature that addresses the public’s effect on policy outcomes.

**Domestic Policy Legitimacy**

---

The acid test of a policy... is its ability to obtain domestic support. This has two aspects: the problem of legitimizing a policy within the governmental apparatus... and that of harmonizing it with the national experience."\(^{10}\)

Henry Kissinger

Legitimacy talk too often commits the fallacy of assuming a finding of "legitimacy" without explicitly identifying who is issuing the legitimacy judgment. As discussed at length above, legitimacy is a perceptual concept, and acknowledging its subjectivity or even intersubjectivity still demands that a claim of legitimacy be paired with a claimant. The claim that the NATO military intervention in Kosovo was legitimate but the 2003 U.S. invasion of Iraq was illegitimate, for example, rests on the implicit assumption that a certain audience rendered such a finding. But who is this assumed audience? Public statements confirm that U.S. Administration officials advanced the claim that both interventions were legitimate. Russian and Chinese officials argued that neither was legitimate. How do we find our way out of this thicket? Specifically, where should one look to locate the source of legitimacy claims that has consequences for the trajectory of international politics?

One answer to the question of "legitimacy of whom" that is too frequently overlooked is that of the mass public. As one close observer of international trends recently noted, "foreign policy is no longer a rarefied game of elites: public opinion shapes the world within which policy makers operate."\(^{111}\)

Yet within the academy, the corpus of work on the subject of domestic policy legitimacy is woefully thin. Alexander George laments in his final book, published in 2006,

\(^{10}\) Kissinger, *A World Restored; Metternich, Castlereagh and the Problems of Peace, 1812-22*, 327.

\(^{111}\) Traub, "Islamic Democrats?," 49.
that an important puzzle left unaddressed since Kissinger’s observation above are the requirements for contending with domestic constraints in foreign policy construction.\textsuperscript{112}

The purpose of this section is to trace the development of the concept of domestic policy legitimacy in the literature, including a discussion of the stability of key aspects of public opinion that relate specifically to the domestic public and a presentation of a set of metrics that indicate when legitimacy is obtained. This enhanced conception of legitimacy will facilitate the subsequent study of how legitimacy erects boundaries in which political elite can tolerably operate.

A reliable foundation of the contents and effects of policy legitimacy in the domestic context has the added benefit of demonstrating a parallel mechanism in which international domestic publics constrain their elites in ways that directly relate to U.S. authority levels, the dependent variable in this project. If the domestic public constrains elites consistent with normative concerns in the United States, it is reasonable to conclude that a similar mechanism allows European publics to influence their elites in the secondary states sampled in this study. This is particularly true in the European context since most European states included here are advanced democracies, most of which are parliamentary systems with weaker executives vis-à-vis the legislative branch.

\textit{The Public and Elite: Diverging conceptions of legitimacy}

B. Thomas Trout first identified the acceptability sought by executives as “policy legitimacy,” writing “the acquisition of legitimacy is acknowledged to be a fundamental requirement of any political regime... It is the continuing effort to provide the necessary ‘quality of “oughtness” ’ to a society’s presiding political institutions and to their actions.”\textsuperscript{113} Given the divergent forces pressing upon the executive branch in the construction of foreign policy, presidents seek broad social acceptability of their policies to increase their prospects for success. Public support for executive policies helps a president gain the support of the mass public, Congress, as well as administrators in the executive branch.

Alexander George builds upon the concept of policy legitimacy, suggesting that it serves as an invaluable asset in supplementing a president’s ability to pursue a foreign policy consistent with his preferences. For George, policy legitimacy is constructed on the basis of a policy’s \textit{feasibility} and its \textit{desirability}.\textsuperscript{114} The feasibility of a policy is the “cognitive” component, which relates means to ends in a convincing way and requires demonstrated competency on the part of executive leadership. The desirability of a policy is the “normative” component, and relates to the degree to which a policy “is consistent with fundamental national values and contributes to their enhancement.”\textsuperscript{115}

This distinction between feasibility and desirability in generating legitimacy is important to this discussion of the public voice, since those judging the legitimacy of a given policy will select from criteria according to the respective positions they hold. This process highlights the differences between the elite and the mass public perceptions of legitimacy. It

\textsuperscript{114} George, \textit{On Foreign Policy: Unfinished Business}, 17-19.
\textsuperscript{115} Ibid., 17.
is logical that agents responsible for foreign policy success (elites) are more likely to legitimize policies that effectively connect means with ends, whereas agents less accountable are freer to make judgments premised on a policy's consistency with national values. This is consistent with the view of Andrew Bennett, Joseph Lepgold, and Danny Unger, that, “executive officials are more responsive to international-level stimuli than are mass publics and legislatures, since leaders are responsible for foreign policy.”¹¹⁶ In his study of intra-alliance cooperation within NATO on activities in the Middle East, Charles Kupchan concludes,

> Issue-areas that are the domain of political elites and have narrow, short-term implications for domestic politics… are more influenced by intra-alliance bargaining and coercion. Issue-areas open to a wider political audience with more immediate implications for national constituencies… are more affected by domestic constraints.¹¹⁷

While Kupchan suggests that, for this reason, economic considerations are susceptible to domestic pressures, I argue that issues that reflect negatively on the normative character of the United States also are likely to trigger a strong and potentially decisive public reaction.

Thus, seeking to measure the independent impact of normative constraints on decision-making as distinct from value-neutral utilitarian calculations requires a focus on the public voice, where normative judgments are active. It is reasonable to assume that the mass public is less cognizant than elites of highly sophisticated cause-effect relationships, but

more likely to privilege policies perceived to be based on principles that coincide with widely accepted societal values derived from the national experience.

George does not explicitly match the cognitive and normative components exclusively with the elite and public spheres, respectively. He does argue, however, that the requirements for each aspect of policy legitimacy are affected by the “marked differences in level of interest and sophistication” among the actors involved, from the president and top advisors to the broader public. As one moves vertically downward from the policymaking elite to the mass public, “one expects to find a considerable simplification of the set of assertions and beliefs that lend support to the legitimacy of foreign policy.”

Other scholarship has similarly differentiated between the elite and public spheres. In identifying the locus of presidential power, Richard Neustadt differentiates between a president’s professional colleagues and the broader public. Professional reputation increases his bargaining advantages with members of the “Washington community.” His colleagues’ professional ambition demands that they assess the president’s capabilities and respond accordingly. Public Prestige is a measure of the president’s public standing, and informs the Washington community’s assessment of a president’s influence. Neustadt writes, “The prevalent impression of a president’s public standing tends to set a tone and to define the limits of what Washingtonians do for him or do to him.” By reinforcing his public prestige, a president increases his latitude in exploiting governing opportunities.

118 George, On Foreign Policy: Unfinished Business, 19.
120 Ibid., 74.
The tension between appealing to the mass public and elite in comprising a legitimization strategy is demonstrated by George’s discussion of Franklin Roosevelt’s fashioning of his post-war strategy. Roosevelt blurred a realist approach with an idealist approach in order to successfully balance efficacy with public support. His realist approach included his “four policemen” model, in which the United States, Great Britain, the Soviet Union, and China would coordinate their overwhelming power to keep the peace. Yet given the appearance that this strategy had with spheres of influence or balance of power—a model associated with centuries of European warfare that an idealist leaning American public rejected—Roosevelt was cautious in publicly advancing his plan. To mollify the idealist strains in American thought, Roosevelt transformed the “four policemen” model into the United Nations Security Council, a deliberative body in which weaker powers would have a voice. Roosevelt also pleaded with Stalin to show restraint so as to ensure that anti-Soviet sentiment in the United States was not enflamed. In the end, Soviet aggression eroded the public’s tolerate for peaceful coexistence with the Soviet Union, enabling Truman to engage in a containment strategy that had the realist characteristics of balance-of-power and spheres-of-influence approaches.121

Roosevelt did not merely pacify the public by espousing idealist rhetoric and pursuing a divergent realist strategy consistent with his four policemen model. He adjusted the substance of U.S. post-war strategy so as to conform to elements of the public’s perception of a legitimate set of policies of engaging the Soviet Union and war-torn Europe.

121 George, On Foreign Policy: Unfinished Business, 30-42.
The essential point raised by this differentiation between spheres in establishing policy legitimacy is that separate criteria exist for elite and mass public legitimation. Much of the public opinion literature argues that the public is often ill-equipped to make sophisticated judgments on the efficacy of competing foreign policy approaches (the cognitive criterion). Yet while the public may lack the tools and information necessary to judge the feasibility of a set of strategies in achieving the national interest, it does make judgments on the desirability of policy, a judgment that carries weight in the policymaking process.

*The Stability of Public Opinion*

The question remains, however, whether public opinion is sufficiently stable to provide a valid basis for determining consistent trends in beliefs about legitimacy. It is frequently argued that the public voice is erratic and unreliable, since opinion scores fluctuate dramatically depending on such intangibles as the phrasing of survey questions and proximate media coverage. But the fact that different legitimacy standards are utilized by the elites and the mass public is helpful in answering this question.

It is the very nature of the public privileging the normative component when making legitimacy judgments that explains the stability of public perceptions of legitimacy. Public opinion is relatively stable on key issues when opinion is formed on the basis of broad perceptions of personal values derived from the national experience. As discussed above,

George identifies this as the normative criterion of legitimation, to which the public is particularly susceptible. To increase the possibilities that the United States would engage in an internationalist foreign policy, for example, “Roosevelt invoked the nation’s traditional idealist impulses and principles.”

While public opinion does exhibit some volatility, there is underlying stability in core principles and values. It is the normative component of legitimacy, in other words, that is most resistant to change. Consideration of how to achieve objectives (the cognitive component) is subject to change depending on contextual circumstances, but the normative foundation on which policies are constructed are relatively secure. Since the mass public is associated with the normative criterion described by George, and the normative component of legitimacy is relatively stable, the public is an appropriate subject to study the stability of legitimacy claims and its effects on international outcomes.

In their work on public opinion and foreign policy, Benjamin Page and Marshall Bouton find that “The evidence indicates that... collective public opinion about foreign policy is not inconsistent, capricious, fluctuating, or unreasonable.” While factual content is often lost on the public, their foreign policy preferences often are “embedded in purpose belief systems,” in which needs, values, and beliefs work together in an instrumental way, thus connecting means to ends. These preferences are drawn from personal value and belief structures that individuals hold.

---

Two additional mechanisms identified by Page and Bouton that contribute to the stability of public opinion are “collective deliberation,” in which the public jointly observes, digests, learns from, and distributes new political information, and “statistical aggregation,” in which opinion trends toward some statistical mean position. This logic suggests that the larger the sample, the more defined (and more stable) this average view.  

Similar to the public opinion literature cited here, much of the literature on voting behavior confirms the view that public opinion is sufficiently stable and coherent to provide a reliable indicator from which conclusions of public perceptions of legitimacy can be drawn. There is an active debate as to whether the public is sufficiently informed to responsibility participate in an electoral democracy. In other words, if the public is uninformed, can democracy function to effectively serve the common good? The concept that links these two questions together is the reliability of the public voice.

There is some agreement in the voting behavior literature that the public is generally ignorant of the issues before them in the ballot booth. The conventional wisdom repeated by the press every election cycle is that the public is ill informed, which degrades the democratic process. Prior to the 2004 election, a story in The New Yorker covered the academic literature on voting behavior and reiterated the view that the public cannot possibly make a responsible decision on Election Day because they simply do not retain important details on which voting behavior is supposed to be based. The article ended with what the author called the “most optimistic” perspective—that is, Samuel Popkin’s view advanced in The Reasoning Voter that voters develop voting heuristics on which they base

125 Ibid., 23-24.
their voting decisions. In Popkin’s reading, the voters are not voting blindly, but their behavior is based on loosely formulated shortcuts that aide in voting decisions.

Yet while there is general consensus in the academy that people do not retain campaign or issue details once they are in the voting booth, a considerable amount of energy has been expended on the question, “Does general public ignorance of the issues degrade electoral behavior?” Much of the recent literature suggests that it does not.

V.O. Key issued his oft-cited admonition, “The voters are not fools,” in 1966. Since that time, a number of important findings confirm Key’s assertion. John Zaller suggests that, similar to Popkin’s findings, voters form “considerations” that help guide political behavior. Elite messages combine with general awareness and the actor’s value system to form these “top of the head” considerations. People carry multiple considerations around with them at any given time, and the commingling of these considerations informs political behavior. Particularly important in the formation of considerations, Zaller finds, is the awareness and value base. This suggests that elite messages, such as media stories and campaign advertisements, have a relatively nominal effect in prompting behavior. This is consistent with the finding that the public doesn’t retain campaign messages, but inconsistent with the conclusion that they are therefore ignorant overall, and thus blind voters.

Benjamin Page and Robert Shapiro suggest that there is a “stability of aggregate-level opinion”, and that while tests indicate poor recall, overall opinion is not erratic. Milton Lodge, Marco Steenbergen, and Shawn Brau similarly conclude that voters form “summary affective evaluations” that inform voting behavior. Voters, in this view, exhibit “bounded rationality” in their on-line model, which departs from the conclusion that voters cannot make good decisions because they perform poorly in memory-recall tests. Richard Lau, Lee Siegelman, Caroline Heldman, and Paul Babbitt find that even negative campaigns are no more effective and no more likely to damage to the political system than positive campaign ads (although they found that voters do not like negative ads), suggesting that voters can sort out the differences between campaign message style and message content.

In short, evidence suggests that voters do seem to have poor recall of campaign information and the specific political issues at stake, but are not necessarily voting blindly. This is an important distinction and challenges the elitist perspective that often dominates the commentary on voting behavior. We should be similarly skeptical of claims that because poll results suggest volatility of public opinion, the public cannot be trusted to serve as a reliable guide in foreign policy construction. Such an assertion often forms the pretense of structural arguments that suggest that domestic politics do not deserve serious consideration in causal explanations.

Public Opinion and the Constitutionalism Norm

Returning to the subject of foreign policymaking, according to data from recent studies conducted by the Chicago Council on Foreign Relations, the U.S. public consistently expressed stronger support than foreign policy elites for multilateral conduct of foreign policy, strong alliances, abiding by treaty commitments, and reinforcing the UN system.\(^{132}\)

Corroborating this finding, in extensive mining of public opinion data, Page and Bouton find that several positions exist in opinions on foreign policy on which large numbers of the public agree. At the risk of distorting or diluting their argument by distilling their entire book into a few sentences, themes that they uncover are consistent with the constitutionalism norm and self-restraint with respect to the use of force. These points of widespread agreement include public support for cooperative and multilateral foreign policy approaches, participation in international agreements, strengthening the United Nations, engaging NATO and alliance structures in general, and intensification of diplomatic strategies over the impulsive use of force. Page and Bouton go so far as to suggest that, “the pattern of strong, widespread public support for international organizations, multilateral agreements and actions, and collective international decision making suggests that most Americans are… ‘neoliberals’.”\(^{133}\)

These findings of the stability of public opinion, the prominence of the constitutionalism norm broadly defined, and the presumption that public opinion shapes


elite behavior should enhance one’s confidence in the resilience of Ikenberry’s institutional bargain, but in ways that the structural rationalist explanation cannot account for. In other words, the bargain may hold irrespective of the potential of erratic behavior of certain elites, a condition that Ikenberry suggests would undermine his theory.134

Public opinion, like voting behavior, is a reflection of the public voice, a voice that is sufficiently stable and coherent to be taken seriously by the policymaking elite. Significant evidence exists that the inherent consistency and normative structure of public opinion provide a reliable basis for evaluating trends in the public mood and perceptions of legitimacy.

The Public-Elite Axis

This extended discussion of the stability and normative content of public opinion is intended to explore the broader and more fundamental question of the extent to which public opinion shapes foreign policy behavior. If we conclude that the influence of domestic politics is insignificant, we can eliminate two pathways by which legitimacy norms constrain U.S. authority. In the first path, international publics constrain their respective political elites from consenting to U.S. demands. In the second path, the U.S. public imposes constraints on U.S. elites, which reduces policy innovation and diminishes U.S. influence abroad. This second path may be activated either by deeply held normative beliefs

134 The impact of public opinion on elite behavior is of course muted by certain institutional constraints of constitutional governance. There is not, in other words, a direct correspondence between the intensity of public opinion and executive responsiveness. For example, President Bush, despite the high public negatives he currently is facing, still retains considerable power to defeat legislation given the high burden of 66 U.S. Senators required to overcome a presidential veto.
of the U.S. public or by the reverberation of norms between the peripheral states and the U.S. public, in which the U.S. public responds to persistent claims of illegitimacy abroad and constraints U.S. elites accordingly. The logic of these pathways will be examined below. A brief survey of the literature, however, provides some evidence that the public voice cannot be eliminated from policy decisions.

The recognition of a public-elite nexus and the argument that the public voice influences foreign policymaking has made a resurgence in the literature over the past two decades. The work of Walter Lippmann, for example, was notoriously elitist, suggesting that mass public opinion was ill informed and “a dangerous master of decision when the stakes are life and death.” A member of the political science academy, Gabriel Almond declared in 1956, “For persons responsible for the making of security policy these mood impacts of the public have a highly irrational effect.”

Ole Holsti coined this conventional wisdom as the “Lippmann-Almond consensus,” and systematically dismantled the assumptions supporting the view that the public has an insignificant role in policy formation. In reviewing the literature, Holsti found that the evidence did not support the claim that public opinion was excessively volatile or poorly structured to influence policy. He also found in a review of case studies in which the opinion-policy link was hypothesized that the influence of public opinion seems to have


137 Holsti, “Public Opinion and Foreign Policy: Challenges to the Almond-Lippmann Consensus Mershon Series: Research Programs and Debates.”
increased over the previous decades, challenging the parsimony of structural theorizing. In effect, Holsti’s finding suggests not only that the exclusion of public opinion misses important elements of the causal story, but that the strength of the public’s role may be increasing with time. It is beyond the scope of this project to examine the forces contributing in this trend across time, but it is incontestable that a growing body of evidence suggests that public opinion influences the policy process in consequential ways.

In their work examining the relationship between public opinion and political behavior, Benjamin Page and Robert Shapiro find substantial congruence between opinion and policy outcomes. This congruence is particularly pronounced when opinion changes are large and reveal a consistent trend, and the issue in question is familiar or salient to the public. Furthermore, they find little difference between domestic and foreign policy issues. To reach their findings, they employ a strategy of observing the “temporal asymmetries” between opinion change and policy change to identify the direction of the causal arrow (from opinion to policy) and conclude that in a high percentage of observed cases, opinion changes did affect policy. “Opinion changes are important causes of policy change. When Americans’ policy preferences shift, it is likely that congruent changes in policy will follow.”

---


Added to this growing literature, Matthew Baum argues in his work on presidential decision-making, public opinion, and the use of force, that an attentive public (to which issues are demonstrably salient) can inhibit a president from pursuing risky policy options including the use of force, and that presidents are highly sensitive to public scrutiny and adjust policy behavior accordingly under certain circumstances. Baum’s research suggests that the constraining effects of public opinion are particularly acute when presidents are not highly confident of success or critical national security issues are not at stake.

Douglas Foyle announces a “revisionist literature” that has posed an increasingly robust challenge to the realist consensus of the irrelevance of public opinion that dominated the post Second World War literature. Matthew Baum cites “a virtual mountain of scholarly research” clearly indicating that public approval influences presidential decision-making. Although Foyle introduces elite beliefs on the desirability and necessity of public influences on the policy process as a mediating variable, he does not dispute the underlying contention that the public voice shapes policy outcomes under certain conditions. Lawrence Jacobs and Benjamin Page disaggregate the elements of non-governmental sources that impact U.S. foreign policy, finding that business leaders disproportionately influence policy outcomes. While they find a “muted” level of mass public influence, their findings

fundamentally challenge the view that elite decision-making is unaffected by outside interest groups.  

In the popular press, Daniel Yankelovich writes that on many foreign policy issues, public opinion is excessively mixed to decisively influence elite behavior in the policymaking process. On a few issues, however, Yankelovich presents data that suggests that public opinion gains sufficient momentum to constrain policymakers. Echoing Page and Shapiro’s earlier findings of the importance of the magnitude of public opinion, he writes, “Public opinion reaches the tipping point when a significant majority of the population feels strongly that the government can and should do something about a given issue.” Of all the foreign policy issues surveyed in the recent Confidence in U.S. Foreign Policy Index, Yankelovich finds that only three issues are proximate to this tipping point. One of these issues reflects the deep public concern about U.S. relations with other countries and discontent that military solutions are displacing effective diplomacy. According to poll results, 64 percent of the public believes that U.S. policymakers should be placing greater emphasis on diplomacy than on military force.

**Metrics of Policy Legitimacy**

We turn now to the very basic challenge of ascertaining when legitimacy is attained. There are an extensive number of vacuous claims in circulation that a given policy is

---

147 Ibid.: 16.
legitimate without supporting evidence. The first question to be resolved is: legitimacy according to whom?

There has been a substantial volume of work focused on the sources of legitimacy. There has also been a series of assertions of the dubiousness of legitimacy of U.S. policy in the Bush Administration. A dearth of work exists, however, that examines precisely who is perceiving a set of policies and making legitimacy claims. At its core, legitimacy is a perceptual matter. How one evaluates whether a set of policies is "legitimate" must assume an audience, but too often the discussion of legitimacy is divorced from the observer. For the social scientist, the question of the legitimacy of the NATO bombing of Kosovo and Serbia, the U.S. invasion of Iraq, or the broader execution of the war on terror cannot be declared in the abstract without the prior consideration of whose perception it is with which we are concerned. Ultimately, given the positivist agenda advanced here that challenges legitimacy's intrinsic qualities, the claim of legitimacy must be corroborated in reference to a target agent.

The second challenge is establishing a reliable method of evaluating a legitimacy claim against some evidence. This demands the determination of a set of reliable metrics and the identification of a class of perceivers relevant to this study. When we indicate that a policy is perceived as legitimate with a given population, we infer that the policy is consistent with the legal and societal values that constitute the legitimacy standard and acceptable to a majority of that audience. As discussed above, absolute uniformity is too strict a standard. Furthermore, the precise constellation of the legitimacy norms that generate consensus is not at issue. Legitimacy is indicated by a majority of popular support for the policy in question.
As Mark Suchman writes, legitimacy is “a generalized perception or assumption that the actions of an entity are desirable, proper, and appropriate within some socially constructed system of norms, values, beliefs, and definitions.”\(^{148}\) Christian Reus-Smit picks up this definition, arguing that “legitimacy is inextricably dependent upon social perception and recognition.”\(^{149}\) The essence of legitimate behavior is the social recognition that the behavior is rightful.\(^{150}\)

While Alexander George expands upon domestic policy legitimacy and helpfully deepens the existing knowledge of how the concept can impact foreign policy behavior, George leaves no roadmap of how researches can accurately identify how to ascertain those domestic norms that are in effect in affecting policy legitimacy.\(^{151}\) He merely states that the U.S. public was increasingly internationalist after the United States entered the Second World War and that there was a strong sentiment in favor of self-determination and independence. George also asserts without evidence that increasing frustration with Nixon’s policy of détente was driven by public perceptions of excessive conciliation and nefarious Soviet intentions. Absent are the metrics he used to evaluate these uncontroversial but nonetheless untested claims.

As argued above, legitimacy standards are the result of a social and political process, “and hence indeterminate,” as Clark has asserted. Legitimacy standards are under steady


\(^{149}\) Reus-Smit, "International Crises of Legitimacy," 159.

\(^{150}\) Ibid.: 160.

\(^{151}\) George, "Domestic Constraints on Regime Change in U.S. Foreign Policy: The Need for Policy Legitimacy."
revision across time. Yet, “To ask whether a particular international action is legitimate… is to ask a factual question about how it is regarded by the members of international society.” At discrete moments, legitimacy determinations can be made. Clark writes that the norms of legality, morality, and constitutionality interact to determine the legitimacy of a given action. “Legitimacy, however, is more than the sum of their total, as it incorporates the element of political accommodation amongst their competing pulls. This accommodation is voiced through degrees of consensus.”

In short, discerning the legitimacy of a policy demands an assessment of the public will. As discussed above, legitimacy is a perceptual concept supported by objective standards. That is, legitimacy is premised on the objective criteria of legality and morality, but filtered through the subjective medium of societal discourse. Assessing a policy’s legitimacy depends not on an evaluation of its legal and moral basis (the task of political philosophy), but rather on the degree of public receptivity that the policy enjoys. As Tilo Schabert writes, political legitimacy is “not the truth of the philosopher, but the belief of the people.”

Thus, as has been foreshadowed, public opinion is central to this determination of domestic policy legitimacy. The role of the public voice is distinctively absent from most influential works that address legitimacy and legitimation, from Ian Clark’s explanation of the operation of legitimacy in reinforcing the sinews of international society, to the divergent

152 Clark, Legitimacy in International Society, 255.
153 Ibid., 254.
154 Ibid., 226.
structural rationalist views of Stephen Walt and John Ikenberry. Yet it is the public will that activates legitimacy's effects at the micro level, which is then observed at the macro level of inter-state relations.

In addition to public opinion data serving as a metric for the strength of the public’s regard for the legitimacy norm of adhering to constitutional constraints, elite rhetoric will serve as a metric for the prominence of this legitimacy standard in the elite-level policy deliberations. As discussed above, elite espousal of political rhetoric consistent with this norm both generates public support and narrows the boundaries of political behavior in which policymakers can tolerably operate. Constitutional rhetoric by elites serves both to strengthen public consent and foreclose extra-constitutional options. For the purposes of this research, it is less important whether the elites actually believe the legitimacy of constitutional constraints on foreign policy. The important thing is that elites recognize that the public believes that these constraints should be in place, and thus access this legitimacy norm to strengthen political support. Irrespective of political leaders’ belief in this particular norm, the degree to which elites utilize normative structures which they know to be popular with the public for strategic gain (with other states or their own public) is a measure of the extent to which policymakers perceive that this legitimacy norm is embedded in the public’s normative framework and a fair test of the impact of this norm on the flow of international politics. Uses of norms that are unpopular with the public, on the other hand, likely

---

represent either ignorance of public views or efforts to bring the public around to beliefs that the public official actually holds.

Policy Legitimacy and Hegemonic Authority

*The state is not force alone. It depends upon the credulity of man quite as much as upon his docility. Its aim is not merely to make him obey, but also to make him want to obey.*

H.L. Mencken

If we accept that the public broadly perceives the constitutionalism norm to be a legitimacy standard for foreign policy conduct and that public opinion is sufficiently stable and coherent to affect elite behavior, what are the implications for U.S. authority?

*Domestic Policy Legitimacy*

As mentioned briefly above, I argue that a causal pathway that channel public perceptions of the conformity of U.S. policy with constitutional norms in ways that affect U.S. authority levels. Demonstration of U.S. domestic constraints on U.S. elite behavior establishes a sound theoretical foundation for the argument that international domestic publics constrain their elites along normative lines in ways that directly affect U.S. authority levels. If the domestic public constrains elites consistent with normative concerns in the United States, it is reasonable to conclude that a similar mechanism allows European publics in democratic states to influence their elites in the secondary states sampled in this study. As a result, this logic suggests that a critical assessment of the conformity of U.S. policy with the

---

constitutional norm on the part of the domestic public in a given European ally can trigger a public reaction that is sufficient to pressure their national government to resist U.S. authority. This dynamic is tested in this study.

In his discussion of the end of the Cold War, John Mueller argues that the outcome resulted from “a domestically determined clash of ideas, and its demise principally resulted from an important change in those ideas, not from a major change in the international distribution of capabilities.”\(^{158}\) In both the domestic and international domains, the study of public opinion will open up the degree to which ideational factors impede the United States from exerting its will in international politics. In both domains, normative factors place a decisive role in shaping international outcomes in ways that models incorporating purely material factors cannot explain.

*International Policy Legitimacy and the Two-Level Game*

Secondary-state elite resistance of U.S. authority is the remaining dynamic to be explored—and the conduit by which international public opinion degrades U.S. authority. Authority decline ultimately reflects elite behavior, as it is elites who control the governing structures. The only way for public opinion to impact international politics is to be made manifest in elite decision-making.

The relationship between domestic politics and international negotiations directly relates to the literature that addresses the complexities of the two-level game. Robert Putnam prominently addressed the two-level game phenomenon in his work on diplomacy

and domestic politics and produced the paradoxical finding that smaller win sets at home (characteristic of low approval ratings) produces increased leverage in securing agreements abroad. This result suggests that, unless a president is so weak that he cannot deliver results at either level or if domestic opinion is configured such that there is no overlap in the U.S. and the other states' win sets, the weaker a president is domestically, the greater his ability to exert influence abroad at the international bargaining table.

Putnam’s theoretical contribution to linkages between domestic and international bargaining was critical in advancing a corpus of work on the interaction between domestic politics and international negotiations. It is necessary, therefore, to explain why a simple reading of one of Putnam’s conclusions, expressed above, departs from the thesis of this dissertation. The thrust of my argument is that reduced presidential domestic political capital adversely affects U.S. efforts to establish effective leadership of its allies. Allies may fear “involuntary defection” if the U.S. president is overruled by Congress (a proxy for public opinion) at the domestic level. Generally, in stag hunt-type collective action problems, if secondary states believe that U.S. might (voluntarily or involuntarily) defect, they will be inclined to defect as well. The reasons domestic political weakness degrades U.S. influence will be probed in this manuscript. While Putnam’s findings specifically apply to an arrangement of circumstances related to international deal-making, they do not hold in the case of decision-makers’ efforts to enhance international leadership capacity in U.S. efforts to obtain concessions from allies in the multilateral application of coercive force.

Putnam addressed a specific literature related to international bargaining in which co-equal parties seek negotiated solutions that simultaneously satisfy international "adversaries" and domestic audiences. In this context, according to Putnam, a constricted domestic win-set reduces the range of solutions negotiated at the international level that are acceptable at the domestic level. This increases the leverage of a negotiator, because he or she can justifiably testify to his negotiating partners of limited saleable options at home. Conversely, "the larger the perceived win-set of a negotiator, the more he can be 'pushed around' by the other (international) negotiators." This logic suggests that a statesman’s leverage is reduced on the international scene as his domestic popularity increases.

While a "win-set"—the range of acceptable negotiated outcomes—is analogous to the range of permissible behavior constructed by standards of legitimacy, Putnam’s conclusion is based on a dynamic that is dissimilar from what I am explaining. Bargaining processes are attempts to reach mutually satisfying solutions to mutual problems. Models designed to describe and explain such processes, however, are ill-suited to the nature of hegemonic authority that is at the core of this project. Leadership processes described in this paper are command-response dynamics between parties of unequal (de facto) status. Negotiations described by Putnam, on the other hand, are interactions between co-equals.

Furthermore, Putnam supplies another conclusion in his discussion that contradicts his reported correlation between constricted win-sets and increased international bargaining leverage. Given that other states’ negotiators want a solution that they can offer to their domestic audiences, "America’s negotiating partners have reason for concern whenever the

---

160 Ibid.: 440.
American president is domestically weakened.” There can also be a tipping point in which a president is so weak or domestic and international interests so divergent that no bargain is possible. This suggests that bargaining adversaries prefer larger domestic win-sets over small ones. Furthermore, Putnam suggests that a negotiator’s enhanced credibility with a domestic audience increases his leverage at the international bargaining table, since he has demonstrated an ability to secure an agreement at home. These conclusions are consistent with my argument that enhanced domestic political capital improves national leadership capacity on the international stage.

Fritz Mayer builds on Putnam’s work by arguing that the reaction of negotiators at the international level to constricted win sets depends on the nature of the game in which states are engaged. Although both Putnam and Mayer address the interaction of domestic and international politics in the specific context of international negotiations, Mayer’s work is relevant to the reverberation of norms phenomenon at the center of this study.

Putnam contends that domestic constraints reduces a state’s win-set, a condition that negotiators find useful since it enhances their leverage at the international level. Mayer argues that in fact the extent to which domestic constraints are useful depends on whether joint gains are possible—in other words, on whether the size of the pie is fixed or expandable. “When the international negotiation is variable-sum and involves great potential for realizing joint gains and little opportunity for claiming competitive advantage, unresolved domestic factional conflict may be wholly unproductive and may prevent nations from

\[161\] Ibid: 452.
cooperating for mutual benefit.” 162 Mayer’s finding suggests another reason why domestic weakness may diminish rather than improve leverage at the international level, as Putnam argues.

Introducing Hegemonic Authority

Advancing the theoretical argument that these two pathways channel public perceptions of policy legitimacy to actuate corresponding levels of hegemonic authority demands an extended discussion of hegemonic authority, the dependent variable of this project. I introduce the concept briefly here, and will present a more extensive discussion of hegemonic authority and its relationship to perceptions of legitimacy in the following chapter.

The essence of authority is the ability to obtain compliance without the exercise of coercive measures. It is its non-coercive character that distinguishes authority from power. This conception of consent is consistent with Robert Keohane’s definition of leadership articulated in his landmark work After Hegemony. Hegemonic authority is anchored in goods provisions as well as controlling influence, combining “paternalistic redistribution and authoritative control”. 163 Authority is exercised and consent granted if a state non-coercively induces other states to consciously adjust their behavior.

163 Keohane, After Hegemony: Cooperation and Discord in the World Political Economy, 136, fn 1. Here I am substituting the term “authority” for “leadership”, as authority is generally regarded as more acceptable in the political science literature.
Authority is a preferred means of control by hegemonic states, given the efficiency of regulating the international system relative to coercive strategies. Coercion is costly for powerful states as the imposition of political objectives on weaker states requires the expenditure of substantial resources. As a result, there are powerful incentives for hegemonic states to seek authority relationships in order to enhance the hegemon’s position. In short, as Hurd argues, “Strong actors prefer to exercise social control through the use of legitimate institutions than through direct coercion because it generally carries lower social costs.”

David Easton emphasizes the high costs both of coercion and of self-interest, writing,

… where acceptance of outputs as binding must depend on force, the social costs are high… where they depend largely and continuously upon expediency, the unavoidable indeterminacy of the effectiveness of each output can be indefinitely tolerated only by systems in which the pace of life is slow, change is infrequent, and the functional interdependence is weak.

The current international system exhibits a quickening pace, dramatic change, and deep interdependence. The currency of hegemonic authority and the means of control are not static and require analytical updating. Remaining, then, is the requirement to connect measures of authority with considerations of legitimacy and assess the functional asset that legitimacy-infused rule provides to hegemonic states. This project focuses on secondary state consent and attempts to isolate the effect of public perceptions of international legitimacy on hegemonic authority. Included in this discussion are the elements of alliance

---

cohesion, the contours of international legitimacy, and the link between public levels of support and decisions of governing elites.

The next chapter takes up this task, presenting a more expansive consideration of hegemonic authority and an exploration of the benefits of adhering to legitimacy standards—and the costs of ignoring them.
Chapter 3

THE POLITICS OF HEGEMONIC AUTHORITY

There was not one more river to cross but countless problems stretching into the future... Americans must reconcile themselves to limited objectives and work in Congress with others, for an essential part of American power was the ability to evoke support from others—an ability quite as important as the capacity to compel.

Dean Acheson, Naval War College, August 1951

As discussed in the last chapter, the legitimacy scholarship has been dominated by the assumption that legitimacy is infused with agent identity and compels habitual behavior. By inference, such a conception of legitimacy would suggest that the existence of a legitimacy-authority relationship is flawed, given the absence of a relationship between legitimacy norms and agent choice.

I critique this literature in the previous chapter for its inability to provide an explanation of the strategic use of legitimacy norms. It is resurrected here, however, for another purpose. This legitimacy-as-habit literature is effective in positioning legitimacy as a promoter of acceptable behavior. While such a conception of legitimacy may complicate efforts to evaluate the consideration of legitimacy norms by policymakers of strong states engaged in constructing foreign policy, from the perspective of secondary states it is largely irrelevant whether legitimacy norms are followed habitually or adhered to for strategic reasons. For this project, which probes the rationale of decisions of secondary states to consent to or dissent from U.S. requests, the motivation of the primary state being evaluated is not at issue.
Ian Clark’s conception of legitimacy forming the sinews of international society, for example, implies that illegitimate behavior and normative aberrance would not just disrupt the international society of states, but invalidate it.\textsuperscript{166} Yet foreign policy behavior is still evaluated for its consistency with legitimacy norms. Clark writes, “The core principles of legitimacy articulate a willingness to be bound, both to certain conceptions of rightful membership of society, and to certain conceptions of rightful conduct within it.”\textsuperscript{167} Thomas Franck’s suggestion that legitimacy norms are “rules which are habitually obeyed in international relations” may incapacitate the investigation of the degree to which policy elites consider legitimacy norms in the application of policy, but such a conception of legitimacy has little effect on the exploration of how secondary states place demands on hegemonic states perceived as violating legitimacy standards.\textsuperscript{168}

In at least one respect my objective is less ambitious than Clark’s. He aims to document the centrality of shared legitimacy norms for the existence of international society, and identifies the shared perception of being “bound” by legitimacy standards as constituting the very essence of what is meant by a society of states. In this study, however, I assume the existence of a community (the transatlantic community) in which shared norms exist. The purpose here is to evaluate the costs incurred by the lead state when it departs from those shared norms—in particular the norms that regulate the permissible use of force.

John Ikenberry and Charles Kupchan write that “the process of socialization can lead to outcomes that are not explicable simply in terms of the exercise of coercive power…

\textsuperscript{166} Clark, \textit{Legitimacy in International Society}, 24.
\textsuperscript{167} Ibid., 19-25.
\textsuperscript{168} Franck, \textit{The Power of Legitimacy among Nations}, 20.
socialization leads to the legitimation of hegemonic power in a way that allows international order to be maintained without the constant threat of coercion.” Yet Ikenberry and Kupchan express uncertainty regarding the conditions under which socialization effects are insufficiently robust for the hegemon to maintain primacy.

Whether legitimacy standards are adopted and habituated as a result of socialization processes suggested by Ikenberry and Kupchan or as a result of calculated self-interest, the focus of this study is the potential feedback effects due to perceived illegitimacy in the form of constraints applied by secondary states. Legitimacy constructs a range of acceptable behavior. In determining the extent to which the legitimacy-authority relationship is valid, the purpose here is to evaluate the authority costs that the hegemon encounters when its behavior consistently falls outside that range. The focus here is not on the origin of accepted legitimacy norms, but rather on the costs of violating those norms once the ideological structure is in place.

The metaphor of presidential political capital

Bush’s approval ratings are now at the lowest point in his presidency, paralyzing many legislative efforts and causing some once-loyal Republicans to back away from him politically.169

This chapter begins with a metaphor. Presidential political capital is amassed and expended as a function of public support and correlates with presidential influence. Correspondingly, this relationship serves as a useful model for understanding the authority-legitimacy concept. The dynamic by which public support—a measure of perceived

---

legitimacy—affects executive effectiveness is common in news accounts, political analyses, and off-handed punditry.

While the familiarity of this dynamic is a useful metaphor to illustrate the operation of legitimacy in international politics, however, a discussion of presidential political capital serves two additional functions. First, the relationship provides a useful means of distinguishing between formal and informal sources of influence, which helps to clarify the role that ideational influences in the form of public perception have on authority levels. Second, a description of the relationship between the public and executive influence helps to establish one causal pathway by which international public opinion, by constraining international elite behavior as well as affecting U.S. domestic opinion, translates to diminished U.S. authority. This pathway will be considered in greater detail in the conclusion of this chapter.

_Presidential Authority: Formal and Informal Powers_

The U.S. Constitution grants the president certain structural powers that can only be altered by the belabored (and rare) process of constitutional amendment. These sources of influence are the formal powers enjoyed by all presidents across time. Yet the president also enjoys influence as a result of the informal or non-structural perception of legitimacy of administration policy. Examining the relative weight of structural and ideational variables and presenting evidence of the effect of the perception of legitimacy on presidential authority levels demonstrates one particular way in which legitimacy exerts itself in political life.
Legitimacy can function as a resource for policymakers in need of additional influence that public support provides. In the domestic context, policy legitimacy generates a reservoir of support that stabilizes the executive’s relationship with the public. Alexander George writes that a principal value of policy legitimacy is that the president’s daily actions are “less vulnerable to the many pressures and constraints the various manifestations of ‘democratic control’ would otherwise impose on his ability to pursue that policy in a coherent, consistent manner.” The absence of legitimacy and the corresponding political consensus it delivers requires the president to engage in ad hoc consensus building, making it “virtually impossible for the president to conduct a long-range foreign policy in a coherent, effective manner.”\(^{170}\)

According to this formulation, the perceptual variable of perceived legitimacy serves as a resource that directly affects presidential influence. The official legal powers of the president are not diminished by perceptions of illegitimacy of an administration’s policies, yet a president’s influence is enhanced or impaired as a result of this non-structural variable of policy legitimacy.

Stephen Skowronek’s work on presidential influence suggests that the institutional structure of time and the corresponding modulation of authority coupled with shifting legitimacy norms constrain presidential effectiveness. He posits that certain historical patterns provide greater or lesser influence to individual presidents, and that for the

\(^{170}\) George, "Domestic Constraints on Regime Change in U.S. Foreign Policy: The Need for Policy Legitimacy."
president to enjoy significant presidential leverage, the public must grant the authority to repudiate the old order in his exercise of power.\footnote{Stephen Skowronek, \textit{The Politics Presidents Make: Leadership from John Adams to George Bush} (Cambridge, Mass.: Belknap Press, 1993), 27-29.}

Skowronek argues that compliance based on authority results from public perceptions that the president’s request is “appropriate” in a given context. “A president’s authority hinges on the warrants that can be drawn from the moment at hand to justify action and secure the legitimacy of the changes affected.”\footnote{Ibid., 18.} He suggests that in order to exercise power, a president must be granted the authority to challenge conventional practice. Whereas Richard Neustadt tracks the influence of public support on presidential influence, Skowronek offers a contextual variable that influences presidential authority—certain configurations of events grant the president latitude in which to operate. Critical historical junctures impact presidential authority levels, such as the deepening of the Great Depression in the early 1930s that granted Franklin Roosevelt authority to embark on the New Deal policies upon entering office in 1933. Oil shocks and the hostage crisis in Iran late in President Carter’s administration gave a substantial lift to President Reagan’s level of authority with the public when he entered office. The late-term recession under George H.W. Bush gave maneuver room to President Clinton to contend with international trade and broader economic issues as he took office in 1993.

The time-authority relationship is one reason, Skowronek suggests, that strong presidents have historically followed weak ones. In the twentieth century, the pairs of McKinley-Theodore Roosevelt, Hoover-Franklin Roosevelt, and Carter-Reagan all follow

\footnotesize
\begin{itemize}
  \item \footnote{Stephen Skowronek, \textit{The Politics Presidents Make: Leadership from John Adams to George Bush} (Cambridge, Mass.: Belknap Press, 1993), 27-29.}
  \item \footnote{Ibid., 18.}
\end{itemize}
this trend. This same logic provides an explanation for how September 11 sufficiently shocked the American public that it granted President Bush the authority to radically depart from the traditional norms guiding U.S. foreign policy, just as the public accepted presidential authority to restrict civil liberties in past crises and wars. The public granted authority to a president in accordance with the legitimacy of each president’s claim. In this rendering, legitimacy is time-bound, oscillating with the variable of historical context as opposed to remaining static and rigidly conforming to some presumed intrinsic content.

The ability of the president to exert influence varies in accordance with such non-structural factors as political overreach and policy consistency with national values. By most accounts, by mid-2007, President Bush’s political capital was at a nadir in his Administration—as measured by low poll numbers and a recent surplus of examples of ineffective exercise of power—yet the structural factors of presidential constitutional authority are virtually unchanged.

Authority is affected by interjection of the intervening variable of historical circumstance and corresponding perceptions of legitimacy. Increasing fatalities and instability in Iraq, limited progress in advancing the Administration’s goal of social security privatization, the perception of an inept federal response to Hurricane Katrina, and a range of Republican ethical and legal difficulties all eroded President Bush’s ability to pursue his preferred policies. One might argue that the president’s low popularity is premised purely on calculations of personal self-interest by the public rather than normative opposition. Yet

---

173 President Lincoln’s decision to suspend habeas corpus during the Civil War and President Franklin Roosevelt’s acceptance of internment camps for Japanese Americans during the Second World War are now widely believed to be among these presidents’ most grievous errors of judgment, though these policies were widely accepted as necessary at the time.
most Americans do not feel the direct effects of the Iraq War or Hurricane Katrina, much less other factors leading to presidential unpopularity such as the maltreatment of prisoners at Guantanamo or U.S. diplomatic isolation abroad. A general sense that Bush Administration policies violate the spirit of American values provides much of the force behind the current wave of public opposition. This shift in legitimacy perceptions ultimately resulted in a profound shift in the political landscape, signaling an end of the Republican majorities in both chambers of Congress in the election of November 2006.

As President Bush’s political capital eroded, his ability to hold together the disparate parts of the Republican Party under his leadership correspondingly declined, such as his inability to ensure that a majority of Republican members of Congress passed an immigration bill in July 2007 into law, a bill that President Bush declared to be one of his three highest priorities following his reelection in 2004. The current intra-party debate over the Iraq policy between Republican members of Congress reflects the President’s inability to maintain party discipline over the Iraq war strategy.

Declining political authority encourages defection. American political analyst Norman Ornstein describes this dynamic, writing:

In a system where a President has limited formal power, perception matters. The reputation for success—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not.

174 Yankelovich, "Poll Positions."
Failure begets failure. In short, a president experiencing declining amounts of political capital has diminished capacity to advance his goals. As a result, political allies perceive a decreasing benefit in publicly tying themselves to the president and an increasing benefit in allying with alternative rising centers of authority.

This metaphor of presidential political capital and executive authority thus serves a dual purpose. This discussion demonstrates how an exclusive focus on the structural formal powers is insufficient to capture the breadth of sources affecting presidential authority. Executive authority also is affected by ideational resources in the form of public perceptions of legitimacy and past trends in a president’s record. In addition to evaluating policy for its strategic success, the public offers and rescinds its support in accordance with normative trends and historical patterns, which serves as an informal, non-structural, non-material source of presidential authority.

Second, in addition to demonstrating the relationship between perceived legitimacy and authority levels, the metaphor of presidential authority features the public-elite axis, which animates the dynamic of presidential influence—through presidential electoral constraints, the steady pressure on the executive branch to acquire public support, and the effect on the behavior of legislators—and is a key mechanism by which public evaluation of legitimacy translates to diminished U.S. authority. In other words, domestic and international public perceptions of legitimacy directly relates to international authority, the
dependent variable in this project. This causal pathway is discussed in detail following an interrogation of the concept of international authority.

Harnessing Authority

Where the powerful have to concentrate most of their efforts on maintaining order, they are less able to achieve other goals; their power is to that extent less effective… Without the legitimacy to demand sacrifices, the ruling party’s power over society became a largely negative one: able to control the population in the sense of preventing them doing what they wanted, but not in the sense of securing the cooperation necessary to the achievement of the government’s policies… Legitimacy is significant not only for the maintenance of order, but also for the degree of cooperation and quality of performance that the powerful can secure from the subordinate: it is important not only for whether they remain ‘in power’, but for what their power can be used to achieve… The effectiveness of the powerful, in other words, is not just a matter of resources and organization, as the ‘realists’ would contend, but also of their legitimacy.175

David Beetham

Inductively, as expressed by Beetham, the relationship between legitimacy norms and authority has already been advanced in the literature. The logic of the utility of authority derived from legitimate behavior as a resource for leading states is premised on the relative benefits of authority relationships over coercive ones.

Thomas Trout argues that the rationale of competing legitimation strategies in the Soviet and American standoff was that “the advantages are apparent. Legitimacy seems more ‘cost-effective’ than force, and, unlike force, it produces essential long-term support. Legitimation can then be viewed as the process of applying available resources of legitimacy in the orderly use of political power.”176

175 Beetham, The Legitimation of Power, 28-29.
Yet despite the logical sequence between perceptions of legitimacy and authority, researchers have insufficiently probed the mechanism by which legitimacy considerations affect authority levels. The legitimacy claim has been insufficiently paired with a claimant and an elitist perspective that discounts the role of the public voice is dominant in the literature. Furthermore, social scientists have not supplied the metrics of depleted authority necessary for more intensive treatment. The remainder of this chapter examines the contours of authority and provides a theoretical explanation of how perceptions of legitimacy affect authority levels.

Authority Defined

The dependent variable in this study is international authority. In its most basic sense, authority is the ability of a state to non-coercively generate consent from other states. The essence of authority is voluntary compliance.

The conception of authority advanced here is distinct from two dimensions of authority commonly invoked in the literature. One definition involves a positional conception of authority, suggesting that authority denotes a dominant-subordinate relationship between states. In the context of persistent commentary on the pending erosion of U.S. preeminence, a significant body of literature recently has emerged that examines authority in the context of the anarchy-hierarchy tension in international politics generally, and the position of peripheral states vis-à-vis the United States specifically.\(^{177}\) The definition

\(^{177}\) See, for example, Lake, "American Hegemony and the Future of East-West Relations.", David A. Lake, "Escape from the State of Nature: Authority and Hierarchy in World Politics," *International Security* 32, no. 1
of authority advanced in this emerging literature is decidedly positional, corresponding to a gradation of relative power and the resultant influence correspondingly exercised by strong states. Reflecting this positional conception of authority, David Lake writes, "Dominant states provide order and, in turn, make demands on other states; subordinate states benefit from the order and regard the commands of the dominant state necessary for that order as legitimate and, therefore, authoritative." 178

While this study evaluates the qualities of hegemonic authority, the focus is on the non-coercive aspect of the claim rather than the status of the claimant. In Lake’s positional view of authority, “Hierarchy exists when one actor possesses authority over a second.” 179 Yet Lake admits that in hierarchical relationships, commands might be incompletely followed and that a state may “issue commands regulating possible actions 1-5 but not on actions 6-n.” 180 In the behavioral conception of authority presented here, such a result reveals partial authority. The measure of authority utilized in this project is a behavioral measure, where a state non-coercively obtains consent from another state.

Lake’s observation that dominant states’ commands are “legitimate, and therefore, authoritative” draws attention to a second dimension of authority commonly advanced in the literature, that of “rightful rule.” 181 According to this definition, authority and legitimacy are coterminous, and authority structures are legitimate by definition. This claim can be traced to the work of Max Weber. As outlined in the chapter on legitimacy above, Weber

179 Ibid.
180 Ibid.
181 ———, "Escape from the State of Nature: Authority and Hierarchy in World Politics."
conceived of a tri-fold basis of legitimacy—*Tradition, Rationality, and Charisma*. The same three sources underpin Weber’s conception of authority, evidence of Weber’s perspective of the overlapping nature of authority structures and legitimacy. Citing Weber, Richard Sennett writes of “Authority as a belief in legitimacy, measured by voluntary compliance.”\(^\text{182}\) This particular approach that assumes authority to be inherently legitimate, Sennett writes, “has become immensely influential in modern social thought.”\(^\text{183}\)

Yet for the purposes of this project, this definition is problematic as it conflates cause and effect. The objective here is to isolate authority as non-coercive influence and generate insights on the factors that enhance authority and contribute to international leadership, which may result from legitimate policies as well as other factors. Conceptually fusing legitimacy with authority—the independent and dependent variables, respectively—raises the serious complication of endogeneity and confounds the investigation of the factors that contribute to hegemonic leadership.

The measure of authority employed here potentially results from a variety of factors in addition to the legitimacy of the command. Ian Hurd suggests that there are three currencies of power: coercion, self-interest, and legitimacy.\(^\text{184}\) While this project suggests that the barrier between self-interest and legitimacy is more permeable than Hurd suggests in his earlier writings and that these sources of control interact in specific ways, the distinction serves the useful purpose of emphasizing that legitimacy is not the exclusive means by which


\(^{183}\) Ibid.

\(^{184}\) Hurd, “Legitimacy and Authority in International Politics.”
authoritative control is established. In the definition of authority employed here, evidence of U.S. authority does not presume that U.S. policy is regarded as legitimate.

Empirically, several factors can be observed as enhancing international authority. In the case of the 2003 Iraq War, for example, diminished authority of the United States to gain broad allied agreement to join the invasion and occupation force may have resulted for multiple reasons, including traditional free-riding, and thus was “overdetermined”. In addition to the pressures felt by weak states in an environment of vast power asymmetries, economic interests, concern about regional instability, and a belief in the superiority of alternative strategic approaches to contain the threat of Saddam Hussein are alternative explanations for ally resistance that had little to do with normative legitimacy of U.S. policy. That is, a variety of factors besides the perceived illegitimacy of the invasion may explain the decisions of large numbers of secondary states to reject U.S. authority. The legitimacy of U.S. policy and U.S. authority were not coterminous.

In the anarchic international context, voluntary compliance is evidence of authority. The definition of authority employed here decidedly is neither positional nor necessarily legitimate, but is a behavioral measure that considers the level of compliance as a result of a non-coercive command. Mirroring Robert Dahl’s definition of power (A’s ability to get B to do something that B would not otherwise do), Kim Scheppele and Karol Soltan provide a classic definition of authority as A willing B to follow, and B voluntarily complying.186

Despite the complication of Weber’s move in conflating authority and legitimacy, Weber’s definition of authority is the core meaning utilized here: “authority produces voluntary compliance.”

Given this non-coercive aspect of authority, this research requires a brief academic treatment of the distinction between power and authority, and specifically a disaggregation of the effects of material and non-material factors in contributing to the strengthening of international influence. Substantial progress in the research agenda on normative factors that strengthen state influence has been generated by Joseph Nye and his work on soft power—the attractive or co-optive power that is derived from “getting others to want the outcomes that you want.” Consistent with the behavioral conception of authority outlined above, Nye suggests that a full consideration of power must move beyond the quantification of traditional power assets to include the effects of such assets in terms of influence. As with Nye’s “soft power,” international authority is non-coercive influence reinforced by non-material resources. Yet beyond this innovative conceptual move in separating hard and soft forms of power, Nye provides few metrics for evaluating empirically when soft power is exercised. This project intends to build on Nye’s insights of non-coercive influence.

Conceived in this way, authority is a subset of power. Power is the ability of a state to exert its will and exhibits coercive and non-coercive dimensions. Authority is the non-coercive form of power, generating compliance without the threat of force. This conception of consent is consistent with Robert Keohane’s definition of leadership articulated in his

---

187 Sennett, *Authority*, 32.

landmark work *After Hegemony*. Hegemonic leadership is anchored in goods provisions as well as controlling influence, combining “paternalistic redistribution and authoritative control.” Authority is exercised and consent granted if a state non-coercively induces other states to consciously adjust their behavior. And as David Lake writes, “Political authority is analytically distinct from coercion, but it is intimately bound up with (legitimate domination). Purely coercive relationships—as when a mugger demands ‘your money or your life’—are characterized by power, but they are not authoritative.”

In sum, authority is a behavioral measure indicated by consent to a state’s request. Authority is non-coercive influence, but is not necessarily regarded as legitimate. As defined here, authority also can result for reasons of immediate material self-interest, including the provision of goods or strategic convergence. Yet as discussed above, the literature has been deficient in providing a meaningful set of metrics for the concept of authority necessary to evaluate its status or enable an empirical investigation of the variables that contribute to its variance.

This project attempts to contribute to this sparse literature by providing such a set of metrics in the form of consent to U.S. requests in the context of the imminent use of force. To this end, one strategy for measuring authority is to develop a measure of its negative in the form of authority deficits. Such a strategy has the added benefit of facilitating the attempt to disentangle the variables that contribute to the presence of authority by examining the factors that contribute to depleted authority.

---

190 Lake, "Escape from the State of Nature: Authority and Hierarchy in World Politics."
Consequential vs. Inconsequential Resistance and the Limited Costs of Anti-Americanism

One way of conceiving of authority deficits is by observing the strength of international resistance to U.S. policy. Yet considerations of international resistance frequently are deficient in analytic sophistication and as formulated do not seem to carry significant costs that are worthy of consideration or deserving of policy adjustment by strong states.

One such formulation of international resistance is the popular account of how elevated levels of anti-Americanism undermine U.S. influence. To construct a coherent argument of how perceptions of U.S. illegitimacy deplete levels of U.S. authority, accounts of those forces that do not meaningfully account for U.S. authority deficits first must be deconstructed.

It is self evident that the United States’ image has been marred in recent years for its inclination toward unilateralism and, in John Ruggie’s artful term, exemptionalism. It is questionable, however, whether this has compromised the United States’ ability to achieve its interests. It is conceivable that anti-American rhetoric by elites is mostly “cheap talk” with few consequences for either the United States or its critics. As discussed above, tangible costs to U.S. influence are required in order for anti-Americanism to be coded as impairing U.S. authority. In fact, while considerable media attention has focused on the high intensity of public anti-Americanism emanating from outside the United States, there is little scholarly evidence that anti-Americanism has had a consequential effect on U.S. influence. Simply put, the claim that anti-Americanism translates directly to a reduction of authority does not
withstand close academic scrutiny. The causal mechanism is poorly mapped and the empirical evidence is inconclusive.

In their contribution to a recent edited volume on the effects of anti-Americanism, Peter Katzenstein and Robert Keohane evaluate the claim of whether anti-American opinion has consequential effects for the ability of the United States to persuade other countries to support U.S. policy on a range of issues. They find that “across-the-board effects, at a global level, are not observed… There is little evidence that anti-American opinion matters very much.”\(^{191}\)

Katzenstein and Keohane distinguish between opinion and bias, which they suggest have different effects on U.S. influence levels.\(^{192}\) They suggest that anti-American opinion, which currently runs at elevated levels, is highly volatile. Because opinion of the United States is malleable, they argue, it fails to have a systematic degrading effect on the United States’ ability to advance its interests with its allies. Anti-American bias, on the other hand, reflects an institutionalized disposition in opposition to the United States, and thus its policies.\(^{193}\) United States policymakers should be more concerned about bias than opinion, they argue, since opinion presumably is so easy to alter. In short, they present evidence that

---


\(^{193}\) Katzenstein and Keohane test the presence of bias by comparing a rank-ordered list of 20 countries in terms of net favorable opinion of the United States with a rank-ordered list of approval of U.S. relief efforts after the December 2004 Asian tsunami. They found a statistically significant correlation between the two lists, which they suggest indicates that bias exists, in that perceptions of the United States influenced the perceptions of the adequacy of U.S. relief efforts.
anti-American opinion is inconsequential for U.S. authority levels, whereas anti-American bias is theoretically consequential.

These findings may lead scholars to conclude that perceived illegitimacy, reflecting opinion as measured by public polls, has no consequential effect on U.S. authority. Katzenstein and Keohane’s edited volume does make a valuable contribution to the literature by providing an academic treatment of this conventional wisdom and helping to sort out the ways in which anti-Americanism does and does not affect U.S. influence. Yet their findings fail to undermine the central argument of this project because of their relatively narrow focus on the effects of “anti-Americanism”.

Katzenstein and Keohane’s purpose is evaluating anti-Americanism, so they do not intend to evaluate the effects of opposition to U.S. policies or evaluation of policy legitimacy. In fact, they argue correctly that opposition to U.S. policy and anti-Americanism are separate concepts altogether. As the authors note, many proud Americans who consider themselves pro-American have fiercely opposed U.S. policies in the past.

The central thesis in this project is that strong opposition to the normative character of U.S. policy does constrain U.S. policymakers in consequential ways. The claim that “anti-American opinion” has inconsequential effects on U.S. influence has no bearing on this core argument, since I am evaluating the effects of perceived illegitimacy of specific U.S. policies and not anti-Americanism in general.

In addition, by constraining effective anti-Americanism to bias, the authors set the bar too high on consequential opposition to U.S. policy. This handicaps their scholarship from accurately assessing the negative effects of foreign policy conduct strongly opposed by
large portions of the international community. The focus of this project is on the effects of perceived illegitimacy of U.S. policy on U.S. authority at fixed periods of time. Probing the effects of reputation and bias is a different mechanism and necessarily requires the consideration of longer time horizons, since by definition such evaluations can only be accomplished by assessing the resilience of opinion across time. The inquiry into the effects of bias covers much the same ground as the inquiry into reputation effects in international politics, admittedly an issue ripe for further exploration. Yet the effect of policy legitimacy and international domestic opposition to U.S. policy on authority levels is different territory than that of reputation effects and demands increased attention.

In sum, because Katzenstein and Keohane focus on anti-American opinion (rather than opposition to the character of U.S. policy) and anti-American bias (rather than short-run evaluations of legitimacy), their findings have little bearing on the central argument of this project.

I argue that in the first place, immediate consequential costs do in fact exist as a result of normative opposition to U.S. policy. If resistance renders minimal costs, behavior would exhibit a Hobbesian character in which state behavior is determined only by material capabilities and not adjusted as a result of the considerations of peripheral states. But such a world is not congruent with international realities and leading states do respond to high levels of opposition by weaker states. Turkey's refusal of access to Iraq's northern front to U.S. troops in 2003 is one such case. Other cases of resistance will be detailed in this study.

Second, I argue that some consequential costs are delayed, or actions that do not appear to carry immediate costs, such as the translation of rhetorical defiance to critical
levels of popular opposition, take time to percolate in the public before the longer-term geopolitical consequences are detectable. Hungary and the Czech Republic’s consent to join the U.S.-led “coalition of the willing” and subsequent refusal to contribute troops to the Iraq war at the level originally promised provides one such example.

In this project I am focusing on a topic that has been poorly operationalized in the literature—hegemonic authority—and on the immediate and delayed consequential costs of perceived aberrant behavior. This study examines authority deficits that have direct consequences for the strategic success of U.S. foreign policy. In the cases I am evaluating, I am testing the extent to which the United States experiences variance in its authority level as a result of the perceived character of its foreign policy.

Authority Deficits and the Nature of International Resistance

Since this study includes an examination of authority deficits that have tangible consequences for the strategic success of U.S. policy, the form of resistance investigated here exceeds rhetorical defiance, public anti-Americanism, or other symbolic acts that carry minimal implications for the United States. Rather, the focus is on secondary state behavior that generates measurable costs for the United States’ ability to achieve its interests.

One form of consequential resistance to U.S. authority is observable in ally states’ reaction to U.S. policy in diplomatic encounters. Whereas conventional balancing behavior such as an increase in armaments and deterrent forces may be likely if states fear aggression from the United States—such as Iran or North Korea’s efforts to advance their nuclear
capabilities—one should not expect such behavior patterns of traditional U.S. allies in Western Europe. The practical possibility of U.S. incursion into British, French, and German territory is so remote that conventional balancing of U.S. power should not appear.

Consistent with the definition of authority in the context of ally relations advanced in this dissertation, a measure of authority is the consistency between U.S. preferences (consistent with a reasonable “baseline of expectations”) and the outcomes of diplomatic requests of Western allies.\textsuperscript{194} Substantial international resistance to U.S. policy is evidence of an authority deficit, and growing divergence between U.S. preferences and diplomatic outcomes would suggest that U.S. authority is increasingly impaired or incomplete. Authority is weak when U.S. interests and objectives are expressly rejected by its allies.

The growing tension between Saudi Arabia and the United States during the current Bush Administration exemplifies depleted U.S. authority, particularly because the extent of U.S. demands on the Saudi regime has remained relatively steady. Following the U.S. invasion of Iraq, Saudi Arabia's King Abdullah increasingly engaged in rhetorical defiance of the United States. In a speech before an Arab League summit on March 28, 2007, King Abdullah depicted the war in Iraq as an “illegitimate foreign occupation,” and demanded an end to the U.S.-led “unjust embargo imposed on the people of Palestine.”\textsuperscript{195} The language resonates with the Saudi domestic base, which overwhelming opposes the U.S.-led presence in Iraq. As discussed above, the rhetoric alone is not a sufficient measure of an authority deficit. Yet the rhetoric simultaneously reflects public opinion and entraps the Saudi

\textsuperscript{194} I am grateful to George Shambaugh for pointing out this important distinction between strict U.S. preferences and preferences that U.S. policymakers actually expect to be fulfilled.

political leadership into complying with its own public statements in such a way that it restricts the range of available political options.

Across time, the rhetoric generates consequential resistance in the form of diplomatic friction that exists between the two countries. King Abdullah reportedly canceled a state dinner at the White House planned for April 2007. Saudi Arabia has also taken the lead in forming a united government between competing Palestinian parties, defying U.S. preferences by including Hamas. Simultaneously, Secretary of State Condoleezza Rice struggled to obtain Saudi assistance in gaining traction for the U.S.-led peace plan between Israel and the Palestinian Territories in the summer months of 2007. To the contrary, Saudi Arabia used the Arab League summit to advance a peace plan of its own, a plan that had been circulating for over five years.

The decision to resist U.S. authority certainly includes a mix of strategic factors, yet material self-interest alone is insufficient in explaining change. The extent of U.S. dependence on Saudi oil has not diminished, nor has the Saudi dependence on the United States as a principal export market. Furthermore, the strategic interests have not sufficiently changed since 1991 when Saudi Arabia provided substantial basing rights and $17 billion to U.S. forces in the U.S.-led Gulf War to adequately explain strong Saudi opposition in the post-Saddam Hussein environment. The root causes for the fractious nature of the relationship and the extent to which policy legitimacy is implicated remain to be explored, including the degree to which strong public sentiment in Saudi Arabia opposing the character of U.S policy. Such an environment makes accession to U.S. demands a

---

particularly perilous proposition for Saudi leaders. As Patrick Clawson of the Washington Institute for Near East Policy stated, “I think (King Abdullah) was concerned that he was seen too much as Bush’s friend.” An exploration of the theoretical link between international public opinion and U.S. authority deficits will be extended below.

The Saudi-U.S. relationship is constructed on a strategic arrangement, but the character of this relationship—and the influence that the United States maintains—varies across time. The dynamic character of Saudi-U.S. relations and the fluctuation in U.S. authority levels can be explored through the application of the concept of reciprocity. Consideration of reciprocity is more common in the international political economy and bargaining literatures and is underrepresented in the literature on security matters. Yet the impact of perceived U.S. illegitimacy on the character of reciprocity under the circumstances of an imminent use of force provides insights into authority deficits that may not be detectable with more conventional measures of international resistance.

The character of reciprocity is considered to have specific and diffuse forms. Specific and diffuse reciprocity are differentiated by two measures, which Robert Keohane identifies as “contingency” and “equivalence”. Contingency pertains to the elapsed time between exchanges; the two poles of contingency are “delayed” and “immediate”. The greater the trust between exchange partners and the stronger the relationship, the more time is permitted to elapse before the return payment is demanded. Equivalence refers to the similarity of the exchanged goods that is demanded by the engaged parties. Strong relations

between bargaining partners are characterized by imprecise terms of trade, in which the exact value of each good exchanged cannot be precisely determined. Measured according to these terms, diffuse reciprocity is characterized by delayed contingency and imprecise equivalence. In diffuse reciprocity, Keohane writes, equivalence is defined less precisely and the “sequence of events is less narrowly bounded.”\textsuperscript{199} Specific reciprocity is characterized by immediate contingency and precise equivalence, or as Keohane suggests, “situations in which specified partners exchange items of equivalent value in a strictly delimited sequence,” and obligations are “clearly specified in terms of rights and duties of particular actors.”\textsuperscript{200}

Besides serving as a useful model for conceiving of international resistance, the concepts of diffuse and specific reciprocity also are useful in demonstrating how resistance carries significant costs. As discussed above, this study is focusing on consequential authority costs that extend beyond rhetorical opposition or high-profile but insubstantial dissent. Consistent with this focus, specific reciprocity generates significant complications in diplomatic relationships, including the requirements of increased monitoring and overall vigilance to ensure that the established terms of any agreement is met with sufficient compliance.

The movement from diffuse to specific reciprocity between allies—as between Saudi Arabia and the United States—is evidence of an authority deficit, and a highly public display of defiance of U.S. authority is merely one form of consequential resistance. The

\textsuperscript{199} Keohane, “Reciprocity in International Relations,” 4.
\textsuperscript{200} Ibid.
observation that relations undergo a transformation in the character of reciprocity can constitute another measure of degradation in authority levels.

How would we know if the character of reciprocity has undergone this change? How are relations characterized by specific reciprocity conducted, as distinct from diffuse reciprocity? In the context of international diplomacy on use-of-force issues, we would expect that the denial of U.S. requests for active participation in intervention and post-conflict stabilization forces would serve as an indicator of low authority levels. Yet short-run resistance strategies are not always evident, and delays in resistance strategies are often exercised. This behavior requires an explanation of not only whether resistance occurs, but also why it occurs and according to what schedule.

The Erosion of U.S. Authority: A Model of Whether, Why, and When States Resist

The initial measurement challenge in this project is evaluating those cases in which U.S. authority deficits exist in the form of consequential resistance strategies. Authority is a measure of a state's willingness to consent to U.S. diplomatic entreaties. Authority deficits are indicated by secondary state resistance. An accurate assessment of authority, however, requires probing beneath high-profile activities.

One recent study by Jürgen Schuster and Herbert Maier suggests that public opinion seems to have had little effect on the decision to formally join the “coalition of the willing” in the Iraq War, but had substantial effect on European states’ willingness to actively contribute military troops. Yet inexplicably, Schuster and Maier score this result as disconfirming the hypothesis that public opinion affects levels of secondary-state support for
U.S. policy (they score the willingness to join the coalition as “support” but not the willingness to take the more substantial move of contributing troops). Their conclusion is curious since by any reasonable definition, the willingness to accept the U.S. request to contribute troops is a more meaningful indicator of authority than the symbolic act of joining a list of supportive governments. By assessing authority in terms of acts that carry material costs, acts of “cheap talk” and other costless measures are more likely to drop out of the analysis.

The metric of authority employed in this project is secondary state consent to specific U.S. diplomatic requests in three contemporary circumstances in which the use of force was considered:

1) U.S. diplomatic efforts to build a coalition and obtain a UN Security Council resolution authorizing military force to reverse Iraq’s 1990 invasion of Kuwait,
2) Diplomatic efforts to gain consent from NATO member states to authorize the threat of military force against the Yugoslav government in order to end the 1999 interethnic violence in Kosovo, and
3) Attempts to assemble a coalition to dislodge the government of Saddam Hussein in Iraq in 2003 and obtain a UN Security Council resolution authorizing the use of military force.

The choice to focus on ally relationships in this project is deliberate. Direct militarized coercion generally is not operative in ally relations and as a result, focusing on U.S. authority vis-à-vis its allies acts as a control for coercive strategies that may arise in other contexts. The very fact of U.S. material predominance makes episodes of incomplete

---

201 Despite finding that the relationship between public opinion and the willingness to contribute troops has the highest significance level of their nine hypotheses by more than an order of magnitude, the authors of the study proceed to define their dependent variable as the willingness to join the coalition of the willing, enabling them to attribute the causal variables to party identification and structural factors. See Schuster and Maier, "The Rift: Explaining Europe’s Divergent Iraq Policies in the Run-up of the American-Led War on Iraq."
authority particularly interesting. Because clear acts of rejection of the United States’ leadership role is unexpected—and unexplained by utilitarian ontologies—I have chosen to focus on authority deficits to seek clearer answers for why it occurs.

In each case, authority deficits will be assessed according to the inconsistency between U.S. preferences and the corresponding response of ally states. This measure of authority and the predicted behavior requires coding authority more precisely than cost-free action such as the acceptance of an invitation to join a highly symbolic coalition associated with little material responsibilities. Authority is measured by the willingness of ally states to consent to U.S. requests to contribute material resources in the form of military troops, professional assistance, or territory access.

Revisiting the Legitimacy-Authority Connection

Securing an accurate measure of whether authority deficits exist enables the placement of emphasis on why authority levels vary. As discussed, authority, as measured by secondary state consent to U.S. requests to play a substantive role in military intervention or occupation efforts, could be the result of a variety of factors, including economic interests, concern about regional instability, and a belief in the superiority of alternative strategic approaches. The legitimacy of U.S. policy plausibly is only one such factor. After establishing a measure of U.S. authority as I have accomplished in the previous section, the subsequent challenge is determining the reasons that states choose to reject U.S. authority.

The previous chapter in this study established the contours of legitimacy as broad public acceptance that reflects the ideological receptivity of policy choice. Perceptions of
legitimacy by secondary states are an indication that a policy in question is consistent with subjective yet broadly accepted societal norms and legal standards of those states. The current chapter established the outline of political authority as neither a positional measure indicating a superior-inferior relationship nor an order that is inherently legitimate. Authority is presented here as a behavioral measure, much like Dahl’s definition of power, but indicated by the consent of secondary states when coercive measures are not employed.

The next conceptual task is to draw together legitimacy and authority into a causal scheme and present a theoretical model for how ideational variables in the form of legitimacy perceptions affect political dividends and levels of diplomatic effectiveness in ways that material capabilities or strategic convergence cannot explain. The central objective then is to determine instances in which public perceptions of normative aberrance generates resistance strategies. As a result, I am looking at states that exhibit high levels of popular dissent as a measure of perceived illegitimacy and observing whether U.S. authority is granted. With reference to the study of normative influence on authority levels, I am evaluating the costs of noncompliance in the form of authority deficits.

This project is investigating the influence that violations of normative legitimacy as indicated by public opinion polls have on decisions to resist U.S. authority. Foreign elites are regularly tending to national interests within the bounds of public constraints, which is one reason that resistance strategies may not be apparent in the immediate term. When public opinion and perceived national interests diverge, elites seek to simultaneously serve both. This activity can constitute high profile or symbolic acts to appease the United States coupled with less dramatic policies that serve their domestic bases.
In addition to the strength of public opposition, another variable determining whether the erosion of U.S. authority is apparent at highly publicized junctures is the relative capabilities of the resisting state. Symbolic measures force weaker states to defy their restive publics in order to relieve diplomatic pressures and capitalize on the material benefits of acceding to U.S. requests. This expectation is consistent with Judith Kelley's finding of statistical significance between a state's economic strength and its decision of whether to sign an agreement with the United States to refuse extradition of U.S. nationals to the International Criminal Court (she found that the stronger the state, the less likely it was that the state would sign a nonsurrender agreement with the United States).202 In my study, the gradual decay of U.S. authority or the shift from diffuse to specific reciprocity is evident in the behavior that follows high-profile decision points, when secondary state elites face sustained constraints from the domestic audience and pursue policies that are consistent with public concerns of the normative content of U.S. policy.

Table 3-1 illustrates expected behavior in accordance with a state's relative economic capacity and strength of public opposition. States with publics supportive of U.S. policy either consent (weak states) or are indeterminate (strong states). Strong states are capable of withstanding economic pressures and more inclined to make the decision of whether to consent to U.S. authority on the basis of other variables, most prominently that of strategic self-interest. Because the focus here is normative aberrance and perceived illegitimacy, the cases will include both strong and weak states that exhibit popular opposition to U.S. policy.

In this configuration, most-likely cases are those in which secondary states are strong and thus pay a tolerable material price for rejecting U.S. authority. These cases are located in the upper-left cell of Table 3-1. Least-likely or hard cases include those in which normative concerns, driven by public opinion, are decisive in decisions to reject U.S. authority despite expectations that material calculations should dominate the decision-making process, or those states that face material costs but still operate according to calculations of norm-based legitimacy. These cases are located in the upper-right cell of Table 3-1. It is these unexpected outcomes that are most revealing of cases in which material variables provide an insufficient explanation for authority deficits since material variables predict a different result. For the cases in which there is evidence of resistance of U.S. authority despite sharp differences in material capabilities, a non-material explanation is most persuasive.\footnote{I am grateful to Joseph Nye for pointing out the instructive benefit of distinguishing between expected and unexpected outcomes.}

<table>
<thead>
<tr>
<th>Relative Economic Parity with the United States?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Resist</td>
<td>Pro forma Consent, delayed resistance</td>
</tr>
<tr>
<td>Popular Opposition?</td>
<td>Indeterminate</td>
<td>Consent</td>
</tr>
<tr>
<td>No</td>
<td>Indeterminate</td>
<td>Consent</td>
</tr>
</tbody>
</table>

**TABLE 3-1**

*Economic Parity and Popular Opposition: Shaping the character and timing of resistance*

This formulation provides one answer to the question of why and when states resist U.S. authority. The degree of economic parity between the United States and
each secondary state and the level of popular opposition to U.S. policy help explain why resistance in the short run may not be apparent. Relative economic strength and robust public dissent impact the nature by which policymaking elites resist U.S. policy on use-of-force questions as well as the schedule by which those strategies are employed. First, the sheer material U.S. preponderance provides the means to apply U.S. economic pressure and dispense of public goods necessary to forestall immediate defection from U.S.-led initiatives. These pressures are particularly acute for weaker states, which are insufficiently capable of foregoing the economic goods or withstanding the economic penalties that the United States is capable of distributing.

The second factor influencing the level and timing of secondary state resistance is the level of popular opposition, which tends to congeal around normative considerations and often takes time to accumulate. In the context of use-of-force considerations, public dissent to the character of U.S. policy generates pressures for policymaking elites that correspond to the strength of that opposition. As a result, it is expected that the stronger the public opinion opposing U.S. policy, the more likely policy elites will choose to oppose U.S. authority.

As a result of the combination of these two variables, strong states that exhibit strong popular opposition to U.S. policy are expected to reject U.S. authority in the short term. For weaker states, a decisive break from U.S. policy is not expected in the immediate term and states are expected to signal their support for U.S. policy in less costly ways, such as joining a list indicating political support for U.S. objectives and continuing short-run cooperation on issues of mutual interest or highly symbolic measures that result in minimal
material costs to the consenting state. Yet given the high level of popular dissent, low-profile resistance strategies are expected consistent with the definition of specific reciprocity outlined above. That is, accession to U.S. requests would require more immediate compensation by the United States and these secondary states would demand that the terms of the agreement to support U.S. requests be explicit and quantifiably equivalent. In the long run, delayed resistance strategies could include a retraction of agreement to provide troops and materiel to U.S.-led coalitions in military campaigns.

The divergence in decision-making criteria between policy elites and the public, as outlined in the previous chapter, provides the impetus for elites to accept U.S. authority for strategic gain in the short run and is another reason why short-run resistance may not be detectable. Elites are judged on the strategic effectiveness of policy, and thus are more likely to make policy decisions on the basis of “cognitive legitimacy”, criteria that are stripped of normative content. Time is required for public pressures to aggregate sufficiently to have an effect on the policymaking apparatus. As a result, in the short run, policy elites in weaker states incapable of withstanding U.S. economic pressure are shielded from public pressure, but are compelled by the public to adjust in the long run.

In sum, these two variables—relative material capabilities and the presence of strong popular opposition—combine to influence whether and when secondary states choose to engage in resistance strategies. In the short run, strong states that exhibit a threshold of public opposition to U.S. policy can withstand the losses that are incurred by U.S. divestment and are more likely to resist. Weak states with populations strongly opposed to U.S. policy are less likely to publicly resist in the short run, but are more likely to engage in
private resistance strategies consistent with specific reciprocity or more public resistance strategies in the long run as popular opposition mounts to critical levels. Table 3-1 illustrates the particular combination of variables with the dependent variable predicted by this theory.

The analysis to this point suggests a number of hypotheses on the legitimacy-authority relationship—whether and when states resist—that will frame this project. In short, states exhibiting high levels of international public opposition to U.S. policy resist U.S. authority in consequential ways.

**Hypothesis 1:** Of those states exhibiting high levels of popular opposition in cases of perceived illegitimacy of U.S. policy, states with relative capabilities in close parity with the United States are likely to publicly reject U.S. authority at the outset of negotiations to build a military coalition.

**Hypothesis 2:** Of those states exhibiting high levels of popular opposition in cases of perceived illegitimacy of U.S. policy, states substantially deficient in capabilities relative to the United States are more likely to privately reject U.S. authority at the outset of negotiations to build a military coalition particularly in ways that are undetectable in the immediate term but are made manifest in the medium to long term.

**Why States Resist: Pathways of legitimacy norms and U.S. authority**

The metric of authority established above facilitates testing for variation in the dependent variable, a test of whether U.S. authority is in deficit. Authority deficits are measured by inconsistencies between U.S. diplomatic requests and secondary state responses in use-of-force contexts, and states resist the United States consistent with relative capabilities and the level of domestic opposition to U.S. foreign policy. The hypothesized relationship between material capabilities, popular opposition to the character of U.S.
foreign policy, and U.S. authority helps explain when states resist if they do, including the factors that influence the schedule of secondary-state resistance (immediate or delayed).

The remaining conceptual hurdle is an exploration of the causal pathways by which normative evaluations translate to decisions to resist U.S. authority in causal ways, which will provide a deeper explanation of why states resist. This step is required to increase the confidence that the relationship between domestic opposition to U.S. policy and authority deficits is a causal relationship and not merely a correlation between the independent and dependent variables. Investigating the question of why states resist requires moving beyond the general question of legitimacy and authority, where the conceptual relationship is too abstract to provide meaningful insights, and looking at the precise mechanism by which legitimacy norms are activated in political decision-making.

Norms and Foreign Policy Behavior: A Dynamic View

The central argument of this project is that secondary states will resist hegemonic authority consistent with perceived illegitimacy of the hegemon’s foreign policy behavior. In other words, normative evaluations are critical to secondary states’ decisions of whether and when to resist U.S. authority. This hypothesis places norms at the center of the constellation of factors that enhance U.S. leadership and highlights the claim that ideas and national interests intersect in important ways. While much of the international relations scholarship rejects ideas from the theoretical landscape of foreign policy analysis, the argument here is that ideational variables are required to account for the full range of variation of authority levels and corresponding effectiveness of U.S. foreign policy.
Considerable space has already been allocated in the previous chapter to a discussion of legitimacy norms at work, in particular in the consideration of how political leaders strategically leverage normative arguments to enhance domestic policy legitimacy and pursue the national interest. Summarizing this argument, Jeffrey Legro writes, “State leaders make calculations about their actions based on the situation, but they often do so against a backdrop of certain entrenched national ideas about what general behavior is appropriate.” Pricy makers depend on domestic legitimacy to maximize their latitude in crafting policies and increase the prospects of achieving foreign policy objectives.

Yet beyond the abstract notion of norms influencing behavior, investigating the effect of legitimacy norms on authority levels demands an evaluation of the independent effect of collective ideas on international outcomes. Legro’s work on ideas and international change makes a significant contribution to this literature, suggesting that collective ideas of major powers— influenced but not determined by material constraints imposed by the geopolitical system—are instrumental in generating international change.205 Legro’s ideas relate to operational concepts of the most effective means to secure the national interest and relate specifically to a nation’s self-conception of how it should relate to international society. Consistent with the view that legitimacy norms originate from societal and legal expectations, Legro suggests that ideas are social as much as psychological. Ideas are an elite and mass public phenomenon: They are located in elite discourse and rhetoric, reflected in the words of policymakers and the conduct of foreign policy, and revealed in

---

204 Legro, Rethinking the World: Game Power Strategies and International Order, 7-8.
205 Ibid.
elites’ strategies for interpreting policies and their results. New ideas also mobilize domestic interest groups. In short, ideas are represented by “elites, mass opinion, or certain social groups.” Indicators of these social “facts” are embodied in “national debates and speeches, decision-making discussions, symbols, encapsulated lessons of history, and organizational procedures.”

Legro’s focus is on ideational change, which drives transformation in the character in foreign policy conduct. Change results first from failure, when behavior prescribed by ideational forces is unsuccessful, leading to a dramatic reevaluation of the dominant foreign policy beliefs. “The more significant the contradiction between expectations and consequences, the more severe the consequences, the more likely societies will face widespread discord, the more likely barriers to collective action will be overcome, and the more probable is collective reorientation.” The second stage in the evolution of ideas and foreign policy grand strategy is that new ideas consolidate in the minds of elites. For this to occur, prominent ideational alternatives not only must exist, but exhibit results.

Legro’s account of ideational dimensions of foreign policy behavior is an important emendation of parsimonious materialist explanations of world politics. Yet in one important respect, Legro’s argument is premature. Legro is largely interested in the dynamics of how foreign policy ideas change in society. Even if his explanation of ideational change is satisfactory, the question that still lingers over his study is more elemental: In static terms, what evidence is there that elites calculate the costs of normative aberrance and act

206 Ibid., 10, 22, 40.
207 Ibid., 42. Sociologist Emile Durkheim is credited with developing the concept of “social facts.”
208 Ibid., 35.
accordingly? The explanation of change that Legro presents depends upon elite cognizance that a near-term price will be paid for acting in contravention to socially held perceptions of legitimacy, and thus adjust behavior in accordance with those expectations. If they are not aware of these costs or if no price is exacted for perceived illegitimacy, then the norms of legitimacy are epiphenomenal just as the neoutilitarians allege.209

Structuralists argue that ideas exist at the margins of the factors generating international outcomes, residing in the category of misfit variables that produce unexplained variation. The corresponding argument suggests that even if ideational change is underway, the causal influence of ideas is overshadowed by the material variables of economic and military capabilities. This study attempts to provide insight into the variables that affect levels of international authority and separate materialist and ideational factors in this equation. This task of determining the impact of norms on authority levels in the near term should precede the question of how ideational change relates to behavioral change. The specific context in which ideas exert themselves in the near term is on the question of hegemonic authority.

Norms and Foreign Policy Behavior: A Static View

In order to evaluate the static view that norms influence behavior, an analysis of how normative influences affect policymakers’ decisions in truncated periods of time is required, when perceptions of norms are stable.

209 On the concept of neoutilitarianism, the ontological position that behavior is approximated in accordance with an assumption of utilitarian calculation shared by structural realism and neoliberal institutionalism, see Ruggie, "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge."
One way in which norms operate in the relatively near term is to trigger the move from diffuse to specific reciprocity. In addition to demonstrating a form of costly state resistance, as discussed above, the previous discussion of specific reciprocity also introduces the role of norms in resistance decisions. A thorough exploration of the cause of the movement from diffuse to specific reciprocity will include a consideration of how legitimacy norms operate in enhancing authority levels and strengthening alliance cohesion and the role that normative aberrance plays in degrading hegemonic authority and fostering specific reciprocity. This inductive reasoning suggests that the greater the perceived illegitimacy of U.S. policy—the extent to which policy diverges from the legitimacy norm of constitutionality defining the acceptable uses of force—the more likely the relationship will be characterized by specific reciprocity.

“Diffuse reciprocity,” Keohane writes, “is only feasible when some norms of obligation exist… These norms may express the actors’ conceptions of their self-interest, but their conceptions of self-interest must be broad and their confidence in the good faith of others fairly great.” When self-interest of the lead state is perceived to be narrowly defined, as in the broad international opinion that U.S. objectives in Iraq in 2003 were limited to oil resources or empire building, the norm of constitutionality restricting the offensive use of force and buttressing diffuse reciprocity loses some binding capacity and generates alarm in secondary state elites as well as their publics. In these terms, perceived violation of normative standards generates authority deficits in the form of a transformation in the character of relations from diffuse to specific reciprocity.

210 Keohane, "Reciprocity in International Relations," 25.
Norms of obligation that have been established by Western international regimes help maintain cohesion between the United States and Europe.\textsuperscript{211} A recent study by Judith Kelly demonstrates the relationship between the prioritization of norms by secondary states and their decisions of whether to resist U.S. authority.\textsuperscript{212} Employing both statistical and qualitative research strategies, Kelley evaluates the determining factors of whether states succumbed to U.S. diplomatic pressure and signed bilateral agreements ("Article 98 agreements"), thus refusing to extradite U.S. nationals to the jurisdiction of the International Criminal Court in any future case. Kelley compared states that signed nonsurrender agreements with those that refused U.S. entreaties to exempt U.S. citizens from ICC jurisdiction and found strong evidence that under certain conditions, ideational factors displace material factors in this decision-making chain. In short, Kelley found that many states refused to sign nonsurrender agreements because they valued the court and the principles of "sovereignty, accountability, justice and human rights norms, and preferences for a particular form of global governance," and, for state signatories, because they valued the rule of law generally and the principle of \textit{pacta sunt servanda}—that states are obligated to abide by treaty commitments.\textsuperscript{213} The study provides strong evidence that under certain conditions states prioritize normative goals over material self-interest. The norm of interest in Kelley's study is the preference for constitutional governance and the rule of law.

It follows that when shared norms are violated, diffuse reciprocity (governed by and premised on these shared norms) can break down, undermining the strength of U.S.

\textsuperscript{211} Ibid.
\textsuperscript{212} Kelley, "Who Keeps International Commitments and Why? The International Criminal Court and Bilateral Nonsurrender Agreements."
\textsuperscript{213} Ibid.: 586.
authority. The solidarity that has matured in the West, while delicately crafted in the immediate post-war period by specific agreements, cannot be understood today by bilateral *quid pro quo* exchanges. Parties in the system generally do not expect immediate or precise exchanges, but do expect a degree of ideological solidarity and the satisfaction that the hegemon has renounced aggression and will not dominate secondary states. Shared norms that develop within this permissive environment in turn determine standards of legitimate behavior, which in turn reinforce diffuse reciprocity.

Yet even if there is evidence of a transition from diffuse to specific reciprocity, how can one be confident that normative aberrance is the cause of this movement as opposed to shifts in material capabilities or narrowly conceived self interest? Despite a superficial treatment of the role of the public voice in resistance decisions, Kelley's statistical and qualitative study convincingly probes the question of causality between rule-of-law norms and decisions to sign nonsurrender agreements. This dissertation pursues this causal question in decisions to consent to U.S. requests in the use-of-force context by evaluating public opinion and elite rhetorical claims in a way that will help determine the extent to which norm violations in fact cause secondary state defection.

*Testing for Causation: Public opinion and elite rhetoric*

Evidence of a causal relationship between public sensitivity to policy legitimacy and resistance decisions comes in two forms. First, perceptions of policy illegitimacy are indicated by public polling results. Foreign policy behavior that contravenes sufficiently robust opinion levels carries certain costs with which policymakers are forced to contend.
As discussed in the previous chapter, the stability of public opinion, its normative structure in the form of a broad belief in the legitimacy of constitutionalism, and the presumption that public opinion shapes elite behavior all provide a reliable basis for evaluating the effects of trends in the public mood and the consequences of perceptions of legitimacy on foreign policy. The preliminary test of a causal relationship between perceived illegitimacy and state defection is whether threshold levels of public opinion correlate with decisions to resist U.S. authority.

But correlation is not causation and public opinion alone cannot complete a causal explanation.\textsuperscript{214} Evidence is required that reliably supports the claim that policymaking elites are sensitive to normative claims of extraconstitutional behavior and act accordingly. The second form of evidence then is found in policy elites’ rhetorical claims, particularly the extent to which these claims are laden with normative content in the form of justification for resisting or consenting to hegemonic requests or rationalizing policy on the part of the hegemon.

The use of rhetoric in identifying legitimation patterns is consistent with Patrick Jackson’s view that “Legitimation claims are through and through rhetorical, in that they are forms of speech designated to achieve victory in a public discussion.”\textsuperscript{215} Judith Kelley uses a similar device in the qualitative component of her study, confirming the logic that concerns over the rule of law had an independent effect on elites’ decisions to keep their ICC treaty commitments “because governments also justified their decisions with arguments about

\textsuperscript{214} For a differentiation between correlation and causation, see George and Bennett, \textit{Case Studies and Theory Development in the Social Sciences}, 21.

\textsuperscript{215} Jackson, \textit{Civilizing the Enemy: German Reconstruction and the Invention of the West}, 117-18.
Evidence of elites engaging in rhetoric consistent with the legitimacy norm of constitutionalism would suggest that policymakers are cognizant of the influence that particular legitimacy considerations have in strengthening political support. Thomas Trout writes, "A more immediate and direct requirement of the legitimative process is... to provide the regime with the supporting social conditions for effective policy. In this capacity, legitimation necessarily supports foreign as well as domestic policy."

While the use of public opinion polls as an indicator of public perceptions of policy legitimacy is not controversial, there are two potential criticisms of the strategy of utilizing rhetoric as a sufficient indicator of the independent effect of rhetoric on behavior. One critique of this research strategy is that evidence in the form of specific kinds of rhetoric is not a sufficient test of causality between legitimacy norms and decisions to resist U.S. authority, as the rationale presented by policymakers may be merely cheap talk and not the actual motivating reason for decisions to resist U.S. authority. This criticism suggests that rhetoric is epiphenomenal and merely a mask for behavior that predominantly reflects other interests. The second potential criticism is related, and suggests that elite rhetoric may not truly represent the beliefs of policymakers, and thus the specific character of the norms invoked is misleading or irrelevant. This criticism challenges the argument that there is an independent effect of a norm of constitutionality and suggests that it is not norms that are having an impact on resistance decisions, but merely an inauthentic representation of some normative standard. I will address both criticisms in reverse order.

First, whether secondary-state elites actively believe their own normative claims in their resistance decisions is not at issue, since the source of legitimacy standards has already been set aside (see chapter two, under the discussion of “outcome legitimacy”). As stated, this project uses perceived legitimacy as the starting point and evaluates the effect of policy legitimacy on diplomatic outcomes in the short run. Fortunately, as a result, the intractable question of motivation can be set aside, replaced by the more fundamental question of how normative claims are used strategically defend a set of policies, build policy support, and reduce diplomatic resistance. Patrick Jackson reinforces this point by presenting Weber’s foundational work as a representation of the sociological effect of legitimacy claims rather than the personal or psychological source of the character of legitimacy. “There is no implication in (Weber’s) work that anyone necessarily ‘believes’ the kind of legitimating rhetoric that they are deploying as a way of justifying a course of action.” Rather, Weber is focused on “patterns of claims.”218 The evidence of the utility of legitimacy in reinforcing hegemonic authority is the particular way in which secondary-state elites and U.S. policymakers leverage legitimacy norms through their rhetoric to pursue strategic objectives, as opposed to the myriad of reasons a certain policymaker might regard a certain norm as legitimate.

The prior criticism of assessing rhetoric as evidence of a causal role between norms and behavior is related. A strict positivist interpretation might suggest that for rhetoric to indicate a causal role of normative considerations, the rhetoric must be an accurate representation of the norms being studied. I argue, however, that the rhetoric of

218 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, 23.
justification of decisions of secondary states is a sufficient marker for the role of the norms being evoked. Jackson cites John Ruggie’s definition of causality as “whatever antecedent conditions, events, or actions are ‘significant’ in producing or influencing an effect, result, or consequence.” In this account, Jackson suggests, “rhetorical commonplaces and the legitimization process involving them can certainly be understood as causal, to the extent that the overall ‘shape’ of the discursive environment contributes to the formulation of policy initiatives.” In Jackson’s reasoning and consistent with the account here, rhetorical rationale for policy decisions are causes “because they participate in a socially significant process of negotiating and (re)drawing boundaries.” Weber calls this account “adequate causation,” in which normative claims are sufficient for a particular constellation of outcomes.

At the same time, these rhetorical claims with respect to U.S. normative aberrance entrap policymakers to submit to or reject U.S. authority. Rhetoric creates a powerful hook to generate policy legitimacy and corresponding support for a desired set of policy prescriptions, but rhetoric also constrains policymakers by establishing boundaries in which policymakers can tolerably operate to avoid the public charge of inconsistency or hypocrisy. Concurring, Frank Schimmelfennig writes, “Once rhetorical actors have publicly committed


220 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, 41. For further elaboration for the process by which elites become trapped by their own rhetoric, see also Jack L. Snyder, Myths of Empire: Domestic Politics and International Ambition, Cornell Studies in Security Affairs. (Ithaca, N.Y.: Cornell University Press, 1991).

221 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, 41.

222 Ibid., 42-43.
themselves to a claim and an argumentative strategy in their community, it is difficult for them to reneg on this commitment… Consequently, rhetorical actors are likely to be forced to stick to prior argumentative commitments and to act according to claims that run counter to their current self-interest.”223 By constraining political choice, rhetoric plays an independent causal role in policy outcomes.224

Janice Bially Mattern examines the role of rhetoric in non-physical power politics and security communities, a context in which the threat of physical violence essentially disappears. This same context is central to this study, given the submersion of coercive variables in generating consent. Because physical coercion is subrational, non-physical expressions of power provide the causal explanation for variation in authority capacity and state resistance. It is in this context that the appeal to the identity of we-ness, which Mattern calls “representational force”, exerts itself.225

Under these circumstances, the power exercised is not physical. According to the account by Mattern, this power is wielded through language. “Representational force enables a perpetrator to bluntly, self-interestedly and nonnegiably compel his victim to abide by his version of some contested story… representational force works like coercion but without using physical or material threats.”226 Identity with the security community is a desired end, and adversaries use language in the form of membership in the community to “trap each other into complying with the status quo narrative of their friendship. (During

223 Schimmelfennig, The Eu, Nato and the Integration of Europe : Rules and Rhetoric, 222.
224 For other accounts that posit a causal role of the use of language, see Alexander L. George, Propaganda Analysis; a Study of Inferences Made from Nazi Propaganda in World War II (Evanston, Ill.; Row, 1959), Janice Bially Mattern, "The Power Politics of Identity," European Journal of International Relations 7, no. 3 (2001).
226 Ibid.: 351.
the Suez Crisis) the effect was to ‘fasten’ or ‘cement’ a unified conception of the Anglo-American identity, which in turn stabilized the normative structures and behavioral requirements associated with being ‘Anglo-American’.

Mattern cites Emanuel Adler and Michael Barnett in suggesting that “magnetic attraction” of core states in security communities, which Mattern identifies as “legitimate authority”, to be the force that binds together like states.228 It is rhetoric, suggests Mattern, and the language of shared values that operated to hold the western alliance together during the Suez Crisis when the magnetism collapsed. Mattern presents a constructivist perspective by discussing the magnetism generated by identity of powerful states and within communities. The focus here, however, is on the elements of magnetism that are generated as a result of the behavior of the United States and how depleted magnetism degrades leadership capacity. Yet in this analysis I draw on Mattern’s observation that language played a causal role in alliance cohesion by operationalizing rhetoric as an indicator for the motivations for secondary state defection and the presence of legitimacy norms on strategic decision-making.

Together, public opinion and elite rhetoric serve as indicators of the presence of ideational influences in the public and elite consciousness and provide evidence that ideational factors influence foreign policy behavior. Opinion polls reflecting public preference for constitutional behavior are evidence of the public’s tendency to render legitimacy judgments consistent with normative evaluations of the character of foreign

227 Ibid.
policy. Elite rhetoric serves as an indicator of the influence of policy legitimacy on elite decisions. As discussed above, the motivations of policymakers are not at issue. What is at issue is the justification that policymakers use, which establishes the terms of acceptable behavior and entraps elites within their own expressed legitimacy boundaries.

The theoretical link between public opinion and elite decision-making establishes the causal chain between perceptions of policy legitimacy and elite decisions to resist U.S. authority. If one accepts that public opinion and elite rhetoric can play a causal role in determining authority levels, it is necessary to examine the platform of public and elite interaction. In brief, policy elites that activate legitimacy norms through rhetorical claims have two targets. The first target is other elites from states that are the diplomatic target of the initiating state. Rhetorical positioning is a legitimating strategy, and normative claims of U.S. elites to obtain buy-in for intervention policies from secondary states constitute evidence that hegemonic state elites are cognizant that legitimacy considerations affect levels of hegemonic authority. At the same time, normative claims of other states reveal attempts to persuade U.S. policymakers and set down markers for their own policy positions.

The second target of rhetorical claims is the domestic public. Because policymaking elites enhance policy legitimacy by making rhetorical claims, the extent to which those claims exhibit normative content is evidence that elites are aware that norms can play a powerful role in enhancing political support. This evidence strengthens the case that legitimacy norms play a causal role in elite behavior, irrespective of whether or not elites actually internalize those norms in their behavior. An expanded discussion of the three causal pathways between legitimacy norms and resistance decisions that involve elites and domestic publics.
follows below.

Causal Pathways

This project tests two pathways by which normative influences in the form of perceptions of legitimacy influence decisions to resist U.S. foreign policy. Given the centrality of the public voice in determining policy legitimacy, one pathway involves the interaction between domestic publics and their respective policymaking elites. Because resistance decisions are ultimately made at the elite level, the interaction between U.S. and European policymakers constitutes a second causal path in which policy legitimacy affects U.S. authority levels. These conduits for normative influence on U.S. authority are described in detail below.

European public opinion and European elite decision-making

Domestic political weakness of policy elites constrains political choice and depletes policymakers of valuable resources and incapacitates them from successfully and efficiently executing policy. If we accept the theoretical premise in the previous chapter that publics do affect elites in consequential ways, how do ideational variables in the form of perceptions of normative legitimacy inject themselves into the policymaking apparatus? Also discussed in the previous chapter was the conjecture that policy elites and the non-official public tend to utilize different decision-making criteria. The public is not charged with securing the national interest and often not cognizant of sophisticated means-ends configurations. Furthermore, the consequences of an individual’s misjudgment are less grave for a member
of the public than for top policymakers. As a result, whereas policymakers have shorter time horizons and more likely to judge “good” policy on pragmatic grounds—that which achieves policy goals but is devoid of normative content—considerations of policy legitimacy play a more active role in the public consciousness. In essence, the public has the luxury of considering normative claims, whereas policymakers are more constrained.

In a recent appeal for sharpening political judgment, Canada Member of Parliament Michael Ignatieff explained his early support for the Iraq invasion and subsequent reevaluation by identifying the divergence in cognitive frameworks of the public and policymakers. “In academic life, false ideas are merely false and useless ones can be fun to play with. In political life, false ideas can ruin the lives of millions and useless ones can waste precious resources.” Intellectuals’ judgments are premised on generalizations and construction of grand theory. Politicians’ judgments often are atheoretic and require a thorough understanding of the specifics to prevent harm. As a result, the criteria for decision-making in public life are different from private life, largely because of the consequences of bad judgment and bad decisions are so different in public and private domains. Ignatieff writes, “In private life, we pay the price of our own mistakes. In public life, a politician’s mistakes are first paid by others.”

Accepting that different criteria exist for the public and policy elites in making political judgments—and that the public actively considers legitimacy norms in ascertaining

---

230 Ibid., 29.
policy legitimacy—provides an avenue for legitimacy norms to exert themselves in the public consciousness and political discourse.

This differentiation in public and elite legitimation of policy is a building block in the construction of the argument relating domestic policy legitimacy to hegemonic authority. Public demands for policy consistency with the national character and conceptions of policy legitimacy require policymakers to balance strategic considerations with public perceptions of legitimacy. Legitimacy norms and beliefs about the acceptability of behavior evolve according to a different schedule than strategic beliefs, percolating from the collective conscience of the body politic. Consequently, conceptions of legitimacy are agents of change by extracting costs under conditions of perceived illegitimacy and encouraging the adaptation of behavior.

In Alexander George’s work on Franklin Roosevelt’s efforts to attain domestic policy legitimacy in his construction of the post-war order, for example, George presents as evidence the Roosevelt Administration’s insertion of “the nation’s traditional idealist impulses and principles” into the Atlantic Charter. As a result, “the principles of the Atlantic Charter provided the normative legitimacy for Roosevelt’s war aims and his hopes for peace,” which was balanced against Roosevelt’s strategic preference for a Four Policemen model of great power control.231

The evidence that perceptions of legitimacy have a causal impact on international outcomes, we recall, is provided by matching public opinion polls that reflect legitimacy

231 George, "Domestic Constraints on Regime Change in U.S. Foreign Policy: The Need for Policy Legitimacy."
considerations with elite rhetoric. The specific language that policymakers employ both entraps them into complying with the normative character of their pronouncements and demonstrates their cognizance of which particular norms are the most efficient means of evoking to enhance public support. In this way, legitimacy norms present in elite rhetoric play a causal role in public evaluations of legitimacy as well as elite decision-making. As Patrick Jackson suggests, “The importance of (rhetorical) arguments is the effect that they have in shaping the public debate; it is this shaping that the analysis of legitimation seeks to capture through a careful empirical tracing of public debates and the policy outcomes to which they gave rise.”

Evidence revealing that U.S. elites strategically utilize normative content in the public sphere to strengthen political support for foreign policies—and pay a price for discounting those legitimacy standards—demonstrates the integral nature of the public-elite axis, the causal weight of public opinion, and one antecedent condition for decline in U.S. authority, namely the presence of a consolidated level of public dissent.

This description of the way in which public legitimacy perceptions influence policy elites serves two functions relevant to this project. First, the theoretical framework establishes one causal pathway whereby ideational variables in the form of normative legitimacy affect the policy process. The second function of attending to the public-elite axis is that it serves as a model for the mechanism of European public-elite interactions as a pathway for normative influences on U.S. authority. The theoretical foundation of the

---

232 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, 32.
impact of publicly perceived legitimacy norms on foreign policy constraints has already been provided above. Yet a restatement for the European context deserves brief mention.

In fact, this conduit in which legitimacy norms affect authority levels is the most salient in popular accounts of U.S. leadership decline. European elites, outraged by the extraconstitutionality of U.S. policy, demand that their governments reject U.S. demands in the use-of-force context. European elites are concerned about political survival, and thus respond to strong national appeals.

Yet two common problems exist with this account, which emerge from the fact that the questions of whether U.S. influence is declining, and if so, why it is declining, have yet to be satisfactorily resolved. First, the theoretical foundation on which this claim rests has been poorly laid, and elite responsiveness to public dissent is viewed with a high degree of skepticism within the academic scholarship. I have attempted to buttress the theoretical argument that justifies the claim that elites do react to public dissent if certain conditions are met. Second, the public reaction that results in degraded U.S. influence frequently identified by popular accounts is actually anti-Americanism, yet little research has revealed that a relationship between anti-Americanism and consequential resistance of U.S. policy actually exists. By exploring the theoretical and empirical relationship between European public opinion and decisions of European elites, I will demonstrate how short-run popular resistance to U.S. policy (as opposed to anti-Americanism), driven by normative concerns does in fact degrade elite willingness to consent to U.S. authority, often in ways that are not immediately perceptible.

152
One example of domestic constraints on European foreign policymaking is the decisions of European governments whether to consent to U.S. requests to sign nonsurrender agreements to the International Criminal Court. In terms of the question of whether U.S. authority is challenged, cases in which states refused U.S. requests are examples of U.S. authority deficits.

The question of why states resisted U.S. authority, however, is more complicated to resolve. Judith Kelley presents evidence that a statistically significant number of states that were signatories refused to sign the agreements because they valued the rule of law more generally and the principle of \textit{pacta sunt servanda}, which obligates states to abide by treaty commitments.\textsuperscript{233} The key point here is that this preference for abiding by the rule of law and respecting treaty commitments is a public as much as an elite phenomenon. This is due in part to the public’s self conception of what constitutes their country’s character, which at its core is an evaluation of a policy’s consistency with standards of normative legitimacy. Kelley writes, “Efforts to justify violations of international law may… create ‘cognitive dissonance’ such that citizens, and therefore their states, have ‘distaste for breaking the law.’”\textsuperscript{234} And as Finnemore and Sikkink suggest, “States care about following norms associated with liberalism because being ‘liberal states’ is part of their identity in the sense of something they take pride in or from which they gain self-esteem.”\textsuperscript{235} In essence, societal pressures raise the

\textsuperscript{233} Kelley, "Who Keeps International Commitments and Why? The International Criminal Court and Bilateral Nonsurrender Agreements," 586.
costs for European leaders who fail to follow societies’ lead in evaluating U.S. foreign policy in normative terms, specifically for the policy’s consistency with the dictates of constitutional constraints.

In the context of post-war European integration, Frank Schimmelfennig writes of an irrationality that existed of Western European integration of many less-developed East European states into a unified Europe states. A critical factor in this decision, he argues, was the strategic use of normative arguments in the form of public claims to support their goal of expansion (on the part of some Western European state leaders) or inclusion (by Eastern European state leaders). Corresponding to this investigation of the filtering of European domestic legitimacy perceptions into the content of foreign policy, Schimmelfennig finds that the more closely aligned a state’s national values and norms with a given international institution and the more salient those norms with the public, the stronger the institution will affect policy outcomes. In other words, the effectiveness of European leaders’ appeals for regional consolidation depended on the degree to which the public affirmed the norms that formed the sinews of those institutional structures. In the case of Europe, this refers to (in the international sphere) the liberal values and norms of “non-violent conflict-management between liberal democratic states... and multilateralism.”

Patrick Jackson argues that the post-war reconstruction of Germany and ultimately the creation of a Western identity was primarily a public strategy of legitimation, deliberately conducted by European (and American) policymakers. The “rhetorical commonplace” of

---

236 Schimmelfennig, The Eu, Nato and the Integration of Europe: Rules and Rhetoric, 286.
237 Ibid., 4.
“Western Civilization” became a powerful hook whereby European policymakers generated support for the reconstruction of Germany. It is worth noting that it was the public pronouncements, not the private ones commonly sought for evidence of causation, which enabled this particular legitimacy norm to exert itself in the public appeal for German rehabilitation.

It is undeniable, however, that public dissent triggers elite resistance of U.S. policy unevenly across European states. One reason that uniformity may not exist is that, as discussed above, the relative material asymmetries that exist between European countries and the United States. This will be examined in the empirical chapters below. Besides unequal material abilities to resist U.S. policy, however, Thomas Risse-Kappen provides a valuable reminder that the elite-public relationship is constituted differently across countries and a uniform effect of the public voice on elite decision-making cannot be assumed. Risse-Kappen hypothesizes that different issue areas affect the political process in different ways. This study is focused on one normative issue in a specific context, which likely increases the continuity across cases. Risse-Kappen also suggests that three variables—degree of centralization of political institutions, level of societal fragmentation, and the locus of power in public-elite policy networks—are predominant influences on the public’s ability to affect elite decision-making. This additional level of detail in understanding when and how public opinion “matters” is fruitful for his purposes of explaining variation in a direct relation between public opinion and foreign policy output.

238 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, especially 72-111.
239 Ibid., 32.
Yet given the narrowness of the concept and the limited nature of the legitimacy norm in question, I am adopting a simplifying as-if assumption that the public voice in stable democracies of Central and Eastern Europe uniformly affect the policy-making apparatus. While different European governments undoubtedly react to their publics in dissimilar ways, it is reasonable in this project to assume that publics in advanced democracies influence their elites similarly. Different political systems do filter public opinion differently, yet the assumption of uniform effects between public opinion and elites in the cases of this study is valid given the narrowness of the policy issues under consideration and the truncated nature of the time frame in which resistance decisions are being evaluated. Furthermore, the European states in question share the features of being established democracies and exhibiting universal suffrage, transparent governing structures, legitimate electoral processes, and active civil societies, all of which equip the public to have a greater impact on the policymaking apparatus than publics in less democratic regimes. Lastly, the states included in this study are all members of an alternate community of European states that excludes the United States. This membership potentially mitigates the material effects of defying U.S. authority and creates incentives for states to chart a policy course that is independent of U.S. requests if the national interest—which includes sustained membership in the European structure—requires such a course.

In his conclusions Risse-Kappen offers his general finding that the public influenced the policy debate across his four cases (Japan, West Germany, France, and the United States). “Policymakers in liberal democracies do not decide against an overwhelming public
consensus. In most cases, mass public opinion set broad and unspecified limits to the foreign policy choices.”

In sum, I am hypothesizing that strong public opposition to U.S.-led military interventions in the form of public opinion polls that reflect legitimacy considerations and elite expression in the media is oriented around the perception of normative legitimacy, specifically concerns of the extralegal character of U.S. foreign policy. The above description of the European public-elite axis demonstrates two essential points. First, the public plays an active role in shaping the content of European foreign policy, reflected in elite rhetoric and policy decisions related to U.S. requests. Second, European publics, like their U.S. counterparts, make normative judgments about the character of foreign policy, and offer or retract their support for those policies accordingly. The above examples in the recent literature present evidence of the European public’s impact on European policymaking and the importance of the European public-elite conduit in understanding policy outputs, which parallels the U.S. public-elite axis examined above. The examples also draw attention to the European public’s sensitivity to normative claims and thus the role of ideational factors in policy decisions. The European model provides a pathway in which normative concerns about the extraconstitutionality of U.S. foreign policy animates public resistance, which often culminates in resistance strategies by European states.

Transatlantic Public and Elite Interactions

The model presented here suggests that European and the U.S. publics interact, which facilitates the transmission of normative standards. “Enlightenment” is not a
spontaneously generated phenomenon, and human consciousness is the result of a multitude of inputs. This project probes the possibility that norms that exhibit causal properties are communicated between domestic-level actors.

Robert Putnam refers to this effect as the “reverberation” of norms. “In a complex, interdependent, but often unfriendly world, offending foreigners may be costly in the long run,” Putnam explains. Furthermore, “Given the pervasive uncertainty that surrounds many international issues, messages from abroad can change minds, move the undecided, and hearten those in the domestic minority.” While there are limits of the applicability of Putnam’s analysis on international bargaining to this study of hegemonic authority, the dynamic by which ideas “reverberate” between domestic publics provides one explanation for how normative evaluations affect U.S. authority levels.

Yet Putnam does not restrict the reverberation concept to the public domain, and focuses primarily on efforts of elites to persuade foreign publics. And although broad domestic public perceptions of legitimacy restrict the range of options available to the policymaking elite, variation in U.S. authority ultimately is an elite phenomenon. European elites are forced to contend with both cognitive and normative legitimacy when determining when to consent to U.S. requests, but the decision itself—and the value of the dependent variable in this project—is made at the elite level.

By exploring the decision-making record of U.S. and European policymakers, I will demonstrate this second path by which normative concerns impact international political behavior. While this dissertation is principally focused on perceptions of normative

241 Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games," 455.
legitimacy as a mass public phenomenon, it is the policy elites who construct and carry out foreign policy. Evaluating the impact of legitimacy judgments on U.S. authority requires a focus on the relationship between the U.S. and European policymaking elite.

Evidence of the presence of normative evaluations in decisions to consent to U.S. authority can be found in the behavior of both European and U.S. policymakers. If evidence exists that considerations of normative constraints are perceived by secondary-state policymaking elite and part of the decision-making calculus, it would support my thesis that normative concerns play a critical role secondary-state determination of whether to consent to U.S. requests. Furthermore, evidence that U.S. policymakers react to the normative dimension of those decisions of international policymakers as reflected in political rhetoric would reveal another role of legitimacy considerations in policymakers’ strategy to safeguard U.S. authority.

Recent scholarship has provided evidence that elites are cognizant of the utility of normative appeals in strengthening influence. Ian Hurd argues that the Libyan regime successfully appealed to the norm of retaining good standing in the international community to remove itself from the UN sanctions regime that had been in place since the early 1990s.

Quite surprisingly for an Arab nationalist dictatorship, Libya publicly championed liberal internationalism and sought to reinforce the legitimacy of international law and organizations. Libya’s tactic created a dilemma for the prosanctions states: continuing to insist on the sanctions regime in the face of rising defections by UN members increased the risk to the credibility of the Council.242

---

Frank Schimmelfennig presents the story of European integration as a process of "rhetorical action," whereby leaders strategically used normative arguments in the public arena to support their goal of expansion or inclusion. Schimmelfennig argues that the rhetorical maneuvering was so successful that opponents to Eastern enlargement "found themselves rhetorically entrapped. They could neither openly oppose nor threaten to veto enlargement without publicly reneging on prior commitments and damaging their credibility as community members in good standing. In the end, they acquiesced in enlargement."  

In her work on the Suez crisis, Janice Bially Mattern couples a constructivist explanation of shared identity within security communities with a strategic choice account. For Mattern, states appeal to another state's desire for membership in a community of allies in order to constrain a state from operating in contravention of the requirements implicit in identification in that community. Mattern calls this coercive strategy "representational force."

Each of these articles depicts elites' utilization of normative appeals through rhetoric to secure their states' interests. In each episode, elites were cognizant of the effect of constructing policy consistent with a set of legitimacy norms that were specific to that context. More precisely, elite behavior represented an awareness of the effectiveness of articulating the rationale of their policies such that the rhetoric was congruent with the active legitimacy standards of the target elites. Each account was primarily an elite account of normative influence in international behavior, with very little mention of the public voice.

Schimmelfennig, The Eu, Nato and the Integration of Europe : Rules and Rhetoric, 5.

that activated those legitimacy norms and gave them meaning in the minds of policymakers. It is the omission of the public voice that makes these three examples representative of this third causal path of the influence of norms on international outcomes, a path that excises the public voice from the causal explanation and focuses on the policymaking domain.

**Legitimacy and Authority in Review**

The purpose of this project is to test the utility of legitimate behavior in reinforcing order, stabilizing hegemonic authority, and improving the terms of reciprocal relations. Alan Lamborn provides a theoretical link between legitimacy and reciprocity. Reflecting the distinction between specific and diffuse reciprocity considered above, in a primary and secondary state exchange, as the level of legitimacy of the relationship gains in currency and relations overall are considered to be more just, the time horizon lengthens for secondary states in evaluating whether to challenge the primary state’s position or preferences.245

This chapter has provided an academic treatment of the concept of political authority. This project seeks to meet several challenges simultaneously. It fills in the concept of policy legitimacy as a political concept, in particular challenging intrinsic notions of legitimacy and connecting the concept to a claimant. Secondly, this project resurrects the mass public as an important source of legitimacy evaluations, the evaluations of which have a consequential impact on the flow of international politics. A theoretical account of the public-elite axis and evidence of the prominence of public opinion on policy outcomes,

---

drawn from the current literature, provides a pathway by which normative concerns help to shape the policy process. The validity of this account is grounded in the assumption that public opinion does influence policy, as Lawrence Jacobs and Robert Shapiro argue, since “the public’s policy preferences are generally quite stable” and “the public has access to diverse sources of information for evaluating foreign policy, and competitive elections ensure that some officeholders will respond to sustained public criticisms of government policy, if they develop.”

The third objective is to connect legitimacy to the dependent variable of authority levels. David Lake sums up this central argument: “Authoritative commands are acceptable to the audience receiving the command and the more acceptable the command, the greater the prospects of compliance.” In addition to the other gaps that this dissertation seeks to close, the principal objective is to present empirical evidence of a causal relationship between normative policy legitimacy and hegemonic authority. It is to these empirics that we now turn.

---


Chapter 4
IRAQ, THREAT PERCEPTIONS, AND DIVERGING U.S. AND EUROPEAN NARRATIVES

From late 2002 through February 2003, U.S. officials crisscrossed the map seeking support for the use of military force against Iraq. War was looming, and the United States sought political cover for a policy that faced stiff resistance worldwide. A UN Security Council Resolution authorizing military force to remove Saddam Hussein from power would provide the legal legitimacy that U.S. policymakers sought, and likely would have tempered international resistance to U.S. tactics. Officials targeted crucial swing-state members of the Security Council, including the smaller states of Cameroon, Guinea, and Angola, and wealthier states Chile, Mexico, and Pakistan. In an effort to achieve their ends, American diplomats offered favors to those who supported U.S. policy—Secretary of State Colin Powell, who had won an internal struggle inside the Bush Administration to pursue approval from—rather than bypass—the UN Security Council, said flatly, "We want to be nice to people who are nice, and good to the people who are good to us." 248

Yet at the end of this diplomatic dance, states were not as responsive to U.S. material favors as policymakers had hoped. In fact, the strategy designed to secure support within the Security Council for the authorization of military force was a resounding failure. Before the United States withdrew its resolution from consideration in March 2003, U.S. officials could count just three other Security Council members as solid supporters. 249 Moving

249 The three supportive states were Britain, Bulgaria, and Spain.
outside the Security Council, Secretary of State Powell advertised a 45-member coalition on the eve of war, but the membership was an atypical U.S. alliance. Western European states, for instance, were more likely to resist U.S. requests than Eastern European states. In contrast to the 1991 Gulf War coalition, the U.S.-led “coalition of the willing” of 2003 was comprised disproportionately of weaker allies scattered around the world—states that were particularly vulnerable to the U.S. favors to which Secretary Powell alluded.

An unresolved question from this episode is what factors determined various states’ willingness to respond affirmatively to U.S. requests. Does a material explanation—of strong states resisting U.S. entreaties and weak states submitting—provide a complete story of who sided with the United States over Iraq? This project aims to assess these factors that shaped European states’ decisions of how to respond to U.S. requests at the onset of the Iraq War, as well as the related questions of the time frame on which states actually provided that assistance and the form that assistance took. The results of this study suggest that economic and military dependence were factors that shaped the European states’ responses to the United States prior to the Iraq War, but the story is more complicated than this material explanation suggests.

The unsuccessful diplomatic experience preceding the 2003 Iraq War generated deep resentments between the United States and many of its closest European allies. Fissures within the alliance were reflected in a new round of predictions of a lasting estrangement between transatlantic allies and revealed in the uneven patchwork of European states that refused U.S. pressure to play a substantive role in the invasion force and post-Hussein
environment. Yet while a descriptive account of this diplomatic trauma has been covered exhaustively in the popular press, a thorough explanation has yet to be advanced of the factors that led to this distinctive pattern of defiance by traditional U.S. allies.

Understanding the diminished authority of the United States vis-à-vis its European allies suffers from a classic overdetermination problem. A variety of explanations are available, including economic self-interest, the temptation of free-riding, concern about regional instability, pressure felt by weak states in an environment of vast power asymmetries, and the simple belief in the superiority of alternative strategic approaches to contain the threat of Saddam Hussein. This project assesses the weight of competing explanations for diminished U.S. authority immediately prior to the invasion and presents an alternative view. The central argument in this project is that a particular form of public opinion—specifically, international public perceptions of the legitimacy of U.S. foreign policy—is a key factor that explains the substance and the timing of reactions to U.S. requests in the use-of-force context.

The question of U.S. authority deficits in the 2003 Iraq War sits in the broader terrain of the study of the relationship between legitimacy and authority. There has been considerable discussion within the academy as well as the political commentariat that U.S. foreign policy under the Bush Administration has imperiled U.S. influence. Yet the concept of international authority has been imprecisely specified, complicating measurement efforts and undermining confidence in this claim. Furthermore, while the common view is that high levels of anti-Americanism have eroded U.S. power, this argument is both theoretically and empirically flawed. The mechanism by which low popularity degrades U.S. influence has
not been established satisfactorily in the literature. In fact, a link between domestic politics and elite decision-making has been seriously criticized by structural theorists during the life of this discipline. Furthermore, evidence of low U.S. popularity adversely affecting U.S. influence has been less available than advertised. This project aims to rectify these deficiencies in the conventional wisdom.

The Argument

The central argument advanced here is that U.S. authority is degraded when U.S. policy departs from normative standards of legitimacy. The specific normative standard tested here is the legal constraint on the acceptable use of military force. Materially capable states are more likely to make consent decisions on the basis of the legitimacy of U.S. policy, whereas weaker states that are more dependent on U.S. aid are more susceptible to U.S. influence and more likely to consent to U.S. requests irrespective of their publics’ perceived legitimacy of U.S. policy.

The metric of authority employed in this paper is the extent of European ally responsiveness to U.S. requests prior to the 2003 U.S.-led military intervention against Iraq. This framework will assist in rendering judgments of the precise ways in which U.S. authority has been challenged in consequential ways, beyond rhetorical anti-Americanism that has a questionable impact on U.S. influence.250

250 For an account that challenges the relationship between anti-Americanism and diminished U.S. authority, see Katzenstein and Keohane, Anti-Americanism in World Politics. See especially chapters 1 and 2.
The causal mechanism identified here demands an investigation of the link between domestic political support and the character of foreign policy, and is premised on the argument that domestic politics infiltrate decision-making processes consistent with normative concerns of extra-legal behavior that course through the body politic. This model assumes that the mass public, while less cognizant than elites of highly sophisticated cause-effect relationships, is more likely to privilege policies that conform to widely-shared normative legitimacy.

Competing Narratives and Transatlantic Tensions

The decisions leading to the 2003 U.S.-led war against Iraq are still heatedly debated. The rationale for the war, the timing of the decision, and the level of preparedness of U.S. troops for the post-war context are issues of intense and unresolved contestation. A featured element of this story that is not in dispute, at least in the U.S. context, is the background role played by the September 11, 2001 terrorist attacks on New York and Washington. This formative experience had a profound impact on policymakers’ views of a pending war with Iraq and largely drove the narrative of U.S. policymakers’ decisions with respect to Iraq, how they formulated their war objectives, and how the U.S. public responded to the official appeals for support.

There were at least two components of the Iraqi threat that directly evolved out of the September 11 consciousness. First, although British and U.S. intelligence estimates, among other sources, suggested a high probability that Saddam Hussein was stockpiling chemical, biological, and nuclear weapons throughout the late 1990s. The destructiveness of
such weapons had new salience in a period of profound perceived vulnerability in the post-
September 11 environment. Second, U.S. officials strongly implied that a link existed
between Iraq and terrorist activities—a claim that captivated the public’s attention, given the
recent memories of the al Qaeda network’s role in perpetrating the September 11 attacks.
Saddam Hussein systematically was characterized as a tyrant and a danger to international
security. The logic was that Saddam Hussein, armed with highly destructive weapons and
tied to terrorist networks dedicated to destroying the United States, could not be tolerated.
This strategy was sufficiently overt at least at the Defense Department that the DOD
inspector general stated in a report released in February 2007, “The Office of the
Undersecretary of Defense for Policy developed, produced, and then disseminated
alternative intelligence assessments on the Iraq and al-Qaeda relationship, which included
some conclusions that were inconsistent with the consensus of the Intelligence Community,
to senior decision-makers.”

Weapons of mass destruction and access to terrorists combined to raise the threat of
Saddam Hussein’s regime to heightened levels in the minds of U.S. officials who were
employed to keep the country safe, as well as in the consciousness of much of the public.
The Administration’s public rationale for the war throughout 2002 and the early months of
2003 included concerns over weapons of mass destruction, links to terrorist networks, and
the improved prospects for democracy in the Middle East, the success of which would
undermine the political illiberalism that enhanced the prospects of a WMD-terrorist nexus.

On August 26, 2002, in a speech to the 103rd convention of the Veterans of Foreign Wars, Vice President Dick Cheney declared, “We now know that Saddam has resumed his efforts to acquire nuclear weapons… If the United States could have preempted 9/11, we would have, no question. Should we be able to prevent another, much more devastating attack, we will, no question. This nation will not live at the mercy of terrorists or terror regimes.”

Two weeks later, National Security Advisor Condoleezza Rice said on CNN, “The problem here is that there will always be some uncertainty about how quickly (Saddam Hussein) can acquire nuclear weapons. But we don’t want the smoking gun to be a mushroom cloud.”

Eleven days after Rice’s statement, Secretary of Defense Donald Rumsfeld testified before the Senate Armed Services Committee:

Last week we commemorated the one-year anniversary of the most devastating attack our nation has ever experienced, more than 3,000 people killed in a single day. And today I want to discuss the task of preventing even more devastating attacks, attacks that could kill not thousands but potentially tens of thousands of our fellow citizens… I am here to discuss Iraq… no terrorist state poses a greater or more immediate threat to the security of our people than the regime of Saddam Hussein in Iraq.

Reinforcing the impression that an al Qaeda-Iraq link existed, in his speech before the UN General Assembly on September 12, 2002, President Bush announced that “Iraq continues to shelter and support terrorist organizations… (and that) al Qaeda terrorists escaped from Afghanistan and are known to be in Iraq.” In Cincinnati, Ohio, on October 7, Bush declared, “We know that Iraq and al Qaeda have had high-level contacts that go back a

---

decade... We've learned that Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases."^255 In fact, according to the Report of the Senate Select Committee on Intelligence, released on June 5, 2008, senior officials in the Bush Administration overstated the case of a relationship between Iraq and terrorists groups, making claims beyond what was then known within the intelligence community. While this report found that U.S. intelligence did substantiate the claim that some contacts between al Qaeda and Iraq existed, the report found that "policymakers' statements did not accurately convey the intelligence assessments of the nature of these contacts, and left the impression that the contacts led to substantive Iraqi cooperation or support of al Qaeda."^256

It is likely that employing the specter of weapons of mass destruction and terrorist attacks to justify overthrowing Saddam Hussein's regime would not have withstood scrutiny by the American public prior to the September 11 attacks. In any event, the case was made easier by conflating the September 11 experience with the threat of Saddam Hussein. The essential point is not that the Bush Administration officials had malign intentions or purposely mislead the American public. The crux of the matter as it relates to this paper is that the September 11 attacks created a permissive environment in which U.S. officials were able to pursue their policy goals with minimal public resistance.

The European experience was different. The public was less impacted personally by the September 11 attacks and less persuaded by appeals to consider these attacks and Iraq in

---

^256 Ibid., 71.
a single space. A fundamental source of the divisions between the United States and its historic allies in Europe is that key European policymakers—and their respective publics—responded to different cues to determine their position on the use of force against Iraq. American policymakers packaged September 11 and Iraq together into a single storyline in which the old rules were inoperative and preventive war and the circumvention of cumbersome alliance structures was justified. European policymakers and their publics largely saw Iraq through the prism of a unipolar world, in which the legal rules that governed the second half of the twentieth century were particularly necessary.

It is important to note that European public opinion overall was supportive of the U.S. intervention in Afghanistan in October 2001. European states have contributed a large proportion of the NATO forces in Afghanistan in recent years, revealing that the European perspective on military intervention is more nuanced than suggested by accounts of a pacifistic continent. The limited support European governments offered the United States prior to the 2003 Iraq invasion was grossly out of proportion with that provided in the 1991 Gulf War, as well. The United States was reimbursed approximately $74 billion (2007 US$) from its allies in after the Gulf War, whereas the cost of the current Iraq war surpassed $500 billion last year and were borne almost entirely by the United States. In the current war, since the invasion coalition troops engaged in peacekeeping have totaled less than 24,000,

compared to the approximately 160,000 coalition troops that participated in Operation Desert Storm in 1991.\textsuperscript{258}

Broadly speaking, large numbers of European states regarded the 2003 Iraq war differently from previous interventions. Diplomatic relations were temporarily eased with the passage of UN Security Council Resolution 1441, which held Iraq in “material breach” of disarmament obligations.\textsuperscript{259} Because the resolution only authorized “serious consequences” in the event of continued violations, the United States and its allies that supported the use of military force returned to the Security Council for an additional resolution that made recourse to force explicit. As described above, that exercise failed.

Following France’s threat to veto this UN Security Council vote authorizing force, U.S. officials began to backtrack on earlier vows to push for a Security Council vote. Secretary of State Colin Powell said before a congressional subcommittee on March 13, “We are still talking to the members of the council with respect to coalescing around a position that wouldn’t draw a veto, but the options remain: go for a vote and see what members say, or not go for a vote.” After intense lobbying over several months, the Bush Administration finally concluded that as many as 11 of the 15 Security Council members could not be persuaded to support the resolution authorizing force. President Bush finalized the decision to withdraw the UN resolution on March 16, and proceeded to inform allies of his intentions as well as advise UN weapons inspectors to begin pulling out of Iraq. A senior U.S. official reportedly said, “It’s harder to proceed if you have a vote against you than if you

\begin{flushright}
\parbox{\textwidth}{\footnotesize \textsuperscript{258} Subcommittee on International Organizations, Human Rights, and Oversight, \textit{Congressman Bill Delahunt - Economic and Military Support for the U.S. Efforts in Iraq: The Coalition of the Willing, Then and Now}, 110th Congress, May 9 2007.}\\
\end{flushright}
have nothing. For legal reasons, we’re in the best position we can possibly be in right now.” Yet the failure to find a consensus position on Iraq left the appearance of a United States in battle with its oldest allies. One ambassador from a non-permanent member state that had faced U.S. pressure stated, “They would have had no more than four votes if they had put the resolution to a vote. This is the most consistent and astonishing defeat since the United Nations was created. I don’t know of any other time in which the United States has been more isolated.” This decision to expedite the process raised serious doubts in the minds of foreign officials as to the motives of the Bush Administration. One commentator observed, “In a fashion that is almost reminiscent of World War I, the Pentagon’s military timetables drove American diplomacy. The weather had become more important than international legitimacy.”

On March 19, 2003, the United States launched war against Iraq with four satellite-guided missiles targeting the Iraqi president. The launch of the invasion effectively ended the diplomatic exercise that had been conducted intensely over the previous nine months. It is a central premise of this paper that the competing narratives that shaped the respective U.S. and European policymaking elites’ interpretation of the Iraq threat, as well as that of their publics, were a central cause of the diplomatic hostility produced by the negotiations. For states that resisted U.S. authority, this divergence in the perception of the Iraqi threat

and the (il)legitimacy of forcibly overthrowing Saddam Hussein were the featured arguments in the decision to reject U.S. requests leading up to the war. As argued in chapter 3, the rhetoric deployed to justify policy plays an important causal role by signaling the legitimacy standards in circulation as well as entrapping policymakers to conform to the principles on which the rhetoric is premised. On the other hand, states that responded favorably to U.S. requests were more likely to be persuaded by the material benefits of allying with the United States.

The American Preference for European Support

The dependent variable in this project is U.S. authority, reflected in the character of European states’ responses to U.S. requests prior to military action in Iraq. Specifically, U.S. authority is measured by the extent to which allies offered or withheld political and material support for the U.S.-led invasion.

The specific nature of each U.S. request unquestionably varied in the case of each individual European state. Each European delegation had a different set of assets available in the background of the respective diplomatic exchange. Yet the general request was the same—the Bush Administration preferred some level of support from each of its European allies for the purpose of broadening the coalition.

A more precise measure of the strength of U.S. authority would be a comparison between the specific U.S. request and the ultimate contribution in each individual case. It is fair to assume, however, that U.S. officials sought and would have accepted some form of support from every European state. The consistency of this strategic preference allows this
researcher to avoid the insurmountable task of successful uncovering the details of each individual request—much of which remains classified—and focus on the success U.S. officials had in broadening the political support for military action.

To develop this political and material base of support, U.S. officials repeated the strategy pursued in the months prior to the 1991 Gulf War, engaging in vigorous diplomacy to obtain an explicit resolution authorizing force against Iraq. United States officials sought the conveyance of legality under international law and the legitimacy that likely would have accompanied an affirmative vote by the UN Security Council. Eight weeks of intensive diplomatic efforts led to unanimous passage of UN Security Council Resolution 1441 in November 2002. The resolution authorized “serious consequences” for material breach but did not explicitly authorize the use of force. In addition to securing unanimity in the Security Council, the intense diplomatic efforts had the effect of increasing the number of states willing to publicly side with the United States on dismantling Saddam Hussein’s regime.

Evidence of U.S. policymakers’ interest in increasing the legitimacy of U.S. policy was the extent to which the United States leveraged this broadening base of support to achieve its strategic objectives. Officials of the U.S. government maximized every available opportunity to capitalize on the claim that a broad international coalition supported the removal of Saddam Hussein from power. As the drumbeat of war grew louder, the trumpeting of a “coalition of the willing” intensified. In his State of the Union Address on

---


175
January 28, 2003, President Bush declared, “Let there be no misunderstanding: If Saddam Hussein does not fully disarm, for the safety of our people and for the peace of the world, we will lead a coalition to disarm him.”264 At a March 11 press briefing, Secretary of Defense Donald Rumsfeld announced, “If (Saddam Hussein) does not disarm, he will be disarmed by a coalition of willing countries. And I believe that if such a decision were to be made, it would prove to be a large coalition.”265 Four days prior to the launch of the invasion, Secretary of State Colin Powell announced that 45 states had pledged to support the United States’ invasion of Iraq.266

On March 20, one day before the U.S. initiated air strikes in Baghdad, White House Press Secretary Ari Fleischer made one substantive unsolicited comment before taking questions from the press. Fleischer lauded the breadth of the coalition that had pledged support for a U.S.-led campaign and reiterated the Administration’s strategy to legitimize military intervention. Fleischer spoke of “the growing number of nations that have joined in the coalition of the willing to disarm Saddam Hussein… All told, the population of coalition of the willing is approximately 1.18 billion people around the world… a combined GDP of approximately $21.7 trillion. Every major race, religion and ethnic group in the world is represented. The coalition includes nations from every continent on the globe.”267 The Administration’s presentation of the intervention in multilateral terms was overt and strategic. For a short time U.S. officials argued that the coalition of the willing was larger

than than the coalition constructed to force Iraq to retreat from Kuwait in 1991, but the officials subsequently retreated from this inaccuracy.

In addition to the general political support sought by U.S. officials, the preference for material aid also was evident. Testifying before a House committee in early March, Secretary of State Powell warned that as a result of the global responsibility that the United States already had assumed, the United States would press its allies to assume a portion of the financial costs. “A lot of commitments are going to have to be made. You know, we’re the big kid on the block… I know that we’re taking on additional obligations. There will be a lot of bills and reconstruction.” Yet the fact that many of the states publicly included in the coalition were equipped with insufficient material resources to usefully contribute to U.S. objectives complicates the use of military and economic contributions as a metric of U.S. authority. At some level, U.S. officials had to be satisfied that a broad coalition—even one that offered minimal material support—still served the political objective of blunting the charge of U.S. unilateralism that Bush Administration policies had increasingly generated and muting the opposition voices that challenged the character of U.S. policy.

Still, U.S. officials undoubtedly were aware that pledges of political support often fail to materialize, raising concerns that if swift victory in Iraq was not achieved, the United States would face a dwindling coalition and pay a heavy diplomatic price for its perceived unilateralism. Substantive material contributions to the U.S.-led effort potentially had the effect of tying in allies and reducing the possibility of defection.

The multi-pronged diplomatic effort suggested that U.S. policymakers were cognizant of the utility of such a coalition in providing political cover as well as material assistance that would minimize the extent to which the costs were borne exclusively by the United States. Every member that was added to the roster would serve to broaden the coalition and attenuate the specter of an America untethered by legal and normative constraints, thus strengthening the perceived legitimacy of the operation.

Three months after the November 2002 Security Council authorization, with the inspection regime faltering, Great Britain, Spain, and the United States conducted a public relations campaign alleging that Iraq continued to defy international will and collaborated in drafting a resolution authorizing military action. When it became evident that the United States could not generate a sufficient number of positive votes authorizing force, it discontinued the process to obtain legal authorization. American officials then attempted an alternate course in which they sought bilateral agreements that would strengthen the level of political and material support.

As a result of this clear preference by U.S. officials for legal authorization by the UN Security Council for the application of military force and for political and material support in general, the United States' success or failure in gaining support from individual European states is a reliable measure of U.S. authority in the weeks leading up to the March 2003 invasion. Because U.S. officials sought some level of support from each European state, the specific nature of each bilateral request by the United States is less critical. If material and political support was denied by any individual state prior to the invasion, U.S. authority was weak vis-à-vis that state.
To restate the point, the emphasis here is on economic, military, and logistical contributions. While political support in the form of a rhetorical pledge was welcomed by U.S. officials, the willingness of a state to make costly (material) contributions is an especially strong test of each state’s willingness to submit to U.S. requests. Willingness to rhetorically support the “coalition of the willing”, on the other hand, is a less convincing measure of U.S. authority, as it is a poorer test of secondary states’ commitment to adjust policy in response to U.S. requests. The willingness of a government to join a list of supporting states alone is not a sufficient test of U.S. authority, since a government could reasonably join the list, reap the rewards of a continued alliance with the United States, and tolerably absorb the adverse reaction from a highly mobilized public. The real test of accession to U.S. requests is the willingness to bear the material cost associated with troops or territory.

Authority Metrics: The Type and Timing of Secondary-State Assistance

The model advanced here makes an important prediction about two dimensions of authority—the type and the timing of assistance that secondary states offered. The particular configuration in which the independent variables described below are arranged will shape European states’ decisions of the kind of assistance each state will provide and when each state will provide it.

This research identifies two types of assistance. Material assistance includes the willingness of a state to offer tangible goods, such as technical expertise, military troops, or territory for logistical operations. Non-material assistance includes the willingness to join the pre-war “coalition of the willing” or other rhetorical pledges of support. I considered
the offer of air space rights for the purpose of transportation and military operations is a relatively costless offer with little impact on the population. For this reason, I coded the offer of air space rights as a non-material offer of assistance. The highest level of authority is indicated most decisively by the offer of both material and non-material assistance on an immediate basis. The lowest level of authority is indicated by the refusal of a state to provide both material and non-material assistance in response to U.S. requests leading up to the war.

As discussed above, material assistance is a tougher test of U.S. authority as it requires more substantial costs to acquiescing states. A recent study conducted by Jürgen Schuster and Herbert Maier finds that the public is more likely to influence material support than non-material support because of the costs borne by the public.\textsuperscript{269} Schuster and Maier then make the curious choice to select as their dependent variable the willingness to join the coalition of the willing. Although this choice to restrict their dependent variable to coalition membership serves to confirm their argument that ideological orientations of European governments were the key variable that explained European states’ decisions to provide political support, their choice of dependent variable impairs their analysis from gauging a test of more substantive measures of authority.\textsuperscript{270} When they assess the more rigorous test of U.S. authority—the willingness to provide material support to the invasion in the form of “active military participation in an Iraqi invasion”—the hypothesis of a link between public

\textsuperscript{269} Schuster and Maier, “The Rift: Explaining Europe’s Divergent Iraq Policies in the Run-up of the American-Led War on Iraq.”

\textsuperscript{270} Granted, one could argue that testing of U.S. authority levels never was their intention, but seeking to explain only the willingness of ally states to join a list of supportive states seems to have limited applications in the broader study of international relations than a study of the influences of authority levels.
opinion and support for U.S. policy fared much better, confirmed in 90 percent of the cases.\footnote{271} The hypothesis was not confirmed in only the cases of Poland and Great Britain.

This finding is consistent with my argument that policy legitimacy—a dimension of public opinion discussed at length below—influences substantive measures of authority. The Schuster-Maier study concludes, “The public’s will is generally mighty enough to hinder the use of military force but it seems not to be influential enough to determine key political foreign policy positions.”\footnote{272} In other words, public opinion is more likely to have an effect on policy decisions that extract costs from the public. It is precisely this effect of policy legitimacy on substantive measures of authority that I seek to measure.

Authority levels that are not at either extreme involve mixed indicators, in which material assistance is refused but non-material assistance is promised.\footnote{273} This mixed condition generates inconclusive results. In one respect, the provision of non-material assistance is a reliable indicator of authority because U.S. officials logically coveted any form of support that they could acquire from U.S. allies. This was due to the fact that U.S. officials were in shorter supply of political good will in the weeks leading up to the invasion than they were of the military capabilities necessary for success in meeting the near-term objectives of the invasion. On the other hand, non-material assistance was less costly to provide, suggesting that it is not as reliable of an indicator of authority as the willingness to

\footnote{271} Schuster and Maier, “The Rift: Explaining Europe’s Divergent Iraq Policies in the Run-up of the American-Led War on Iraq,” 232-33, 38. \footnote{272} Ibid.: 233. \footnote{273} There were no cases in which non-material assistance was denied but material assistance was provided. This is expected, since a willingness to join the coalition of the willing, for example, was a costless proposition relative to a willingness to offer troops or basing rights. Since non-material assistance was less costly, it is logical that no state that refused this type of assistance would have promised to provide the more costly form of support.
supply material assistance in which some cost is borne by the consenting state. A state’s military and economic capabilities are likely to dominate a state’s decision to offer material assistance.

The *timing* of assistance is a measure of whether the assistance of either form was offered immediately (prior to the March 19 invasion) or whether the actual presentation of goods was delayed. The intense diplomatic activity by U.S. officials around the two Security Council votes revealed the officials’ strong preference for the political cover and international legitimacy that strong ally support would convey. For this reason, immediate support was much more highly coveted by U.S. policymakers, as much for the political symbolism that uniform levels of support would generate as the material assets that only marginally improved the United States’ capabilities. As a result, delayed assistance was contrary to U.S. preferences, and *ceteris paribus*, is a sign of depleted U.S. authority. This project focuses on decisions to consent to U.S. requests in a truncated time period, during the intense diplomatic efforts to generate support in the weeks preceding the invasion. For this reason, delayed support is coded as non-support.

In short, the highest level of U.S. authority is indicated by an ally’s willingness to offer both costly material assistance and non-material assistance on an immediate basis. The lowest level of authority is indicated by a refusal of both material and non-material assets. A graphic depiction of this coding scheme of the dependent variable of U.S. authority is described in Table 1.
Table 1

<table>
<thead>
<tr>
<th>Authority</th>
<th>Material assistance?</th>
<th>Non-material assistance?</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest</td>
<td>Y</td>
<td>Y</td>
<td>Immediate</td>
</tr>
<tr>
<td>Mixed 1</td>
<td>N</td>
<td>Y</td>
<td>Immediate</td>
</tr>
<tr>
<td>Mixed 2</td>
<td>Y</td>
<td>Y</td>
<td>Delayed</td>
</tr>
<tr>
<td>Mixed 3</td>
<td>N</td>
<td>Y</td>
<td>Delayed</td>
</tr>
<tr>
<td>Lowest</td>
<td>N</td>
<td>N</td>
<td>---</td>
</tr>
</tbody>
</table>

The Independent Variables

*European Public Opinion*

Results from a wide range of polls revealed that in early 2003 the European public broadly opposed the U.S.-led war with Iraq. An EOS-Gallup poll of January 2003 found that in 28 European states the public overwhelmingly opposed intervention in Iraq.\(^{274}\) Although Germany and France were the most prominent and vocal members of the opposition to U.S. policy, EOS-Gallup poll results revealed extremely low levels of support throughout Western as well as Eastern Europe. Ten percent of the public in Bulgaria, 12 percent in Estonia, and 8 percent in Turkey, for example, believed that the U.S.-led war against Iraq was “justified”.\(^{275}\) Slovakia was the only country in the polls observed in which a majority of the public believed that the war was justified. The next closest level of public support was 33 percent in the Czech Republic, Slovakia’s western neighbor.\(^{276}\)


\(^{275}\) These results were presented in “Public opinion on ‘Iraq’: international comparative polls and countries outside USA (up to August, 2004),” prepared by Philip Everts, Leiden University, www.gips.unisi.it/circap/file_download/64.

\(^{276}\) These results were presented in “Public opinion on ‘Iraq’: international comparative polls and countries outside USA (up to August, 2004),” prepared by Philip Everts, Leiden University, www.gips.unisi.it/circap/file_download/64. The respondents were asked whether “the United States should intervene militarily in Iraq even if the United Nations does not give its formal agreement,” and were given the
Other polls revealed similar results. A March 18, 2003 report by the Pew Research Center for the People and the Press revealed that just 20 percent of the French public and 27 percent of the German public supported the war. Conversely, 81 percent of Italian public and 81 percent of Spanish public were opposed to joining the U.S.-led “coalition of the willing.”

It is reasonable to conclude that as a result of this strong public opposition, states—all of which were relatively mature democracies—publicly opposed U.S. requests for political and material assistance, this is not what actually occurred. In fact, despite the consistently strong opposition to the war by the European public, the effect of European public opposition on the European governments’ responsiveness to U.S. requests was uneven and inconclusive. A simple causal relationship between public opinion and rejection of U.S. preferences does not appear to sufficiently explain the nuanced pattern in which states rejected U.S. authority prior to the 2003 Iraq War.

In the first place, there is insufficient evidence in the literature for the argument that policymakers are directly responsive to public opinion. It is beyond the scope of this project to present the theoretical background behind many scholars’ skepticism toward the claim of a policymakers’ responsiveness to public opinion. In short, many scholars have observed that the volatility of public opinion makes the public voice an unreliable guide for

---

policymakers. Thus policymakers are less likely to be affected by polling data than by strategic considerations.\textsuperscript{278}

Empirically, even the easier test of authority of states providing political support by joining the coalition of the willing cannot be explained simply by observing public opinion polls. One clear example is that, given their high public disapproval of military action against Iraq, Italy and Spain should not have contributed if public opinion were the sole determinant of contributions to the U.S.-led coalition. The fact that they did contribute substantially is a curious result, although upon closer inspection this result demonstrates the power of the explanation advanced in this project. As will be discussed at length below, according to the metrics established here, the publics in Italy and Spain were not particularly motivated by legitimacy norms defining the contours of the permissible use of force.\textsuperscript{279}

Many other states with strong anti-war public opinion supported the war (in a separate EOS-Gallup Europe poll, coalition members Estonia, Italy, the Netherlands, and Sweden all had over 80 percent of their publics against the war).\textsuperscript{280} Other states that ranked among the lowest in terms of anti-war public opinion chose not to join the coalition (such as

\begin{flushright}

\textsuperscript{279} Both Italy and Spain had rule-of-law scores that were below the threshold level of 3.75 out of 5.0, one of three metrics indicating cases in which policy legitimacy considerations were particularly active in the public mind. As discussed at length below, low rule-of-law scores suggest that the domestic public is less socialized into placing high value on constitutional norms relative to publics of states exhibiting high rule-of-law scores, and thus less motivated by the normative legitimacy of U.S. use-of-force policy vis-à-vis Iraq.

\textsuperscript{280} One possible explanation for why some states with high levels of public opposition to the war still supported the war is that they engaged in “cheap talk” to appease the Americans, but contributed minimal substantive contributions to appease the domestic base. Yet as explained in chapter 3 and in greater detail below, cheap talk is not as cheap as is often alleged, as elites become bound by their rhetoric or face the often crippling charge of hypocrisy.

\end{flushright}
Slovenia and Luxembourg). Despite strong opposition, the vast majority of Central and Eastern European states opted to join the coalition.\textsuperscript{281} Of the 15 European states with the highest percentage of the population against the war, six joined the Coalition. According to Schuster and Maier, the hypothesis that governments would strictly follow public opinion was confirmed in just 31 percent of the cases. Schuster and Maier concluded that, “there were no cases in which public opinion served as the only explanation for the relevant country’s political position.”\textsuperscript{282} In another study, Steve Chan and William Safran found little evidence of a direct link between public opinion and willingness to join the coalition of the willing, finding instead that mitigating factors such as the type of electoral system in place played a definitive role in whether a state opted into the coalition.\textsuperscript{283} The pattern of public opinion and the willingness to join the coalition—one measure of responding favorably to U.S. preferences for political support and an easy test of U.S. authority—is listed in Table 2 below.

\textsuperscript{281} Central and Eastern European states included in this study are those states east of the borders of Germany, Austria, and Italy, and west of the borders of Russia, Belarus, Ukraine, and Moldova. Excluded are the Scandinavian countries, which I have coded as Western European states, and southern states of Croatia, Serbia, Montenegro, Macedonia, and Albania. I have selected this particular universe of cases because they serve as the best test of whether legitimacy norms played a causal role. These states form the core of the community of European states, in which shared norms are most likely to be active. If legitimacy norms do not play a substantive role in this community, then it is difficult to imagine that they function in alliances that reach a more diverse set of members and exhibit fewer shared norms playing a binding role.

\textsuperscript{282} Schuster and Maier, “The Rift: Explaining Europe’s Divergent Iraq Policies in the Run-up of the American-Led War on Iraq,” 232. In this specific test, Schuster and Maier hypothesize that only states in which an excess of 60 percent of the public oppose the invasion will capitulate to public pressures and refuse to join the U.S.-sponsored “coalition of the willing”.

\textsuperscript{283} Chan and Safran, “Public Opinion as a Constraint against War: Democracies’ Responses to Operation Iraqi Freedom.”
For a material contribution to count, it must have been offered prior to the initiation of military force on January 15, 2003. As stated above, material assistance includes the willingness of a state to offer tangible goods, such as technical expertise, military troops, or territory for logistical operations, which would be perceived by the public as extracting some cost from their government.
A number of studies have examined institutional effects on elite responsiveness to public opinion. These institutional factors include the timing of elections, the ruling party's electoral margin, and the number of parties in a given political system, all of which are measures of variation in types of democracies. While there is broad agreement that the type of democracy has an impact on the sensitivity of elites to public opinion, there is little consensus on what aspect of democratic institutions has the decisive impact on elite behavior.\footnote{For a brief survey of some of this literature, see Chan and Safran, "Public Opinion as a Constraint against War: Democracies' Responses to Operation Iraqi Freedom," 150-53.}

This study sidesteps this literature on the different institutional effects on elite responsiveness. I do not deny that institutional differences between types of democracies are part of the explanation for why the public's opinion has greater weight in some states than others. But as the Chan-Safran study revealed, the conventional institutional explanation that majority/plurality systems are more responsive to public opinion than proportional representation systems does a poor job explaining variation in even an easy test U.S. authority of rhetorically joining the coalition of the willing in the Iraq case.\footnote{Ibid.} The policymaking elite in the United States and Britain, for example, are expected to be more sensitive to public opinion given that they are both majority/plurality systems, and yet both

| Slovakia  | 46 | Y | Y |
| Iceland  | -- | Y | N |

\[\text{\textsuperscript{285}}\text{For a brief survey of some of this literature, see Chan and Safran, "Public Opinion as a Constraint against War: Democracies' Responses to Operation Iraqi Freedom," 150-53.}\]

\[\text{\textsuperscript{286}}\text{Ibid.}\]
states (particularly Britain) proceeded despite record-high levels of public protests opposing the war.

If the direct relationship between narrowly conceived public opinion and policy outcomes is inconclusive and the inclusion of institutional variables is indeterminate, where should we turn for a fuller explanation? One variable that has been understudied in the literature is the public assessment of the character of foreign policy, a measure that is not included in narrowly framed polling that generally measures a policy's perceived effectiveness.

*Domestic Policy Legitimacy*

A central assertion of this project is that a dimension of international public opinion reflects normative legitimacy, which privileges value-laden considerations over narrow parochial concerns. As a result of its normative character, legitimacy perceptions are more likely to be stable and sufficiently intense to generate public protest. As a result, policy legitimacy is more likely to weigh on policymakers' minds and affect policy outcomes than more constrained notions of public opinion.

Public opinion scores that result from narrowly framed questions (for example, “Do you support or oppose the use of military force in Iraq?”) are a measure of the public’s general disposition toward the war or the public’s evaluation of a policy’s effectiveness in achieving stated objectives, but tell the researcher little about the core rationale for the opinion. It is difficult to extract from such questions the normative reasons that are driving public opinion from narrow parochial interests. Yet it is possible that one reason that public
opinion does not appear to consistently result in policy change is that opposition reflects utilitarian concerns, which generates more inconsistent and less intense reactions than normative concerns do, such as reservations about the impact that U.S. policy will have on international law, human rights, or the precarious state of international justice.

Alexander George suggested three decades ago that a policy’s legitimacy is evaluated on the basis of a policy’s feasibility and its desirability.\(^{287}\) The feasibility of a policy is the “cognitive” component, which relates means to ends in a convincing way and requires demonstrated competency on the part of executive leadership. The evaluation is formed on the basis of how effective the policy will be in achieving the designed objectives. The desirability of a policy is the “normative” component, and relates to the degree to which a policy “is consistent with fundamental national values and contributes to their enhancement.”\(^{288}\)

Using George’s terminology, the cognitive component of legitimacy relates to public opinion that is a function of a policy’s perceived effectiveness. Normative legitimacy relates to the evaluation of the character of a policy and its consistency with legal and societal norms. The hypothesis advanced here is that normative policy legitimacy has a more profound impact on the dependent variable of U.S. authority than cognitive legitimacy, which is the conventional measure of public opinion reflected in narrowly constructed opinion polls.

\(^{287}\) George, On Foreign Policy: Unfinished Business, 17-19.

\(^{288}\) Ibid., 17.
This project attempts to isolate public opinion from normative concerns in order to facilitate testing of the extent to which the nature of public opinion (whether parochial self-interest or abrogation of widely-accepted societal values) influences the dependent variable of U.S. authority. In order to isolate the effects of public opinion, I will compare public opinion figures that are generated from questions that have no normative content in the way they are framed with questions that do. Probing the character of public opinion and differentiating between public opinion and domestic policy legitimacy will provide a more complete explanation for the unevenness of the pattern of European states’ rejection of U.S. authority in the weeks leading up to the March 2003 invasion of Iraq. In other words, it is not just the type of democracy or the nature of its institutions that mattered, but the type of policy that the United States was advocating.

Paradoxically, despite the high levels of opposition to the Iraq War among the European public, poll results revealed that prior to the U.S.-led invasion, Europeans did not oppose the objectives of the war. Seventy-one percent of Germans and 73 percent of the French believed that the Iraqi public would benefit as a consequence of Saddam Hussein’s removal from power.289 Consistent with this finding, despite the fact that 75 percent of the French public and 69 percent of the German public opposed the war, 46 percent of the French and 56 percent of the Germans believed that the Middle East would be more stable as a result. Clearly the French and German publics were not favorably disposed to Saddam Hussein’s dictatorship, nor ignorant of the threat that he posed to Middle East stability. The

289 “America’s Image Further Erodes, Europeans Want Weaker Ties.”
nature of the public’s view toward Saddam Hussein and the Iraq War was more complex than narrowly defined questions gauging support for the war could account for.

European public opinion also reflected broad support for an important role for the United Nations in defusing hostilities. Consistent with strong European support for a rule-based order and the prominence of legal instruments in shaping the conduct of international politics, European public opinion revealed a consistent pattern of support for the United Nations, including 54 percent of the British, 55 percent of the French, and 73 percent of the Germans. These polling results suggest that the public opposition to the war reflected a normative evaluation of the consistency of U.S. policy with core European values.

This was further reinforced by the fact that much of Europe’s public expressed skepticism over U.S. *motives* in Iraq. Despite the expected benefits that the removal of Hussein would deliver (Alexander George’s “cognitive” component of policy legitimacy), the widespread perception among European observers of an artificially advanced time schedule and shifting rationale for war generated public doubts over the sincerity of U.S. objectives. According to one report, “A startling number of Europeans (75 percent of the French and 54 percent of the Germans) suspect Bush of crasser motives: he wants U.S. control of Iraq’s oil, he wants a quick war to enhance his re-election prospects in 2004, he wants to avenge his dad.” According to Pew poll results, immediately before the war 60 percent of Turkey’s public believed that U.S. military action in Iraq was part of a broader war against Muslim

290 Ibid.
nations. As the motives diverged from broadly held European principles, opposition to U.S. policy intensified. This preference for an active UN role and a general wariness of U.S. motives establishes the value-oriented component of public opinion (Alexander George’s notion of “normative policy legitimacy”).

This distinction between cognitive and normative policy legitimacy and the general complexity of European public opinion immediately prior to the 2003 Iraq War has two important implications with respect to U.S. authority. First, this distinction raises doubts about cavalier handling of the concept of “public opinion” and poses a general challenge to pronouncements of the state of the public mind. Public opinion is complex and has uneven effects on political behavior, including resistance decisions by ally states. The conventional wisdom in 2003 was that Europeans opposed the war, but few commentators were explaining the nuance in European public opinion described above and its related impact on U.S. authority.

The second implication, central to this project, is that attempts to measure the relationship between public opinion and elite decision-making often miss the impact that mass public opinion has on policy that a finer-grained analysis of public opinion might capture. The failure to determine a clear relationship between public opinion and European states’ reaction to U.S. requests in March 2003 is in part a consequence of this oversight. As discussed, narrowly defined public opinion had an indeterminate effect on European governments’ decisions regarding U.S. requests. Evaluating the normative dimension of

---

292 "America’s Image Further Erodes, Europeans Want Weaker Ties.”
public opinion provides insights into the effect of normative policy legitimacy on U.S. authority.

The key independent variable of interest in generating secondary-state dissent is the perception of illegitimacy by international publics in the context of the U.S. decision to exercise force against Iraq without authorization by the UN Security Council. The hypothesized relationship between policy legitimacy and authority is that low levels of legitimacy drive secondary-state resistance to U.S. requests, corresponding to a deficit in U.S. authority. Policy legitimacy has an effect on authority precisely because it is a distinct form of public opinion. In short, normative considerations shape public views in specific ways and have a decisive impact on U.S. authority levels, whereas broadly conceived “public opinion” does not necessarily correlate with low levels of substantive measures of authority.

To restate, as demonstrated by the discussion of European opinion of U.S. policy in Iraq, a key difference between public opinion and policy legitimacy is that normative evaluations based on personal or societal values constitute policy legitimacy, as opposed to instrumental or utilitarian self-interest that drive more parochial concerns. As a result of this value-laden content, normative policy legitimacy is stable compared to cognitive public opinion. The public’s expressed view that the rule of law should guide U.S. behavior, for example, is more stable than the public’s view on the U.S. occupation of Iraq, which has shifted (opposition has attenuated) as the number of battle casualties, confidence in the Bush Administration’s plan, and the prospects of progress have trended in a positive direction (as of January 2008). This assumption that the normative component of public opinion is stable relative to parochial concerns is consistent with Benjamin Page and Marshall Bouton’s
finding that foreign policy goals and perceived threats flow from individuals’ personal values and belief systems. This aggregation of individual opinion, when measured collectively, "exhibits something like a single, coherent collective belief system." By probing the nature of public opinion to determine the extent to which it reveals normative content, researchers can differentiate utilitarian-based opinion from perceptions of legitimacy.

What metrics assist in distinguishing public opinion and public perceptions of legitimacy? First, to investigate the normative component of pre-war opinion of the U.S.-led intervention, I include a measure of the increase in support that the Iraq invasion received if U.S. action is consistent with international law (specifically, if use of force is authorized by the UN Security Council). The difference between the popularity of the war and the increase in support for the war if the United States respects procedural norms under international law regulating military force is a measure of the strength of the public’s regard for the legitimacy norm of constitutionality and a reflection of perceived legitimacy. I expect that the greater the extent that the popularity of the war depends on the UN Security Council authorization for the use of force (that is, the greater the spread between popularity of the war and popularity if a UNSC authorization is obtained), the more sensitive the population is to use-of-force norms and the more likely that the population is to hold their elected officials accountable for abiding by this normative standard of legitimacy.

A second metric of policy legitimacy is a measure of each state’s commitment to the rule of law as indicated by the state’s rule-of-law score, an aggregate of data collected from

---

293 Page and Bouton, The Foreign Policy Disconnect: What Americans Want from Our Leaders but Don’t Get, 30.
research institutes and non-governmental organizations and tabulated by the World Bank. Societies in which the law is consistently respected should have the strongest negative reaction to U.S. policy when it is perceived to violate legitimacy norms of constitutionality. I expect this score to correlate highly with the level of sensitivity to use-of-force norms as measured by the increase in popularity that the invasion receives in the event of a UN Security Council Resolution, as described above.

A third metric of policy legitimacy is the presence of high levels of public protest in response to a state's decision of how to respond to the U.S. request, as reported by major international news agencies. The presence of public protest increases the prospect that the public is exercised over normative concerns rather than baser concerns of material self-interest. For a protest to be scored as "significant" depends on whether a protest occurred in one of two weekends of international protests prior to the invasion—January 18-19 and February 15-16, 2003—as reported in major national and international newspapers, and the reported number of protesters reached the threshold of 1 percent of the population.

Together, these three metrics—extent of increase in support if the UN Security Council authorizes force, rule-of-law score, and presence of significant levels of public protests—are a measure of the strength to which public opinion is a function of the legitimacy standard of respect of norms constraining the use of force. The clearest evidence that policy legitimacy is actively considered by the public and public opinion is shaped by

---


295 Judith Kelley finds a similar relationship between states unwillingness to sign non-surrender agreements with the United States related to the International Criminal Court and that state’s internal commitment to the rule of law. See Kelley, "Who Keeps International Commitments and Why? The International Criminal Court and Bilateral Nonsurrender Agreements."
normative content is when all three indicators point in the same direction. In these cases, when an increase in support if the UN Security Council authorizes force exceeding 30 percent, a rule-of-law score exceeding 3.75 out of 5, and the presence of public protest as reported in major news publications simultaneously occur, the public sentiment is coded as reflecting policy legitimacy in the case of Iraq. If none of these thresholds is reached, public opinion is coded as not reflecting policy legitimacy. Cases in which the three indicators do not point in the same direction are mixed cases of policy legitimacy, in which policy legitimacy cannot necessarily be considered to be an active component of public opinion. Mixed cases, such as when there is a large increase in support if constitutional norms are followed but public protests are absent in response to the war that was not authorized by the Security Council, are inconclusive and thus more difficult to resolve.

Brief mention must be made of the relative importance of the third of the three metrics of policy legitimacy—the presence of large-scale public protests in the domestic public. When this variable is dropped from the combined variables listed in Table 5, five additional states would be added to the list of cases indicated in Table 6. In four of those states, policy legitimacy is an active consideration and the public found the U.S. policy vis-à-vis Iraq to be illegitimate: Luxembourg, Denmark, Norway, and Portugal. The first three states follow the pattern of Belgium in Table 6 (for example), with economic and military sufficiency in addition to policy legitimacy being active, and refusing to provide either material or non-material assistance (of those states, Denmark did supply intelligence capabilities in the form of submarine monitoring, but this did not rise to the level of substantive support). The fourth state in this list, Portugal, was economically deficient but
militarily sufficient. As a result, the model predicts that Portugal will provide pro forma consent refuse substantive support, and exhibit hedging behavior. Portugal’s actual behavior was nominally disconfirmed by my model. Portugal’s officials promised air bases to U.S. forces and formally joined the coalition of the willing, but provided no other military supplies or troops. While this behavior is coded as formally consenting to U.S. requests (given the potential political costs of providing air bases), it was indecisive enough to raise doubts about the extent of U.S. authority in Portugal’s case.

Of the five additional states that would be included in Table 6 if the public protest metric was dropped from the analysis, only Greece would be added to the list of states in which the public reaction was measured as not reflecting legitimacy concerns. According to the metrics used here, Greece was not economically sufficient but was militarily sufficient. Greece did not participate in any meaningful of substantive way to the Iraq War coalition, which diverges from the behavior predicted by the model in this project.

In short, by dropping the public protest metric from the policy legitimacy value, five states are added to the list of cases. Of those five additional cases, three are confirmed by the model (Luxembourg, Denmark, and Norway), one is nominally disconfirmed (Portugal), and one case is solidly disconfirmed (Greece).

Material Variables

While normative evaluations of policy legitimacy are the key causal variable of interest explaining U.S. authority deficits, the level of European states’ military and economic
assets are important predictors of how states responded to U.S. requests leading up to the 2003 invasion.

Material capabilities are a key part of the causal story of secondary state dissent from U.S. authority because they are expected to have an interactive effect with policy legitimacy on the timing of resistance decisions. Stronger states are predictably more likely to resist U.S. requests when their respective public perceives U.S. policy to be illegitimate, because they are more equipped to withstand the economic punishment and security isolation that the United States is likely to deliver.

Two metrics of material capabilities are utilized in this project. The first measure is the size of the economy in early 2003, measured by per capita gross domestic product. The per capita GDP figure is a meaningful test of influence on elite consent to U.S. requests because it is a measure of a state’s economic security and thus a measure of that state’s dependency on the United States for economic aid. Economic security is a function of the economy’s ability to meet the country’s requirements, which depends on the size of the population. For this reason, total economic output is a less reliable measure of overall economic security. The threshold of “economic sufficiency” is set at a level of per capita gross domestic product of $20,000.

The second measure of material capability correlates with the level of security grants that a state receives from the United States. The logic of this metric is that states that receive high levels of security grants from the United States would be more dependent on U.S. assistance, and thus be more likely to be sensitive to U.S. requests than states that are significantly smaller grant recipients. The two programs utilized in this project as identified
by the Department of Defense Security Cooperation Agency are Foreign Military Financing (FMF) and the International Military Education and Training (IMET) Program. Funds provided through IMET are grants and do not require reimbursement to the United States by the recipient country. Both grants and loans are provided through FMF.²⁹⁶

These two grant programs are a reliable measure of a state’s dependence on the United States for national security assistance. The variable I am measuring here is a state’s material capabilities and its relative dependence on the United States for economic and military goods, with the assumption that more capable states are less dependent on the United States (or any other state). Because security dependence obviously is a function of the level of security-related grants a state receives relative to the size of that state’s economy, “security dependence” (Ω), a function of IMET added to FMF funding levels divided by the economy size in gross domestic product (E) is calculated [(IMET+FMF)/E = Ω]. Given that dependence is inversely proportional to sufficiency, the threshold of “military sufficiency” is set at a security dependence level Ω = 1.0 x 10⁻⁴. If a state’s security dependence Ω < 1.0 x 10⁻⁴ from the United States, it is less dependent on the United States for security assistance, and thus scored as militarily sufficient. The following states that are not military sufficient exhibited a value of Ω > 1.0 x 10⁻⁴: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia. All other

²⁹⁶ "Foreign Military Sales, Foreign Military Construction Sales, and Other Security Cooperation Historical Facts," ed. Department of Defense Security Cooperation Agency (Washington, DC: 2006), iv-vi. The grant portion of the FMF program is not disaggregated from the loan portion in the DSCA documents, so I used the entire FMF figure. As a result, the FMF figure is a less reliable indicator of a state’s vulnerability vis-à-vis the United States than a figure that is purely a grant. Yet given the fact that at least a component of FMF amounts contain unreimbursed grants, and given the empirical evidence that FMF levels spiked in 2003 for East European states, in many cases more than 100 percent over 2002 levels, FMF figures appear to be a good indicator of dependence on U.S. material benefits.
states in the universe of cases exhibited values of $\Omega < 1.0 \times 10^{-4}$, indicating military sufficiency.

**Table 3**

| Security dependence $\Omega$ (inversely proportional to military sufficiency) |
|--------------------------|------------------|
| **$\Omega$**              |                  |
| Estonia                  | 1.08E-03         |
| Bulgaria                 | 1.02E-03         |
| Latvia                   | 9.24E-04         |
| Lithuania                | 6.24E-04         |
| Slovak Republic          | 4.68E-04         |
| Romania                  | 4.46E-04         |
| Czech Republic           | 3.05E-04         |
| Hungary                  | 2.46E-04         |
| Slovenia                 | 1.76E-04         |
| Poland                   | 1.39E-04         |
| Turkey                   | 7.22E-05         |
| Portugal                 | 5.48E-06         |
| Greece                   | 3.38E-06         |
| Russia                   | 1.80E-06         |
| Austria                  | 0.00E+00         |
| Belgium                  | 0.00E+00         |
| Denmark                  | 0.00E+00         |
| Finland                  | 0.00E+00         |
| France                   | 0.00E+00         |
| Germany                  | 0.00E+00         |
| Great Britain            | 0.00E+00         |
| Iceland                  | 0.00E+00         |
| Ireland                  | 0.00E+00         |
| Italy                    | 0.00E+00         |
| Luxembourg               | 0.00E+00         |
| Netherlands              | 0.00E+00         |
| Norway                   | 0.00E+00         |
| Spain                    | 0.00E+00         |
| Sweden                   | 0.00E+00         |
| Switzerland              | 0.00E+00         |
| Austria                  | 0.00E+00         |

|  | Military Sufficiency |
|  |                     |

201
Evidence that the Bush Administration sought to use the FMF and IMET programs to enhance U.S. authority and generate political and military support is revealed by examining in particular FMF funding levels in the years preceding and following the launch of the 2003 war. Most of the smaller and weaker Eastern European states that were particularly dependent on U.S. aid received substantially higher levels in 2003 than in 2002 and 2004. The 10 states that were militarily insufficient (as indicated in Table 3) received an average increase in FMF assistance of 91.2 percent between 2002 and 2003, and an average reduction to near pre-war levels of 43.8 percent between 2003 and 2004. These figures provide one indication of the extent to which U.S. officials perceived that the United States was dependent on security-related inducements to enhance U.S. authority in the 2003 Iraq War context.
Table 4

<table>
<thead>
<tr>
<th>Country</th>
<th>2002 (US$ in millions)</th>
<th>2003 (US$ in millions)</th>
<th>% increase, 02 to 03</th>
<th>2004 (US$ in millions)</th>
<th>% increase, 03 to 04</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>8.50</td>
<td>19.00</td>
<td>123.5%</td>
<td>8.45</td>
<td>-55.5%</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>10.00</td>
<td>25.90</td>
<td>159.0%</td>
<td>7.87</td>
<td>-69.6%</td>
</tr>
<tr>
<td>Estonia</td>
<td>6.25</td>
<td>9.25</td>
<td>48.0%</td>
<td>5.98</td>
<td>-35.4%</td>
</tr>
<tr>
<td>Hungary</td>
<td>10.00</td>
<td>18.90</td>
<td>89.0%</td>
<td>6.94</td>
<td>-63.3%</td>
</tr>
<tr>
<td>Latvia</td>
<td>6.25</td>
<td>9.25</td>
<td>48.0%</td>
<td>6.99</td>
<td>-24.4%</td>
</tr>
<tr>
<td>Lithuania</td>
<td>6.59</td>
<td>10.50</td>
<td>59.3%</td>
<td>6.39</td>
<td>-39.2%</td>
</tr>
<tr>
<td>Poland</td>
<td>12.00</td>
<td>27.90</td>
<td>132.5%</td>
<td>33.00</td>
<td>18.3%</td>
</tr>
<tr>
<td>Romania</td>
<td>9.00</td>
<td>24.90</td>
<td>176.7%</td>
<td>8.95</td>
<td>-64.1%</td>
</tr>
<tr>
<td>Slovakia</td>
<td>8.25</td>
<td>14.50</td>
<td>75.8%</td>
<td>6.60</td>
<td>-54.5%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>4.00</td>
<td>4.00</td>
<td>0.0%</td>
<td>1.97</td>
<td>-50.7%</td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td></td>
<td></td>
<td><strong>91.2%</strong></td>
<td></td>
<td><strong>-43.8%</strong></td>
</tr>
</tbody>
</table>


It is worth noting that in the European context, “military sufficiency” is a less reliable measure of material capability, given Europe’s rapid consolidation and recession of power politics between European states. This development generated an overall low perceived need for and reliance on military power for national security. As a result, in the case of the 2003 Iraq War, military sufficiency is expected to minimally assert itself in the model presented here. This step is substantiated by a test of the extent to which economic sufficiency and military sufficiency diverged in each of the 29 total cases. Of all 29 cases, using the thresholds of $20,000 GDP per capita for the lower limit of economic sufficiency and $1 \times 10^4\text{ in FMF and IMET (per capita)} for the upper limit of military sufficiency, the values diverge in only three cases: Greece, Portugal, and Turkey. This lack of variance
justifies the focus on one value in order to simplify the model. Economic sufficiency is chosen for the reason presented immediately above.

Configurations of the Variables

What combination and orientation of these independent variables is expected to result in a degradation of U.S. authority?

As discussed above, the authority metric employed here is a scale variable. The highest level of authority is when both material and non-material assistance is promised or provided immediately (in this case prior to the U.S.-led invasion, when U.S. diplomatic efforts to increase the size of the coalition were most intense). Authority was weakest when neither material nor non-material assistance were promised nor provided. To simplify matters and due to the indeterminacy of the combination of variables that generated intermediate levels of authority, this project focuses only on those cases in which authority levels are at either end of the continuum. The theoretical foundation of this study facilitates clear predictions of the particular combination of independent variables that will result in high or low levels of authority.

Public opinion levels that are derived from general questions that cannot distinguish between utilitarian and normative motivations are expected to have an indeterminate effect on the dependent variable. Both theoretical arguments and empirical evidence, discussed above, support this claim.

The perception of policy legitimacy, however, which is the normative and more stable component of public opinion, is expected to have a greater influence on national decision-
makers and thus enhanced influence over states’ decisions of whether to consent to U.S. requests. Thus, policy legitimacy is the key variable that affects U.S. authority. If the clear majority of a European state’s public is highly inclined toward a law-based order and believes that the use of force should be in compliance with international law, perceptions that U.S. policy is in violation of that norm will intensify the public reaction and increase elite sensitivity to this perception of extra-legal behavior. When all three indicators of policy legitimacy—sufficient increase in support if the UN Security Council authorizes force, high rule-of-law score, and presence of significant levels of public protests—point in the same direction and suggest that U.S. policy is perceived to be illegitimate, then U.S. authority levels should decline.

Lastly, relative military and economic sufficiency are expected to interact with policy legitimacy to influence the type and timing of European states’ reactions to U.S. requests. Relative material capabilities and the presence of strong popular opposition combine to influence whether and when secondary states choose to engage in resistance strategies.

Officials of small European states with populations that strongly opposed war with Iraq faced the dilemma of placating their constituents while seeking to maintain favorable relations and corresponding economic benefits from the United States. An example of this dynamic is the account of a Slovakian official who wearily said to a French diplomat in passing shortly after Slovakia went off the Security Council in January 2003, “Thank God we got off the Security Council in time.”297 The official was voicing the preference of avoiding

what would be an excruciating dilemma for politicians of economically dependent states—following the public will but risking the loss of material benefits that accompanied close relations with the United States engendered, or thwarting the public will as a result of deference to U.S. requests. Still on the Security Council but outside of the European context, Angola provides a positive case of the role of material resources on consent to U.S. requests. A spokesperson at Angola’s embassy in Washington explained his country’s acceptance of U.S. pressure in strict materialist terms. Evaristo Jose said, “We are still selling more oil to America than Kuwait. But Kuwait has a special status that we do not have. Kuwait has military support, political support, diplomatic support and economic support. We want America to be engaged in the reconstruction of our country.”

In the short run, materially capable states that exhibit a threshold of public opposition to U.S. policy on normative grounds can withstand the losses that are incurred by U.S. divestment and are likely to resist. Weak states with populations strongly opposed to U.S. policy are less likely to publicly resist in the short run and are expected to signal their support for U.S. policy in less costly ways, such as joining a list of political supporters of U.S. policy. These states are more likely to engage in private resistance strategies, however, or public resistance strategies in the long run as popular opposition mounts to critical levels. This combination of variables and secondary-state strategies are depicted in Chart 1 below.

---

296 Lake, "U.S. Privately Bargains for Un Votes."
Material Sufficiency?

Yes    No
Yes      Resist       Hedging
Pro forma Consent, delayed resistance

Policy Illegitimacy?

No      Indeterminate  Consent

Chart 4-1

The logic of my argument suggests that most-likely cases of authority deficits (associated with secondary-state resistance) are those in which a state’s public perceives U.S. Iraq policy to be illegitimate (as opposed to merely unpopular) and that state’s economic and military sufficiency enables it to withstand any material penalties imposed by the United States for rejecting U.S. authority. These easy cases are associated with the top left cell in Chart 1.

Least-likely or hard cases include weaker states that are less equipped to withstand material costs or forgo U.S. assistance but still respond primarily to normative legitimacy. For the cases in which there is evidence of resistance of U.S. authority despite sharp differences in material capabilities, a non-material explanation is even more persuasive.

Combining the policy legitimacy variable with material measures of economic and military sufficiency can also generate the following typological map (Table 3), which is an expanded version of Chart 1 above. Since military sufficiency is dominated by economic sufficiency among the material variables in the European context, military sufficiency drops out of the list of independent variables. I include the variable here, however, so that the

---

299 Coded as consent or non-resistance in this study.
The typological table has utility in other international contexts in which military sufficiency has more salience than I suspect it has in contemporary Europe, at least relative to economic capability.

**Typological Table**

**Table 5**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Deny both mat’l and non-mat’l assistance</td>
</tr>
<tr>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Deny both mat’l and non-mat’l assistance</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Pro forma consent, hedging behavior</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>Pro forma consent, hedging behavior</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Provide non-mat’l assistance, min mat’l asst</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Provide non-mat’l assistance, min mat’l asst</td>
</tr>
</tbody>
</table>

**Falsification**

For those cases in which public opinion was largely formed on the basis of the public perception of legitimacy, opinion polls are expected to correlate with a state’s decision to deny material or rhetorical support to the United States when economic capacity allows the state to withstand the expected material costs associated with defying the United States. In the cases in which policy legitimacy was an active concern of the public but the state is materially weak, elites are expected to exhibit hedging behavior, tepidly offering rhetorical support but ultimately displaying inconsistency and hesitation. In any of these cases in which the public held that U.S. policy was illegitimate, if material and rhetorical
support was offered in the near term, then the central hypothesis is in danger. In other words, the hypothesis is particularly vulnerable if consent is provided to the United States by capable states whose publics sharply find U.S. policy to be illegitimate.

Case Selection

To clarify the way in which the metrics of policy legitimacy are clustered, I ranked the dominant indicator of policy legitimacy—public concern over the failure of the United States to conform to international legal standards regulating the use of force—indicated by public opinion shift in the event that UN Security Council authorization was achieved. I then grouped the resulting list into three categories and compared this indicator with the two other indicators of policy legitimacy. These results were tabulated in Table 5.
<table>
<thead>
<tr>
<th>Country</th>
<th>% shift in unjustified if conformity with International law(^{300})</th>
<th>Rule of Law (0 to 5.0)(^{301})</th>
<th>Protest?(^{302})</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slovenia</td>
<td>4</td>
<td>3.29</td>
<td>N</td>
</tr>
<tr>
<td>Slovak Republic</td>
<td>7</td>
<td>2.93</td>
<td>N</td>
</tr>
<tr>
<td>Latvia</td>
<td>8</td>
<td>3.02</td>
<td>N</td>
</tr>
<tr>
<td>Austria</td>
<td>12</td>
<td>4.37</td>
<td>N</td>
</tr>
<tr>
<td>Finland</td>
<td>12</td>
<td>4.45</td>
<td>N</td>
</tr>
<tr>
<td>Greece</td>
<td>15</td>
<td>3.14</td>
<td>Y</td>
</tr>
<tr>
<td>Hungary</td>
<td>15</td>
<td>3.23</td>
<td>N</td>
</tr>
<tr>
<td>Estonia</td>
<td>16</td>
<td>3.41</td>
<td>N</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>17</td>
<td>2.33</td>
<td>N</td>
</tr>
<tr>
<td>Switzerland</td>
<td>21</td>
<td>4.46</td>
<td>N</td>
</tr>
<tr>
<td>Poland</td>
<td>23</td>
<td>2.75</td>
<td>N</td>
</tr>
<tr>
<td>Lithuania</td>
<td>24</td>
<td>2.95</td>
<td>N</td>
</tr>
<tr>
<td>Sweden</td>
<td>30</td>
<td>4.36</td>
<td>Y</td>
</tr>
<tr>
<td>Turkey</td>
<td>30</td>
<td>2.58</td>
<td>Y</td>
</tr>
<tr>
<td>Romania</td>
<td>32</td>
<td>2.34</td>
<td>N</td>
</tr>
<tr>
<td>Germany</td>
<td>34</td>
<td>4.27</td>
<td>Y</td>
</tr>
<tr>
<td>Spain</td>
<td>34</td>
<td>3.6</td>
<td>Y</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>35</td>
<td>3.23</td>
<td>N</td>
</tr>
<tr>
<td>Ireland</td>
<td>35</td>
<td>4.12</td>
<td>Y</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>35</td>
<td>4.33</td>
<td>N</td>
</tr>
<tr>
<td>Portugal</td>
<td>36</td>
<td>3.47</td>
<td>N</td>
</tr>
<tr>
<td>Belgium</td>
<td>38</td>
<td>3.95</td>
<td>Y</td>
</tr>
</tbody>
</table>

\(^{300}\) EOS-Gallup Europe, Jan. 21-27, 2003, presented in Philip Everts, "Public Opinion on 'Iraq': International Comparative Polls and Countries Outside USA (up to August, 2004)," (Leiden University, 2004).


\(^{302}\) The data on the presence of protests of significant size was gathered by the author conducting a systematic LexisNexis search of news reports from major world newspapers. It is assumed that protests that reached the threshold level would have been of sufficient size and significance to make it in the major press.
Category I states exhibited an average percentage of the public who revised whether they viewed the war as justified if legal rules were followed of 11.78 percent. Compared to this figure, public opinion shifted an average of 46.89 percent among category III states. Corresponding to these categories, category I states exhibited an average rule-of-law score of 3.35, and category III states exhibited an average rule-of-law score of 4.00. In category I, one state exhibited a significant level of public protest and eight states exhibited no significant protests. In category III, five states had publics who engaged in significant protests, and four did not.

Consistent with expectations, the three indicators that a public is mobilized by perceptions of legitimacy cluster together. Corresponding to this finding, the publics in states in category III were most likely to be motivated by considerations of the *illegality* of the war, or the perception that the United States was in violation of the legitimacy norm of rule-governed international behavior. Category I states were least likely to be motivated by considerations of the legitimacy of U.S. policy.

States in which the three metrics of policy legitimacy point in the same direction and suggest that policy legitimacy was not an active component of public opinion toward the
Iraq war (category I states with a rule of law score less than 3.75 and no significant protests) are Slovenia, the Slovak Republic, Latvia, Hungary, Estonia, and Bulgaria.

States in which the evidence suggests that policy legitimacy was an active component of public opinion toward the war (category III states with a rule of law score exceeding 3.75 and with significant protests) are Belgium, the Netherlands, Great Britain, and France.

Interesting cases exist among category II states, which have lower values of the main indicator of policy legitimacy than category III states but still exhibiting all three indicators of policy legitimacy, were Sweden, Germany, and Ireland. Turkey exhibited two of the three indicators of policy legitimacy (the rule-of-law score was below the threshold).

Table 5 represents the configuration of the variables for those states exhibiting the clearest evidence that the legitimacy of U.S. policy was an active component of the public’s rationale for evaluating U.S. strategy toward Iraq. Focusing on these states does not imply that legitimacy was or was not a component of public opinion in the omitted states. I have selected among the states listed in Table 5 because they present the clearest evidence that considerations of policy legitimacy were operating. If these cases fail to provide evidence of influencing the dependent variable, then this project must be substantially altered or abandoned. If, however, evidence is found in this plausibility probe and in the case studies that legitimacy was active in the minds of the public and elite and positively relates as predicted in Table 4, the findings should inspire more expansive testing of the role of norms in hegemonic authority.
Table 7

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Estonia</td>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>France</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Germany</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>Great Britain</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Hungary</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Ireland</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Latvia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Slovakia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Slovenia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Sweden</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Turkey</td>
<td>Y*</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
</tbody>
</table>

* Turkey exhibited 2 of 3 indicators of policy legitimacy that were above the threshold. Its rule-of-law score was 2.58, below the threshold of 3.0. I included Turkey in the list of cases because of the high-profile nature of its resistance of U.S. requests to launch military operations from its territory into northern Iraq.

The Authority Test: Results of Diplomatic Engagement

As discussed above, the U.S. government was sensitive to charges that it was empire building in Iraq or was asserting itself in unilateral ways. The principal concern was that a broad perception that U.S. policy was guided by narrowly conceived self interest (as opposed to democracy promotion and human rights for the Shiite and Kurdish populations of Iraq) would ultimately subvert U.S. objectives of a quick and relatively low-cost war. Further
evidence of this concern of perceived U.S. illegitimacy is the concerted effort of U.S. policymakers in constructing the coalition of the willing, as described above.

To assuage international perceptions of U.S. unilateralism and the illegitimacy of its campaign to dislodge Saddam Hussein from power, on March 19 Secretary of State Colin Powell announced that 45 states had pledged to support the United States’ invasion of Iraq. Fifteen of the 45 states requested anonymity. The remaining 30 states permitted U.S. officials to publicly announce their participation. The reason that some states insisted on anonymity was clear. Policymakers from these states faced a dilemma of meeting the expectations of two distinct consistencies. Either they would defy a capable and potential generous ally in the United States or they would defy their respective publics that were assuredly fiercely against the war. This dynamic of a classic two-level game led these states to privately assure U.S. officials while pushing the date of reckoning with their publics further into the future.

On March 21, in order to avoid exposing these hedging states and minimize the domestic fallout in the immediate term, State Department spokesman Richard Boucher directly refused a reporter’s request for a list of the countries who pledged support of the U.S.-led operation in Iraq. “I’m not going to give you the list,” Boucher declared in a press briefing. “We haven’t put out the list.” In one instance, a country was inadvertently added to the coalition list despite its strong resistance to U.S. entreaties. Slovenia Prime Minister

303 AP, “45 Nations Back War, Says Powell.” The 30 countries include: Afghanistan, Albania, Australia, Azerbaijan, Britain, Bulgaria, Colombia, the Czech Republic, Denmark, El Salvador, Eritrea, Estonia, Ethiopia, Georgia, Hungary, Italy, Japan, South Korea, Latvia, Lithuania, Macedonia, the Netherlands, Nicaragua, the Philippines, Poland, Romania, Slovakia, Spain, Turkey and Uzbekistan.

Anton Rop called a news conference shortly after U.S. officials announced that Slovenia was a member of the coalition. Prime Minister Rop offered a clarification, saying, “When we asked for an explanation, the State Department told us we were named in the document by mistake… We are a part of no such coalition. We are a part of a coalition for peace.”

In the end, European states that responded affirmatively to U.S. requests prior to the invasion, revealing the highest level of U.S. authority as indicated by the offer of both military and economic assistance, were Bulgaria, the Czech Republic, Denmark, Great Britain, Hungary, Italy, Poland, Portugal, Romania, Slovakia, and Spain. States the defied U.S. preferences and refused both economic and military assistance, consistent with the lowest level of U.S. authority, were Austria, Belgium, Finland, France, Germany, Greece, Ireland, Norway, Slovenia, Sweden, and Switzerland.

Yet of the 15 states with the highest percentage of the population against the war (according to conventional measures of public opinion), six states joined the coalition of the willing (see Table 2). Furthermore, the form of assistance offered was limited to low-cost promises of post-war humanitarian and reconstruction aid and intelligence coordination, raising doubts about states’ willingness to offer substantive assistance.

While U.S. officials wanted as broad of a coalition as possible, the pattern in which states consented to or rejected U.S. requests is not an obvious one, nor is it clear why states that consented to the United States chose the particular form of assistance that they did. The majority of Eastern European states did cluster together in support of U.S. policy in Iraq, while most Western European states opposed U.S. policy. This is at least partially

explainable using material variables and structural balance-of-threat theory, which predicts that bandwagoning with the United States should result from military weakness or proximity to Russia. Yet this pattern is not consistent across all states and the reasons for this general distribution—whether uneven material capabilities, ideological legacies of the Cold War, institutional integration, or commitment to law-governed behavior—are not immediately obvious.

In order to test whether the legitimacy and economic and military sufficiency variables interacted to produce the expected results, I combined the clearest cases of policy legitimacy (in which the three indicators present clear evidence of the public’s regard of the consistency of U.S. policy with international use-of-force norms) with the material variables. The results of the interaction between the independent variables on U.S. authority are presented in Table 7. In the 14 clearest cases tested in this plausibility probe, the expected results occurred 9 times. Of the five cases that were not confirmed, three were mixed cases in which material support was denied but non-material support provided. While these cases did not conform to the expected outcome predicted in Table 4, given the indeterminate status of authority in mixed cases of material and non-material assistance, these three cases did not definitively contract my theory. In only two of the 14 cases—Slovenia and Great Britain—did the outcome clearly contradict expected values.306

306 There were other unexpected results not captured by this model, given that the coding strategy excluded some cases from consideration. One example is Spain, which experienced extremely acute levels of public opposition and a national leadership that defied the public will in order to respond affirmatively to U.S. authority. Given this unexpected result, a deeper probe into the specific nature of Spain’s political character and the circumstances around the 2003 Gulf War could yield some important insights into the nature of legitimacy and elite decision-making. Yet because Spain registers a rule-of-law score below the threshold level, it is coded such that the public is not exercised over principles of normative legitimacy related to international
As predicted above, these results are better than explanations that exclusively examine the effects of public opinion or security and economic dependence. In the case of public opinion, 27 of the 28 European states covered here registered public opposition levels against the U.S.-led invasion at 62 percent or greater (the only exception being Slovakia). The variance in responses (material and non-material assistance, as well as outright rejection of U.S. requests) suggests that finer detail is required to fully explain this outcome. A full one-third of the 15 states with the highest level of public opposition responded affirmatively to U.S. requests.

With respect to the influence of the material variable, the confirmation of the predicted results should not be surprising. Largely due to the legacy of the Cold War, most Western European states are economically advanced compared to Eastern European states, which failed to develop efficiently in a planned economy. Yet despite their relative wealth, Western European states have low levels of military spending, due a complex constellation of factors. One factor certainly includes decades of security protection from the United States, but other factors include the collective security mechanism of NATO, the integration driven by European institution building, and the rejection of military solutions and centuries of balance-of-power politics, an idea with a deep reservoir in contemporary European thought. Correspondingly, troop levels per population may be less of a reflection of material sufficiency than economic output, given these social and ideational forces that have an effect on a state’s military budget and size of uniformed forces. As a result, military sufficiency will be less likely to serve as a reliable measure of a state’s dependence on U.S. goods relative to law. As a result, this deeper probe will not appear here.
economic output, and thus likely will have a less decisive effect on the dependent variable of U.S. authority.
Table 8

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Estonia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Hungary</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Ireland</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Latvia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Slovakia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Slovenia</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Sweden</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Turkey</td>
<td>Y*</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Confirming</th>
<th>Disconfirming</th>
<th>Questionable outcome</th>
</tr>
</thead>
</table>

Case Study Research: Confirming the Correlation

Aided by the typological map and a general understanding of the diplomatic experience preceding the 2003 Iraq War, I have selected three interesting cases for more intensive testing of my hypothesis: 1) Bulgaria, 2) Turkey, and 3) Great Britain. This research examines the extent to which evidence can be found of the role of policy legitimacy on policymakers’ decision-making.
Given the low level of variation between the material variables and policy legitimacy in the 14 clearest cases of policy legitimacy acting on the public mind, one challenge to the hypothesis that policy legitimacy plays a significant role in the causal story is that the outcome of these 14 cases is consistent with the behavior expected in the Alliance Security Dilemma. As a result, it is at difficult to differentiate the effects of ideational factors (policy legitimacy) from material factors (material sufficiency) on the relative outcome in each case. According to the alliance security dilemma, states possess two competing fears in alliances that inversely co-vary—entrapment, in which a state is drawn into war by a belligerent alliance partner against some outside state or competing alliance, and abandonment, in which a state is left to fend for itself by stronger alliance partners. This model predicts that weaker states are more prone to fears of abandonment by strong states, and thus more likely to consent to the wishes of alliance leaders. Strong states are more concerned about the opposite fear of being entrapped in the alliance and made vulnerable by the risky behavior of alliance partners. This behavior was exhibited by the (weaker) East European states in the 2003 Gulf War, which strengthens the systemic explanation advanced by the Alliance Security Dilemma. To separate the systemic explanation from the ideational explanation of policy legitimacy, a probe is conducted in this project of the language employed by elites in individual cases, which will be an important step toward helping to separate the extent to which legitimacy norms are active in elite decisions to consent to U.S. authority.

---

Specifically, for each case I explore the rhetorical record of the policymaking elite—in particular the head of state—to assess the prominence of legitimacy norms guiding the use of force in their rationale for consenting to or rejecting U.S. requests as communicated to the public. Correlation is not necessarily causation, and the central hypothesis that normative evaluations by secondary states influence U.S. authority levels must be supported by evidence that policy elites in fact are sensitive to normative claims of extra-constitutional behavior and act accordingly. The case studies below serve as an additional test of the degree to which elites relied on normative arguments—and which specific normative arguments were decisive—when rejecting U.S. requests.

The use of rhetoric in identifying legitimation patterns is consistent with Patrick Jackson’s view that “Legitimation claims are through and through rhetorical, in that they are forms of speech designated to achieve victory in a public discussion.” Evidence of elites engaging in rhetoric consistent with the legitimacy norm of constitutionalism would suggest that policymakers are cognizant of the influence that particular legitimacy considerations have in strengthening political support. By employing Jackson’s strategy of mapping the “rhetorical topography” to trace the formation of rhetorical commonplaces that can be used by policymakers as a strategic resource, we can see how patterns of argumentation shape the policy debate and which specific arguments tip the balance among decision-making criteria. In other words, the pattern of elite justification for policies is evidence of which salient norms are in circulation. Policymakers then succeed by constructing and defending

---


309 Jackson, *Civilizing the Enemy: German Reconstruction and the Invention of the West*, 46-71.
policies that are consistent with these legitimacy norms constituting the common language of the electorate.

If legitimacy norms of constitutionalism are active in the public mind, effectively transmit to the policymaking elite, and are a factor in decisions to consent to or reject U.S. requests, policymakers are expected to invoke this normative framework and utilize constitutionality as a powerful rhetorical hook to generate support from their domestic publics. In addition to providing evidence of policymaking elites’ awareness of this normative constraint, the rhetoric also serves a second role—it constrains elites by entrapping them to conform to their rhetoric of justification for their states’ response to U.S. requests. Leaders fear the public shaming associated with the charge of hypocrisy and as a result are bound by the language they evoke. Forced to operate in this strategic-normative environment, policymakers find themselves bound by the norms they elicit and often yield to the contours of their rhetoric in ways that depart from those predicted by utilitarian models. For states that accept U.S. requests and U.S. authority, the rationale for bypassing the UN Security Council will be premised on another legitimacy norm—that of self-defense, or exercising the use of force in the face of imminent danger.

In short, the rhetoric invoked by policymaking elites serve two functions: First, the rhetoric reveals the normative structure in which policies are conceptualized and justified; and second, policymakers’ rhetoric serves to entrap policymakers to act in accordance with their own language. Thus rhetoric plays a causal role in both illuminating the normative context in which strategic actors are operating and entrapping policymakers into compliance with the language they utilize.
The cases selected are Bulgaria, Turkey, and Great Britain.

Table 9

<table>
<thead>
<tr>
<th>Policy Illegitimacy?</th>
<th>Economic sufficiency?</th>
<th>Military sufficiency?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Turkey</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

This particular selection of states provides geographic diversity: Bulgaria and Turkey are Central/Eastern European states, whereas Great Britain is firmly in the West. There is diversity in the strength of policy legitimacy as an important component of public opinion. Policy legitimacy was less of a consideration in Bulgaria than it was in Great Britain, and Turkey.\footnote{The policy legitimacy score was mixed in Turkey, due to a low rule-of-law score. As discussed, however, the rule-of-law score is a dummy variable expected to correlate with the other two measures of policy legitimacy, and subsequently is the least likely of the three metrics of policy legitimacy to have an effect on the expected outcome.}

Bulgaria and Turkey exhibited economic weakness and Great Britain exhibited economic strength. There also was less variation in the measure of military capabilities. Bulgaria, Turkey, and Great Britain all exhibited military sufficiency.

Bulgaria

The metrics of policy legitimacy indicate that Bulgarian public opinion was not significantly influenced by the illegitimacy of the U.S.-led intervention. The shift in support of the war as a result of UN Security Council authorization was only 17 percent, well below the
30 percent threshold, the rule of law score was 2.33, substantially lower than the 3.75 threshold, and there were no episodes of public protest significant enough to register in the international press.

Furthermore, Bulgaria is a small country with minimal economic resources at its disposal. The size of its economy in 2003 was $19.99 billion (U.S.), slightly more than one-hundredth the size of the economy of France, for example. As a result, Bulgaria was highly dependent on outside aid and expected to be sympathetic to requests from its most powerful ally.

According to this constellation of variables in Table 4, the expected outcome is the highest level of authority (indicated by Table 1), in which Bulgarian officials pledge both material and non-material assistance prior to the onset of hostilities. Given the minimal level of Bulgarian material capabilities, however, material support is expected to be minimal.

The period in which the Bush Administration was courting Bulgaria for support posed difficulties for Bulgarian officials. Bulgaria had become a candidate to the European Union during the 2002 Copenhagen Summit and had also been formally invited into NATO in November 2002, and officials were eagerly embracing the prospects of moving into these economic and security communities. Prime Minister Simeon Saxe-Coburg declared early in 2003, “The government is resolved to complete the reforms that have started in the economy, defense and security, the judiciary and in fighting crime.”

As the Iraq War loomed, Bulgaria was in the final stages in the ratification of its accession agreement to the European Union. As a result of the delicacy of the moment, the split between major Western European countries and the United States generated acute complications for Bulgaria’s political elite, who were unified in the desire to capitalize on the substantial economic and security benefits that would result from their entry into these European institutions. As a result, officials were wary about stepping too firmly into either camp.

Prime Minister Saxe-Coburg reported on Bulgarian radio that as of January 27, 2003, he had not received a request from the United States to participate in military operations against Iraq. Yet in a lecture at the Atlantic Club of Bulgaria the same day, the prime minister suggested that Bulgaria was prepared to support U.S.-led military operations to remove Saddam Hussein from power. In late January, the prime minister declared Bulgaria’s commitment to disarming Iraq using all available measures, saying, “Iraq should be persuaded by all permissible means to fulfill the UN obligations.” Yet despite the United States’ significant economic and political leverage, the positions of core NATO members in Western Europe deterred Bulgaria’s leaders from a firm embrace of U.S. tactics. Stanimir Ilchev, chair of the foreign policy and defense committee in parliament, said directly that Bulgaria’s position on the war would depend on the positions of France and Germany. Bulgarian leaders’ anxieties were further amplified by not-so-subtle warnings by French

312 "No Us Request yet for Bulgarian Role in Iraq War," (BBC Monitoring Europe, 2003).
President Jacques Chirac that EU-candidate countries such as Bulgaria risked EU membership by embracing too tightly the United States' Iraq policy.

To help resolve Bulgaria's ambiguity resulting from these competing pressures, U.S. officials applied the full range of diplomatic pressure. Arriving for consultations with key political leaders, U.S. Deputy Assistant Secretary of State for European and Eurasian Affairs Robert Bradtke and U.S. Deputy Assistant Secretary of State for European and Eurasian Affairs Janet Bogue met with Prime Minister Saxe-Coburg on January 29, and with Minister for Foreign Affairs Solomon Passy the following day. Yet despite this pressure, Bulgarian officials resisted the public impression that they were buckling to U.S. pressure. At a news conference at the Council of Ministers on January 30, Deputy Foreign Minister Petko Draganov said, "There is no change in Bulgaria's principled position that all peaceful means for resolving the Iraq crisis should be exhausted first."

Shortly after these meetings, however, the official position began to shift. On February 4, government spokesman Dimiter Tsonev announced that the U.S. government had requested overflight rights, transit passage, and temporary presence of troops and equipment of members of the coalition. In addition, the government was asked to provide Bulgarian personnel to protect against nuclear, biological, and chemical attacks in the crisis zone. In terms of rationale for support for the invasion, Tsonev stated, "Despite some

nuances, the international democratic community is rallied behind the aim of having the world free of the danger of unregulated dissemination of weapons of mass destruction.”

In response to the government’s request for U.S. troop placements in Bulgaria, parliament approved legislation on February 7 that granted access. The first U.S. military plane arrived at Bulgaria’s Sarafova airfield on February 11. Despite the access to U.S. troops, Bulgaria leaders continued to be reluctant to publicly declare full-throated support for military action. There was widespread speculation that Bulgaria’s hard line position on the war was softening, despite Prime Minister Saxe-Coburg commenting on February 15 that military action against Iraq would be the “most unwelcome outcome in this situation.” President Georgi Parvanov told journalists two days later, “It is particularly important that every step is legitimate and has the support of the United Nations Security Council.”

Bulgaria’s ambiguous position on the war began to harden under the onslaught of U.S. diplomatic pressure and economic promises. Prime Minister Saxe-Coburg met with President Bush in Washington on February 25, 2003. On the eve of the meeting, foreign affairs minister Passy said that the prime minister would seek economic and security assistance from the United States. Following the meeting Saxe-Coburg reiterated his objective of adhering to UN mandates. “We are trying to do our very best from inside the Security Council and I think that most people believe that, again, the issue is to be settled

---

316 "Bulgarian Officials Comment on U.S. Request to Allow Passage of Troops," (World News Connection, 2003).
317 "Bulgarian Premier Says Military Action against Iraq ’Most Unwelcome Outcome’," (BBC Monitoring Europe, 2003).
precisely with the assistance of the UN.”319 The prime minister’s trip to Washington was followed by additional U.S. pressure delivered by U.S. Commerce Secretary Donald Evans, who flew to Sofia three days later.

With steady pressure from the United States, promises of economic and security assistance, and nominal concerns about the legitimacy of U.S. actions, the theory presented in this project predicts that Bulgarian officials ultimately will provide the non-material assistance sought by the United States for political cover. Material assistance will be more constrained, given the relative weakness of Bulgaria’s economy. In terms of the rhetoric employed by Bulgarian political elite—in particular Prime Minister Saxe-Coburg—the model predicts that the legal procedures for authorizing force will have been fulfilled and the security risks of Saddam Hussein remaining in office be prominent in the rationale for accession to U.S. requests.

Indeed, upon his return from Washington, Saxe-Coburg announced that he had placed conditions on Bulgaria’s support for a U.S.-sponsored UN resolution authorizing force. These included financial support to complete economic and military reforms to ease Bulgaria’s entry into the European Union and NATO, as well as reimbursement for outstanding Iraqi debt.320 Iraq reportedly owed Bulgaria close to $1.7 billion (U.S.). On March 6, Defense Minister Nikolai Svinarov announced that Bulgaria would purchase 500

tanks from U.S. supplier General Dynamics and had held talks with Unisis, another U.S. company, for the construction of a military command center.\(^{321}\)

On March 10, Foreign Minister Passy announced that Bulgaria was prepared to support the U.S.-sponsored resolution authorizing force. The position had been drafted by the foreign ministry and approved by the cabinet, and was consistent with the position voted for by the Bulgarian National Assembly on February 7.\(^{322}\) This move confirmed that Bulgarian officials had moved closer to the U.S. position than 11 other members of the Security Council.

After the United States withdrew the war authorization from the Security Council, Bulgarian officials could no longer simultaneously pursue the legal option which maintaining close relationship with the United States. They were forced to make a choice. On March 19, Prime Minister Saxe-Coburg submitted to U.S. authority and accepted U.S. requests. In an address to the nation, the prime minister framed Bulgaria’s responsiveness to the United States in terms of the threat that Saddam Hussein’s regime posed to the international community. “The weapons of mass destruction that Baghdad possesses threaten peace and security. The international community should categorically oppose this threat.” Yet the prime minister reiterated repeatedly in his short address the extent to which Bulgaria sought a “peaceful” solution to this threat. Prime Minister Saxe-Coburg maintained the official policy of privileging international legal rules for guiding the application of force. “Guided by the conviction that diplomacy is a means of solving problems in international relations, we

supported the proposal for a new resolution of the Security Council as an additional chance
to find a solution by peaceful means,” he said. But the threat posed by Saddam Hussein—or
the promises offered by the United States—proved decisive. “The Baghdad regime’s refusal
to comply with the will of the international community has dramatically diminished the
chances of finding a peaceful solution to the crisis and made the use of force to disarm Iraq
inevitable.”^323 In the final analysis, Bulgaria placed the charge of illegality on the back of
Saddam Hussein.

Bulgaria’s President Georgi Parvanov, who held a largely ceremonial post, put his
opposition to the war in normative terms. He declared in the days preceding the invasion,

I do not accept this war because I share the moral view that any war is a grave test
for the people. Because I believe that the military means are unacceptable in the 21st
century, when the global problems and challenges to mankind require unification,
not division and confrontation between the nations. I cannot accept this war also
because it starts without a resolution of the UN Security Council.

But without the tools of political leverage and the promise of material gain, President
Parvanov had little standing to sway Bulgarian officials to resist U.S. pressures. Parvanov’s
position was largely symbolic. He was not charged with enhancing or maintaining Bulgaria’s
strategic interests or economic wellbeing. As a result, it is understandable why he was more
responsive to normative appeals. In the end, the material promise of close alliance with the
United States, coupled with concern about a dangerously armed Iraq, were sufficient to
generate officials’ willingness to grant U.S. authority.

^323 “Bulgarian Premier Addresses Nation, Says Use of Force against Iraq ’Inevitable’,” (Khristo Botev Radio,
In the diplomatic maneuvering prior to the war, Bulgarian officials promised to assist U.S. efforts by sending decontamination troops into the region to respond to chemical or biological attack, overflight rights, and a military base on the Black Sea.\textsuperscript{324} No combat troops were promised or substantial military or economic aid, consistent with the theory's predictions. On February 5, 2003, Bulgaria, along with nine other countries comprising the “Vilnius Group,” signed a letter to U.S. Secretary of State Colin Powell pledging its support to join a coalition “to enforce (UN Security Council Resolution 1441) and the disarmament of Iraq.”\textsuperscript{325} This show of (non-material) political support for U.S. policy was an important asset in the United States’ attempt to mollify international resistance and construct a meaningful coalition. These results confirm the expectations presented by the typological theory presented above: Low policy legitimacy in the public mind and “insufficient” material resources generate strong non-material support in the immediate term, but minimal material assistance.

Furthermore, given the values of these independent variables, the rhetoric espoused by Bulgarian officials confirm the expectation that officials will make reference to the legal procedures for authorizing force, place blame on a failed legal process on the Iraqi government, and justify support for U.S. policy on the basis of the intolerable security risk posed by Saddam Hussein.

\textsuperscript{324} Barbara Slavin, “U.S. Builds War Coalition with Favors—and Money,” \textit{USA Today}, February 25 2003, 1A.

Turkey

Turkey is the cause célèbre for critics of U.S. policy in Iraq who cite Turkey as evidence of the costs borne by the United States for initiating a war widely perceived to be illegitimate. The last minute decision of Turkey’s parliament, the Turkish Grand National Assembly (Türkiye Büyük Millet Meclisi, or TBMM), to deny U.S. basing rights and territorial access to the U.S. 4th Infantry Division—a strategic deployment that would have opened the northern front against Iraq—impaired the invasion planning of U.S. military strategists. The denial also had damaging political consequences for the United States, reinforcing the impression that close European allies strongly opposed U.S. policy, undercutting in dramatic fashion the U.S. claims that the intervention was in fact legitimate.

The Turkey case, however, is more complicated than the conventional account of a country firmly defiant of U.S. requests. In the first place, Turkish officials were highly conflicted over whether to consent to U.S. requests. Furthermore, the parliament reversed itself twice in three successive votes between February and late March. One reason is that the extent to which the public perceived U.S. policy to be illegitimate was not as clear as in many Western European states.

While Turkey is coded here as a state in which policy legitimacy was active in the minds of the public, it was only narrowly so, which may have contributed to political leaders’ indecision of the extent to which they should submit to the public will. Public opinion that the war was “unjustified” declined 30 percent if authorization by the UN Security Council was obtained, which was the threshold level of the public opinion shift to be coded as reflecting legitimacy concerns. There were substantial protests sparked in the months
leading up to the war, yet the country did not have a strong tradition of commitment to the rule of law, registering 2.58 out of 5, significantly below the 3.75 threshold. Although only two of the three indicators suggested the public opposed the war because of its lack of legitimacy, the level of shift in opinion in if legal authorization by the UN Security Council was obtained and the size of the protests, particularly in a country not known for a tradition of sustained public protest against U.S. policy, is compelling evidence that Turkey should be coded as a country in which legitimacy considerations were active prior to the 2003 Iraq war. The closeness with which Turkey's reaction was coded as influenced by legitimacy norms, however, increases the prospects that Turkey's political elite would be indecisive and reluctant to forgo the economic benefits that would accompany acceptance of U.S. requests.

Another reason for the lack of resolute defiance of U.S. requests is Turkey's relative material weakness. Turkey's per capita GDP of $3,529.32 is well below the threshold level of $20,000. In short, Turkey was an economically weak country and heavily depended on European and U.S. financial aid.

Given the constellation of ideational and material factors, the model successfully predicts this indecision by the political leadership of Turkey over whether to submit to U.S. requests. The parliamentary vote to permit U.S. access to territory should have been close and the prime minister should have been muted in the public support for U.S. policy but privately working to secure the vote to grant basing rights to the United States in exchange for the substantial levels of U.S. economic aid that was at stake.

In fact, the Turkey case closely conforms to the expectations presented in the typological theory presented above. Turkey's relative economic weakness made the U.S.
financial ultimate promise of up to $32 billion particularly enticing, yet the public’s perception of illegitimacy deterred officials from resolute acceptance of U.S. requests, generating indecision and hedging behavior by Turkey’s political elite.

The United States’ Iraq strategy heavily depended on Turkey's acceptance of U.S. requests for transit rights for American troops. Adding a northern attack from Turkey to a southern attack from Kuwait would have opened a second corridor for coalition forces and overwhelmed Iraqi forces. Furthermore, basing U.S. troops in Turkey would have helped alleviate the danger of a Kurdish uprising in northern Iraq and southern Turkey that could have further compromised stability in the region.326

Yet Turkey's constitution required an affirmative vote by Turkey's parliament before foreign troops could be permitted into Turkey's territory. Turkish officials were caught between two countervailing forces: financial incentives provided by the United States, and a substantially large proportion of the public that opposed the war. As indicated by the public opinion polls in Table 2 above, 88 percent of the Turkish public staunchly opposed the war. Reflecting these competing forces, Turkey's political leadership was divided over how to respond to U.S. requests.

Following the November election success of the Justice and Development Party (AKP), party leader Recep Tayyip Erdogan was prevented from being appointed prime

---

minister as a result of being imprisoned for 10 months in 1998.\textsuperscript{327} A provision in the constitution prevented any convicted felon from serving as prime minister. Until a constitutional amendment could be passed that reversed this provision, Erdogan continued to serve as the head of the AKP. He would not rise to the position of prime minister until March 2003.

During the interim between the November elections and Erdogan's arrival to the post in March 2003, Deputy Prime Minister Abdullah Gül served as prime minister. At first this awkward arrangement, in which the second ranking AKP member outranked the leader of the AKP, did not significantly complicate U.S. efforts in applying diplomatic pressure to gain statements of support U.S. efforts toward Iraq. In a December 4 press conference, during a visit by Deputy Defense Secretary Paul Wolfowitz to Ankara to meet with Erdogan and Gül, Wolfowitz announced "very strong affirmations of Turkish support for the United States in this crisis with Iraq," including Turkey's agreement to move forward on military preparations against Iraq.\textsuperscript{328} Yet during this critical period in which U.S. officials were subjecting Turkish officials to intense diplomatic pressure, Erdogan and Gül had different perspectives on the preferred timing and extent to which Turkey should support U.S. requests to open a northern front against Iraq on Turkish soil.

On a visit to Washington one week after Wolfowitz was in Ankara, Erdogan met with President Bush and, while his statements were equivocal, left the impression with U.S.

\textsuperscript{327} Erdogan was imprisoned for giving a speech that judges found to be excessively fundamentalist (Islam). Turkish legal institutions, as well as the heavily influential Turkish military, strictly safeguard the secular nature of the Turkish state.

officials that Turkey may ultimately support U.S. requests. At a press briefing, White House Press Secretary Ari Fleisher said, “It was a very cordial and positive meeting... (Bush and Erdogan) both agreed that Iraq is a threat to peace—and the importance of Saddam Hussein disarming... We have a variety of mutual interests with Turkey as we work closely on how to address this threat.”

At a meeting at the Center for Strategic and International Studies the previous day, Erdogan supported a firm response to the threat of Saddam Hussein.

“Needless to say, the elimination of [weapons of mass destruction] from Iraq is essential for the peace of the region that Turkey shares as well as world peace... In the event that Saddam's administration does not accede to the decision of the international community, the necessary response will be forthcoming.”

Erdogan’s expressed openness to U.S. requests likely was influenced by the fact that the hope that U.S. officials would support their claim for admission into the European Union, which Turkey was negotiating at this time.

Simultaneously, however, Acting Prime Minister Abdullah Gül was much more publicly engaged in expressing anti-war sentiments, emphasizing alternative strategies to confront the perceived Iraqi threat during the diplomatic run-up to the war. Gül toured the region to that effect, including visits to Syria, Egypt, Jordan, Iran, and Saudi Arabia. One of the principal factors behind his stated aversion to war was the economic costs that were expected to befall Turkey. “We are a country that has a border with Iraq. And every kind of negativity closely concerns Turkey. So, for Turkey, there cannot be anything more natural than acting sensitively,” Gül said. Referring to the substantial costs borne by Turkey in the


1991 Gulf War, including terrorist attacks, he said, “We don’t want to suffer that again. Actually, nobody wants to experience that again. At this moment, we cannot determine the extent of the burden exactly. This depends on the process and size of such a negativity. I hope such a negativity will not happen.” Some accounts put the economic losses in lost trade and tourism at $30 billion and estimates of half a million refugees swamped the country.

More often, however, Turkey’s leaders expressed concern over a failure to conform to the legal process that included the UN Security Council. On January 5, AKP leader Recep Tayyip Erdogan declared a clear commitment to adhering to international legal constraints: “We expect the world states and especially the United Nations to put forward more activities and initiatives for peace and a solution except war. We consider the UN resolution binding factor for us.”

Turkey’s chief of staff of the military, General Hilmi Ozkok, concurred, declaring that UN disputes with Baghdad should be settled without the recourse to force and denied reports that Turkish troops were being reinforced along Iraq’s northern frontier. “Efforts at a peaceful resolution should continue until the end.”

At the World Economic Forum in late January, Erdogan expressed anticipation of the January 27 report of chief UN weapons inspector Hans Blix as well as skepticism that Turkey would support military intervention without a clear UN authorization. “For us, the report of the weapons inspectors is very important and after that, the decision of the United

---

331 “Turkish Minister Says No Tension in Turkish, U.S. Relations,” (Anatolia news agency, 2003).
Nations Security Council.” Erdogan suggested that the decision to support U.S. troops ultimately rested with Turkey’s National Assembly.334

Four days later, on January 31, Turkey’s National Security Council ruled in favor of supporting U.S. military action against Iraq via military bases in eastern Turkey. Parliament still was required to authorize foreign troops on Turkey’s soil, and one week after Turkey’s NSC decision the parliament authorized the United States to commence the renovation of key military bases in southern and eastern Turkey, but stopped short of authorizing military forces entry into Turkish territory. A follow-up vote was expected within two weeks of the vote.335 Erdogan continued his insistence that Iraq was not taking the necessary steps to prevent the escalation to a military confrontation. Turkish leaders continued their hesitancy regarding support for U.S. requests.

In mid February, Prime Minister Abdullah Gül was in tense talks with the United States over access to Turkish territory for the basing of U.S. troops. Turkish leaders refusing to submit permission for U.S. basing rights to parliament before its conditions were met. These talks were related to the amount of U.S. economic aid that Turkey would receive. Secretary of State Colin Powell asserted that while the U.S. position was firm, “there may be some creative things we can do” to reach an accord with Turkey. A $26 billion package of grants and forgiven loans was on the table.336 Turkey was demanding an additional $6 to $10

billion in aid.337 United States officials began to publicly announce the possibility of commencing an invasion without a role for Turkey, signaling irritation with Turkey’s obstruction by effectively warning significant economic consequences for Turkey if it did not submit.

The brinksmanship continued through February. Gül and Erdogan continued to indicate that despite significant public resistance, they were open to U.S. requests in return for substantial financial aid. Yet the overwhelming public opposition did have the effect of constraining parliament from consenting to the request to base U.S. troops on Turkish soil, and parliament members indicated to their leadership that a successful vote could not be guaranteed. As a result, Gül and Erdogan delayed submitting the authorization to a parliamentary vote.

The delay negatively implicated U.S. preparations for war. As many as 30 ships carrying 15,000 troops were en route to Turkey and four U.S. ships carrying troops were stranded off the Turkish coast. Yet AKP leaders had a number of specific reasons related to the pressures of public opposition to the war to put off a second vote in parliament. First, if a second vote ended in defeat it likely would have led to the fall of the AKP-led government. Second, elections were scheduled to be held in mid March, when Erdogan was expected to be elected prime minister. Submitting a second vote to parliament that failed would have compromised Erdogan’s chances to secure the prime minister spot.

On February 23, in response to a question from reporters as to the timing of the second vote before parliament and reflecting the competing pressures Turkish leaders faced from the public and from U.S. officials, Erdogan replied, “There is no such plan at present.” Still, the government continued to develop a bill of agreement to the United States’ request to submit to parliament. Defense Minister Vecdi Gonul announced in late February that “agreement is complete on the military issues.” Finally, after repeated delays and considerable vacillation, the government submitted a bill to parliament on February 25 that would have permitted 62,000 U.S. troops onto Turkish soil.

On March 2, despite the offer of a substantial involvement for Turkey in post-war Iraq, a promise to prevent Kurdish unrest spreading from northern Iraq to Turkey, and an estimated $32 billion in aid, parliament stunned U.S. officials by rejecting the proposal. Despite the government’s endorsement of the U.S. request, led by party leaders G¨ul and Erdogan, the AKP could only secure the support of 264 of its 362 seats in parliament. The bill failed by a vote of 264 to 250 in favor of the U.S. request. There were 19 abstentions, however, which prevented supporters of the bill to secure the vote of the minimum of 267 TBMM members necessary for passage of the bill. Public opposition to the bill was intense and, given the weakness of the Turkey’s political parties at the time and an unusually large number of vulnerable parliament members in their first terms in office, the public likely had an exaggerated effect on parliament members’ voting behavior. Mehmet Fehmi Uyanik, a legislator who voted against the measure, said, “I hate romanticism in politics. I’m a realist.

And every day, I’m not kidding, I got 60 or 70 messages from people telling me to vote against.”

Acting Prime Minister Gül was resolute about the Assembly vote. “Turkey is the only democratic country in the region. The decision is clear. We have to respect this decision, as this is what democracy requires.” Government leaders were undecided initially after the vote whether to return to parliament for another vote. Officials clearly were interested in the financial benefits of consenting to U.S. preferences, as well as a key role in post-war reconstruction efforts. The negative vote in parliament put both goals in jeopardy.

Erdogan won a seat in parliament on March 10, paving his way to the prime minister post. As a result, he had renewed influence to push another vote in parliament. Still, however, he reaffirmed the need for the United States to seek a Security Council vote. “There is a U.N. Security Council meeting and the establishment of our next government on the way. These two things coincide. We will watch carefully and decide accordingly,” he said. Erdogan’s continued to play a variant of a two-level game. He sought another vote in order to maintain close ties to the United States—and the corresponding material gains that this closeness would deliver—but nodding to the public’s anxiety over U.S. illegality and illegitimacy by publicly declaring the importance of adhering to a process sanctioned by the UN Security Council.

---

Diplomatic pressure on the Turkish government to reverse course continued. Vice President Cheney spoke with Erdogan on March 13, applying pressure to permit U.S. troops to stage strikes against Iraq from southern Turkey. “The message was clear,” according to a U.S. official close to the negotiations. “By the time Turkey got its act together, it would be too late to do us any good.” The Pentagon decided on March 13 to relocate a fleet of warships equipped with cruise missiles from waters near Turkey to the Red Sea. While U.S. officials held out hope to receive the political dividends of a second affirmative vote in Turkey’s parliament, the military began to shift the invasion strategy that omitted Turkey’s involvement.

Turkey’s stock market and the value of its currency sharply declined as it became clear that the war would commence irrespective of Turkey’s participation. A large segment of Turkey’s political and military leaders suggested that the government would take another vote to reverse the decision refusing U.S. troops. Continuing to walk the delicate line between U.S. requests and Turkish public opinion, Erdogan sought parliamentary approval for U.S. aircraft to utilize Turkey’s airspace during the war.

After parliament voted against permitting U.S. troops to use Turkish bases, Erdogan warned legislators that the decision would be disastrous for Turkey. Billions of dollars in economic aid were on the line. At the same time, Turkish officials accepted the results. “People said they wanted a democracy in Turkey, and now they have one, Erdogan senior

adviser Cuneyd Zapsu said. "Turkey is a real democracy." Still, Erdogan reached out to his supporters in parliament to reconsider their votes.

Yet by the second week of March, U.S. officials had given up on a second vote in Turkey’s parliament and began rerouting ships from the eastern Mediterranean toward the Suez Canal. “Our proposals to the Turkish government have been taken off the table,” Colin Powell remarked on March 13, after a final appeal to the just-appointed Prime Minister Erdogan to go to the TBMM to secure authorization for U.S. basing rights.

Nonetheless, perhaps due in part to Erdogan’s enhanced leverage as well as evidence that the United States would bypass Turkey altogether in conducting the operation against Iraq, the parliament reversed course on March 21 and approved the use of Turkish airspace for U.S. war planes. While ground transit for U.S. troops would not occur, U.S. officials could now list Turkey as a political supporter of the U.S.-led war, and wasted little time in adding Turkey to the list of coalition members. Despite the dramatic fashion in which Turkey rejected the initial U.S. requests and the substantial costs incurred by U.S. military planners, U.S. officials got an additional layer of political cover from a crucial European state, a state whose population was overwhelmingly Muslim. Turkish officials avoided the wrath of the public that would have intensified with the presence of U.S. troops on Turkish soil but still received the benefits associated with providing non-material political support for the U.S.-led mission.

---

The model predicts that Turkey's relative economic weakness renders Turkey especially dependent on U.S. financial assistance compared to wealthier states. Combined with the public perception that U.S. policy is illegitimate, the model predicts that Turkey leaders will reveal hedging behavior, quietly signaling to U.S. officials that consent is forthcoming but avoiding a resolute and public embrace of U.S. requests, which likely would provoke a strong public reaction. Consistent with this expectation, the rhetoric of key political leaders is expected to be supportive of U.S. requests, but muted, offering pro forma or political consent but inhibited from providing substantial troops or supplies (given the economic weakness) or overt support such as basing rights (given the intense public reaction that such overt displays of support would engender). Given the public perception that U.S. policy was perceived to be illegitimate, however, key decision-makers are expected to invoke legitimacy norms in their publicly stated positions on the pending U.S.-led intervention in Iraq.

In fact, the behavior of Erdogan and Gül revealed that they were conflicted as a result of these competing interests. They walked a delicate line between pursuing the $32 billion in U.S. aid that would accompany acceptance of U.S. requests and respecting the public’s preference that the U.S.-led intervention be legally sanctioned by the UN Security Council, enhancing its legitimacy. They did press for parliamentary approval of U.S. basing rights late in the process, but consistently expressed their preference that legal norms be followed. This hedging behavior and their rhetorical record are consistent with the model’s predictions. Furthermore, this record provides evidence of the role that legitimacy considerations played in restraining Turkey's officials' from publicly and decisively
embracing the U.S.-led war, something highly desired by U.S. officials for both strategic and political reasons.

**Great Britain**

Great Britain is the United States’ most steady and capable ally. The historic ties between the two countries run deeply, and the international collaboration that has ensued between Great Britain and the United States has been extensive and profoundly stabilizing for international order.

For these reasons, it might have been expected that Great Britain ally so closely with the United States as the talk of war with Iraq intensified. Yet Great Britain is an unlikely case in the story of the Iraq War. British public opinion was highly critical of U.S. objectives. A March 18, 2003 report revealed strong popular European sentiment opposing U.S. policies in Iraq, some of which clearly influenced the overall impressions of the United States. In Great Britain, those holding favorable views of the United States fell from 75 percent in 2002 to 48 percent one year later. A majority of the population (51 percent) opposed Britain’s joining the U.S.-led war.346 Nearly three-quarters of a million protesters gathered in Hyde Park and throughout London on February 15, 2003.347

Not only was popular opinion against the war (though not nearly as strongly against the war as in most other Western European countries), a large difference existed between opposition to the war in general and opposition if a UN Security Council Resolution

---

346 "America’s Image Further Erodes, Europeans Want Weaker Ties."
authorized military action. A difference of 53 percent revealed that a substantial portion of public opposition was generated as a result of the perceived illegitimacy of U.S.-led action (as compared, for example, to 17 percent in Bulgarian public opinion). Among the 30 European states in the universe of cases, only France registered a higher difference (57 percent) between opposition to the war in general and opposition even in the event of a UNSC mandate. All three indicators suggested that the British public was highly exercised over the perceived illegitimacy of the war. In addition to the normative component of public opinion and the extent of public protests, the rule-of-law score registered 4.23 out of 5, well above the 3.75 threshold.

Yet Britain is a highly wealthy country, well equipped to meet both national economic and security demands. Besides the traditional economic vehicle of bilateral trade, Britain is not materially dependent on the United States sufficient enough for British policymakers to fear the material costs associated with diplomatic rupture. As a result of this combination of perceived illegitimacy and material sufficiency, it is expected that Britain would have challenged U.S. authority by refusing both material and non-material assistance. The rhetoric employed by British leadership should have been unyielding in rationalizing defection from U.S. leadership on the basis of respect for the normative and legal constraints governing the use of force.

In the end, Great Britain is an anomalous case. Yet Blair did reveal a fidelity to the use-of-force norms requiring UN authorization. While Prime Minister Blair privileged close relations between Britain and the United States, he was unrelenting in pressing Bush to pursue the second UN Security Council Resolution. Blair showed evidence of being
conflicted between the legality and perceived legitimacy of the operation and maintaining close ties with the United States, and his rhetoric revealed that legitimacy norms were prominent in his diplomatic posture leading up to the war.

The context of the pending war with Iraq, with strong U.S. pressure in favor of intervention and Western European opposition, Blair sought to play the role of interlocutor within the traditional transatlantic alliance. Strong evidence existed in the months leading up to the war that substantial cleavages existed in the Labor Party amid charges that the prime minister was balancing his attempts to forestall insurrection within his own party with his desire to forge a strong U.S.-British tie that could position Blair as the kingmaker in U.S.-Europe relations. “Blair is doing what the British have had to do historically,” said Robert Worcester, chairman of the London-based MORI political research group, at the height of the diplomatic tensions leading up to the war. “Britain has to play the role of the connection between the US and Europe.” 348

The intra-party tension hampered Blair’s efforts to build public support, and was evident at the highest levels, where many Labor members of parliament were cautious of perceived unilateral actions and deferential to the UN inspections process and a strong preference for legal legitimacy. One report involving interviews with most cabinet members found that more than half of Blair’s cabinet opposed military force if a UN authorization was not obtained. “The government’s policy can be summed up in two words: ‘United

Nations’. Stick to the UN and there will be infinitely less trouble or even no trouble at all.” Prominent Labor MP Clare Short declared in January, “It feels very dangerous. There is a way through this—stick with the UN. There’s no other way out.”

Prime Minister Tony Blair, who rose to the post in May 1997, was a consistently strong advocate for confronting the threat posed by Saddam Hussein. “The threat is real,” he pressed, advocating for coercive diplomacy. “If we don’t deal with it the consequences are that our weakness will haunt future generations.” Blair linked the need to attack Iraq to the threat of an al-Qaeda attack on Britain, speaking of the inevitability of such an attack. “They will try in some form or other. We can see evidence from the recent arrests that the terrorist network is here. The most frightening thing is the possible coming together of fanaticism and the technology of mass destruction, mass death. The problem with Iraq is not a problem necessarily of proliferating weapons of mass destruction. It is actually that they may use them.”

But contrary to the conventional wisdom at the time, Prime Minister Blair was not blinded by a desire to hew closely to the U.S. position on Iraq and was not immune to domestic political pressures that favored restraint. The prime minister played an important role in advocating for a second UN resolution to authorize force in the fall and winter months of 2002 and 2003, repeatedly pressing U.S. officials that their European allies would not interpret UNSCR 1441 as justification for the use of force. Through early 2003, Blair

argued that inspectors should be permitted to operate, possibly delaying an invasion until at least August. One senior Whitehall official said, “The Prime Minister has made it clear that, unless there is a smoking gun, the inspectors have to be given time to keep searching.”

The extent to which the public perceived an unauthorized war to be illegitimate coincided with the prime minister’s strong advocacy to U.S. officials to consider legal authorization for the war.

“Oh of course it’s better we go down the UN route,” Blair announced in January. "I don’t think President Bush wants to go down the unilateral route.” He added a note that coercive diplomacy was having its desired effect on the Iraqi regime. “As a result of the pressure on the regime in Iraq, there is evidence they are weakening, they are rattled about the build-up of forces.”

On the eve of his trip to Washington to meet with President Bush at Camp David on January 31, Blair’s public position began to harden. He continued to voice skepticism of Saddam Hussein’s intentions regarding disarmament and began to hint that his failure to cooperate with inspectors would represent a material breach of past UN resolutions, opening the way for military reprisal under Chapter VII of the UN Charter. Foreign Secretary Jack Straw concurred with Blair’s move, stating, “I believe that the conclusion that Iraq is in material breach is an incontrovertible one. What Iraq has to understand is that time is running out and if it does not comply with the requirements of the international community—which by God are now shown to be fully justified—then serious consequences

---

352 Guardia, Jones, and Edwards, "Delay War, Britain Advises Bush: Blair Wants to Wait for ‘Smoking Gun’ as Un Inspectors Hit a Wall in Iraq," Al.
will follow.” Fidelity to international law and legal and normative constraints, both on the part of Britain and of Iraq, was a strong component of British officials’ rhetorical support for adhering to the legal process of the UN Security Council and for rationalizing coercive measures to ensure Saddam Hussein’s compliance with his legal commitments.

After their summit meeting at Camp David, President Bush and Prime Minister Blair spoke from different talking points. Bush continued to deny the necessity of returning to the Security Council for legal authority to go to war. Resolution 1441 “gives authority to move without a second resolution.” Blair balanced his expressed views of the importance of a legal justification for the war with a clear preference of forging a common position of the United States and Europe. “Wait and see what happens in the next few weeks. I believe there will be a second resolution,” Blair said to reporters traveling with him on his plane on the flight back to London.

Blair’s publicly stated justification for the war began to shift in mid February, adding morality to the impending threat. Blair said in a February 15 address, “Ridding the world of Saddam would be an act of humanity - it is leaving him there that is in truth inhumane… The moral case against war has a moral answer: it is the moral case for removing Saddam.”

A Downing Street spokesperson said during the run up to the second Security Council resolution vote, “The British government will underline the fact that the dire humanitarian situation in Iraq is with us here and now. If we act, we should do so with a clear

conscience." This movement is consistent with the expectation that normative arguments be prominent among the rationale for the use of force in contexts in which normative legitimacy is an active component of public opinion.

President Bush’s rhetoric on the justification for war began to shift in mid February, as well, but in a different way than Prime Minister Blair’s. President Bush added the promotion of democratic freedoms to his list of rationale for removing Saddam Hussein from power. “We defend the security of our country, but our cause is broader,” Bush said in a speech in Kennesaw, Georgia. “We don’t believe freedom and liberty are America’s gift to the world. We believe they are the Almighty’s gift to mankind.” This would have implications for regime types throughout the region. “For the oppressed people of Iraq, people whose lives we care about, the day of freedom is drawing near… A free Iraq can be a source of hope for all the Middle East.” Although this project does not closely track U.S. public opinion toward the war, large protests in the United States and an active and vocal opposition to the war undoubtedly had an effect on the Bush Administration’s framing of the war rationale.

Meanwhile, Prime Minister Blair faced a parliamentary revolt over plans leading up to the war. While the perceived illegitimacy of the war on the part of the public did not have the expected effect on the prime minister in defying U.S. requests, it did affect parliamentary leaders and members of Blair’s cabinet. In late February, preceding the planned UN Security Council vote to authorize the use of force against Iraq, 199 members of parliament voted for

---

357 Michael Settle and Robbie Dinwoodie, "Pm Takes Moral Case for War to Europe; Toughest Test of Blair’s Career in Next Fortnight," The Herald, February 17 2003.
an amendment declaring that the case for military force was “as yet unproven.” A quarter of the MPs voting for the amendment came from Blair’s Labor Party, evidence of the deep rifts among British politicians and within British society over the wisdom of the war planning.\textsuperscript{359}

A British Foreign Office spokesperson continued to try to play the issue both ways. Out of step with Blair’s impatience with international legal instruments, the spokesperson insisted on the importance of working within the contours of the international legal order: “We always act in accordance with international law.” At the same time, British officials stressed their views that UNSCR 1441 provided the legal rationale for war.\textsuperscript{360}

Defying parliament, on March 6, Blair first signaled his intention that a second Security Council resolution was not necessary for military action to commence against Iraq. “If there was a veto applied by one of the countries with a veto, or by countries that I thought were applying the veto unreasonably, in those circumstances we would (take action without a second resolution),” he said in an interview with MTV. Adding that logistical considerations were playing a role in the decision, Blair said, “We have 300,000 troops down there sitting on his doorstep. We can’t wait forever.”\textsuperscript{361}

The position of bypassing the Security Council was further compromised when Secretary General Kofi Annan declared at The Hague on March 10 that without explicit authorization of the use of military force, “the legitimacy and support of any such action will be seriously impaired.”\textsuperscript{362} Six days later President Jacques Chirac sharply expressed his

\textsuperscript{360} Robert Cornwall, Paul Waugh, and Mary Dejevsky, The Independent, March 12 2003.
\textsuperscript{362} Cornwall, Waugh, and Dejevsky, 1.
concerns against U.S. intervention in similar terms. “To cast off the legitimacy of the United Nations, and put the use of force above the rule of law is to assume a heavy responsibility ... France appeals to everyone to respect international law.”

In his speech announcing his resignation as Commons Leader, Robin Cook harshly attacked U.S.-British tactics: “The US can afford to go to war but Britain is not a superpower. Our efforts are served best not by unilateralism but by multilateral agreement.”

By the time that Bush, Blair, and Spanish Prime Minister Jose Maria Aznar met for a summit in the Azores on March 16, diplomatic negotiations over a second UN resolution had come to a standstill. While Blair continued to express a preference for a resolution to the standoff short of military intervention, he expressed hostility at France’s obstruction in the Security Council and frustration over the stalled discussions with other Security Council members. “We are in the diplomatic end game. Things have to come to a decision.”

On March 21, Blair addressed the country before heading to an EU summit in Brussels. “My judgment as prime minister is that this threat is real, growing, and of an entirely different nature than any conventional threat to our security that Britain has faced before.”

Under Blair’s leadership, Britain’s response to the United States was evidence of high levels of U.S. authority. No country provided more political and material support to the U.S.-led effort than Britain.

This response was not expected according to the typological theory presented here. The extent to which the British public perceived the war to be illegitimate combined with Britain’s economic and military advantages should have made Britain less dependent on U.S. favors and more responsive to perceptions of the policy’s illegitimacy. Precisely because of its material capabilities, however, once the British leadership made the decision to consent to U.S. requests, Britain was the most extensive contributor to the war cause besides the United States. In all Britain provided military ships, planes, bases, and as many as 45,000 troops to the initial invasion force.

Given the high level of illegitimacy perceived by the British public, the rhetoric of the British leadership, and in particular Prime Minister Blair, was expected to have been firmly rooted in the legal traditions governing the use of force. Even though consent to U.S. requests was granted and authority at its highest level in terms of material and political support, the rhetoric was highly grounded in normative claims. The perceptions of illegitimacy seem to have had an effect in Blair’s insistence throughout 2002 and early 2003 that a second UN Security Council Resolution be pursued, contrary to President Bush’s much earlier shift in opinion that a second resolution was unnecessary. While President Bush did not face the costs associated with the defection of the United States’ closest ally, his options were constrained in order to keep the alliance intact.

In short, while U.S. authority did not suffer in the case of Britain as predicted by the model, the British public’s perception that U.S. policy toward Iraq was illegitimate did slow the march to war by having an effect on British leaders’ perception of the necessity of a second UN resolution. The perceived illegitimacy also affected and constrained the British
leaders’ actions and their thinking on the legitimacy of the war, leading key members to resign or resist Blair’s leadership and as reflected in leaders’ public rhetoric which consistently reinforced the value of legal and normative justification for war. While Britain is an anomalous case, it still reveals the way in which legitimacy norms as perceived by the public shaped the diplomatic outcome prior to the war.

Implications and Concluding remarks

On March 20, 2003, White House Press Secretary Ari Fleischer advanced an explanation for why the majority of Eastern European states were more likely to join U.S. efforts in Iraq than the United States’ closest historical allies in Western Europe. Fleischer explained,

I think countries in Eastern Europe that are so supportive of this effort remember what it was like to live under tyranny and oppression. And that’s one of the reasons they have been so stalwart in standing shoulder-to-shoulder on behalf of the cause of freedom. They knew what it was like to live under the thumb of others. They see in the Iraqi people a history that they, themselves, suffered through recently. And from that, that is a reason that their support is so strong for this endeavor.366

The results of this study suggest that this explanation is fundamentally flawed. The evidence suggests that the principal reason that states east of the Germany-Austria-Slovenia border were more likely to consent to U.S. requests was due to the fact that their publics were less exercised about U.S. violation of use-of-force norms than the publics in states in Western Europe. Contrary to Ari Fleischer’s claim, Eastern European states joined the U.S.

coalition not because they were more sensitive to illiberal leaders and more attuned to the legal constraints on extralegal behavior, but because they were less attuned to it.

Given policy elites’ responsibilities and requirements of their positions, officials are often more responsive to strategic calculations and less responsive to normative claims compared to the mass public. The cases confirm that the officials were sensitive to standards of legitimacy when crafting their governments’ rationale for the character of their response to U.S. requests, confirming the causal connection between the response to U.S. requests in the 2003 Iraq war the public perception of the legitimacy of the U.S.-led war.

A simple material explanation—that weak states consistently submit to U.S. authority—faces problems. Yet when the material explanation is coupled with the normative explanation, in which publics exercised by evaluations of the legitimacy of U.S. policy are more effective in pressing their governments to resist U.S. requests, the results are quite promising.

These findings suggest that the United States could strengthen its authority by constructing policy that is sensitive to the international public voice, challenging sparse structural claims that excise ideational variables from causal explanations. The question of what holds alliances together has immediate importance, particularly in the turbulent contemporary environment in which there is the acute need for reliable allies. The implications of this research suggest the need for policymakers to reassess the relevance of legitimate behavior and the impact that administration policy has on U.S. authority vis-à-vis its allies.
The focus here on the public voice also has profound implications. Discussions of legitimacy in the contemporary literature is thin on explicit reference to whom is making the legitimacy claim. Bringing the public voice into this discussion not only gives legitimacy real meaning (since legitimacy, which at its core is a perceptual concept, is meaningless without reference to a claimant), but also it places emphasis on the role of the mass public, an oversight which is particularly ironic in the current environment in which there has been an explosion of democratic regimes and a presumed increase in the weight of the public voice.

Lastly, these findings suggest that the United States in fact undermines its own authority and leadership capacity when it rejects constraints on its own behavior. This argument may be extended to other domains, and that a wide range of international norms potentially impact leadership capacity. Such findings ultimately would suggest that the character of U.S. leadership affects the fortitude of its alliances and has profound implications for the prospects for sustained geopolitical stability.
Chapter 5


On August 2, 1990, Iraqi troops crossed the Kuwaiti border in a direct affront to international legal norms prohibiting acts of aggression against a sovereign state. Within days, Iraqi President Saddam Hussein announced his intention to annex the entire country. It arguably was the first time since the Second World War that a state attempted to engorge another entire state and then publicly declare that the occupation would be permanent. The condemnation by the international community came swiftly and firmly. President Bush declared within hours of the invasion that “I made clear to (leaders of Jordan, Egypt, Yemen, and Saudi Arabia) that it had gone beyond simply a regional dispute because of the naked aggression that violates the United Nations Charter,” and that “We’re not ruling any options in, but we’re not ruling any options out.”367

Within 24 hours, the United Nations Security Council passed UNSCR 660, demanding that Iraq withdraw from Kuwait immediately and unconditionally. The 12 members of the European Community similarly adopted a resolution demanding the withdrawal of Iraqi troops. Two days later the European Community agreed to embargo oil and arms trade with Iraq and Kuwait, and the United Kingdom and France began to mobilize sizeable troop contingencies to Saudi Arabia to protect against Iraqi forces. The United Nations passed UNSCR 661 on August 6, mandating a trade and financial boycott of

Iraq and Kuwait. Three days later the UN Security Council passed resolution 662, declaring, “Annexation of Kuwait by Iraq under any form and whatever pretext has no legal validity, and is considered null and void.”

International opposition to Iraqi aggression revealed a high degree of determination to reverse Iraq’s actions. Delegations of the European Community met in emergency sessions in Europe and in the Middle East and U.S. diplomatic activities with European and Middle Eastern allies intensified dramatically to form the basis of a unified response to Iraqi aggression. The United Nations passed nine separate resolutions condemning various aspects of Iraqi conduct between August 2 and November 29, when the UN Security Council passed Resolution 678 authorizing the use of force against Iraq if compliance was not met by January 15, 1991.

Yet despite this display of unified opposition to the Iraq invasion, EC states did not match this response with equivalent levels of material support. Except for Britain, France, and the Netherlands, EC states seemed trapped by the habit of followership of the United States, with few states offering more than token material assistance to U.S.-led efforts to station troops in the Middle East to pressure the Iraqi regime. In fact, the non-response and indecision by most EC States generated a hostile reaction from advocates on both sides of the Atlantic, who were cognizant of the effects that a strong show of resolve from the West would have on Saddam Hussein’s intransigence. United States Congressman Lee Hamilton, Chairman of the House Foreign Affairs Committee, responded, “It is certainly true that there has been a remarkable diffusion of power in the world. But when action is needed
against an aggressor, only the United States has the wherewithal to respond." British Prime Minister Margaret Thatcher was more adamant. "We have all this rhetoric about a common security policy as part of political union, yet when it comes to something practical which affects us fundamentally some countries are hesitant. It is not what you say that counts but what you do."  

This reaction of EC member states is not particularly surprising. Given the high levels of material asymmetry between the United States and Europe, despite the strong, vocal opposition to Iraqi behavior from European officials and the intense aspiration among European elites to position Europe as an important force in international politics, it is not surprising that Europe, sensing the United States’ resolve, initially sought to free-ride on U.S. economic and military capabilities.

More puzzling, however, is that over time, despite substantial unevenness of the respective contribution levels, every EC member state directly or indirectly contributed military aid to the coalition effort in the Gulf. What factors explain this combined response of the initial display of resolve across European states to reverse Iraq’s actions, the eventual universal acceptance of U.S. authority, and uneven level of military support to the Gulf coalition? In short, what explains this high level of U.S. authority?

Explanations that focus on U.S. material assets clearly are incomplete. Given the deterioration of the bi-polar configuration of international politics late in the Cold War years,

the United States stood alone in the ability to rally a robust multilateral coalition to confront Saddam Hussein. As U.S. Secretary of State James Baker testified before the U.S. Congress, “We remain the one nation that has the necessary political, military, and economic instruments at our disposal to catalyze a successful response by the international community.” Yet material superiority was not a guarantor of U.S. authority, as revealed by the irresolute reaction of EC states at the material level in the initial stages of the Gulf War diplomacy. Authority implies the act of consent by secondary states, and consent in the form of European states’ reaction to strong U.S. lobbying for material support for the coalition initially was mixed.

As discussed at length in chapter three, a focus on hegemonic authority necessarily requires a focus on the secondary states that consent to or dissent from the hegemon’s requests. Evaluating leadership capacity solely in terms of the leader’s capabilities, while failing to account for the behavior of the prospective followers, results in an incomplete understanding of the attributes of successful leadership. If prospective followers do not follow, authority is not exercised. As Cooper, Higgott, and Nossal point out, “a leader-centered approach seriously distorts how we understand the nature of leadership in international politics. Focusing on the traits, interests, and capabilities of leaders and would-be challengers… tells us little about leadership, because it tells us little about the dynamics of followership—in other words, what drives followers to follow.”

While some scholarship has questioned whether the 35-member coalition truly was
evidence of U.S. *leadership* in the Gulf War context—or whether it was evidence of only tacit
consent or material self-interest—the discussion here focuses on the extent to which
European states rejected or acquiesced to U.S. requests to contribute military assets to the
coalition, and why this occurred. By the time U.S.-led forces entered into combat against
Iraq, there was virtually no widespread dissent that occurred from the 12 EC member states,
even though the contribution levels of each state varied substantially. While the United
States played a leadership role by deploying 250,000 troops within the first two months of
the crisis, the United States succeeded in encouraging 40 states to provide 245,000 troops
and $70 billion to the coalition’s efforts.372 When compared to the 2003 Iraq War, this
behavior is particularly striking, and demands an explanation.373 Yet the form and level of
assistance varied substantially.

This chapter aims assess the factors that determined this paradoxical outcome of
eventual universal acquiescence to U.S. authority, but striking unevenness in the form and
timing of EC states’ consent to U.S. authority.

The Argument

This project weighs two competing claims of why U.S. authority levels were high in
the 1991 Gulf War. One claim is grounded in a structural framework and suggests that

373 Cooper, Higgott, and Nossal make the appropriate point that a study of leadership demands an assessment
of the behavior of the followers. To make their point, however, they subject states to too high a standard,
suggesting that French and Italian behavior more accurately should be described as bandwagoning because the
closeness to the U.S. position was more pronounced after the start of hostilities than before.
relative U.S. power influenced whether European states consented to U.S. requests to substantively join the coalition. According to this explanation, as the Soviet Union began to collapse and the Cold War drew to a close, European states bandwagoned with the United States in the interest of gaining advantage from allying with the emerging hegemon.

The other claim suggests that ideological affinity in the form of liberal internationalism bound Europe to the United States during the Cold War and persisted in 1991, and that this liberal set of norms was responsible for European support of U.S. policy towards Iraq. These norms were triggered by Saddam Hussein’s violation of Kuwait’s sovereignty, as well as by the United States’ regard for these same liberal norms by seeking UN Security Council approval for the use of force, crafting an institutional response, and pursuing multiple levels of diplomacy prior to resorting to military strikes. According to this ideational argument, the United States’ fidelity to those norms had a cohesive effect on the western alliance and enhanced U.S. authority vis-à-vis its European allies.

Consistent with these competing claims, this project tests the effects of two variables on the outcome of European states’ consent to U.S. authority: relative material capabilities between the United States and EC states, and the legitimacy of U.S. policy as perceived by the European public. This core argument advanced here is that U.S. policymakers’ fidelity to specific normative legitimacy standards enhances U.S. authority vis-à-vis Europe, a community of states that shares basic normative standards, but that legitimacy considerations interact with material capabilities to determine not only which states consent to U.S. authority, but also what form that consent takes when secondary states offer to support U.S. policies.
As discussed above, the legitimacy norm examined here is the respect for constitutional principles defining the permissible use of force in the international context, and privileges the rule of law, institutional governance, and exhaustion of efforts to peacefully resolve disputes prior to the initiation of military force. A key element of this argument is that “legitimacy” does not exhibit some transcendental quality, but rather is determined by observing the perceptions of the mass public and the public’s sensitivity to the three aspects of this legitimacy norm.

The relationship between public opinion and elite behavior is essential in this causal story. Richard Sinnott writes, “far from regarding public opinion as something remote and irrelevant, regime theory… strongly implies that domestic public opinion may impel or constrain moves towards internationalized governance.” Yet much of the public opinion literature suggests that the instability of opinion makes serious regard for polls pointless, given the changing poll numbers initiated by shifting winds.

This project challenges this assumption of the unreliability of public polling in assessing meaningful and consequential opinion that exists in the body politic. The first assumption that drives this investigation is that the normative dimensions of aggregate public opinion are characteristically stable across time. As discussed in chapter 2, political elites are charged with securing the national interest, which requires the adjustment of policy when necessary in order to effectively address a security threat. As a result, policymaking elite are more motivated by cognitive legitimacy and the rational connection of ends and means. Yet the

mass public is less privy to the practice of translating principles into policy or the necessity of balancing competing principles in pursuing policy goals. As a result, the public, unburdened from the task of securing the national interest—a task that often requires compromising deeply-held values—is free to express opinion that is motivated by national values and personal principles. These standards of *normative legitimacy*, which ultimately are stable and resilient, are more likely to reside in the public mind. 375 As Pierangelo Isernia concludes in an edited volume on the effects of public opinion on the application of the use of force, even at the individual level, stability of opinion exists: “People, lacking factual information or clear-cut and ready available interpretations, draw more often upon their basic values.” 376 This is due to the mass-level belief systems that are resistant to change.

The inclusion of public perceptions of legitimacy in the analysis generates an explanation of variance in hegemonic authority that purely structural or elite-level models cannot explain. In secondary states’ reaction to U.S. entreaties to support the Gulf War, for example, as Bennett, Lepgold, and Unger have argued, material-based systemic explanations have difficulty explaining the behavior of virtually all Western European states providing political support to the United States despite the temptation to free-ride on U.S. troops. Although they do find that the alliance security dilemma helps explain a relative dearth of free-riding, the shortcoming of a material-only explanation gives room for the operation of

375 Alexander George defines cognitive and normative legitimacy, but does not specifically differentiate them in terms of elite and domestic public evaluations of policy as I have here. See Alexander George, "Domestic Constraints on Regime Change in U.S. Foreign Policy: The Need for Policy Legitimacy," pp. 583-608, in G. John Ikenberry, *American Foreign Policy: Theoretical Essays* (Glenview, Ill.: Scott, Foresman, 1989), especially p. 585.

domestic politics, which Bennett et al include in their explanation. It is through domestic politics that norms of legitimacy exert themselves, infiltrating public discourse and encouraging leaders to provide substantive support to missions to correct illiberal behavior when normative standards are in jeopardy. The inclusion of public reactions to perceived legitimacy of U.S. policy helps to explain the eventual uniformity of European support when deeply held organizing principles are under challenge, despite the power asymmetry that existed in 1991, when free-riding should have been an attractive option to European political elites.

Yet ideas alone do not provide the full explanation of European consent in the 1991 Gulf War. Material variables are considered in this project, and help explain the second half of the empirical puzzle stated above—why support, despite universality across the EC states, varied substantially in the level and form that states ultimately offered.

In the ideological climate that existed at the time of the Gulf War, the argument advanced here suggests that five reactions by the European public and policymakers to the Iraq invasion of Kuwait should have been expected. First, Iraq’s clear violation of international legal rules prohibiting territorial aggression should have been opposed at both popular and elite levels across Europe. Second, the rules legitimizing the use of force against Iraq—namely, an authorizing vote by the UN Security Council—should have been preferred by European states. Once authorization was secured, the European public and elites should have supported and contributed to Operation Desert Storm. Third, the public and elites should have expressed a preference for institutional mechanisms for resolving the conflict. Fourth, elites—in part due to the pressure imposed by the public—should have made
extraordinary efforts to resolve the crisis before resorting to the use of force. In other words, the use of force truly should have been regarded as a last resort, evidenced by persistent European diplomatic efforts to obtain a negotiated settlement. Fifth, European elites should have rationalized their decision of whether to participate in the U.S.-led coalition in normative terms, justifying European consent to U.S. requests by invoking legitimacy norms that are deeply held by the European public. As will be explained in detail below, each of these expectations were confirmed in this study.

As discussed in the introductory chapter of this dissertation, this project was informed by the study of alliance burden sharing in the Gulf War by Andrew Bennett, Joseph Lepgold, and Danny Unger. These scholars find that “domestic-level variables intervene between international pressures and state outcomes,” and that the form and magnitude of contribution between 1990 and 1991 were influenced by the domestic variables of “state autonomy, societal preferences, and bureaucratic politics.”

This chapter narrows their study by focusing intensively on the domestic dimension of the alliance equation, specifically on the quality of U.S. authority. While they find that the level of executive autonomy and the nature of public resistance explain the character of assistance in Germany and Japan, they do not explore the possibility that the particular nature of public opinion may have had an effect on the level and stability of support of the intervention, and thus affected the responsiveness of elites to the public. By probing the

377 Bennett, Lepgold, and Unger, "Burden-Sharing in the Persian Gulf War," 39-75. See also their extended study in ———, Friends in Need: Burden Sharing in the Persian Gulf War..
character of public opinion, it is possible to make broader judgments of the affects of public opinion in other cases.

The theory developed here adds texture to the finding of Bennett et al that domestic factors influence alliance behavior by examining the relationship between domestic legitimacy considerations and U.S. authority. This helps to explain one of the empirical puzzles of the 1991 Iraq War—namely, why costs of the war were not disproportionately borne by the United States, given the public good of reversing Iraqi aggression and the asymmetric capabilities of the United States. The legitimacy of the U.S.-led operation is a plausible explanation for the overwhelming nature of the response to U.S. requests, particularly relative to the very different international response leading up to the 2003 Iraq War.

Lastly, and more basically, Bennett et al note, “Scholars only recently have begun to examine the domestic sources of alliance behavior.” While considerable scholarship has been produced on this issue since they made this assertion, domestic-level variables—and particularly ideational dimensions of domestic politics—continue to be underrepresented in the international relations scholarship. This project aims to contribute to this continued deficiency.

Converging Narratives in the Cold War’s Twilight

The previous chapter examined divergent European and American narratives operating in 2003 with respect to the centrality of legal and normative rules as sources of

379 Ibid.: 45.
international order. In 1990, the consensus that existed between the United States and Europe on the role of legal rules in regulating international behavior more closely resembled agreement levels of the late 1940s than of 2003.

In 1990, when the Gulf Crisis began, the normative principles privileging the rule of law persisted in the minds of the public and of policymakers. The socialization that transpired across the four decades of the Cold War ensured that the principles were firmly lodged at the domestic political level and also in elite consciousness and states’ foreign policies. John Ikenberry and Charles Kupchan argue that “Elites in secondary states buy into and internalize norms that are articulated by the hegemon and therefore pursue policies consistent with the hegemon’s notion of international order.” These normative principles of consent and the rule of law helped make the alliance function, reinforced the alliance’s resilience, and stood as a standard by which states’ behavior should be judged. In addition to being socialized into embracing constitutional norms, Europeans had pragmatic reasons in 1990 to prefer that the rules of the liberal international order proscribing the use of military force be reinforced. The extent of U.S. dominance of the international system was unprecedented. Without the constraining effects of a bipolar environment, many Europeans’ interest in solidifying use-of-force norms intensified. Simon Serfaty wrote in 2005 that “it is Europe—America’s like-minded partner of choice—that is the region most capable to compensate for the limits of the American preponderance and thus moderate it’s potential for excesses.” German Chancellor Gerhard Schroder echoed this logic late in the

---

381 Simon Serfaty, The Vital Partnership: Power and Order: America and Europe Beyond Iraq (Lanham: Rowman &
1990s when he said, "That there is a danger of unilateralism, not by just anybody but by the United States, is undeniable."\(^{382}\)

The European interest in maintaining close ideological and institutional ties to the Americans was even more intense in 1990, when the like-mindedness was at its climax and the differences between U.S. and European perspectives on use-of-force norms were very narrow. One source of evidence of this closeness can be found in the elite rhetoric invoked on both sides of the Atlantic in rationalizing the decision to go to war against Iraq. This interest in ensuring that international norms are robust in order to effectively forestall erratic behavior of the hegemon is most acute during conditions of sharp power asymmetry. At the close of the Cold War and the emergence of a unipolar configuration, it should not be surprising that Western European states reacted strongly when those rules are challenged. On August 2, 1990, those rules were challenged dramatically as Iraq's forces rolled into Kuwait.

Yet as discussed, this entrenchment of and commitment to a shared normative structure designed to place constraints on the use of force is not solely an elite phenomenon. Ikenberry and Kupchan accept that the socialization begins at the popular level before moving to the level of elites, who then add a normative component to policy decisions: "Norms may first take root among the populace, but they must then spread to the elite level if they are to have important effects on state behavior."\(^{383}\) Yet the public ultimately plays a minor role in their analysis. Admittedly, linking the public voice to the effectiveness of


270
hegemonic socialization falls outside the scope of their study. Yet the public voice plays a prominent role in the relationship between norms and elite behavior, as it did in the Gulf War by reducing the costs of consenting to U.S. leadership as perceived by European elites, and thus facilitating the United States’ success in constructing a robust alliance to reverse Iraq’s invasion of Kuwait. Evidence will be presented here that the American and European publics, socialized by their observation of the Soviet Union’s imposition of its empire and coercion of the satellites in its orbit, embraced the principle of constitutional governance and the benign but efficient effect of legal norms on domestic and international order. As a result, Western leaders were cognizant that the shared values of a rule-governed world played an important role in the identity of the transatlantic alliance.

As the Soviet Union collapsed, the liberal international order that existed in the West was retained. As Ikenberry has argued, large numbers of intellectuals and political elites did not suggest that a new set of rules was required to replace the discredited rules of the old order, as had happened in the post-war settlements of 1815, 1919, and 1945. Rather the old set of rules (that is, the post-1945 rules that facilitated the Western-dominated order) was affirmed.384 Liberalism, with all its virtues, had vanquished its illiberal competitors, which gave rise to expansive pronouncements of the fulfillment of the capitalist-democratic promise. What is often overlooked, however, is the fact that it was a reaction of the public more so than the elite that defied coercive means of the Communists, which spawned the independence movements and spurred activists to action. The success of liberalism infected

384 For a comprehensive study of the emergence of the post-Cold War order, see Ikenberry, After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars, 215-56.
the imagination of expanding hordes of dissidents in the East, and elites ultimately reacted by relenting.

In sum, the elements of a constitutional order, the principles of law and consent, and the promise of institutional governance were embedded deeply into both the public mind and the policies of Western states at the close of the Cold War, both as a result of the socialization process that occurred throughout the Cold War and due to the recognition in the West of the constraining effects on U.S. power.

As a result of the depth of constitutional principles in the Western experience and the continued value in locking the emerging hegemon inside the constitutional order, the criteria for judging international behavior according to norms espousing the rule of law, institutional governance, and the peaceful resolution of disputes were critical contributors to the ideological climate inside Europe.

In a survey of European Community citizens conducted in October 1990, two months after the Iraq invasion, Europeans thought that the United Nations was more capable of resolving the Gulf Crisis than the United States (83 percent and 73 percent, respectively). In each of the 12 countries polled, with the exception of Luxembourg and Greece, the public held that the United Nations was most capable of resolving the conflict. Irrespective of whether this impression among Europeans was realistic, the poll is evidence of the high regard that Europeans had of the potential of legal instruments (specifically the United Nations Security Council) in resolving international conflict.

---

Furthermore, these Eurobarometer poll findings were consistent with the expectation that the public’s confidence in the United Nations was enhanced by the climate of unipolarity and by the fact that the Soviet Union would no longer automatically veto Western European or American proposals in the UN Security Council. “General public confidence in the UN has increased dramatically in the European Community since the mid-eighties, when a majority of people expressing an opinion in Greece, West Germany and the United Kingdom believed that the UN’s overall performance was poor.”

Because of the prominence of these principles in the public mind, elites were cognizant that their performance and the policies they advanced would be judged in accordance with these constitutional standards. I am not arguing that the public *caused* elites to oppose Iraq’s invasion and support military intervention to reverse Iraqi aggression. Rather, I am arguing that the public helped facilitate Europe’s support for the U.S.-led intervention by ensuring elites that there would be no punishment for consenting to U.S. requests and fully participating in the coalition.

It was in this context of U.S. and European consensus on the utility of the constitutional order that Iraq invaded Kuwait. Iraq’s announced annexation of Kuwait was a unique case in the post-1945 era. In no other instance since the signing of the UN Charter did a state attempt to annex the entirety of another state that was a recognized state under law and declare that annexation to be the new status quo. Not only was the occupation

---

386 Ibid., 36.
considered to be a clear breach of international law, the nature of the occupation was widely perceived to be in violation of the laws of war that applied to the treatment of civilians. This included deportations, torture, murder, looting, destruction of property, and the planting of Iraqi settlements.\footnote{Ibid.: 152.}

European leaders expressed grave concerns over allowing foreign acts of aggression against a sovereign state to go unpunished. The precedent of such behavior and the implications for broader questions of international order were at stake, and European leaders were willing to afford the United States the legitimacy that it desired by consenting to U.S. leadership. Twelve UN Security Council resolutions in response to Iraq’s occupation of Kuwait passed in 1990 alone. Security Council Resolution 687 passed on November 29, 1990, authorizing UN Member States “to use all necessary means to implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area.”

As the coalition forces began operations against Iraq on January 16, French President Mitterrand reaffirmed the importance of international legal constraints on the use of force, acknowledging, “France spared no effort, to the very end, to reach a peaceful settlement of the crisis… Unfortunately, not a sign, not a word, from Baghdad allowed any hope of its submitting to the legal requirements.”\footnote{Message to the Parliament, January 16, 1991, reprinted in Le Monde, Jan. 17, 1991, p. 42.}

Given the European commitment to a constitutional order, it is understandable why U.S. officials would choose the \textit{illegality} of Iraq’s aggression to be the central rallying point in

\textit{}}
the construction of the Gulf War coalition. To build support for its policies, the Bush Administration sought to situate its rhetoric rationalizing its response in the ideological climate that existed. On August 30, 1990, less than a month after Iraq’s invasion, President Bush appealed to wealthy European and Middle Eastern states to help finance the U.S. effort to reverse Iraq’s action.

President Bush declared, “As I look at the countries that are chipping in here now, I think we do have a chance at a new world order.”390 This new world order became synonymous with the post-Cold War era of a law-governed world, and became Bush’s rallying cry for enhancing international support. In his January 1991 State of the Union address, Bush declared his support for “a big idea, a new world order… to achieve the universal aspirations of mankind… based on shared principles and the rule of law.”391 President Bush declared before Congress in September 1990 that efforts to reverse Iraqi aggression was in defense of a world in which “the rule of law supplants the rule of the jungle… nations recognize the shared responsibility for freedom and justice, a world where the strong respect the rights of the weak.”392

The talk of a New World Order had historical antecedents. As Ikenberry points out, the post-war environment is fertile terrain for talk of order-building strategies, and as the number of democracies grew, liberalism increasingly asserted itself in the Congress of Vienna, the Treaty of Versailles, and the post-war negotiations that propagated a wave of

institution building after the Second World War. The trend continued in the closing years of the Cold War. Martin Walker wrote in 1990, “Now that the Cold War is over, the rather vague talk by the Bush administration about a new world order and the renewed praise for the United Nations can be seen as following this historic tradition (of the League of Nations and the United Nations).”

In sum, given the ideological climate in which the European public and elites were deeply committed to the principles of a law-governed world, it is logical that President Bush tailored his pitch to build support for a U.S.-led coalition against Iraq. By premising intervention on the basis of the defense of international legitimacy standards governing the use of force, President Bush sought to reinforce and capitalize on the legitimacy of the constitutional order and to continue to operate within its terms. As a result of its unparalleled power that existed in 1990, the United States had unmatched influence to determine the nature of the post-war order, and chose to reinforce institutionalization rather than undermine it. The depth of Europe’s identification with those values reinforced the prospects that European states would consent to U.S. authority in the Gulf.

The American Preference for European Support

As with U.S. requests of its European allies leading up to the 2003 Iraq War, the Bush Administration preferred military and economic support to ease the U.S. burden of the intervention. The United States was undergoing the early stages of an economic recession,

---

394 Ikenberry, After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order after Major Wars, especially 233-46.
so U.S. officials were eager to disperse the material costs among the United States’ closest allies. Furthermore, U.S. officials sought political cover for the intervention, something Europe was uniquely positioned to provide. The most effective way that Europe could provide this cover was to support the coalition in a substantive way. This political support would help ensure that the principle on which U.S. policymakers were grounding the intervention—defense of the international rule of law and inviolability of sovereign territory—was not undermined by the perceptions of U.S. unilateral (and arguably illegal) action.

From a theoretical perspective, U.S. leadership of its allies was highly desirable relative to acting alone or having to resort to coercing resistant allies. As Andrew Cooper, Richard Higgott, and Kim Nossal argue, “Just as authority is usually deemed preferable to coercion, so too is followership inspired by leadership preferable to subordination secured by dominance.”395 The evidence presented below suggests that the United States’ ability to lead its European allies in constructing a coalition to defeat Iraqi forces in Kuwait depended on the allies’ acceptance of U.S. policy. In the consolidated democratic regimes of Western Europe, this acceptance was influenced by the European publics’ acceptance of the legitimacy of U.S. policy. In turn, such acceptance of the character of U.S. policy enhanced U.S. leadership capacity, reinforcing the resilience of the alliance and reducing the danger of ally defection. For this reason, U.S. officials were highly cognizant of the perceptions of the character of U.S. policy and sensitive to the degree it was regarded as legitimate, and thus crafted the rationale for the forthcoming war accordingly. To this end, the United States’

diplomatic efforts were vigorous in building a united international opposition to Iraqi occupation of Kuwait. Early in the conflict, President Bush sought to characterize the crisis in a way that conveyed a unified international community against Iraqi aggression. The conflict was “not, as Saddam Hussein would have it, the Untied States against Iraq. It is Iraq against the world.”\textsuperscript{396}

At least four factors made European support an especially valuable asset as the United States launched a diplomatic effort to consolidate support for the war. First, since Western European states were wealthy relative to other potential allies and the United States sought to defray the costs of the intervention, Western capitals were a logical place to turn for economic and military support. Treasury Secretary Nicholas Brady and Secretary of State Baker extensively lobbied a very reluctant West Germany, for example, to agree to offer billions of dollars to the coalition campaign.\textsuperscript{397} When Germany initially refused, one U.S. diplomat complained, “Everyone realizes Germany has entered a phase of looking inward and concentrating on the effects of its unification. But there is also an impatience with the richest country in Europe staying so far in the background in this crisis.”\textsuperscript{398}

A second benefit of European support related to the economic wealth of the European Community involved the potential effectiveness of economic sanctions. Economic sanctions were a key feature of the diplomatic tools that policymakers sought to

\textsuperscript{396} President Bush, “Toward a New World Order,” Address to Congress, September 11, 1990, quoted in Gow and University of London. Centre for Defence Studies, \textit{Iraq, the Gulf Conflict, and the World Community}, 4.


\textsuperscript{398} Marc Fisher, “Bonn May Send Troops to Turkey; Germany Considers Rare Deployment,” \textit{The Washington Post}, December 29 1990, A1.
deploy to reverse Iraq’s actions. Five separate UNSC resolutions between August and November called for or related in some way to an embargo or goods coming into Iraq. The potential leverage of economic sanctions is enhanced in direct proportion to the material assets of the states seeking to apply pressure to change another state’s behavior. In other words, Europe applying economic sanctions on Iraq would have a much more severe impact on the Iraqi economy than any other geographic region in 1991. As a result, it was reasonable to expect that U.S.-European coordination on sanctions would have a greater chance of being effective.

Third, strong U.S.-European coordination in the diplomatic run-up to the war was valuable due to the obvious benefits that the existing institutional architecture could provide in logistical support. The institutional infrastructure that was in place could facilitate coordination between western actors more efficiently and effectively than bi-lateral approaches.

Lastly, and perhaps most critically, European support was especially valuable given the fact that Iraq’s behavior violated critical shared values that existed between the United States and Europe, values around which U.S. officials framed the confrontation in order to strengthen the coalition to reverse Iraq’s actions. Those values focused on the necessity of preserving legal and normative principles that were endangered by Iraq’s actions—namely, use-of-force norms and the principle of sovereignty. The “new world order” pronounced by President Bush on September 11, 1990 was one in which the normative standards regulating international behavior functioned effectively. The theme carried through the war. “This new order,” Bush declared after the completion of the war, “springs from hopes for a world
based on a shared commitment among nations large and small to a set of principles that undergird our relations—peaceful settlement of disputes, solidarity against aggression, reduced and controlled arsenals, and just treatment of all peoples.\textsuperscript{399} Because this liberal tradition was shared by the United States and Europe, Europe was a vital partner in successfully framing the war in normative and legal terms. If a significant portion of Europe would have refused participation in the Gulf coalition, the United States' case that the principles at stake were worthy of military action would have significantly weakened.

For these four reasons, European support was critical to the Bush Administration. As a result, this support was carefully cultivated by U.S. officials and continued through the crisis. The Bush Administration pursued multiple diplomatic tracks with Iraq. The fact that the exploration of all available diplomatic means was important to the Europeans helped to reinforce European support.

Following the passage of UNSCR 678 on November 29 through late January 1991, the Bush Administration sought to reinforce the stability of the alliance to avoid defection in the event that the war progressed badly and also to demonstrate that it was making extraordinary measures to avert war. The United States proposed meetings between Secretary Baker and Iraq Foreign Minister Tariq Aziz, and extended an offer Aziz to meet with officials in Washington. On December 17, President Bush met with ambassadors from members of the Coalition. On the eve of war, U.S. Ambassador to the UN, Thomas

Pickering, called for a “pause for good will” to give Saddam Hussein a final opportunity to comply with UNSCR 678. In essence, the entirety of these diplomatic measures and pronouncements sought to legitimize the use of force against Iraq.

Reflecting the critical importance of maintaining European support, it was widely believed that Baker’s talks with Iraqi Foreign Minister Tariq Aziz in Geneva on January 9 were designed to assuage European (as well as American) public opinion that all diplomatic measures were being pursued to avert military conflict.400

These efforts throughout the escalation of the conflict ultimately paid dividends by ensuring that the United States did not stand alone in the confrontation. As will be detailed in typological theory and case studies presented below, U.S. efforts to legitimize the war by seeking to remedy a violation of international law, seeking institutional mechanisms to increase the prospects of diplomatic success, and to pursue all available means short of the use of force to achieve its goals was effective in generating strong European support.

In essence, European support was a crucial commodity to U.S. officials in reinforcing the sense that the international community had coalesced behind the United States’ leadership role in opposing Iraq’s actions in Kuwait. As one U.S. official declared, complaining of Germany’s initial reluctance to fully participate in the coalition, “It’s a question of solidarity.”401 As a result of the strong U.S. interest in a coordinated response, European states’ ultimate willingness to consent to participate in the coalition, and provide both direct and indirect military assistance to the effort, is a fair test of U.S. authority.

400 Payne and Harvard University, Center for International Affairs, The West European Allies, the Third World, and U.S. Foreign Policy: Post-Cold War Challenges, 137.
401 Fisher, “Bonn May Send Troops to Turkey; Germany Considers Rare Deployment,” Al.
Authority Metrics

Because U.S. officials desired material and political support from each European state, the authority metric is coded according to the willingness of each state to provide direct or indirect military support to Operation Desert Shield and Operation Desert Storm in the form of tangible goods, such as technical expertise, military troops, or territory for logistical operations. The use of military assistance as a metric of U.S. authority is supported by the fact that Secretary of States James Baker repeatedly announced directly to EC states at the outset of the crisis that economic assistance would not be sufficient, given the substantial need for logistical support and military bases.\(^{402}\) Direct military support refers to military troops or equipment to the theater of hostilities. Indirect military support refers to providing support equipment to coalition states, or territory in the form of airbases, ports, or ground military bases. Using military support as a metric of authority helps to ensure that a hard test of authority is used—consent that bears some cost on the secondary states. A complete withholding of military support is coded as an authority deficit and granting of military support is coded as a positive exercise of U.S. authority. The United States in 1990 was less in need of financial assistance than it was of a show of cohesion among members of the western alliance. The most effective means of presenting a unified west is by providing national equipment, troops, and territory to the Gulf coalition, rather than merely financial aid, which would have been an unimpressive show of commitment to the alliance. In short,

given the strong preference for European support for the U.S.-led action and the projection
of a united West, the dependent variable of U.S. authority is measured in terms of the
willingness of European states to conform to U.S. preferences for substantive support and
provide military assistance to coalition efforts.

The timing in which support is offered, whether immediately or according to a
delayed schedule, is an additional measure of authority, since U.S. policymakers were most
interested in immediate assistance. Yet in order to separate normative legitimacy from
outcome legitimacy (in which the effectiveness of an intervention serves as the basis for
evaluating its legitimacy), I focus here on responses to U.S. requests prior to the
commencement of Operation Desert Storm. This is the best test of the normative
legitimacy of policy, since the outcome is unknown. Thus responding favorably to U.S.
requests before the operation is more likely to be influenced by a positive response to the
character of U.S. policy as opposed to responding favorably once the campaign is succeeding
and the material dividends are more obvious. In short, the secondary-state response to U.S.
requests prior to January 15 is a more accurate test of U.S. authority than the response after
the launch of Operation Desert Storm.

As a result, the immediate offer of military assistance is the toughest case of U.S.
authority. Because I am testing authority measures at the extreme values of consent—either
the offer of immediate military support (prior to the January 16 invasion) or the refusal to
offer military support—the timing dimension of authority falls out of the analysis.
Table 1

<table>
<thead>
<tr>
<th></th>
<th>Material assistance?</th>
<th>Non-material assistance?</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest</td>
<td>Y</td>
<td>Y</td>
<td>Immediate</td>
</tr>
<tr>
<td>Mixed 1</td>
<td>N</td>
<td>Y</td>
<td>Immediate</td>
</tr>
<tr>
<td>Mixed 2</td>
<td>Y</td>
<td>Y</td>
<td>Delayed</td>
</tr>
<tr>
<td>Mixed 3</td>
<td>N</td>
<td>Y</td>
<td>Delayed</td>
</tr>
<tr>
<td>Lowest</td>
<td>N</td>
<td>N</td>
<td>---</td>
</tr>
</tbody>
</table>

The Independent Variables

*European Public Opinion*

The Berlin Wall fell in 1989. Fifteen years later, by 2004, the European Union had expanded to 25 members. NATO had stretched eastward as well, with seven East European states having been invited to begin talks of membership at the 2002 Prague Summit. But in 1991, this transition had barely begun. The 12-member European Community was still in its early stages of consolidation, but reflected liberal norms that were still largely foreign throughout most Central and Eastern European societies.

In October 1990, European approval levels were mixed on whether President Bush's actions in the crisis were appropriate. In the five dominant EC states, public opinion in West Germany, France, and Britain strongly approved of President Bush's role (75, 73, and 80 percent, respectively). Opinion levels in Spain were the lowest of the five states—53 percent approved. In Italy, 59 percent approved. While these figures are substantially higher than approval levels in the 2003 Iraq War, relative to other European states in 1990,

\[403\] These seven states were Estonia, Latvia, Lithuania, Slovenia, Slovakia, Bulgaria, and Romania.
\[404\] The European Community was comprised of Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, and the United Kingdom.

approval levels in Spain and Italy still were relatively low. For comparative purposes, in the 2003 Iraq War, the percentage of the public that perceived the war to be justified was in 13 percent in Germany, 12 percent in France, 28 percent in Britain, 16 percent in Spain, and 20 percent in Italy.\footnote{EOS-Gallup Europe, (2003). cited in Everts, "Public Opinion on 'Iraq': International Comparative Polls and Countries Outside USA (up to August, 2004)."}

It is worth noting the degree to which approval levels dropped in three of the five countries with respect to the approval of sending the country’s military forces to join troops on the ground in Kuwait and Iraq. The wide gap in some states between support for the goal of forcing Saddam Hussein out of Kuwait and the willingness to contribute a nation’s military raises questions of the public’s commitment to the principles at stake in the crisis.

In Germany, approval dropped from 75 percent in support of President Bush’s avowed military pressure to just 28 percent in support of contributing German troops. As will be discussed in detail in the cases, the size of this drop undoubtedly was due in large part to the constitutional restrictions on deployment of German troops outside of NATO as well as the normative constraints on German militarization that had evolved since the Second World War.

Although Germany may be a special case, given its legal restrictions and normative disposition, other states exhibited a significant spread in public preference. In Spain, approval of the use of Spanish troops was just 33 percent, a drop of 20 percent from approval of Bush’s forceful rhetoric. A drop in approval of the use of national troops in Italy was 26 percent. France and Britain exhibited relatively small differences between
support for coercive measures and support for the use of national troops. The drop in approval levels in France from support for Bush’s action to support for the use of French troops was 11 percent. In Britain, the difference was just 3 percent. A very high level of 77 percent supported British troops in coalition efforts to dislodge Iraq from Kuwait.

Among the five strongest states of the EC, the publics in West Germany, France, and Britain strongly approved President Bush’s coercive diplomacy toward Iraq. The publics in Spain and Italy were more evenly split on the favorability of President Bush’s performance vis-à-vis the Gulf. The essential point is that the size of the gap between support for U.S. policy in the Gulf and support for the contribution of troops is one measure of the public’s commitment to the policy’s objectives toward Iraq.

Table 2

<table>
<thead>
<tr>
<th>National Troops Required</th>
<th>Reduction in Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>47</td>
</tr>
<tr>
<td>Italy</td>
<td>26</td>
</tr>
<tr>
<td>Spain</td>
<td>20</td>
</tr>
<tr>
<td>France</td>
<td>11</td>
</tr>
<tr>
<td>Britain</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: Poll conducted by Social Surveys, Inc., commissioned by The Association for a Free Kuwait

In sum, it is expected that the size of the gap between the two percentages will correlate inversely with the commitment to achieving a reversal of Iraq’s territorial gains, and proportionally with the preference for free riding. Germany experienced the most profound gap between support for Bush’s performance and willingness to provide national troops, but perhaps is a special case, as will be described. Britain exhibited the smallest percentage drop from the level of support for President Bush’s policies to the level of support for the
deployment of national troops. Considering the fact that all 12 EC states provided military support for the intervention in some form, the difference between just these five states suggests that something else is determining states’ response to U.S. requests for support. Rather than just the raw score of support for or opposition to the intervention, it is worth considering that the public’s evaluation of the character of the intervention and its fidelity to international norms had an important impact on public and elite responses to getting involved in the crisis.

Domestic Policy Legitimacy

Public opinion broadly defined is notoriously fickle. As discussed extensively in chapter 2, the public opinion literature is extensive in citing the volatility of public opinion polls for the reason that policymakers have such low regard for polling data when crafting policy. In just one example, according to a USA Today poll in late 1990, U.S. public approval for President Bush’s handling of the Gulf Crisis swung dramatically from 82 percent in August to 51 percent in November, before skyrocketing to 92 percent at the commencement of the war.406

One subset of public opinion that is more stable than a straight measure of support for a given policy is the normative component of public opinion that reflects value-laden considerations. Alexander George identifies this concept as normative policy legitimacy, which is an indicator of the desirability of a policy in terms of its consistency with broadly accepted

national values. Drawing from George’s account, I have argued in chapter 2 that normative policy legitimacy is more likely to be a consideration in the public domain, since the public has the luxury to make judgments on policy on the basis of personal or national values. Elites, on the other hand, are responsible for securing that national interest and more knowledgeable about the nuances between policy prescriptions, and are thus more prone to evaluate policies on the basis of their effectiveness in addressing a national challenge. Furthermore, as mentioned above, normative policy legitimacy is more likely to be stable across time, since it is a measure of normative standards that are less volatile than utility-based opinion (which George identifies as cognitive policy legitimacy). Given this normative basis and inherent stability, public opinion that reflects normative policy legitimacy should be more likely to weigh on policymakers’ minds and affect policy outcomes than constricted utilitarian measures of public opinion.

This project attempts to isolate public opinion from normative concerns in order to test the extent to which the nature of public opinion (whether parochial self-interest or abrogation of widely-accepted societal values) influences the dependent variable of U.S. authority. In order to isolate the effects of public opinion, I will compare public opinion data with measures of policy legitimacy.

Extracting the normative component of such public opinion polls, however, takes extra effort. As a result, the research presented here is the result of a deeper probe of the ideational context in which officials and the public were operating immediately prior to the

---

launch of the 1991 Gulf War. This investigation identifies the normative ideas that were in circulation at that time that formed the normative component of public opinion and had the potential of shaping the policy debate and influencing the response of the EC states to U.S. requests. Probing the character of public opinion and differentiating between public opinion and domestic policy legitimacy will provide a more complete explanation for the particular pattern of European states’ response to U.S. authority in the run up to the January 2001 launch of Operation Desert Storm. In short, this study tests the extent to which the character of U.S. foreign policy influenced the EC member states’ response to U.S. authority.

Given the dearth of polling data from 1990 specific to Europe-wide perceptions on the importance of a UN Security Council resolution authorizing force (the specific method employed in chapter 4 on the 2003 Iraq War), I utilized three separate metrics to identify the importance Europeans placed on constitutional measures to regulate the use of force. These metrics directly relate to the public’s perception of the policy legitimacy vis-à-vis the United States’ posture in articulating the preferred strategy for confronting Saddam Hussein, and differentiate it from straight readings of public opinion polls.

The first metric reflects the confidence that European publics have in the United Nations capabilities of resolving the conflict. At the time of Iraq’s invasion of Kuwait, Europe was quickly consolidating as a single political entity. Just 13 months elapsed between the launch of Desert Storm and the signing of the Maastricht Treaty signifying the formation of the European Union, signifying that Europe was rapidly conceiving of itself as a union of states. Simply put, Europe was well on its way along the trajectory from the power politics
that characterized Europe prior to the 20th century to the constitutional structures and organizing norms that permeate European society today.\footnote{408}

According to one multi-state analysis of post-Cold War attitudes in Europe on the use of force, the changing geopolitical landscape played a role in affecting public perceptions on appropriate uses of military force. Pierangelo Isernia finds that, “public perception on the use of force and of the rationale of the armed forces has changed… public opinion in (the cases studied) France, Germany, Italy, the United States, and the Netherlands has a new rationale; a need to see the armed forces involved in humanitarian missions for peacekeeping and peace-enforcing operations.”\footnote{409}

Given the European experience of the Cold War, which consolidated the belief in the public consciousness of the utility of a constitutional order to counter the threat of communist expansion, Europeans should have been expected to anticipate an elevated role of the United Nations in the Gulf Crisis. In a pragmatic sense, the efficacy of UN mechanisms in resolving international conflict had been undermined during the Cold War by the U.S.-Soviet deadlock in the Security Council. European expectations of the United Nations had begun to rise during the East-West thaw. According to a Eurobarometer poll in December 1990, “General public confidence in the UN has increased dramatically in the European Community since the mid-eighties.”\footnote{410} It is reasonable to assume, then, that the European Community public would have had a high degree of confidence in the United Nation’s ability to play a productive role in resolving the Gulf Crisis.

Furthermore, it was perhaps a latent hope that international order would be
governed by multilateral institutions such as the UN Security Council rather than by the
United States, which was flush with power as the Eastern Bloc disintegrated and susceptible
to the temptation of erratic and narrowly self-interested behavior. In short, the United
Nations was situated firmly in the European ideal of a constitutional order and institutional
governance, which simultaneously served the purpose of constraining the United States.411

Consistent with this prediction, the publics of EC members considered the
United Nations most capable of making a valuable contribution to ensuring that there would
be an acceptable resolution of the Gulf Crisis. As discussed above, the United Nations was
the most trusted agent to resolve the crisis in 10 of the 12 EC member states. Eighty-three
percent of the EC-wide public most trusted the United Nations’ capabilities to deescalate
tensions. In contrast, less than half the population in most states believed that their own
country could provide a meaningful contribution to resolution efforts.412 Poll results also
indicate strong support for EC initiatives related to the Gulf Crisis but there was little
evidence in public confidence in an effective EC or national role.413 Furthermore, despite
the asymmetry of power distribution in the United States’ favor as the Cold War wound
down, the public in every EC state with the exception of Luxembourg had greater
confidence in the United Nations’ ability to resolve the Gulf Crisis than in the United States.
Across the entire EC, the public had greater confidence in the United Nations (83 percent)
than in the United States (74 percent) in settling the crisis.

413 Ibid.
Table 3

<table>
<thead>
<tr>
<th></th>
<th>UN capable of resolving Gulf Crisis?</th>
<th>United States capable of resolving Gulf Crisis?</th>
<th>EC capable of resolving Gulf Crisis?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>90</td>
<td>83</td>
<td>74</td>
</tr>
<tr>
<td>Great Britain</td>
<td>88</td>
<td>73</td>
<td>59</td>
</tr>
<tr>
<td>Italy</td>
<td>86</td>
<td>77</td>
<td>83</td>
</tr>
<tr>
<td>Ireland</td>
<td>85</td>
<td>60</td>
<td>64</td>
</tr>
<tr>
<td>France</td>
<td>83</td>
<td>72</td>
<td>68</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>82</td>
<td>84</td>
<td>73</td>
</tr>
<tr>
<td>Denmark</td>
<td>81</td>
<td>77</td>
<td>51</td>
</tr>
<tr>
<td>W. Germany</td>
<td>81</td>
<td>75</td>
<td>62</td>
</tr>
<tr>
<td>Spain</td>
<td>80</td>
<td>69</td>
<td>77</td>
</tr>
<tr>
<td>Belgium</td>
<td>79</td>
<td>73</td>
<td>69</td>
</tr>
<tr>
<td>Portugal</td>
<td>71</td>
<td>69</td>
<td>61</td>
</tr>
<tr>
<td>Greece</td>
<td>64</td>
<td>72</td>
<td>57</td>
</tr>
<tr>
<td>EC 12</td>
<td>83</td>
<td>74</td>
<td>69</td>
</tr>
</tbody>
</table>

Source: Eurobarometer # 34, published by the Commission of the European Communities, December 1990

The essential feature of this data is that the publics in EC states, excepting Greece and Luxembourg, placed more faith in the institution of the United Nations in resolving the Gulf Crisis than either the United States or the European Community. The United Nations was perceived as playing a critical role in the maintenance of peace and security and the facilitation of international order. Corresponding to this observation, the magnitude of the public’s confidence in UN capabilities is a measure of policy legitimacy for U.S.-led use of force against Iraq—a policy that was authorized by UN Security Council Resolution 678 on November 29, 1990.

The second metric relates to the preference for a rule-based order over one governed by traditional balance-of-power mechanisms. Coincident with the trend in increasing public support in Europe for replacing a Hobbesian order with a constitutional order, there was strong support that a consolidated union be equipped to contend with a wide range of
national and regional dilemmas, including foreign policy challenges and defense and security issues. A majority of the public of every EC country, with the exception of Denmark, indicated support for a common defense organization as a result of the Gulf Crisis. The December 1990 Eurobarometer report summarized, “Most people from each EC country support the measures that the Community has taken as a consequence of the crisis. It seems that the Community has a strong popular backing to begin discussions on the formation of an EC common defense organization as well.”

Consistent with this increasing support for a consolidated union of European states, large majorities in every EC state preferred that foreign policy toward non-EC states be decided jointly within the EC than by individual national governments. The difference between the preference for an EC-determined foreign policy and individual national foreign policy ranged from 70 percent in Italy, 61 percent in Belgium, 52 percent in the Netherlands, and 50 percent in France down to 10 percent in Greece. These results reveal a strong inclination toward political union in which foreign policy strategies are coordinated across nationalities—evidence of a strong denunciation of balance-of-power ordering strategies and an embrace of a constitutional governance.

It is reasonable that a measure of the strength of the belief in a region-wide constitutional governing structure would be captured by the difference between support for foreign-policy coordination between EC countries and support for continued national dominance of foreign policy decision-making. In sum, the large differences between these

---

414 See polls in Eurobarometer 34, p. A39-A40, table 41, 42.
values should correlate with strong support for constitutional structures regulating the use of force.

**Table 4**

<table>
<thead>
<tr>
<th></th>
<th>Foreign policy towards non-EC countries decided by the national government?</th>
<th>Foreign policy towards non-EC countries decided jointly within the European Community?</th>
<th>Difference of joint EC decision-making and national decision-making</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>11</td>
<td>81</td>
<td>70</td>
</tr>
<tr>
<td>Belgium</td>
<td>14</td>
<td>75</td>
<td>61</td>
</tr>
<tr>
<td>Netherlands</td>
<td>20</td>
<td>72</td>
<td>52</td>
</tr>
<tr>
<td>France</td>
<td>21</td>
<td>71</td>
<td>50</td>
</tr>
<tr>
<td>Ireland</td>
<td>21</td>
<td>67</td>
<td>46</td>
</tr>
<tr>
<td>Great Britain</td>
<td>25</td>
<td>68</td>
<td>43</td>
</tr>
<tr>
<td>W. Germany</td>
<td>26</td>
<td>67</td>
<td>41</td>
</tr>
<tr>
<td>Spain</td>
<td>19</td>
<td>60</td>
<td>41</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>26</td>
<td>60</td>
<td>34</td>
</tr>
<tr>
<td>Portugal</td>
<td>27</td>
<td>52</td>
<td>25</td>
</tr>
<tr>
<td>Denmark</td>
<td>38</td>
<td>56</td>
<td>18</td>
</tr>
<tr>
<td>Greece</td>
<td>38</td>
<td>48</td>
<td>10</td>
</tr>
</tbody>
</table>

Source: Eurobarometer #34, published by the Commission of the European Communities, December 1990

A third metric is the rule-of-law quotient in each country. As discussed in the previous chapter, states that score high in the rule-of-law measure have the traditions of national constitutionalism woven into the national experience, and thus should have the strongest commitment to norms of constitutionality on the international scene. I expect this score to correlate highly with the level of sensitivity to use-of-force norms as measured by the increase in hostility to Iraq’s clear act of territorial aggrandizement as well as increased support that military action be sanctioned by the UN Security Council.
The rule of law scores, ranging from 0 (low) to 5 (high) are indicated in decreasing order in Table 5.

Table 5

<table>
<thead>
<tr>
<th>Country</th>
<th>Rule of Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denmark</td>
<td>4.41</td>
</tr>
<tr>
<td>Great Britain</td>
<td>4.33</td>
</tr>
<tr>
<td>Netherlands</td>
<td>4.31</td>
</tr>
<tr>
<td>W. Germany</td>
<td>4.30</td>
</tr>
<tr>
<td>Ireland</td>
<td>4.22</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>4.14</td>
</tr>
<tr>
<td>Belgium</td>
<td>4.05</td>
</tr>
<tr>
<td>France</td>
<td>3.95</td>
</tr>
<tr>
<td>Spain</td>
<td>3.83</td>
</tr>
<tr>
<td>Portugal</td>
<td>3.63</td>
</tr>
<tr>
<td>Italy</td>
<td>3.47</td>
</tr>
<tr>
<td>Greece</td>
<td>3.40</td>
</tr>
</tbody>
</table>


Together, these three metrics—level of confidence in UN instruments in resolving the Gulf Crisis, the magnitude of the preference for joint EC-wide policymaking over national autonomy, and rule of law score—are a measure of the extent to which the publics of each state embrace the logic of a constitutional order and the legitimacy of legal standards constraining the use of force. Evidence that policy legitimacy is actively considered by the public is especially convincing when all three indicators point in the same direction. It is important to note, however, that a positive sign on all three metrics is not required for legitimacy considerations to be an active component of public opinion in this study. Consistent with Gary Goertz’s work on concept structures, this decision puts the legitimacy concept employed here in Goertz’s classification of the “family resemblance” condition structure, which operates according to the logical “or” and the criteria are met if “m of n”
conditions are met. In this study, legitimacy considerations are active if the threshold of 2 of the 3 metrics is surpassed.

Specifically, in the cases in which the level of confidence in UN instruments in resolving the Gulf Crisis exceeds 75 percent or the difference in preference for joint EC-wide policymaking over national autonomy exceeds 30 percent or the a rule-of-law score exceeds 3.70 (out of 5), the public sentiment is coded as reflecting policy legitimacy in the case of confronting Iraq in the 1990-91 Gulf Crisis, as long as two of the three metrics is surpassed. These figures provide a means of comparison between states in terms of the degree to which the public accepts the legitimacy of Iraq’s violation of international law in the first place as well as the U.S.-led efforts to coercively force Iraq out of Kuwait.

In two cases, Denmark and Italy, one of the three metrics falls below the threshold. Given the definition of concept employed here, both states are coded such that legitimacy of constitutionalism is active in the public mind. Confidence in this determination is reinforced by the fact that a high value of the other two metrics exists in both cases. Furthermore, Denmark and Italy stand apart from the two states in which none of these thresholds is reached—Portugal and Greece—in which policy legitimacy is not a strong component of public opinion. Subsequently, there are no mixed cases in which legitimacy metrics point in divergent directions, so all 12 cases are included in this study.

In sum, policy legitimacy is considered to be an active consideration of public opinion when two of the three indicators of policy legitimacy—belief in the capability of the

---

416 Gary Goertz, Social Science Concepts: A User’s Guide (Princeton: Princeton University Press, 2006), 35-42. Goertz contrasts the “family resemblance” structure with the “necessary and sufficient” structure, in which a condition is met “if and only if n characteristics are present” (p. 36).
UN to resolve the Gulf Crisis, preference for EC decision-making structures to supersede individual member-state decision-making, and high rule-of-law score—point in the same direction. Under these circumstances, when U.S. policy is perceived to be consistent with these legitimacy norms, high levels of U.S. authority are expected.

Material Variables

The argument advanced here is that the normative principals at stake in the Gulf Crisis motivated the European public and their respective elites to support policies that simultaneously rescued and conformed to those norms. Yet the level of European states’ military and economic assets plays an important role in determining European states’ responses to U.S. requests prior to the launch of Operation Desert Storm. As in the 2003 Iraq War, material capabilities influence secondary states’ willingness to dissent from U.S. authority because they are a key factor in states’ ability to withstand the negative repercussions that accompany the rejection of U.S. leadership. In short, it is logical that stronger states are more likely to resist U.S. requests when their respective publics perceive U.S. policy to be illegitimate, because they are more equipped to withstand the economic punishment that the United States is likely to deliver.

Two metrics of material capabilities are utilized to determine the dependence of EC states on the United States. The first measure is the size of each state’s economy in 1991, measured in gross domestic product. The GDP figure is a measure of a state’s economic health and thus a measure of that state’s ability to withstand economic isolation from the
United States. Higher values of GDP correspond to greater capacity of the state to chart a policy divergent from U.S. requests. This is not to suggest, of course, that if a given European state is economically capable, it necessarily will reject U.S. authority. The argument advanced here simply is that if a state is economically capable, it can afford to chart a policy course independent of U.S. requests. And if the public of that state rejects the legitimacy of U.S. policy, it will place pressure on elected leaders to take that divergent path. The threshold of “economic sufficiency” is set in this 1991 case at a level of absolute gross domestic product of $100 billion (US).

Table 6

<table>
<thead>
<tr>
<th>GDP (billion US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>W. Germany</td>
</tr>
<tr>
<td>France</td>
</tr>
<tr>
<td>Italy</td>
</tr>
<tr>
<td>Great Britain</td>
</tr>
<tr>
<td>Spain</td>
</tr>
<tr>
<td>Netherlands</td>
</tr>
<tr>
<td>Belgium</td>
</tr>
<tr>
<td>Denmark</td>
</tr>
<tr>
<td>Greece</td>
</tr>
<tr>
<td>Portugal</td>
</tr>
<tr>
<td>Ireland</td>
</tr>
<tr>
<td>Luxembourg</td>
</tr>
</tbody>
</table>


The second measure of material capability is the number of armed forces per population size. Although the Cold War was in its waning months, the principal security threat that Western European States continued to face in 1990—as they had faced since the

[417] Gross domestic product figures are derived from World Development Indicators produced by the World Bank Group.
late 1940s—was the threat of Soviet ground forces. Human troops were the primary deterrent against Soviet encroachment into European territory. As a result, in addition to most EC states relying on NATO as well as U.S. forces, West European states also relied on their own military capabilities to provide a modicum of security against Soviet aggression. The logic of using this variable is that the greater the troop levels of a state, the less that state depended on U.S. assistance against this principal Soviet threat.

As a metric of military dependence on the United States, and thus sensitivity to U.S. leverage, this measure is excessively crude. The metric fails to capture variation in threat level that European states experience. The metric of U.S. foreign military financing and grant assistance employed in the other empirical chapters similarly fails to reflect the relative threat to each state (and in the 1991 case, Portugal and Greece were the only EC states that received any such assistance from the United States, which limits its utility in explaining variation in the dependent variable). In fact, the only EC states that faced an acute threat from Soviet forces in 1991 arguably were West Germany and Greece, given their respective histories, absolute military capacity, and proximity to the Soviet Union, and neither state is coded as materially dependent in Table 7.

It is important to note, however, that according to the predictions presented in my typological theory (Table 8), the metric of military sufficiency is also a measure of both capacity as well as sensitivity, and is expected to influence whether a state contributes direct or

---

418 Portugal received $84.6 million in U.S. foreign military financing and Greece received $348.5 million in 1990. All other EC states received no funds in the FMF or Military Assistance Program, which both provided U.S. military aid in the form of grants. See "Foreign Military Sales, Foreign Military Construction Sales, and Military Assistance Facilities, as of September 30, 1990," ed. Department of Defense (Washington: Data Management Division, Comptroller, DSAA, 1991), 35, 37, 69, 71.
indirect military aid under conditions of policy legitimacy. This prediction depends on the capacity dimension of the military sufficiency measure (as opposed to the sensitivity measure) and is captured by the metric of armed forces per capita that I utilize.

Correspondingly, the military capability that is consequential for a state’s security in this context is the number of troops a country can field in the short term to confront an imminent threat of a ground invasion by Soviet forces. Because more populous states need greater numbers of forces to maintain security, the quantity of military in uniform and reserves (F) per population size (P) is a meaningful metric for a state’s dependence on U.S. security [\( \mu = F/P \)]. Large values of \( \mu \) denote a reduced dependency on U.S. assistance and thus greater latitude to chart a policy course independent from U.S. requests if desired. The threshold of “military sufficiency” is set at a level of \( \mu = 0.01 \). If a state scores below this value, it is scored as militarily insufficient, and thus theoretically less likely to chart a policy course that diverges from U.S. preferences. Among the EC member states at the time of the Gulf War, only Ireland and Luxembourg scored below this value.
Table 7

<table>
<thead>
<tr>
<th>Armed Forces per capita (µ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece                     0.0550</td>
</tr>
<tr>
<td>Belgium                    0.0319</td>
</tr>
<tr>
<td>Portugal                   0.0253</td>
</tr>
<tr>
<td>Denmark                    0.0198</td>
</tr>
<tr>
<td>W. Germany                 0.0186</td>
</tr>
<tr>
<td>Netherlands                0.0168</td>
</tr>
<tr>
<td>Italy                      0.0167</td>
</tr>
<tr>
<td>France                     0.0153</td>
</tr>
<tr>
<td>Spain                      0.0130</td>
</tr>
<tr>
<td>Great Britain              0.0112</td>
</tr>
<tr>
<td>Ireland                    0.0082</td>
</tr>
<tr>
<td>Luxembourg                 0.0021</td>
</tr>
</tbody>
</table>


Armed forces per capita (µ) is a measure of a state’s dependence on U.S. aid, leading to increased compliance to U.S. requests. As explained below, however, this metric will also serve as a metric of a state’s ability to offer direct or indirect military support, and the level at which support is offered. It is a fair argument that armed forces per capita is an imprecise measure of a state’s military capacity, and thus ability to provide military aid. To test the validity of this metric, I tested for collinearity between the value µ and a more conventional value of military capacity, the percentage of military spending per gross domestic product. The test was confirmed in that the ranking of this list, the same two states that exhibit military insufficiency (Ireland and Luxembourg) also have the lowest levels of military spending as measured as a percentage of GDP (1.21 percent and 0.79 percent, respectively). For the purposes of this study, this test validates the use of armed forces per capita as an
indicator of both security dependence on the United States as well as military capacity to provide direct military aid to Operation Desert Shield and Operation Desert Storm.

Configurations of the Variables

These independent variables combine in specific ways to generate predictions of the expected levels of U.S. authority for each case.

The authority metric as discussed above (Table 1) is a scale variable, but excluding the time dimension to the authority metric, authority is measured by indicators at either extreme (immediate material support, or a refusal to provide material support). Thus, the authority metric utilized in this study is a dichotomous variable. Authority was denied when assistance was refused. The typology presented below provides clear predictions of the level of authority that is generated by particular combinations of the independent variables of policy legitimacy and material sufficiency. In the 1991 Gulf Crisis, every EC state offered direct and indirect military assistance to the war effort. This stands in direct contrast to the response to U.S. authority in the 2003 Iraq War, in which many states that comprised the “coalition of the willing” provided no material assistance.

As argued above, public opinion levels that are derived from general questions that cannot distinguish between utilitarian and normative motivations are expected to have an indeterminate effect on the dependent variable. Both theoretical arguments and empirical evidence support this claim. Yet the perception of policy legitimacy—the normative component of public opinion—has a greater influence on national decision-makers due to the inherent stability of legitimacy norms, and thus enhanced influence over states’ decisions.
of whether to consent to U.S. requests. Thus, policy legitimacy is the key variable that affects U.S. authority.

If the clear majority of a European state's public is highly inclined toward a law-based order, insists that the use of force should be in compliance with international law, and embraces the promise of institutional governance, perceptions that U.S. policy is in violation of these legitimacy norms will intensify the public reaction and increase elite sensitivity to this perception of extra-legal behavior.

Relative military and economic strength are expected to interact with policy legitimacy to influence the form of military assistance provided by European states to the U.S.-led operation in the Gulf. Relative material capabilities and the presence of strong popular opposition along normative lines combine to influence whether states offer support as requested by the United States.

For states in which policy legitimacy is an active component of public opinion, officials of materially capable European states are more likely to consent to U.S. requests if U.S. policy complies with the accepted legitimacy standards and employ rhetoric that justifies the intervention by invoking the defense of international norms. Officials of weaker states are likely to utilize the same language justifying the participation in the U.S.-led effort, but more likely to provide more modest (albeit direct) military support, consistent with U.S. requests.

When policy legitimacy is not indicated to be an active component of the public voice, however, consent is likely to be less forthcoming, particularly for weaker states. Stronger states may or may not consent to U.S. requests depending on that state's
independent evaluation of its interests (consistent with cognitive legitimacy), largely because the state is sufficiently capable—and thus less dependent on U.S. assistance—to chart its own policy independent of U.S. requests. Weaker states, while more dependent on U.S. assistance, are expected to resist or reveal hedging behavior. In these cases, elites are less sensitive to public pressure (given the lack of normative legitimacy motivating public opinion), and—facing resource constraints—are less able to respond to U.S. requests in substantive ways. In short, resource limitations push in opposite directions, rendering the state dependent on U.S. aid (increasing the prospects of consent) but limited in what it has available to contribute (decreasing the prospects of consent).

For both conditions of material sufficiency and insufficiency, if policy legitimacy is not an active component of public opinion, officials are not expected to utilize legitimacy norms to rationalize foreign policy. Legitimacy norms and international legal rules simply are not part of the national lexicon, and not a persuasive way to engender public support.

This combination of variables and secondary-state strategies are depicted in Chart 5-1 below.

---

419 While the United States unlikely will make demands on weaker states for anything other than token aid, resistance is still interesting behavior. The United States makes demands on its European allies due to the substantial political benefits that are derived from universal levels of European support. Thus rejection of this U.S. request is significant behavior, which the United States is seeking to avoid. Token aid is still a demand, and rejection of that request is coded as rejection of U.S. authority.
Chart 5-1

<table>
<thead>
<tr>
<th>Material Sufficiency?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Consent</td>
<td>Consent</td>
</tr>
<tr>
<td>Robust military aid</td>
<td>Modest military aid</td>
</tr>
<tr>
<td>Strong normative rhetoric</td>
<td>Strong normative rhetoric</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Policy Legitimacy?</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Resist or Hedge</td>
<td>Resist or Hedge</td>
</tr>
<tr>
<td>Limited normative rhetoric</td>
<td>Limited normative rhetoric</td>
</tr>
</tbody>
</table>

The logic of the argument across this entire project suggests that most-likely cases of authority deficits (associated with secondary-state resistance) are those in which a state’s public perceives U.S. Iraq policy to be illegitimate (as opposed to merely unpopular) and that state’s economic and military capabilities enables it to withstand any material costs imposed by the United States for rejecting U.S. authority. Corresponding to this logic, in the cases in which the public perceives the policy to be legitimate and has sufficient capabilities to contribute military and economic provisions are also most-likely cases. These cases are associated with the top left cell in Chart 5-1.

Assuming material sufficiency, strong public support of U.S. policy that is driven by normative considerations is more likely to generate consenting behavior to U.S. requests, such as in the case of the 1991 Gulf Crisis. In 1991, reactions that were not influenced by legitimacy considerations should not be confused with the assumption that the public found U.S. policy to be illegitimate. Rather, a fair reading is that the public simply did not regard legitimacy norms to be sufficient grounds for determining whether U.S. leadership in the
Gulf War coalition was acceptable. As a result, the secondary-state reaction to U.S. requests was indeterminate. Least-likely or hard cases include weaker states that are less equipped to withstand material costs but still respond primarily to normative legitimacy. For the cases in which there is evidence of a positive response to U.S. authority in the form of direct military support for Operation Desert Storm despite sharp deficits in material capabilities, a non-material explanation is particularly persuasive. Free riding behavior is expected. As a result, instances of direct military contributions are strong evidence of the influence of normative influences on compliance with U.S. authority.

Combining the policy legitimacy variable with material measures of economic and military sufficiency can also generate the following typological map (Table 8), a reconfiguration of Chart 5-1 above with added variation of the two dimensions of material sufficiency. The type of material sufficiency—whether economic or military—is expected to influence the form of assistance that states offer the United States. When policy legitimacy is active in the public mind, economic weakness coupled with military strength is expected to result in direct military aid to the coalition’s efforts. On the other hand, economic strength and military weakness (there are no states that meet these criteria), consent is expected, but assistance is expected to take the form of indirect military aid.
Typological Table

Table 8

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Consent, Robust military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Indeterminate, Cognitive Legitimacy</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Indeterminate, Cognitive Legitimacy</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Resist</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Resist</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
</tbody>
</table>

Falsification

In the 1991 diplomatic run up to the launch of Operation Desert Storm, states in which public opinion was largely formed on the basis of the public perception of legitimacy are strongly expected to consent to U.S. requests. Policy elites are expected to invoke strong normative rhetoric to justify support for the U.S.-led intervention and overcome the temptation, often provoked by members of the opposition party, to ride free on U.S. efforts. For weaker states, the temptation to free ride on U.S.-led efforts should be intense, but the argument advanced here is that states in which policy legitimacy is active in the public mind will consent to U.S. request and provide substantive assistance to the efforts in the form of
direct military aid to force Saddam Hussein out of Kuwait. In any of these cases in which the public held that U.S. policy was legitimate and legitimacy norms were at stake if Iraqi behavior was not reversed, the hypothesis of this project is in danger if material support backed by strong rhetorical rationale was not forthcoming in the near term. The hypothesis is particularly vulnerable if consent is denied to the United States by capable states is which public opinion definitively privileges constitutional norms of legitimacy.

Case Selection

To determine which states are coded according to policy legitimacy being a key component of public opinion, I ranked the states in order of the three metrics of policy legitimacy, first in decreasing order of confidence EC publics place on the United Nations in resolving the Gulf Crisis. As discussed in Table 3 above, only Portugal and Greece fall below the threshold of 75 percent. Portugal and Greece also fall below the threshold of 30 percent for the difference in preference for EC-wide foreign policy decision-making, and 3.70 in rule-of-law score. Only two other states fall below the threshold in one of these two categories—Denmark (18 percent in the preference for EC-wide over national decision-making) and Italy (3.47 in the rule of law score). Because Portugal and Greece are the only states that fall below the threshold on all three, and because Denmark and Italy are well above the threshold in two of the three criteria, there is a clear demarcation between the top ten EC member states in Table 9 and the bottom two (Portugal and Greece). As a result, the top ten states are coded as exhibiting policy legitimacy as an important consideration of public opinion, and Portugal and Greece are coded as policy legitimacy not being an
important consideration. In short, the lack of trust in the capabilities of the UN infrastructure, the lack of faith in EC institutional mechanisms, and lack of experience with and thus probable truncated appreciation for the rule of law all indicate that the publics of Portugal and Greece were not particularly influenced by considerations of international legal and normative standards with respect to responding to the U.S.-led coercion of Iraq.

Table 9

<table>
<thead>
<tr>
<th></th>
<th>UN capable of resolving Gulf Crisis (%)</th>
<th>Difference of joint EC decision-making and national decision-making (%)</th>
<th>Rule of Law (0 to 5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>90</td>
<td>52</td>
<td>4.31</td>
</tr>
<tr>
<td>Great Britain</td>
<td>88</td>
<td>43</td>
<td>4.33</td>
</tr>
<tr>
<td>Italy</td>
<td>86</td>
<td>70</td>
<td>3.47</td>
</tr>
<tr>
<td>Ireland</td>
<td>85</td>
<td>46</td>
<td>4.22</td>
</tr>
<tr>
<td>France</td>
<td>83</td>
<td>50</td>
<td>3.95</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>82</td>
<td>34</td>
<td>4.14</td>
</tr>
<tr>
<td>Denmark</td>
<td>81</td>
<td>18</td>
<td>4.41</td>
</tr>
<tr>
<td>W. Germany</td>
<td>81</td>
<td>41</td>
<td>4.30</td>
</tr>
<tr>
<td>Spain</td>
<td>80</td>
<td>41</td>
<td>3.83</td>
</tr>
<tr>
<td>Belgium</td>
<td>79</td>
<td>61</td>
<td>4.05</td>
</tr>
<tr>
<td>Portugal</td>
<td>71</td>
<td>25</td>
<td>3.63</td>
</tr>
<tr>
<td>Greece</td>
<td>64</td>
<td>10</td>
<td>3.40</td>
</tr>
</tbody>
</table>

Table 10 represents the configuration of the three variables—policy legitimacy, economic sufficiency, and military sufficiency—described above.
Table 10

<table>
<thead>
<tr>
<th></th>
<th>Policy Legitimacy?</th>
<th>Economic sufficiency?</th>
<th>Military sufficiency?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Italy</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Denmark</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>W. Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Spain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Ireland</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Portugal</td>
<td>N</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Greece</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

The Authority Test: Results of Diplomatic Engagement

From the outset of the crisis, U.S. officials sought to develop a cohesive coalition to enhance the utility of economic and military instruments in isolating Iraq. The purpose of this section is to provide an overview of the rhetorical strategy deployed by U.S. officials to generate international support between August 2, 1990 and January 15, 1991. The vocabulary the Bush Administration deployed—a strategy identified here as “normative signaling”—for the purpose of constructing the multilateral structure to confront Iraq is evidence of the legitimacy norms in circulation at that time. The effectiveness of U.S. officials’ persuasive efforts in building the coalition—i.e. the test of U.S. authority in this case—then will be mapped on top of this diplomatic story, providing evidence of the utility of normative standards of legitimacy in alliance maintenance. (Although the correlation
between President Bush’s rhetoric and EC state consent is not the definitive test of causation, it is an important piece of evidence. Once this correlation is established, a deeper probe of individual cases will increase the confidence that a causal relationship exists between normative legitimacy of U.S. policy and enhanced U.S. authority.)

For a rhetorical strategy to be effective, the pleas for support and the articulation of the U.S. objectives must be embedded in the ideological environment that exists at the time. As Richard Falk has written, “The West, and the United States in particular, had relied on its supposed normative superiority to mobilize support at home and abroad during the Cold War, especially throughout the 1980s endgame.”

In 1990, at the time that President Bush was positioning the Gulf Crisis as a test case of the “new world order,” the European Community was heavily invested in two experiments of political union. As Iraqi forces rolled into Kuwait and U.S. officials were searching for language to secure a robust response from its European allies, Europe was undergoing two simultaneous projects in political union—formal reunification of West and East Germany and formal steps to transform the European Community into a political union with a common currency and a joint foreign policy institution. As a result, the constitutional norms associated with a rule-governed order were highly active in the public’s imagination. Correspondingly, as evidenced by the polling results presented above, the European public broadly embraced the constitutional norms that would serve to reinforce the international order. In this framework of an evolving European commitment to and

---

belief in the legitimacy of order-generating rules, President Bush launched his campaign for a New World Order.

American policy objectives were limited at the outset to the reversal of Iraq’s territorial gains. Conspicuously these policy goals did not include the more expansive objective of forcibly removing Saddam Hussein from power, an objective that would violated the constitutional norms embraced by ten of the 12 EC states that were serving as the organizing hook for the Bush Administration. President Bush articulated the scope of U.S. objectives before a joint session of Congress on September 11, 1990. Four objectives listed by Bush were Iraq’s immediate withdrawal from Kuwait, the restoration of the Kuwaiti government, the stability of the Persian Gulf, and the protection of American citizens. These public objectives did not include the removal of Saddam Hussein from power, a policy that would have been widely perceived as superseding the limits of international law.

This set of limited objectives was further revealed by the decision of U.S. officials at the end of the war to discontinue the military campaign once Iraq was pushed out of Kuwait. Some voices within the Bush Administration advocated for the U.S. military to take this additional step by advancing to Baghdad, but this view ultimately did not prevail at the highest levels of the Administration. United States’ objectives were limited to compelling Iraq to withdraw from Kuwait, a goal that conformed to a widely embraced set of international legal standards within the Western alliance. Pursuing the highly questionable

---

421 Steven Hurst argues in a study that Bush’s rhetoric shifted late in the war in order to prop up declining domestic public support, but that the core objectives consistently excluded regime change from the list of objectives. Steven Hurst, "The Rhetorical Strategy of George H. W. Bush During the Persian Gulf Crisis 1990-91: How to Help Lose a War You Won," Political Studies 52, no. 2 (2004): 377-78.

422 President George Bush, Address to Congress, September 11, 1990.
policy of regime change would have undermined the normative arguments that the Bush Administration was leveraging to strengthen the coalition and achieve maximum participation levels.

Consistent with this specific goal, the test of U.S. authority in the 1990-91 Gulf Crisis vis-à-vis Europe is the United States’ success in generating direct and indirect contributions from its European allies to Operation Desert Shield and Operation Desert Storm. Full participation by the European Community would reduce the economic and military burden on the United States, present an image of a unified West, and intensify the pressure on the Iraqi leadership to reverse course. To achieve this objective, U.S. officials developed language to justify the war that was consistent with the ideological environment, emphasizing the necessity of confronting Iraq in Kuwait to preserve the efficacy of order-generating rules forbidding international aggression. This rhetorical posturing that comports with accepted standards of legitimacy is the essence of normative signaling.

Normative signaling is the strategic use of legitimacy standards in order to achieve policy objectives. As argued in chapter 3, evidence that rhetoric plays a causal role in international political outcomes does not require that U.S. officials actually believe the reasons they invoke. In the case of the diplomatic efforts prior to the Gulf War, it is beside the point whether Bush Administration officials believed that the defense of international use-of-force norms was the “true” rationale for going to war. The fact that U.S. officials principally invoked those norms for the purpose of organizing the coalition, publicly sought alternative mechanisms to pressure Iraq before resorting to military force, and pursued legal means to exercise the use of force—i.e. a UN Security Council authorization—served as
evidence that U.S. officials were cognizant of the influence that normative arguments would have on their ability to assemble the necessary international support for intervention. To restate, the internal motivations of U.S. policymakers are not at issue. The justifications of U.S. policymakers, which reflected the prevailing ideological environment, established the legitimacy standards on which international behavior would be judged, and constrained U.S. policymakers from acting contrary to those standards, thus playing an important causal role in the character of the U.S.-led intervention in the Gulf Crisis and specifically the strength of U.S. authority to construct a sizable coalition.

A key element of this order was that the UN Security Council would be equipped to play its intended role in unifying states against aggressors. “Clearly,” Bush said, “no longer can a dictator count on East-West confrontation to stymie concerted United Nations action against aggression.” According to Lawrence Freedman, the explicit U.S. objective of a new world order first was expressed in Bush’s September 11 speech before Congress. President Bush declared,

The crisis in the Persian Gulf, as grave as it is, also offers a rare opportunity to move toward an historic period of cooperation. Out of these troubled times, our fifth objective—a new world order—can emerge: a new era—freer from the threat of terror, stronger in the pursuit of justice, and more secure in the quest for peace. An era in which the nations of the world, East and West, North and South, can prosper and live in harmony.423

The rationale underlying those objectives was a mixture of geopolitical stability, humanitarian concerns, and the endangerment of diminished access to a vital strategic

resource, in addition to the reinforcement of a critical element of international law—the prohibition against aggressive war and territorial encroachment. American officials were aware, however, as evidenced by the rhetoric they employed, that the key to solidifying international support for a military campaign against Saddam Hussein was utilizing the threat to international legal rules as the centerpiece of the rationale.

The audacity of Iraq’s incursion into Kuwait helped solidify international opinion and the membership size of the coalition. The violation of Kuwait’s sovereignty was so blatant—and the rules prohibiting such actions so clear—that U.S. faced little resistance in the early stages of coalition building. In contrast, at the conclusion of the war, the Iraqi attacks on Kurds and Shiites and subsequent flight of refugee after the war involved individual human rights, which were then still a sufficiently hazy element of international law to incite a concerted reaction by great powers. Consequently, the refugee flows that followed the war generated an indecisive and fractured reaction by the West.\footnote{Ibid., 190-91.} The rule violations by Iraq at the outset of the crisis, however, were more blatant, and the response was more resolute.

Following Iraq’s invasion, U.S. policymakers promptly initiated a diplomatic campaign to construct an opposing constellation of states. The rationale initially advanced by U.S. officials reflected the cold calculation of cognitive legitimacy, specifically the threat that Iraqi behavior posed to world petroleum supplies. In his first exchange with the press following Iraq’s invasion, Bush stated, “We are dependent for close to fifty percent of our

\footnote{Ibid., 190-91.}
energy requirements on the Middle East." In a speech at the Pentagon on August 15, President Bush declared, “Our jobs, our way of life, our own freedom, and the freedom of friendly countries around the world would suffer if the world’s great oil reserves fell into the hands of that one man, Saddam Hussein,” and Secretary of State Baker justified a reversal of Iraq’s action by claiming that a disruption in international oil supplies would negatively impact the global economy.

Yet given the ideological environment that existed in Europe at the time of the invasion, in which legal and normative rules that reinforced national sovereignty and curtailed aggressive war, the strategic rationale initially deployed by the Bush Administration was ineffective. On August 10, in response to Iraq’s invasion of Kuwait, the EC members met to determine a unified response. The joint communiqué that was issued following this meeting expressed commitment to remaining within the contours of permissible action defined by the UN Charter. “The Community and its member states having also in mind the vital European interests in the stability, territorial integrity, and sovereignty of the states of the area, are ready to take further initiatives, in the framework of the United Nations Charter, that will prove necessary to contain the conflict.”

When the strategic rationale proved unpopular to U.S. and European audiences, the Bush Administration’s rhetorical tactics shifted to incorporate normative signaling. By early October, President Bush had replaced traditional geopolitical consequences (i.e. obstruction

---

427 "European Security Events in the near and Middle East,” (Assembly of the Western European Union (WEU), 1990), 25.
of a strategic resource) as a reason for war with a set of normative arguments. On October 16, Bush said, “The fight isn’t about oil; the fight is about naked aggression that will not stand.” Later the same day, he argued that U.S. leadership was critical to defend a bedrock principle of international law. “We have a responsibility to lead, the United States does. If we don’t stand up against aggression around the world when it’s naked and brutal, who will? The United States has the responsibility to lead and to put together this coalition that says to Saddam Hussein very simply: ‘You cannot bully your neighbor. You cannot wipe out a member of the Arab League.’”

According to the study by Steven Hurst, Bush invoked “aggression” as the central rationale for confronting Iraq on 111 occasions, more than twice as often as the next highest reason (“hostages”, 51 occasions) and almost three times as often as “oil” (42 occasions).

As part of its normative signaling strategy, U.S. officials made a UN Security Council authorization central to their diplomatic efforts. On November 3, Secretary Baker flew to Europe and the Persian Gulf to strengthen support for UN authorization. Baker sought to ensure firm material support as well as the perception that consensus to confront Hussein was forming in the west and among the Gulf States. “We’ve got questions for our coalition partners. We’d like to know under what conditions and subject to what constraints they’d be willing to consider certain types of action.”

---


430 David Hoffman, "U.S. Checks Allies on Use of Force; Baker Says Gulf Talks Also Will Prepare New U.N.
use-of-force option had been decided on before all other means of diplomatic pressure had been applied, a strategy that was important in order to preserve cohesion within the coalition. As discussed, many member states were cautious for normative reasons about applying military tools prematurely. Baker continued, “The overall purpose of the trip is to discuss with our coalition partners strengthening the full range of measures that we have employed to isolate Saddam Hussein… This will improve the prospects of a peaceful resolution and at the same time permit us to be prepared to consider all options if peaceful ones don’t work.”

In early November, weeks before the UNSC vote, President Bush reiterated the message of restraint. “I will do my level best to bring home every single one of (our troops) home without a shot being fired in anger, but we will not stop short of our stated objectives.” In a message to the U.S. public, but certainly cognizant of the effects of his words abroad in reinforcing the U.S. commitment to legal rules of constraint, he continued to stress the normative ground from confronting Iraq. “We are standing for principle and that principle must prevail… I want a peaceful solution to this crisis we are giving sanctions time to work, and I hope there will never be a shot fired in anger.”

In the U.S. context, one senior Bush Administration national security official confirmed that UN approval for military action was sought to strengthen domestic public opinion, which also was critical in keeping the coalition intact. A UN resolution also

---

431 Ibid.
would reinforce the legitimacy of the U.S.-led effort to oust Saddam Hussein from Kuwait abroad, and strengthen the coalition dedicated to achieving this objective. The UN system was a prominent feature of the constitutional order, and circumventing the Security Council would have undermined U.S. efforts to justify the war in normative terms and challenge the foundations of the order that the Bush Administration was advertising widely that it was defending in challenging Iraq's violations of Kuwaiti sovereignty.

This description of the diplomatic narrative should not be read to suggest that war was justified or that the United Nations was fully operational in fulfilling its duties to slow the march to war. On the contrary, it is fair to argue that the United Nations served purely as a rallying vehicle to build the ranks of the pro-war coalition and thus used instrumentally by the United States. Richard Falk has argued that “serious questions (remain) about whether the United Nations was true to its own charter and to the larger purposes of peace and justice that it was established to serve.”434 As Falk argues, the United Nations played a diminished role in negotiations leading up to the war, which any dispassionate observer with a practical understanding of the United Nations’ general mandate would have expected. The danger of such passivity of the United Nations, Falk observes, is “to make the United Nations into a rubber stamp and its secretary general into an errand boy.”435 Even UNSCR 678 authorizing the use of force was open to criticism. The government of Yemen, for


435 Ibid., 180.
example, mocked UNSCR 678 as “rubbery,” suggesting that it allowed “persons unknown to use means unspecified to achieve goals unstated.”

This instrumental use of UN legitimacy by U.S. officials had the unfortunate long-term effect of undermining the effective role the United Nations plays in international peace and stability. Yet irrespective of the disingenuousness of the U.S. approach to leverage the strong European support for UN effectiveness, the United States’ aggressive pursuit of UNSCR 678 demonstrates a central argument in this project—that legitimacy norms can play an instrumental role for U.S. officials in reinforcing U.S. authority. In the case of the 1990-91 Gulf Crisis, successful passage of a UN Security Council authorization did serve to legitimate the use of force for the majority of the European public and strengthened U.S. authority to maintain cohesion within the alliance.

In fact, an affirming UNSCR vote was not guaranteed. According to one account, it was only intense diplomatic efforts by President Bush and Secretary of State Baker that ensured that France would not veto the resolution. As a consequence of Iraq’s clear violations of international law, however, the censure by the international public, and an intensive lobbying effort, U.S. officials were successful in rallying European support for U.S.-led UN Security Council Process.

The critical remaining question related to normative signaling by President Bush is how these normative appeals affected EC states’ willingness to contribute to and participate

---

in U.S.-led efforts to confront Iraq in Kuwait. The reaction of European states, however, raises the obvious question of whether EC states were acting out of self- or national interests rather than as a response to U.S. requests. If strict national interests were the principal motivation for EC states, it would be fair to argue that the measurement of EC states’ reactions in response to the Iraq invasion is a poor metric of U.S. authority. However, if national interests alone account for European states’ reactions, the universality of Europe’s response (that is, consent to U.S. requests for substantive contributions) is difficult to explain. Given the material asymmetry that existed between EC states and the United States in 1990, it is reasonable to expect that European states would be inclined to free ride on U.S. efforts if their sole objective was to ensure that Iraqi behavior was reversed. The strength of the U.S. conviction to confront Iraq would have been sufficient to give minimal incentive to European states to contribute precious resources to an effort that was set to proceed irrespective of their contribution. Yet overt cases of free riding did not occur in the 1990-91 efforts to isolate Saddam Hussein. European states, backed by public support to confront Iraq, perceived the benefit of responding favorably to U.S. requests to participate in a mission that had broad normative appeal. Furthermore, the rhetorical posturing of European states, as with the normative signaling of U.S. officials, is further evidence of the role of legitimacy norms in decisions to consent to or reject U.S. requests.

In early September, Secretary of State Baker exerted diplomatic pressure on NATO member states to deploy military forces alongside American troops in Saudi Arabia, and to help transport Egyptian troops as well as relocate Jordanian refugees. “We would welcome additional ground forces in the region should any countries around the table see fit to send
them even if only symbolic,” he announced. Several foreign ministers immediately responded, including ministers from EC states of Germany, The Netherlands, Belgium, Greece, and Denmark. Baker reportedly told European allies that financial assistance alone was not sufficient, given the substantial need for airlift and sealift capacity that the industrialized West was exclusively positioned to deliver.

Prime Minister Margaret Thatcher argued determinedly that Britain was firmly supportive of U.S. leadership for normative reasons. Thatcher stated before the House of Commons on September 6, “If Iraq’s aggression were allowed to succeed, no small state could ever feel safe again. At the very time when at last we can see the prospect of a world governed by the rule of law, in which the United Nations Security Council can play the role envisaged... when they were founded, Iraq’s actions go back to the law of the jungle.” The House of Commons endorsed this view in a lopsided vote the next day, supporting the British Government, 437-31. The trends in British public opinion mirrored the lopsided parliamentary vote in favor of acting against Saddam Hussein’s government, strongly supporting the use of force to reverse Iraq’s invasion as well as the United States’ initiation in sending troops. In one poll taken in October 1990, 80 percent of the British public approved of President Bush’s actions in sending armed forces to Saudi Arabia and the Gulf;

438 Walker, “Us Presses for Nato Countries to Send Troops.”
439 Ibid.
441 Weekly Hansard, 1533, September 1990.
13 percent opposed.\textsuperscript{442} This high level of approval was not cheap talk that preferred restricting the British role to that of free rider on the backs of the Americans. A full 85 percent supported sending British equipment and supplies, and 77 percent supported sending British troops.\textsuperscript{443} The number of the British supporting the war was substantially higher than in other European countries. In a MORI poll conducted on January 10, just 18 percent in England opposed coercive measures against Iraq.\textsuperscript{444}

French officials backed the United States on similar grounds. A key reason that French President Mitterrand supported the U.S. policy in Iraq was, according to one commentator, “the respect of international law and order, including its United Nations dimension, along with the defense of human rights.”\textsuperscript{445} In mid September, President Mitterand advocated for an extension of the land and sea blockade of Iraq to include the air, and announced that additional French troops would be added to coalition forces in the Gulf, raising the French contingency to 13,000 troops.\textsuperscript{446} In one account, “the French public bestows a great importance on these humanitarian values and on the defense of the more general values that symbolize Western society (like freedom and human rights). The French are indeed overwhelmingly in favor, at the expense of risking their own lives, of the use of force in order to defend these values.”\textsuperscript{447} Even the Soviet Union lent support to U.S. policy.

\begin{thebibliography}{9}
\bibitem{443} Ibid., 580-81.
\bibitem{446} Paul McGeough, "Europe Toughens Anti-Iraq Stand," \textit{Sydney Morning Herald}, September 17 1990, 8.
\bibitem{447} Pierangelo Isemia citing evidence provided by Natalie La Balme in a chapter in the same volume, in Isemia, "Conclusions," 262.
\end{thebibliography}
George Bush and Mikhail Gorbachev jointly announced their determination that “aggression cannot and will not pay” at their summit meeting in Helsinki on September 9, 1990.448

Nine days later, all EC member states with the exception of Ireland met to consider contributing more military troops to the U.S.-initiated Operation Desert Shield stationed in Saudi Arabia (Ireland was the only EC member that was not also a member of NATO and thus was less likely to participate in a military intervention unless it was part of a UN operation).

By late October, the United States, Britain, France, and Italy had the most substantial troop presence in the Gulf. A large contingency of European states had pledged a modest amount of financial assistance to the Bush Administration’s efforts, including Belgium, Greece, Spain, the Netherlands, Italy, Egypt, France, and Britain.449 Even Ireland, the sole EC member not a part of NATO and limited in economic capabilities, contributed indirectly to the coalition’s efforts. According to a report by the Government Accounting Office, Ireland contributed a reported $278,342 to international organizations involved in relief operations and provided over-flight clearances and refueling rights for coalition aircraft during the combat phase.450 Ireland also permitted the refueling of U.S. aircraft at Shannon Airport during hostilities.451

The response from members of the European Community was uneven, particularly

---

449 Bennett, Lepgold, and Unger, Friends in Need: Burden Sharing in the Persian Gulf War, 40.
451 Trevor Salmon, "Europeans, the E.C. And the Gulf;" in Iraq, the Gulf Conflict, and the World Community, ed. James Gow (London: Brassey’s (UK), 1993), 98.
in terms of the level of material assistance. This unevenness stoked hostility from some supporters who preferred a forceful response to Iraq’s behavior but suspected free-riding from European allies. British Prime Minister Margaret Thatcher, who oversaw the largest contingency stationed in the Gulf besides after the United States’ deployment, criticized reluctant European leaders. At a point early in the crisis, she said, “It is sad that at this critical time Europe has not fully measured up to expectations. The only countries in Europe which have done significantly more than the minimum are Britain and France. It’s not what you say that counts but what you do.”452

Yet despite some unevenness, of the 12 EC states that the United States approached to provide assistance to intensify the pressure on Iraq and share the burden of the conflict, every state provided some form of military contribution. With few exceptions, the results of participation in some form in the efforts to confront Saddam Hussein are consistent with the expectations presented in my model. Although the decision to provide direct or indirect military assistance was influenced by economic capabilities and military dependence on the United States, in every case, EC member states responded affirmatively to U.S. requests.

These results confirm the essential link between suspected motive and the decision to grant legitimacy. The European public was strongly supportive of the normative and legal principles at stake in the crisis, both in insisting that Iraq’s aggression be reversed and consistent supporting UN involvement in resolving the conflict. The United Nations was broadly trusted as an institution largely due to its ability to limit the arbitrary exercise of power, and the UN authorization process played an essential legitimacy-generating role.

452 Phil Gailey, "Burden-Sharing’ a Bipartisan Thorn,” St. Petersburg Times, September 7 1990, 2A.
Correspondingly, the Europe public supported U.S.-led policy that was perceived to be an act of defense of those order-generating norms. Three months after the end of the 1991 Gulf War, polls of the British public exemplify this essential point. In one poll, 72 percent expressed that the United Nations serves a useful purpose in international politics.\textsuperscript{453}

As in the 2003 Iraq War, the principal contribution that European states provided was the political backing of the mission to defeat Iraq forces in Kuwait. According to one account, U.S. forces comprised two-thirds of all forces contributed by the 29-member coalition, and that forces from other countries played a “back-up” role to U.S. forces capable of “projecting a complete ‘war machine’ over 15,000 kilometers away from home.”\textsuperscript{454} In the end, the economic costs borne by the United States in the Gulf War were extremely modest. By one estimate, U.S. contributions were as low as $3 billion (and as high as $23 billion) when factoring in the contributions of other states.\textsuperscript{455} This value is remarkably low when compared to the current estimated expenditure of the 2003 Iraq War and its aftermath of $1.6 trillion by 2009, when a majority of countries in the industrialized West that were capable of making significant contribution opposed the normative underpinnings of the war.\textsuperscript{456}

\textsuperscript{453} Social Services Ltd. (Gallup poll), s/s 1000, June 1991.


\textsuperscript{455} Bennett, Lepgold, and Unger, \textit{Friends in Need: Burden Sharing in the Persian Gulf War}, 43.

The objective of this chapter is to explain the factors that generated this diversity of responses to U.S. requests among EC states. As indicated in Table 11, material factors played a role in the unevenness of the reactions of European states. States that were deficient in military capabilities refused direct military assistance to coalition efforts. With the exception of Greece, states that were deficient in economic capabilities refused to provide direct military contributions of offered modest levels (Portugal offered one ship to the mission). In every case in which a state had sufficient economic and military capabilities, the state contributed both direct and indirect military assets.

In all, the model presented in this project did quite well in predicting the response of European states to U.S. authority. Only one of the 12 cases was definitively inconsistent with the expectations of the model (Portugal), but even in this case the contradiction was minor—Portugal only provided one ship while the model predicted it would refuse any contribution.

A full explanation cannot be advanced, however, without accounting for the reaction by the respective domestic publics. For example, Italian public opinion levels favoring the war were low relative to other European states, near 60 percent by mid-February. Italian leaders sought to dampen negative reactions by emphasizing Italy’s responsibilities to the European Community. Yet consistent with the low public support for the intervention relative to most other EC states, despite the fact that Italy had the third largest economy in the European Community, Italian officials only offered 3 frigates and 10 Tornado airplanes will be borne almost entirely by the United States.
to the naval embargo under the condition that the embargo would be "covered by the WEU umbrella." As James Gow has argued, "Most of all, the differences between EC governments reflect the importance of domestic politics in 'determining reactions' and the limitations imposed by internal divisions." This analysis of the effects of policy legitimacy on the strength of the Gulf War coalition is complicated by the fact that public opinion in 10 of the 12 EC states was motivated by considerations of policy legitimacy, leaving small variation in this crucial independent variable. Only the Portuguese and Greek publics were scored as being insufficiently influenced by normative considerations in evaluating both Iraq's invasion of Kuwait and the U.S. effort to construct an opposing coalition. But in both cases, only modest levels of military assistance was provided, a contribution that was more than the expected result presented in the typological table ("resist" U.S. requests, Table 8) but less than the expected and realized result for states in which policy legitimacy was a public consideration (Spain, for example, a relatively weak state [although above the sufficiency threshold], contributed more than its relative weight, providing three warships with 500 troops). Even this incomplete result regarding Portugal and Greece suggests that policy legitimacy had an effect on the outcome of U.S. requests for full participation.

This analysis is more significantly complicated by the fact that there was so little variation in the dependent variable. Every member of the European Community made a contribution in the form of direct or indirect assistance to the U.S.-lead coalition. This result

457 Salmon, "Europeans, the E.C. And the Gulf," 91.
458 Gow and University of London. Centre for Defence Studies., Iraq, the Gulf Conflict, and the World Community. 9.
is an interesting finding in itself, however, for two reasons. First, the fact that there was some contribution by every state despite a range of economic and military capabilities suggests that European states were acutely aware of the implications of allowing Saddam Hussein’s aggression to remain unaddressed, even though the territories of European states were not directly threatened. This is more surprising than it may first appear. Europe experienced centuries of power politics and shifting alliances on its own continent. For Europe to respond so uniformly to aggression 2,000 miles to the east, even considering the threat Iraq’s actions posed to international petroleum supplies, suggests that the standards of acceptable international behavior had been transformed. The fact that the Western European Union signed a united document on December 10 supporting the recourse to war was an achievement of U.S. diplomacy, but likely would not have happened without passage of UNSCR 678 on November 29.

The second and more profound reason this result is interesting is that when considering the results of this chapter in combination with chapter 4 (the 2003 Iraq War) and chapter 6 (the 1999 war in Kosovo), more significant patterns can be identified than are detectable when viewing this chapter in isolation. In short, the fact that there is just a small level of variation in the dependent variable of authority levels is less concerning given the significance of a relatively uniform response from states comprising an emerging political union premised on the legitimacy norms of constitutional governance. This result is additional confirming evidence of the role of legitimacy norms in decisions to consent to U.S. leadership.
### Table 11

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Italy</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Denmark</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y*</td>
<td>Y</td>
</tr>
<tr>
<td>W. Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Spain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Ireland</td>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Portugal</td>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Y*</td>
<td>Y</td>
</tr>
<tr>
<td>Greece</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

* Fewer than 4 ships or 100 troops

**Case Study Research: Confirming the Correlation**

The results in Table 11 suggest that a strong relationship exists between policy legitimacy, the material variables of economic and military capabilities, and the outcome of EC states’ contributions to U.S. led efforts in the Persian Gulf. Given the significant efforts of senior U.S. officials, including President George H. W. Bush, to increase the levels of contributions from each EC member, this outcome is a reasonable metric of U.S. authority.

Denial of U.S. requests would have been a profound disappointment to U.S. officials, as

---

459 For a full after-operation report on allied contributions to Operation Desert Shield and Operation Desert Storm, see "Report to the Chairman, Committee on Armed Services, House of Representatives Persian Gulf: Allied Burden Sharing Efforts," 16-21, Appendices II-IV.
evidenced by the intensity of their diplomatic exertion to get Europe integrated with the
coalition. These results are highly consistent with the expected results presented in the
typological table (Table 8) above. Even in the two cases that are inconsistent with
expectations—the cases of Portugal and Greece, in which low scores on policy legitimacy
and economic capabilities should have generated resistance to U.S. requests—the
contributions were modest, thus failing to decisively disconfirm the results expected in the
model presented above. This low level of support is consistent with the expectations that
the lack of policy legitimacy energizing public opinion coupled with material weakness
should generate a constrained reaction to U.S. authority.

These results suggest that a correlation exists between the ideational and material
variables and expected outcomes. Yet social science research, given the sophistication of the
available methodological tools, has a higher standard for claims of a relationship been input
variables and outcomes than atheoretical and untested assertions that proliferate outside the
academy. In short, input variables that correlate with an outcome do not necessarily cause
that outcome. In the episode of the 1991 Gulf War, the central hypothesis that normative
evaluations by secondary states influence their willingness to consent to U.S. authority can
be confirmed with confidence only with additional process tracing that will increase
confidence that a causal relationship exists beyond the correlations presented in Table 11. In
short, for the hypothesized relationship between legitimacy and authority to be confirmed,
evidence must be presented that 1) a specified set of normative standards of legitimacy are in
circulation among the public at the time of the diplomatic interplay, 2) policy elites are
sensitive to those normative standards and invoke those norms to justify support for U.S.-
led intervention, and 3) European states will resist U.S. authority in substantive ways when the character of U.S. policy contradicts those legitimacy norms, and will consent to U.S. authority when U.S. policy is perceived to reinforce those norms. The specific legitimacy standards assessed in this project are the norms defining the contours of permissible uses of military force, or, in other words, the norms prohibiting extra-constitutional behavior in the international context.

To test the extent to which evidence can be found of the role of policy legitimacy on policymakers’ decision-making, a detailed narrative will be constructed on three cases that exhibit different combinations of the independent variables and yield interesting or unexpected results: 1) West Germany, 2) Luxembourg, and 3) Greece. For each case I explore the rhetorical record of the head of state to assess the prominence of legitimacy norms guiding the use of force in their rationale for consenting to or rejecting U.S. requests as communicated to the public.

The case studies serve as an additional test of the degree to which elites relied on normative arguments—and which specific normative arguments were decisive—when responding to U.S. requests. Recalling Patrick Jackson’s claim that, “Legitimation claims are through and through rhetorical, in that they are forms of speech designated to achieve victory in a public discussion,” the pattern of elite justification for policies is evidence of the norms in circulation that both substantiate and constrain decisions to adhere to U.S. authority.460 In other words, the specific rhetorical strategies deployed by EC elites prior to the January 15

460 Jackson, Civilizing the Enemy: German Reconstruction and the Invention of the West, 27. Jackson cites Wielde, Constructing National Interests: The United States and the Cuban Missile Crisis, 117-18.
launch of the war play a causal role in two ways. First, the content of rhetoric designed to build public support provides evidence of the norms to which EC leaders presumed the European public were responsive. The specific language presents evidence of the norms to which the public, and thus elites, are sensitive. Second, the language deployed also entrapped EC leaders to pursue consistent principles throughout the Gulf War episode. European leaders who invoked Iraq’s violation of constitutional norms as the *ausus belli* were more likely to insist on an UN Security Council Resolution authorizing military force, a bedrock principle of international law. By constraining elite behavior, the normative signaling played a causal role in the pre-war diplomacy.

The cases selected are indicated in Table 12. *West Germany* is representative of seven EC states in which policy legitimacy is an active consideration and the state exhibits high levels of economic and military capability, and the states all contributed both direct and indirect military assistance to the operation. *Luxembourg* was the only EC state that was economically sufficient but military insufficient. Luxembourg’s refusal to provide direct military assistance (despite offering indirect assistance) contradicts the theory’s predictions and deserves closer treatment. Lastly, *Greece* is one of only two EC states in which policy legitimacy was not coded to be a significant aspect of public opinion on the intervention, but still (unexpectedly) provided both direct and indirect military assistance.
Table 12

<table>
<thead>
<tr>
<th></th>
<th>Policy Legitimacy?</th>
<th>Economic sufficiency?</th>
<th>Military sufficiency?</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>Greece</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

Ideational vs. Material Causation: A brief note

This project tests two competing explanations for determining whether European states accept or reject U.S. authority. The first is the ideational explanation, which suggests that the public concern with legitimacy norms affected policymakers' decision to consent to or reject U.S. requests. The second is the material explanation, specifically Collective Action, which predicts free-riding by weaker states ("the weak will exploit the strong"), or Alliance Dependence, which predicts that weaker states, fearing abandonment by alliance leaders, will acquiesce to U.S. requests.461

First, not a single one of the 12 EC states rode free, providing either direct or indirect military assistance (or both direct and indirect aid) to the effort. Approximately 40 states in all did not ride free, despite the overwhelming state of U.S. economic and military strength and the overt commitment of U.S. officials to confront Saddam Hussein.462 Collective Action provides a poor explanation for alliance behavior in the Gulf War.

The adequacy of the material explanation advanced in the Alliance Security Dilemma is similarly compromised. The logic of this dilemma suggests that weaker states that are

462 Ibid.
more dependent on U.S. largesse will consent to U.S. authority since the fear of abandonment is greater than the fear of entrapment. Yet using the metrics of material sufficiency that I employ, of the four of the 12 EC states that were economically insufficient and expected to contribute, only Spain provided substantial levels of military and economic assistance. Portugal and Greece offered low levels of direct military assistance (despite military sufficiency in both cases) and Ireland refused direct military assistance altogether.

Conversely, according to the Alliance Security Dilemma, stronger states are less dependent on the United States and expected to resist U.S. requests to contribute, since the entrapment fears exceed abandonment fears. Consistent with this logic, the Netherlands, Great Britain, Italy, Belgium, France, Denmark, and West Germany should have been more resistant of U.S. requests. Yet many of these states were most generous to the efforts of the coalition, and every one of these states provided both direct and indirect military assistance. Great Britain stands apart for being a consistent supporter of U.S. efforts to strengthen the coalition, and providing 170 tanks, Tornado jets, several warships, and 25,000 troops.

These results conflict with the expectations of both structural explanations of Collective Action theory and the Alliance Security Dilemma. Yet the results tabulated in Table 11 are consistent with the ideational explanation that the public is motivated by legitimacy concerns places pressure on elites to act in accordance with this normative framework by defending the legitimacy standards in question, and ensuring that intervention

If anticipatory dependence is considered, as opposed to immediate dependence, in which EC states feared U.S. abandonment in the future, then the Alliance Security Dilemma hypothesis fares better. In the twilight of the Cold War, the United States was experiencing a flush of enhanced relative power. It is possible that every state in the EC was in a sense dependent on the United States, and thus willing to submit to U.S. requests to avert abandonment. Leaving aside this stretching of the theory to fit this case, however, the conventional reading of the theory is inadequate for explaining consent patterns of the 12 states.
efforts seek to reinforce and are in accordance with those normative standards. The following process-tracing probe into the four cases is designed test how much confidence can be placed in the hypothesized causal chain. This within-case comparison exercise aims to illuminate the ideological environment privileging the broad public preference for constraints on the use-of-force and demonstrate elite sensitivity to those normative standards expressed through their rhetorical claims and their willingness to consent to U.S. authority.

Germany

As the Gulf Crisis unfolded, Germany embodied countervailing internal forces. At the outset, Chancellor Helmut Kohl was supportive of efforts to fully support U.S.-led efforts to isolate Iraq, but divisions were evident within his government Foreign Minister Hans-Dietrich Genscher took a softer line on possible remedies. There also were contractions in the mood of the German public, which exhibited traces of Germany’s contemporary anti-war tradition and strongly opposed German participation in any military involvement, which complicated the government’s efforts to resolutely accede to U.S. requests. Paradoxically, a growing majority of the public simultaneously supported military action to liberate Kuwait.

Reports in the media and discourse throughout much of the diplomatic community cited German introspection (Germany was preoccupied with its reunification in the summer and early fall of 1990) and electoral schedule (German officials, including Chancellor Kohl, were facing Germany’s first elections since reunification) as causes of Germany’s reluctance
to fully embrace U.S. direction during the run up to the Gulf War. Overlooked in much of the commentary, however, is the role of legitimacy standards that were active in the public mind. The residue of German history, including the profound impact that the Second World War had both on the German psyche and Germany's legal institutions, and the resulting ideological environment affected the public's response to—and thus the German government's reaction to—U.S. authority in the Gulf Crisis.

In brief, the experience of World War II increased the wariness with which German's viewed military solutions in general and German participation in military action in particular. The effects of and perceived responsibility for the war penetrated the public mind and contributed to Germany's distinctive strategic culture. In particular, argues Kerry Longhurst, “the widespread conviction that West Germany should maintain a low profile in security matters above and beyond the immediate task of defense of national and alliance territory, and that the ‘lessons of the past’ and ‘responsibility’ should be at the forefront of West German security policy thinking.” In a concurring opinion, Marco Overhaus writes, “Historical experience and guilt have hindered Germany’s ability to translate material power resources… into power politics, a behavior that one would expect to some extent from other countries, such as France, the United Kingdom or the United States.”

This collective experience had direct implications for the policies the public regarded as legitimate or normatively acceptable. This “culture of restraint,” Overhaus writes, encompasses an aversion to the use of the military as an instrument of foreign policy, a commitment to

---

institutional organs in Europe, a cooperative over an assertive foreign policy style, and a subordination of narrowly conceived national interests to the common good, which included the consolidation of Europe.  

This low regard for military solutions and reflexive aversion to aggression was deeper in Germany than in many other West European states. "The legitimacy of the use of force for the resolution of international crises," one account suggests, "raised questions in Germany which were barely mentioned in France or Britain." In addition to the impact on public opinion of international legal norms pertaining to the permissible use of force, domestic laws also constrained German participation. The West German constitution, a product of the occupying forces who designed the legal framework for post-war Germany, outlawed the deployment of German troops outside the NATO theatre. This prohibition of the engagement of German armed forces was consistent with the normative backdrop that existed in Germany and reflected the strong anti-war disposition of much of the German public. Thus, for both normative and legal reasons, West German public opinion was strongly opposed to the participation of German troops in military engagement against Saddam Hussein throughout the crisis.

In this study, German public opinion regarding the U.S.-led intervention is coded as reflecting concerns for policy legitimacy. Each of the three metrics suggests that the

German public had a high degree of confidence in the efficacy of legal instruments and legal norms in regulating international order. Eighty-one percent of the German public had a high degree of confidence in the United Nations ability to resolve the conflict. The public's preference for EC-wide decision-making structures over German independence in foreign policy decisions was a substantial 41 percent, 11 points above the threshold level. The Rule of Law score was 4.3 out of 5, well above the threshold score of 3.70. These metrics suggest that the public's support for military intervention in Iraq that gradually emerged was influenced largely by the normative principles at stake in the crisis.

In terms of absolute gross domestic product, West Germany was the wealthiest country in Europe, with a $1.8 trillion (U.S.) economy. Germany's economic health relative to the other EC member states was a principal reason several Western leaders were so critical of Germany's reluctance to provide substantive contributions for so much of the initial phase of the crisis. In per capita terms, Germany followed Luxembourg and Denmark in economic capabilities, with $22,604 (U.S.) per capita GDP. This figure is well above the $15,000 threshold for economic sufficiency.

Germany also had sufficient military capabilities to render them highly dependent on U.S. military aid. While approximately 250,000 U.S. troops were stationed in West Germany in 1990, Germany exhibited its own per capita domestic troop presence of 0.0186, well above the 0.01 threshold for military sufficiency, decreasing the dependence on U.S. engagement for its security.468 Subsequently, both economic and military figures suggest that

---

West Germany was sufficiently capable to chart a policy course that diverged from the U.S. preference if German officials had sufficient cause to do so.

Given this specific combination of policy legitimacy and economic and military sufficiency, the model predicts that Germany should resist the deployment of German troops but otherwise consent to U.S. requests to fully participate in the activities of the Gulf War coalition. Furthermore, the rhetoric deployed by the German leadership is expected to be strongly based in this ideological environment privileging the norms comprising a rule-based order that existed at the time, justifying Germany's role on the basis of the defense of international norms outlawing aggressive war and in accordance with legal mechanisms—i.e. the UN Security Council—authorizing the use of force.

At the outset of the crisis, the German public supported the application of economic pressure to reverse Iraq’s gains in Kuwait, but was more reluctant to embrace the application of remedies comprising military forces. In fact, by several accounts, the public was not closely attuned to the conflict until the latter stages of the diplomatic efforts that preceded Operation Desert Storm.⁴⁶⁹ Pockets of strong opposition to the use of force against Saddam Hussein existed across Germany, particularly the participation of military efforts by German troops.

---

Due in part to the public’s distraction as well as the policy elites’ interest in close allegiance with the United States (in part out of gratitude for the United States’ support for German reunification), Chancellor Kohl immediately granted President Bush’s request on August 5 for the use of German territory for staging Operation Desert Shield. In addition, Gerhard Stoltenberg, the German defense minister, accepted Defense Secretary Richard Cheney’s request for $134 million in equipment and transport but refused to contribute German troops to the Gulf contingency.470 Short of offering German troops to the conflict zone, German officials initially were nominally responsive to U.S. requests. In all, in 1990 Germany pledged $1.07 billion in cash and in-kind support for U.S. military efforts, a total representing just 11 percent of the total pledged that year.471

Despite this responsiveness to U.S. authority, German officials were performing a balancing act, interested in hewing closely to U.S. policy but constrained by the strong public interest in military restraint. Officials expressed an interest in pursuing all available diplomatic means prior to resorting to military force. Consistent with the public’s concerns of Iraq’s violation of constitutional norms as well as an interest in the legitimacy of the West’s reaction under international law, the center-right ruling coalition agreed in September to support only actions that were endorsed by the UN Security Council. The U.S.-led forces stationed in the Gulf, to which Germany refused a direct German role, were not governed by any of the UN resolutions that had been passed.

471 "Report to the Chairman, Committee on Armed Services, House of Representatives Persian Gulf: Allied Burden Sharing Efforts," 3.
According to some Western officials, the economic and direct military aid that Germany offered was slower to materialize than was acceptable, and at a level lower than was expected. Consistent with public concerns over German involvement in the war, Chancellor Helmut Kohl announced that Germany would not supply funds to help subsidize U.S. military forces deployed to Saudi Arabia or contribute troops to the mission. Yet despite the fact that Germany faced substantial levels of diplomatic pressure to drop its reluctance to support coalition forces, German officials cited the constitutional restriction on contributing German troops outside Germany. In addition, the first all-German elections were scheduled for December, which enhanced officials’ inclination to attend to high levels of public opposition.

Yet the same ideological environment that generated strong opposition to the deployment of German troops also generated a growing interest in reversing Iraqi aggression in accordance with legal and normative standards. As the public began to pay closer attention after the October 3 formal reunification, and following the emergence of reports of Iraq’s repressive activities in Kuwait and the continued detention of 170 German hostages, and as diplomatic efforts intensified, German support for military reprisals against Iraq increased. A Gallup poll conducted two months into the crisis found that 63 percent of the German public supported the use of force against Iraq (although depressed compared to 86 percent of the British public that supported the use of force). Another poll taken in October found that 75 percent of the German public was supportive of President Bush’s

---


One reason for the growing German receptivity to military intervention against Iraq was the nature of the conflict and the normative standards that were at stake, as articulated by the German leadership. The first formal statement from a German official on the crisis came from Foreign Minister Hans-Dietrich Genscher, in which he declared, “Iraq’s aggression against Kuwait (is a) threat to international peace.” The international response, Genscher asserted, had to ensure “an end to the annexation and occupation of Kuwait by Iraq.”\footnote{Cited in Hellman, "Absorbing Shocks and Mounting Checks: Germany and Alliance Burden Sharing in the Gulf War," 167.} Chancellor Kohl condemned Iraq for its “extreme barbarity.”\footnote{Cited in Ibid.} Iraqi action against Kuwait was reminiscent of German annexation of territory under Hitler’s \textit{Wehrmacht} from the Atlantic Ocean and the North Sea on Germany’s western front to Russia up to Leningrad and Moscow on its eastern front, behavior that had become anathema to civilized international behavior throughout the West and triggered particular sensitivities in Germany.

Strong opposition to Iraqi aggression, however, did not translate into strong public support for a rush to war. Consistent with the interest in preserving the legal and normative principles that mitigated the prospects of aggressive war, such as the norm of territorial
inviolability, the German public indicated a strong support for legal instruments such as the United Nations in resolving the crisis. The same legitimacy principles that generated strong German public opposition to Iraq’s behavior also generated a strong preference for reviving UN effectiveness. Eighty-one percent of Germans believed that the crisis could be resolved with UN mechanisms.478 Many Germans “showed some willingness, with many reservations, to accept the new political reality of a military intervention for the enforcement of Security Council decisions and backed by a UN mandate.”479 The UN mandate was a key provision. In this context, although Kohl continued to resist the offer of German troops but supported the UN authorizing structure. He believed that Germany had to live up to its commitments to its alliance with the United States, but was simultaneously bound international legal standards. While accepting the constitutional restrictions and refusing the deployment of German troops, Kohl was open to deployment in the event that a UN operation was approved. “If it comes to a clear vote by the United Nations,” he said, “I can imagine a number of possibilities.”480

In late November, prior to the UN Security Council vote authorizing military force, Chancellor Kohl expressed his hope that the conflict could still be resolved short of war. “Anyone who believes this can be solved militarily must think of the end, not the beginning, of the enterprise—what will the consequences be, how many victims will there be and won’t a political solution still have to be found afterwards anyway.”481 Kohl also confounded U.S.

478 “Eurobarometer 34: Public Opinion in the European Union.”
479 Becher, “Germany and the Iraq Conflict,” 46.
480 Hellman, “Absorbing Shocks and Mounting Checks: Germany and Alliance Burden Sharing in the Gulf War,” 180.
481 “War Not the Answer to Gulf Crisis,” Herald Sun, November 19 1990.
efforts to isolate Saddam Hussein by advocating for negotiations between Hussein and Western leaders. In an interview on November 28, Kohl said, “I believe the time is ripe, beyond the Gulf crisis, for the problems of the other crisis centers in the region to be resolved via negotiations,” and that all steps should be taken to carry out the UN Security Council resolutions peacefully. Kohl’s rhetoric revealed the German government’s interest pressuring Saddam Hussein to reverse course by adhering to the legitimacy standards that guided the public’s reaction—the bedrock principle of international law outlawing aggression, and the principle of pursuing all additional diplomatic means short of military force.

In late December the foreign ministers of the EC states met in Luxembourg to discuss the Gulf Crisis. In what could be interpreted as a signal to European leaders in his response to a question from the press regarding the EC meeting, a White House spokesman reiterated the normative principles that resonated with Europeans, saying “We seek a peaceful solution, and any solution has to result in compliance with the United Nations’ resolutions, bringing a complete and unconditional withdrawal of Iraqi forces from Kuwait.” The White House initially was caught off guard by the announcement of the EC meeting, yet officials were careful to signal U.S. conformity to the principal of pursuing all available means short of force that they knew would be the most effective way of reinforcing European support.

---

483 Fisher, “West Europeans Set Meeting Aimed at Peaceful Solution; Move Seen Consistent with U.S. Stance,” A08.
Some diplomats privately suggested that American officials had pressured the Kohl government to respond favorably to Turkey’s request for protection or face strong criticism from the U.S. Congress for its limited participation to the Gulf coalition.\textsuperscript{484} One NATO official expressed dismay at Germany's intransigence, but acknowledged the affect that German public opinion was having on German policy to provide substantial assistance to the coalition effort. "It's remarkable to see the Germans wringing their hands over a couple of dozen planes while American society is completely disrupted," the NATO official said. "But the domestic debate there shows the deep revulsion in modern Germany against any use of force."\textsuperscript{485}

Following his reelection, Chancellor Kohl acted more freely toward U.S. requests and the war buildup. Belatedly supporting the contribution of $2.2 billion after first refusing economic aid, Kohl also agreed to send Alpha fighter aircraft and approximately 300 supporting personnel to the theater. This deployment was the first participation in military operations by German troops since the Second World War. According to a GAO report, Germany’s material support also consisted of "chemical detection vehicles, cargo and fuel trucks, ammunition, generators, and other items such as protective face masks and shipping containers."\textsuperscript{486}

On the eve of war, German Chancellor Helmut Kohl delivered a message to the Bundestag on January 14 in which he firmly stated that the negative consequences for the failure of Iraq to comply with UN Security Council Resolutions demanding a withdrawal

\textsuperscript{484} \textit{———}, "Bonn May Send Troops to Turkey; Germany Considers Rare Deployment,"  A1.

\textsuperscript{485} Ibid.

\textsuperscript{486} "Report to the Chairman, Committee on Armed Services, House of Representatives Persian Gulf: Allied Burden Sharing Efforts," 13.
from Kuwait. In a report on German attitudes on the Gulf War, Karl Kaiser and Klaus Becher argue that a prominent reason Germany ultimately supported the war effort was due to its overriding defense of international norms embodied in the UN Charter—specifically, the "commitment of the lives of American and other allied soldiers to the defense of the international order in keeping with the original intentions of the UN Charter."487

In addition to the direct military support, Germany allowed the use of bases by the Americans to transport U.S. troops, and also provided financial support for Turkey, Egypt, Jordan, and Syria related to the crisis as well as technical aid to U.S. troops in Saudi Arabia.488 For the mix of reasons suggested above, Germany did not firmly commit the full level of financial assistance until more than a week after the Gulf War began. On January 29, Kohl's cabinet ministers voted an additional $5.5 billion, doubling its contributions.489

In the end, Germany's willingness to contribute a total of $11.5 billion to coalition efforts as well as economic assistance and German military equipment to reinforce security in vulnerable Gulf states is an indication that the public's resistance was not sufficiently high to preclude military assistance. Yet despite the contribution of economic and military aid and direct military personnel to the periphery of the conflict, the public remained highly opposed for normative reasons to provide German troops. In the end, German officials

487 Becher, "Germany and the Iraq Conflict," 45.
488 Salmon, "Europeans, the E.C. And the Gulf," 92.
decided to resist U.S. requests for German troops to participate directly in the military efforts.

It is worth noting that the rationale that Chancellor Kohl expressed during his negotiations with U.S. officials was the fact that sending German troops would violate the constitutional provision prohibiting out-of-area deployments. Whereas international legal norms were invoked by German officials and served to motivate public support for confronting Saddam Hussein and for doing so within the limits of international law, a domestic legal norm served as the rationale to avoid violating the public will and sending German troops into combat. For a country in which the legitimacy norm of constitutionality is an active consideration in the public mind, this resort to international and domestic constitutionality is consistent with the predictions of my model.

The ideological environment that sustained the public’s opposition to the contribution of German troops yet supported an international response in conformity with international legal standards to reverse Iraq aggression was revealed in the rhetoric of German officials. Fidelity to a rule-based order was essential, and Iraq’s violation of this order could not be tolerated. Yet while Chancellor Kohl preferred to respond favorably to U.S. requests, there were limits to the assets that Germany could extend. By expressing that all available means short of force must be exhausted prior to the initiation of military engagement, insisting on the pursuit of a UN Security Council mandate, and refusing to contribute German forces to the theatre of the war, Kohl acceding to spirit of U.S. authority. At the same time, Kohl adroitly adhered to seemingly discordant normative standards held by the German public of opposing aggression, investing in institutional mechanisms, and
embracing cooperative measures to pursue all available means to resolve international challenges before resorting to the option of military force.

Luxembourg

At the time of the Gulf Crisis, the European Community was bound by a shared commitment within Europe to the promise of institutional binding, and found itself in the contradictory position of seeking to assert itself in new ways in international diplomacy consistent with the promise of this consolidation, but short on power assets necessary to match its ambitions.

The relative weakness of Europe and its fidelity to institutional remedies generated a reaction by some European states to the crisis that advocates of a swift response regarded as indecisive. This hesitancy provoked an angry response from both sides of the Atlantic. United States Congressman Lee Hamilton, Chairman of the House Foreign Affairs Committee, responded, "it is certainly true that there has been a remarkable diffusion of power in the world. But when action is needed against an aggressor, only the United States has the wherewithal to respond." Prime Minister Margaret Thatcher was more adamant. "We have all this rhetoric about a common security policy as part of political union, yet when it comes to something practical which affects us fundamentally some countries are hesitant. It is not what you say that counts but what you do."

---

490 Apple, "Oil, Saddam Hussein, and the Reemergence of America as the Superpower," 1.
491 Whitney, "Confrontation in the Gulf: Thatcher Warns Europe over Gulf."
Luxembourg was poised at this time to hold the presidency of the European Community on January 1, 1991. Consistent with the forthcoming role, Foreign Minister Jacques Poos sought to position Luxembourg to leverage its brief and unusual position of authority within Europe to play a significant role in diffusing the crisis, consistent with the legitimacy norms of working through multilateral institutions to seek all available alternatives to the use of force prior to initiating military measures.492

Public opinion in Luxembourg was influenced by many of the same trends that were moving through Western Europe: a strong privileging of the rule of law, institutional governance, and the peaceful resolution of disputes that would help overcome Europe’s history with balance-of-power politics. Consistent with these trends, all three metrics of policy legitimacy indicated that the public was influenced by the norms of constitutional governance and strongly opposed to Iraq’s violation of Kuwait’s sovereignty and preferred a legal and institutional remedy to address Iraq’s norm violation. Eighty-two percent of the Luxembourg public believed that the United Nations was competent to resolve the crisis, 34 percent preferred joint EC-wide decision-making on foreign policy issues over Luxembourg independence in policymaking (60 percent to 26 percent, respectively), and Luxembourg received a rule-of-law score of 4.14, well above the 3.70 threshold.

In per capita GDP figures, Luxembourg was the wealthiest country in the European Community. Luxembourg produced $35,435 per capita, 34 percent more than Denmark, its

closest competitor. Luxembourg was equipped to provide substantial assistance to the U.S.-led military effort, particularly given that the legitimacy norms that formed the core of U.S. officials' rationale for the intervention. Given Luxembourg's strong commitment to working within UN auspices, its offer of assistance is expected to have been more forthcoming following the passage of the UNSC authorization on November 29, 1990.

Complicating Luxembourg's willingness to offer military assistance, however, is its relative weakness in military capabilities. Luxembourg expended only $110 million (U.S.) on its military in 1991, which totaled just 0.79 percent of its GDP (compared to 3.43 percent, 2.18 percent, and 4.06 percent by France, West Germany, and Great Britain, respectively). In the measure of armed forces per capita (µ), utilized here as a metric of security dependence on the United States, Luxembourg ranked last among EC countries at 0.0021 (Greece was first at µ=0.0550).

Thus, Luxembourg was an anomalous state in terms of material capability—first in terms of economic capacity and last in terms of military sufficiency. According to the typological theory presented by the proposed model (Table 8), Luxembourg officials are expected to consent to U.S. requests and strongly support the reversal of Iraq's territorial control of Kuwait on normative grounds, working within the UN framework to achieve this end. To reinforce its support for U.S. policy and consent to U.S. request for assistance, Luxembourg should provide indirect military assistance. Given its military weakness, however, this indirect military assistance is expected to be at token levels.
Immediately following Iraq’s invasion of Kuwait, a broad coalition of states tightened the economic cordon around Iraq. Luxembourg, along with the other 11 EC states imposed an immediate ban on oil imports from Iraq. On August 10, the foreign ministers of the EC reinforced the message of the UN Security Council’s condemnation of Iraqi aggression, and expressed commitment to remaining within the contours of permissible action defined by the UN Charter. “The Community and its member states having also in mind the vital European interests in the stability, territorial integrity, and sovereignty of the states of the area, are ready to take further initiatives, in the framework of the United Nations Charter, that will prove necessary to contain the conflict.”

Two weeks into the crisis, on August 16, Jacques Poos, Luxembourg’s foreign minister, was dispatched by the European Community to the Middle East. Accompanying Poos were Ireland’s foreign minister, Gerry Collins, and Italy’s foreign minister, Gianni de Michelis. These three officials represented the incoming, previous, and current presidents of the Council of Ministers. The team was sent to assuage the Gulf States—principally Egypt, Saudi Arabia, and Jordan—that action against Iraq would be in conformity with UN mandates. States that were vulnerable to Saddam Hussein’s norm breaking also expressed concern that if remedies to confront Iraq also circumscribed normative and institutional constraints on the permissible uses of force, the stability of the liberal order would be further compromised.

493 "European Security Events in the near and Middle East," 25.
While Europe’s commitment to reverse Iraq’s actions was never in doubt, EC foreign ministers continued to make concerted efforts to pursue all available avenues to avert military action against Iraq, consistent with the reinstatement of Kuwait’s sovereign rights. On December 28, EC ministers met in special session to consider a proposal advanced by Germany to engage Iraq Foreign Minister Tariq Aziz in diplomatic talks to resolve the conflict short of war. In announcing the meeting, Poos reiterated that no EC member would accept a partial withdrawal of Iraq from Kuwait or a postponement of the January 15 deadline.495 In dropping their earlier insistence that Europeans meet Aziz only after meetings between President Bush and Aziz in Washington and Secretary of State Baker and Saddam Hussein at a third location, the latest proposal is evidence of the extent to which Europeans were eager to find a diplomatic path that avoided military action.

Foreign Minister Jacques Poos declared, “We will make an assessment of the general situation and, in consultation with other allies, we will send a final message to Baghdad which would be in line with U.N. resolutions but would also consider what would happen if Iraq leaves Kuwait.”496

Luxembourg assumed the presidency of the European Community on January 1, 1991, for a six-month term. Foreign Minister Poos, acting as newly inducted president of the European Council of Ministers, cited the illogic of Saddam Hussein taking on the U.S.

military. "We are not heading for a war, because I have the feeling that Saddam Hussein will pull out of Kuwait at the last minute."

On January 2, reiterating on German radio that war must be a last resort, Prime Minister Jacques Santer promised to revisit the Palestinian question once the Iraqi troops with withdrawn from Kuwait. Top Luxembourg officials, however, insisted that there was not linkage between Palestinian issues and the western demands for Iraq to withdraw troops from Iraq, perhaps in part due to the immediacy of the threat that Iraq’s behavior posed to the rule-based order.

Initially Poos appeared to defy U.S. officials, who preferred that Europe refrain from negotiating with Iraq until after Secretary Baker had met with Iraq Foreign Minister Tariq Aziz, in order to maintain a unified Western front. Poos announced that an emergency meeting of the EC would authorize him to fly to Iraq to engage in direct talks with. Within 24 hours, however, Poos backed of his statement, saying, “The European Community is solidly behind the American presence in the gulf. It is not our purpose in proposing an emergency meeting to see a wedge driven between Europe and America.”

Yet as the January 15 deadline approached, Bush Administration very publicly expressed a strong interest in diplomatic solution to the crisis. A series of diplomatic initiatives under consideration included a trip by Secretary Baker to the Gulf, a formal endorsement of a role for the European Community in resolving the conflict (consistent with a single negotiating position agreed upon with the United States). State Department

---

497 Michael Binyon, "Luxembourg Expects Iraqis to Pull out at the Last Minute," The Times of London, January 3 1991.
spokesman Richard Boucher said that the United States would support "any diplomatic efforts that might result in a peaceful solution to the gulf crisis and that carries the uniform message that Iraq must comply in full with the U.N. Security Council resolutions." After pressure from Congress and European allies, Bush announced that he would "go the extra mile for peace" and offer new dates for talks between Secretary Baker and Foreign Minister Aziz.

Poos, speaking as President of the EC, insisting that Europe and the United States would not be divided over Saddam Hussein's transgressions, said, "He's up against a worldwide coalition against illegality." After the failure of talks between Secretary Baker and Foreign Minister Aziz, Iraq rejected Poos' offer of a meeting between EC and Iraqi officials—the third such offer that had been extended by EC officials. Aziz rejected the offer, and UN Secretary General Javier Perez de Cuellar departed for Baghdad on January 10 in a last-ditch effort to negotiate a settlement of the crisis. "He is the world's last messenger for peace," Jacques Poos declared. But following the diplomatic initiative by Secretary General Perez de Cuellar, Foreign Minister Poos emerged from the meeting and announced that Saddam Hussein remained defiant of diplomatic efforts to withdraw from Kuwait. Referring to Iraqi diplomats, he said, "They just repeated their point that they don't want to leave Kuwait and that Kuwait was the 19th province of Iraq." Signaling the end of the

---


diplomatic track, Poos said, “Our extended hand was refused. The responsibility for what happens next lies with the Iraqi Government.”

On January 14, one day before the commencement of airstrikes, European officials announced that no new diplomatic effort would be initiated. Reflecting on Secretary General Perez de Cueller’s lack of diplomatic success, Jacques Poos announced that the Secretary General had suggested that “the climate is not appropriate to launch a new initiative.” The European Community signed a joint statement that it had done everything it could to avert crisis, but to no avail.

While Luxembourg’s role as President of the European Community after January 1 complicates efforts to separate Luxembourg’s actions as independent from its role as President of the European Community, it is fair to assume that Luxembourg officials were speaking simultaneously to audiences of Luxembourg and of wider Europe.

As discussed above, the ideological climate in Luxembourg fostered a high regard for normative legitimacy with respect to the rule of law—in particular rules defining the permissible use of force—the promise of multilateral institutional arrangements to coordinate foreign policy decisions, and the peaceful resolution of disputes. This same climate affected public opinion throughout Europe, which played a role in the fact that every one of the 12 members of the European Community offered some level of military assistance to the coalition’s efforts to confront Saddam Hussein.

---

502 Ibid.
Yet Luxembourg's specific economic and military capabilities influenced the extent to which Luxembourg chose to contribute to the effort. The model presented here predicts that the presence of policy legitimacy will lead to clear consenting behavior, even though it has the economic capabilities sufficient to resist U.S. requests. In short, policy legitimacy dominates the combination of independent variables. Luxembourg's military weakness and dependence on U.S. security reinforced its decision to consent to U.S. requests, but assistance is expected to take the form of indirect military assistance, consistent with Luxembourg's military weakness.

In fact, this is the result we find. On September 21, 1990, the Luxembourg Council voted to approve military assistance to operations of allies, including Belgium, Portugal, and the Netherlands, and to open Luxembourg airport for logistical support to put pressure on the Iraq government. According to a U.S. report, Luxembourg provided $10.3 million to states that comprised the multinational forces. This total included $2 million to Britain for refueling costs, $8 million to forces of the Western European Union, and $266,000 for refugee assistance and humanitarian relief to Gulf States affected by the crisis—particularly Egypt, Jordan, and Turkey. Of this total, $10 million is coded as indirect military assistance. Luxembourg provided no form of direct military assistance to the intervention.

In terms of the expected rhetorical record of Luxembourg officials, given the presence of policy legitimacy considerations of the public, officials are expected to appeal to three types of legitimacy norms in this case. First, the violation of territorial integrity should

prompt officials to strongly oppose Iraq’s invasion of Iraq and refuse any deal that does not fully reinstate Kuwait’s sovereignty. Defense of the legitimacy norm prohibiting territorial aggrandizement should serve as the central rationale of Luxembourg’s officials. Second, the legitimacy norm of institutional governance should lead to lead policymakers to pursue institutional efforts through the European Community to resolve the crisis, and express strong support for a prominent role of the United Nations and the importance of UN Security Council authorization. Third, the evolving norm of peaceful settlements of disputes should prompt Luxembourg officials to pursue all available avenues to achieve a non-violent solution to the conflict. In order to keep the United States’ and European’s positions close together, it is expected that U.S. officials will similarly take extensive measures to assure the Europeans that all diplomatic paths have been exhausted before resorting to military force.

While it is possible that the existence of this rhetorical record in this case was merely cheap talk, the language evoked provides evidence that the public was sensitive to these claims. More importantly, the language shaped the contours of the diplomatic activity leading up the January 15 deadline. The flurry of diplomatic activity in the final two weeks ultimately did not yield successful results, but the rhetoric of going “the extra mile for peace” entrapped U.S. and European officials into making these additional efforts.

Greece

Portugal and Greece are the only two EC states that scored below the threshold levels of policy legitimacy. Among the 12 EC states, Greece ranked last in all three metrics of policy legitimacy. Public opinion in Greece indicated that just 64 percent of the public
had confidence in the capabilities of the UN in resolving the Gulf Crisis, 11 percent less than the threshold of 75 percent.\textsuperscript{504} The percentage of the public that preferred that foreign policy decisions toward non-EC countries was only 10 percent greater than the percentage that preferred that decisions be determined by the national government (48 percent to 38 percent, respectively).\textsuperscript{505} This percentage difference of just 10 percent was the lowest among EC states and substantially below the threshold of 30 percent necessary for a state to be coded as sensitive to public concerns of policy legitimacy. In other words, the Greek public was the least enthusiastic about the efficacy of institutional governance and the European consolidation project, at least in terms of foreign policymaking. Corresponding to this low public regard for the efficacy of institutions, Greece’s rule-of-law score was the lowest among EC states at 3.40, well below the 3.7 threshold.\textsuperscript{506} In all, policy legitimacy concerns in terms of the utility of a Security Council resolution or the legal norms at stake in the crisis were not expected to be salient among Greece’s public.

In terms of material capabilities, Greece had sufficient resources in both economic and military terms to withstanding U.S. pressure and thus choose an independent policy course if it had sufficient cause to do so. Economically, Greece barely surpassed the threshold of $100 billion. Greece’s gross domestic product was $116 billion, the lowest among economically capable EC states, but sufficient to create policy independence from U.S. requests.\textsuperscript{507}

\textsuperscript{504} "Eurobarometer 34: Public Opinion in the European Union."
\textsuperscript{505} Ibid.
\textsuperscript{506} Kaufmann, Kraay, and Mastruzzi, \textit{Governance Matters VII: Aggregate and Individual Governance Indicators, 1996-2007}.
\textsuperscript{507} The World Bank Group, “World Development Indicators,” 2007,
Greece measured first among all EC states in terms of military capacity, measured in armed forces per capita (µ). This level measured 0.0550, more than 70 percent higher than the next highest country of Belgium.\textsuperscript{508} Using this value for sufficient military capacity is corroborated by Greece’s high level of military spending, totaling 3.28 percent of gross domestic product, which ranks behind only Great Britain (4.06 percent), Turkey (3.76 percent), and France (3.43 percent) among EC states.\textsuperscript{509} Using the metric of security dependence employed in the two other empirical chapters of U.S. military grants per GDP, Greece’s level of dependence on the United States (3.0E-03) was exceeded by only Turkey (3.3E-03). Greece received more than $348 million in direct military grants through the U.S. Department of Defense’s Foreign Military Financing program, second only to Turkey (which received $499 million in grants).\textsuperscript{510} While there was a high degree of military dependence on the United States, Greece had sufficient resources on its own to reject U.S. authority if national interests required it.

Given this combination of independent variables—limited levels of policy legitimacy considerations by the Greek public and sufficient economic and military capacity—the expected outcome of Greece’s contributions is indeterminate, suggesting that strategic considerations will dominate decisions with respect to U.S. requests. A strong response to U.S. requests to support the intervention, however, is not expected, given the material


\textsuperscript{509} The World Bank Group, "World Development Indicators," 2007.

\textsuperscript{510} "Foreign Military Sales, Foreign Military Construction Sales, and Miliatary Assistance Facilities, as of September 30, 1990," 35, 37.
capacity exhibited by Greece. In other words, the legitimacy of the intervention (an affirmative vote authorizing military force by the UN Security Council) and the illegitimacy of Iraq’s invasion and occupation of Kuwait (in violation of sovereignty norms and international legal rules prohibiting cross-border aggression) are not expected to be primary motivations of the Greek public. Furthermore, substantial levels of military and economic capabilities enable Greece’s political leaders to withstand pressures to contribute relative to weaker states that are more dependent on U.S. assistance. Given the minimal level of legitimacy norms active in the population, the rhetoric evoked by Greece’s officials is not expected to access legitimacy norms in justifying Greece’s position vis-à-vis U.S. requests to participate in the intervention. Rather, decisions by the policy-making elites are expected to rely heavily on cognitive legitimacy, with primary considerations being narrowly defined national interests and short-term security concerns.

Early in the conflict, Prime Minister Constantine Mitsotakis expressed support for Western efforts to isolate Iraq and maintain minimal separation between Greece’s policy and the position emerging in the West. Mitsotakis was the first Greek prime minister to visit the White House in 25 years. His embrace of the West after a long history of Greek anti-Americanism, however, extended beyond symbolic gestures. Greece joined the Western coordinated weapons embargo against Iraq, opened Greek airspace to U.S. military aircraft, and authorized the continued use of U.S. military bases in Crete. Greece also reversed an
eight-year policy of refusing to cooperate with Western anti-terrorism agencies. “We’re waiting to be invited to join the multi-national force,” one Greek diplomat announced.511

Yet in announcing that Crete could not be used to stage a military confrontation to reverse Iraqi action in Kuwait, the government’s position balanced this interest in stronger relations with Washington and the West in general with the pressure to disengage, given the minimal public support for involvement in the Gulf Crisis and the residue of anti-American opinion. This behavior is expected given the values of the independent variables. Greece was expected to receive minimal public pressure to respond, yet strategic interest of strengthening Greece’s position within the Western community of states. These countervailing forces should have produced some hesitation among Greek leaders and offers of symbolic gestures of support, but obviated the perceived need to participate vigorously in any intervention.

Mitsotakis came to power in April 1990 from his post as leader of the New Democrats party. He expressed a commitment to forging closer relations with the West, a relationship that he perceived had atrophied under the former Socialist-leaning government led by Prime Minister Andreas Papandreou of the Pasok Party. A principal reason that the Greek leadership was uneasy about a perceived rift with the West—and a factor that encouraged a positive response to U.S. requests in this episode—was the concern that preferential treatment would favor Turkey if Greece was not overly cooperative. As indicated above, Turkey was the top recipient if U.S. military grants among European states,

with Greece a close second. The potential for increased U.S. preference for Turkey was a highly sensitive subject among the Greek population.

Opposition Pasok party leader Papandreou tapped into this anxiety, warning party leaders that the crisis risked “serious negative and dangerous repercussions” for Greece. He leveraged the issue of responding favorably to Western appeals to contribute to the emerging coalition by appealing to public concerns over an emerging Western preference for Turkey's policies. Papandreou complained, “Turkey, which borders with Iraq, has taken on the role of NATO’s policeman and is being upgraded. It is only natural that it will demand things in exchange: dollars, EC membership, a solution to the Cyprus problem on the basis of its own plans and the materialization of its designs in the Aegean.”\(^{512}\) While he placed pressure on the ruling conservative government by warning of estrangement from the West, both Pasok and the Communist party also warned against becoming ensnared in a military conflict with Iraq. Yet in articulating his appeal, Papandreou avoided reference to the normative claims of the suffering Kuwaitis or the violation of international legal norms by Iraq, a claim that frequently was cited as the rationale for engagement throughout most Western governments. The ideological climate in Greece was such that a normative appeal in these terms would have yielded little political return.

Nearly three weeks after the invasion, on August 20, cabinet ministers under Prime Minister Mitsotakis agreed to participate in the multi-national coalition assembling in the Persian Gulf. The nature of the Greek contribution was not specified. By the end of the

\(^{512}\) Ibid.
war, Greece ultimately had made a modest contribution to the U.S.-led coalition. While it was not involved in the immediate war zone, Greece provided two frigates to the naval blockade carrying a total of approximately 350 Greek troops.

This narrative is intended to provide insights into the reasons for Greece’s distinctive response to U.S. authority in the Gulf War episode. Greece’s ultimate contribution was modest and revealed hesitancy among the Greek leadership. In one respect, this outcome is surprising given the high level of government interest in strengthening ties with the United States. Yet in another respect, the outcome is expected, as the model predicts.

The public placed little pressure on the Greek government to respond to requests to contribute significantly to the coalition. The legitimacy norms in circulation that would have generated high levels of public support were not salient among the public, as evidenced by the non-normative character of the rhetoric of the leadership of both the government and the opposition. As a result, the government turned to a strategic rationale for engagement, calculating that symbolic gestures and minimal material contributions were sufficient to serve Greece’s immediate national objectives.

Concluding Remarks

This chapter sought to explain the puzzle of why, despite the initial halting response by European states to the U.S. request for contributions to the Gulf coalition, every state of the European Community ultimately consented to U.S. requests and provided direct or indirect (or both) military assistance to the coalition’s effort. This chapter also sought to
explain why there was a striking unevenness in the level of support offered, even though this level of support across the 12 member states was so consistent.

The results indicate that of the 12 EC states in this study, every state granted the United States authority. The model predicted that ten of these 12 states would respond favorably to U.S. requests and contribute military aid. Two of these states (Portugal and Greece) did not behave as the model predicted, however. Given the lack of policy legitimacy considerations and low level of economic capabilities, their contribution of military aid, even though it was at modest levels, was unexpected.

Three explanations exist for this deviance. First, the lack of consideration of policy legitimacy does not suggest that the public regarded the intervention as *illegitimate*. Rather, the public is expected to be less active, and thus apply less pressure on policy-making elites to follow the U.S. lead. Subsequently, policymakers were unconstrained by the public to chart a policy direction, and may have chosen for reasons related to the national interest that engagement was worthwhile. Second, both states had sufficient military resources, so it is feasible that while they were not as dependent on U.S. aid as other states, they had sufficient levels of resources to allocate to the coalition’s efforts. In short, officials calculated that the benefit of preserving close relations with the United States was worth the minimal cost of contributing military aid. Third, while the two states that acted contrary to the model’s prediction, Portugal and Greece both provided only modest levels of military assistance, which is not a radical departure from the model’s prediction of hedging behavior.

Reaching concrete conclusions in this chapter regarding the relationship between legitimacy norms and U.S. authority is complicated, however, by the methodological
challenge of modest levels of variation in the dependent variable. This chapter makes a meaningful contribution to the study of legitimacy and authority, however, when considering that EC member states universally accepted U.S. requests to provide military assistance at a time of sharp material asymmetry. The pressure on Iraq that the United State and Europe helped organize was so broadly supported for strong normative reasons. The normative legal prohibition against territorial aggrandizement was clear and universally accepted, and thus served as the organizing principal for the coalition that followed the U.S. into the war. This is evidenced by the rhetoric employed both by U.S. and European policymakers. The universality of the public acceptance of this legal rule, of the UN structure, and of the privileging of institutional arrangements that underpin the logic of constitutional governance, coupled with the universal acceptance of U.S. leadership in the Gulf Crisis, supports the central claim of this entire project. The sheer consistency of the normative justification for a firm response, and then the participation in that firm response, is evidence of the way in which normative considerations work their way into foreign policymaking and thus the complexion of international politics.

Furthermore, the chapter sheds further insight into the relationship between legitimacy and authority when it is considered in conjunction with the other empirical chapters in this larger study. The fact that there is substantial variation across the two Iraq chapters, for example, provides an opportunity to examine the reasons this is the case.

The full extent of this variation in responses to U.S. requests is further illuminated in the case of the 1999 war in Kosovo, which was situated between late bipolarity of the 1991 Gulf War and entrenched unipolarity of the 2003 Iraq War.
Chapter 6

THE KOSOVO CRISIS, THE RISE OF EUROPE, AND NATO'S NEW ROLE

The 1990s in Southeast Europe provided a display of the worst aspects of ethnic politics. While responsibility for the violence cannot be singly placed, the Serb leadership—with Slobodan Milošević as president of Yugoslavia—launched and effectively lost wars against Slovenia, Croatia, and the Republic of Bosnia-Herzegovina. Demagogues on all sides engineered ethnic hostilities for political profit.513

A key issue that was not addressed in the Dayton Peace Accords ending the war in Bosnia was the persistent problem of Kosovo. In the semi-autonomous province in Southern Yugoslavia, an Albanian population representing roughly 90 percent of the public by the late 1990s had no effective representation in seats of power. Polemical counterclaims over competing ancestral histories and territorial affiliation were fiercely levied by the Serbian and Albanian populations. Kosovo was contested land, a flash point for largely dormant Serb and Albanian animosities.

In 1989 the Serbian Assembly under the direction of Milošević effectively stripped Kosovo of its autonomous status and initiated the increase in repression and violent reaction. In the summer of 1998, what had originated as vigorous but pacifistic expressions of Albanian discontent began to turn violent. In March 1998 a total of only a few hundred

Albanian Kosovo Liberation Army insurgents had assembled to seek redress for their claims. By July, incited by claims of Serb oppression, the number of KLA soldiers had grown to several thousand.\(^{514}\) Humanitarian conditions continued to worsen, particularly for the Kosovar Albanians.

The diplomatic path from the summer of 1998 to the launch of NATO air strikes in March 1999 was intense, both between NATO members and the Yugoslav government, and within NATO itself. Despite concessions by Milošević in a series of high level diplomatic efforts in the fall and early spring, nearly 80,000 Albanians were forced by Serb forces to flee their homes between the end of December and mid-March 1999.\(^{515}\) Yet NATO states remained divided of how best to respond to the deteriorating conditions on the ground.

On January 15, 1999, in an incident widely perceived to trigger the consolidation of Western resolve, Serbian paramilitary forces attacked the village of Račak, in southern Kosovo, killing 45 civilians in particularly gruesome fashion. A large number of the victims had been shot at point-blank range. Investigating the scene, Ambassador William Walker, the U.S. head of the Kosovo Verification Mission, deplored what he called a massacre, “an unspeakable atrocity” and “a crime very much against humanity.”\(^{516}\)

The freshness of this recent tragedy enabled efforts of Washington to have success in its vigorous negotiations with NATO allies to back diplomacy with the Federal Republic of Yugoslavia (FRY) with the threat of force. On January 30, NATO’s North Atlantic


Council issued a statement declaring that the conflict in Kosovo had become a “threat to international peace and security.” If immediate steps were not taken by the FRY government, “NATO is ready to take whatever measures are necessary… by compelling compliance with the demands of the international community and the achievement of a political settlement. The Council has therefore agreed today that the NATO Secretary General may authorize air strikes against targets on FRY territory.\textsuperscript{517}

Backed by the threat of force, Western leaders called Serbs and Albanians to the town of Rambouillet outside of Paris. Simultaneously, Western officials began constructing a peacekeeping force to implement a ceasefire, the expected fruits of the Rambouillet talks. Russia was invited to play an organizing role in the negotiations as well as any post-agreement force, which allayed Russian concerns for the moment. The talks opened February 6 and ended February 23 with a tentative agreement for the Serbian and Albanian delegations to reconvene March 15 in Paris for a final signing ceremony. The delegations requested the delay by to give time for them to consult their respective constituencies. Yet when talks restarted on March 15, the Serbian delegation refused to sign the agreement. The conveners dismissed the delegations on March 18. It was the final attempt at multilateral negotiations before the launch of air strikes six days later.

On March 24, 1999, NATO launched “Operation Allied Force.” While a combination of interests conspired to encourage Western leaders to respond with military force, the interest in arresting the further decay of humanitarian conditions in Kosovo

focused the minds of policymakers, galvanized public support, and brought western allies into concert over the necessity of responding.

Despite the urgency on the ground, NATO states remained divided over how best to end the violence. United States officials began in March 1998 to advocate for threatening military force to end the humanitarian disaster that was unfolding. Most European states resisted this call for many months, only beginning to converge on a common view in the fall. In this way, the extent of U.S. authority vis-à-vis European states was remarkably uneven, considering the level of U.S. power and the direct security implications, given that the conflict was on European soil. Splits within the alliance continued after the war began. As Charles Kupchan has commented, “Although NATO officials did a good job of maintaining a façade of unity there was behind the scenes a great deal of European criticism of America’s strategy for prosecuting the war.”  

What were the reasons for these divisions in the alliance? United States indecision undoubtedly contributed to the schisms in the alliance. “Despite the façade of unity within NATO, America’s deep ambivalence about the war did not go unnoticed in Europe.” It is undeniable that it took some time for U.S. policy to congeal.

When the interagency process finally settled on a coercive strategy, coupled with active diplomacy, the United States appealed to its NATO allies to agree to authorize the stick that was designed to make the carrot more enticing. In this display of U.S. authority,

519 Ibid.
the United States experienced varying levels of success. It is the purpose of this chapter to explain why.

The Argument

Consistent with the other two empirical chapters of this dissertation, this chapter tests competing claims of the factors that enhanced U.S. authority vis-à-vis its European allies. During the 1998-1999 Kosovo Crisis, U.S. authority will be evaluated in terms of the United States' ability to persuade its allies within Europe to adopt a set of policy prescriptions consistent with U.S. preferences.

The explanation for the high level of authority the United States experienced, which I advance across the three empirical chapters of this project, is that the legitimacy norms associated with liberal internationalism bound the United States to Europe, and that the consistency of the character of U.S. policy in Kosovo with those norms influenced European states to consent to U.S. requests leading up to the war. In short, the European public's and elite policymakers' perception of the legitimacy of the U.S.-led intervention in Kosovo enhanced U.S. authority.

The structural explanation rejects the focus on norms and ideational influences, and suggests that the asymmetrical character of the U.S.-European alliance is the determining factor in U.S. influence levels within NATO. This explanation suggests that the differential in power assets should have generated early acceptance of the U.S.-preferred approach in Kosovo, given the material dependence on the United States for military and other economic aid. Once the decision was made to intervene and operations commenced, the
material imbalance should have generated high levels of free-riding by European states, due to the expectation that the United States would support the mission irrespective of European support. The Clinton Administration had publicly committed itself to a resolution of the humanitarian crisis, which raised the prospects that European states could be assured that the United States would carry through on this commitment irrespective of whether substantive contributions were forthcoming from Europe states.

The case of Kosovo is unique in the sense that the legitimacy norm in question is not directly tied to a legal norm, as it was in the previous two chapters. In the 1991 Gulf War, a UN Security Council Resolution served as a legal justification for war, and was an important element of public opinion and key motivation for EC states determining how to respond. In the 2003 Iraq War, the lack of an authorization vote (and absence of an acute humanitarian crisis) served as the pretext for substantial levels of resistance to U.S. authority. Distinct from these two cases, the Kosovo case provides evidence that legal legitimacy is not required for consent to U.S. authority. In age of human rights and “new wars” of humanitarian intervention, normative legitimacy with respect to the use of force extends beyond the confines of legal doctrine. In this era in which the protection of human rights increasingly is considered to be an international responsibility, I am testing the extent to which the United States’ advocacy of this norm was a determinant of European public support, and European states’ willingness to consent to U.S. preferences.

This decision to focus on norms that extend beyond positive law retains the focus of this dissertation on legitimacy norms. This decision, however, is less ad hoc than it might first

520 Mary Kaldor, New & Old Wars, 2nd ed. (Stanford, Calif.: Stanford University Press, 2007).
appear. The core argument is that legitimacy standards—which include but are not confined to legal rules—serve as a guideline for public approval. Their normative character provides ballast against erratic swings in public opinion. Legitimacy norms are not whatever the public believes at any given moment, but must include this normative character for it to have the effect on policymakers predicted here. In the same vein, legitimacy norms still provide some rigidity in determining the appropriateness of foreign policy behavior, while less rigid rigidity that provided by legal rules. As Richard Falk has written, “The positive role played by legitimacy is to impart a measure of flexibility with respect to the application of legal constraints on the use of international force in two, and only two, sets of circumstances: conditions of humanitarian necessity (Kosovo; Darfur, Sudan) and circumstances of defensive necessity (1967 War in the Middle East; Afghanistan War of 2002).”

In sum, competing norms of legitimacy clashed in the Kosovo war, and ultimately the consideration of eroding humanitarian conditions was more powerful than fidelity to legal text (such as an authorizing vote by the UN Security Council) in determining the legitimacy of the intervention. As a result, this chapter adds a dimension to the argument that legitimacy enhances the prospect of consent by secondary states by stretching the legitimacy concept beyond legal legitimacy to include broader conceptions of normative legitimacy.

If this explanation is correct, as humanitarian conditioned worsened, *ateris paribus*, the U.S. appeal to humanitarian norms should have had increased salience with Europeans as they debated the legitimate form of intervention. American officials should have relied on humanitarian concerns in their appeal for European support for a robust intervention, European elites should have increasingly invoked human rights norms as a justification for intervention, and evidence of a deepening humanitarian crisis should have been a tipping point for the European public and elites, overcoming Europeans’ concerns for the lack of legal authorization by the UN Security Council, and triggering broad European states’ support for the use of force against Serb forces in Kosovo.

In short, the degree with which the European public perceived U.S. policy to be consistent with normative standards of legitimacy defining the permissible use of force and shared between the United States and Europe influenced the extent to which Europe states consented to U.S. authority. In the 1991 Gulf War and the 2003 Iraq War, the ideological climate encouraged the further development of the constitutional order and increased the salience of the norms restricting the erratic or unilateral application of military force. In 1999, it was evident that the emergence of human rights concerns became a key feature on the public’s perception of the elements that contribute to a stable and humane geopolitical order, an ideological development that surpassed the narrower dictates of treaty law.

**Narratives**

At the time NATO was contemplating intervention in Kosovo, the ideological climate played a critical role in shaping the European public’s perception of their continent
as an emerging force in geopolitics, the character of U.S. policy, and the necessity of responding to deteriorating conditions on the ground in Kosovo. Each of these perspectives influenced the public’s willingness to support their respective governments’ responsibilities as a NATO member—and to respond to U.S. leadership within NATO—to contribute substantively to a response to the unfolding crisis. The confluence of four ideological cross-currents generated a dynamic that shaped the nature of the diplomatic experience leading up to the intervention.

**Europe Rising**

By 1998, Europe’s consolidation had made important strides in both form and function from its origins as the 6-member European Coal and Steel Community founded in 1951. In 1993, the European Union came into force, and by 1995 Austria, Finland, and Sweden had joined the 12 members that had constituted the European Community until Maastricht. Driving the integration project was European elected elites’ interest in the pacifying effects of political union. Policymakers were not captive to a set of post-modernist or utopian fantasies, as alleged by some observers—they identified integration and consolidation as a principal means of preserving order.522

By 1998, the European public was broadly supportive of the promise of political union in the form of the European Union. According to the fall 1998 Eurobarometer poll, 54 percent of EU members believed that their country’s membership to the European Union was a good thing, compared to 12 percent who believed it was a bad thing. Public

522 See, for example, Kagan, Of Paradise and Power: America and Europe in the New World Order.
preference for joint EU decision-making on foreign policy issues over national decision-making was a gaping 71 percent to 21 percent.\textsuperscript{523}

This growing acceptance was due in part to the socialization effects that were underway, and accompanying this changing belief structure among the public was the possibility of policy changes at the national level. Ole Waever observes, “By changing notions of ‘self,’ the European project has changed old notions of ‘self-interest’ and, consequently, the behavior of individual states.”\textsuperscript{524}

Although different narratives supporting union functioned across the 15 EU states, they pushed in a common direction favoring integration. This meta-narrative for European states suggested that integration was a means of escaping the past.\textsuperscript{525} Waever writes, “Since the end of World War II, the idea of Europe has to a large extent been cast as a revolt against Europe’s bloody history.”\textsuperscript{526}

As the pace and extent of integration, the consolidation of national capabilities, and the capacity at the core all intensified, Europeans had an expanding sense of what Europe could accomplish on its own. It is a logical outcome if increased capacity that, as Charles Kupchan argues, “As Europe’s wealth, military capacity, and collective character increase, so will its appetite for greater international influence.”\textsuperscript{527} In an emblematic statement of Europe’s new role, French President Jacques Chirac declared in 1999, “The European Union

\textsuperscript{523} Eurobarometer 50: Public Opinion in the European Union,” (The Commission of the European Communities, 1999), 41.
\textsuperscript{525} Ibid., 50. Waever also offers a description of competing narratives within European state, the resolution of which will determine the extent to which the public and each state continues to favor integration in the future.
\textsuperscript{526} Ibid., 56-57.
itself [must] become a major pole of international equilibrium, endowing itself with the instruments of a true power.”

Seeds of Intra-Alliance Tension

Increased notions of a newly capable Europe, generated mainly by a strengthening of the institutions of the European Union, are not necessarily compatible with sustained viability of U.S.-European relations. In fact, in the predictable consequence of the increased capacity of Europe, the same forces that contributed to a rising Europe through the 1990s undermined the strength of transatlantic ties, revealed as fissures within NATO. On the Americans’ side, for example, there was an abiding concern that European cohesion within NATO—such as the requirement of European consensus on NATO operations—would compromise the functional efficiency of the alliance. As one U.S. official decried, “There can be no question of an ‘EU Caucus’ inside NATO.”

The conventional structural account of fraying U.S.-Europe relations in the 1990s is familiar: an erosion of external threat and the transition from a bi-polar to multi-polar system generates instability, mistrust, and insecurity under anarchy. This dynamic potentially creates cleavages between U.S. and European states’ national interests and undermines intra-alliance cohesion.

528 Cited in Ibid.: 211.
While structural forces were affecting U.S.-Europe ties, domestic political factors also contributed to the skepticism over the long-term health of ally relations. Generational changes served to challenge the notion of an essential tie between the United States and Europe. As Kupchan argues, "The younger generations who lived through neither the war nor Europe's rebuilding have no past from which they seek escape." Furthermore, a new wave of European thinking at both the elite and popular levels was expected to assert that Europe needed to radically adjust its traditional levels of defense spending in order to increase European capacity and reduce the level of security dependence on the United States.

In addition, as Europe grew more capable, the European public understandably sought liberation from the shadow of U.S. influence. In 1991, polls suggest that Europeans relied more heavily on the United States in security measures than later in the decade. In assessing the capabilities of various institutions to address the Gulf Crisis, 74 percent of EC members believed that the United States was capable of resolving the crisis, compared to 69 percent who believed the European Community could succeed. By 1998, 75 percent of Europeans supported a common defense and security policy forged through EU institutions, up from 70 percent of EC members at the onset of the Gulf War. The trend revealed a

modest but significant increase in interest for some separation from the United States in conjunction with the growth in European capacity.\textsuperscript{534}

Yet while the structural and domestic political conditions were in place in 1998 for mutual skepticism about the others’ intentions, U.S.-Europe tensions in fact had not risen to acute levels. A principal cause is that shared ideational bonds that reinforced U.S.-Europe ties were slow to come undone. On the European side, and central to the argument above, ideas in the form of legitimacy standards at the popular level served to reinforce U.S. authority as long as the United States operated in accordance with shared norms.

In 1991, the normative legitimacy standards that served as the justification for the Gulf War were broadly shared and pushing in the same direction—the prohibition of territorial aggrandizement and the requirement that the UN Security Council authorize the use of force. In 2003, the legitimacy standards between Europe and the United States diverged as Europeans broadly distrusted U.S. motives in the Iraq War, as well as the procedures it exercised in attempting to build support—bypassing the Security Council and traditional alliance structures in favor of an ad hoc “coalition of the willing”.

In 1998, however, contributing to the muted level of transatlantic tensions despite forces generating discord, U.S. aberrance from long-standing norms was rare, and U.S. investment in institutional arrangements remained strong. While European anxieties of U.S. domination of Europe may have been growing, fear of U.S. abandonment was stronger.

For this reason, while the seeds of discord were sown within the alliance by structural and domestic political factors, Europeans' perceptions of U.S. foreign policy as excessively unilateral and dismissive of traditional normative standards and institutions were not yet borne out. Working against the structural factors described above, continued colinearity of perceptions of legitimacy standards between the American and Europeans contributed to the sustained nature of U.S. authority on the eve of the last chapter of the wars of Yugoslavia.\(^{535}\)

*Europe's Near History in Southeast Europe*

The early experiences of the European Union in defense matters were sobering for proponents of Europe’s rise, reflecting a disturbing gap between anticipated and actual European capabilities. Given the broad Europe-wide anticipation of a newly constituted Europe exerting itself in world affairs, Europe’s failed efforts to resolve the earlier wars in Croatia and Bosnia relates directly to the ideological climate that existed during the lead up to war against Serb forces in Kosovo.

The war in Yugoslavia first broke out in Slovenia on June 27, 1991, two days after a near-unanimous vote in parliament declared Slovenia’s independence from Yugoslavia. The Yugoslav National Army (which was eventually purged of nearly all non-Serb officers), under the direction of President Slobodan Milošević, made a show of force in Slovenia, but withdrew forces after three weeks of hostilities. Violence ended when Presidents Milošević and Milan Kucan of Slovenia agreed to a peaceful secession of Slovenia from Yugoslavia.

As violence first erupted in Slovenia, the *troika* of past, current, and future presidents of the European Union was sent to mediate. Jacques Poos, Luxembourg’s foreign minister and EU president, led the delegation. In a display of self-confidence that corresponded with the rise of Europe, Poos said, “If one problem can be solved by the Europeans, it is the Yugoslav problem. This is a European country, and it is not up to the Americans. It is not up to anybody else.”

Yet in the course of the next four years, despite Europe’s Herculean efforts to negotiate an end to the war, European diplomacy failed to stop the bloodshed. A host of European diplomats streamed into the region—Carl Bildt, Lord David Owen, Thorvald Stoltenberg, Robert Badinter, and Lord Peter Carrington were among the prominent Europeans who had a hand in crafting a peace plan, each of which would eventually collapse. Journalists began to call negations that began in September 1992 a “peace marathon”—talks that lasted into 1995.

At the United Nations, while outgoing Secretary General Secretary Javier Perez de Cuellar dispatched former U.S. Secretary of State Cyrus Vance to the region in late 1991 to broker an agreement to remove Serb forces from Croatia, incoming Secretary General Boutros Boutros-Ghali, reportedly intent on focusing the United Nations’ peacekeeping efforts on Africa, was less committed to solving the Balkans problem. “Yugoslavia is a European problem,” he said. “Let the Europeans deal with it.”

---

Meanwhile, U.S. policy was distracted and detached. Early in the trajectory of the Bosnian war, Defense Secretary Dick Cheney declared on CNN, "It’s tragic, but the Balkans have been a hotbed of conflict… for centuries." President Bush cast the war as the result of “age-old animosities… century-old feuds.” Undersecretary of State Larry Eagleburger, a former ambassador of Yugoslavia, expressed both exasperation and evasion. “The tragedy is not something that can be settled from outside and it’s about damn well time that everybody understood that... there is nothing the outside world can do about it.”

In May 1993, after the change in U.S. administrations, U.S. policy began to shift. President Clinton sent Secretary of State Warren Christopher to Europe to pitch a new policy coined “lift and strike”, which combined dismantling the arms embargo with conducting air strikes against Serb assets. Europeans were resistant to the policy and lift and strike was abandoned. By the time the United States became directly involved in 1994, the term “ethnic cleansing” describing events on the ground in Bosnia had already entered the public lexicon.

On August 28, a Bosnian Serb shell was dropped on a Sarajevo marketplace, killing several dozen people. It was not the most egregious of criminal events, but it came at a time that international attention and Western resolve had begun to converge. All the forces of intervention were pushing in the same direction—increased public attention, congressional pressure, ally support, as well as a successful Croatian offensive against Serb forces in eastern Croatia. The Clinton Administration took advantage of this window of opportunity and

---


took the initiative to finally end the violence in Bosnia. NATO air strikes commenced on
August 30, targeting Bosnian Serb targets near Sarajevo. Combining the air strikes with
invigorated diplomatic efforts proved to be the right combination to end the war.

On November 21, 1995, after 20 days of negotiations at the Wright-Patterson Air
Force Base in Dayton, Ohio, the presidents of Croatia, Yugoslavia, and Bosnia signed the
peace accord ending the war in Bosnia. Yet of all the delicate issues resolved in the peace
talks, the issue of the status of Kosovo remained unsettled. It would be an issue that would
find the full expression of President Clinton's maturing resolve to use military force to save
foreign lives.

The point of this brief history of the wars in Yugoslavia that preceded Kosovo is
that European impotence in negotiating an end to the war and the efficacy of U.S.-backed
use of force was revealed. As Europe increased capacity through the project of integration
and its resultant institutions, its ambitions outpaced its capabilities in solving intractable wars
such as that in Croatia and Bosnia between 1991 and 1995. This display of impotence
assuredly was on the minds of policymaker as well as the public, as solutions were sought to
increasing violence that erupted in Kosovo in 1998. Expressions like those of Poos were
less on display in 1998, and less effort was made to differentiate European from American
policies.

Europeans were not interested in 1998 in a prolonged series of failed negotiations
that deepened the humanitarian tragedy in Kosovo and further revealed Europe's inability to
solve critical security challenges—especially those in their own backyard. Americans

383
weren't interested in wasted time and effort, either. Ambassador Richard Holbrooke distinguished between the diplomatic experiences of 1991-95 and 1998-99, saying, "It took us four years to put together anything effective in Bosnia and four months in Kosovo. That is progress." \(^541\)

**Evolution of Humanitarian Intervention**

In conjunction with the European public’s sensitivity to European institutional impotence in ending the wars in Bosnia and Croatia, historical progress in international human rights concerns also infiltrated the public mind, which affected the degree to which they welcomed U.S. leadership in arresting the deterioration of conditions in Kosovo. By 1998, 79 percent of the EU public believed that guaranteeing human rights and democratic principles should be a priority for EU actions. Furthermore, 94 percent believed that a country’s respect for human rights and democratic principles was an important criterion for admitting new members to the European Union.\(^542\)

Having expanded dramatically over the past 60 years, the human rights concept inserted itself in new ways into national policymaking and revealed itself in the explosion in the number of key international fora concentrating on human rights concerns.\(^543\) At its core, however, the force behind this development in human rights concerns was a citizens’ movement. Amnesty International first convened in 1961 and quickly became a powerful

---


advocate for human rights protections of vulnerable populations. Human Rights Watch was launched in 1978, aimed at monitoring the compliance of Eastern European countries with the provisions of the Helsinki Accords. Non-governmental organizations and other citizens' groups increasingly exerted their role in ensuring that international organizations and member states took seriously the responsibility to safeguard human rights.

On the international scene, tragic events of occupation and oppression helped provoke the public consciousness on human welfare. After the Khmer Rouge seized power in Cambodia in 1975, between two and three million people were killed. During his dictatorial rule of Uganda from 1971 to 1979, Idi Amin saw as many as half a million of his countrymen murdered. Vietnamese refugees fleeing the country by boat, abuses by dictators in the United States' own hemisphere, throughout Central and South America, and images of segregated South Africa all generated international attention.

These developments were not restricted to Europe. The U.S. Congress, reflecting constituent sentiment, began to seriously tackle the question of human rights in the 1970s. Congress first established a human rights bureau in the State Department designed to report on human rights abuses abroad. President Carter embraced the function of human rights reporting within his administration. The Reagan Administration, publicly skeptical of the Carter's supposed preoccupation with human rights, quietly adopted rights language in supporting democratic freedoms in such places as Central America, Haiti, the Philippines, and South Africa. Slowly, as a growing consciousness of rights and freedoms took root, the cost incurred by governments of ignoring violations of human rights escalated.
Yet what Stanley Hoffmann calls a "triple evolution of the idea of human rights"—elementary civil and political freedoms, minority rights, and access to democratic governance—presses intensely against the norm of non-intervention. National sovereignty and prohibition of aggressive war were the core principles that the Founders of the nascent UN system advanced to reinforce the emerging order. As the global consciousness on human rights concerns matured, however, the public pressure on governments to respond posed a challenge to the legal norm of the inviolability of national borders. As Richard Falk writes, "The espousal of international human rights and democracy as major global agenda items meant that the idea of territorial sovereignty, so central to Westphalian notions of statecraft and written into the UN Charter, (was) being significantly eroded." In the 1990s, this tension between the non-intervention norm and liberal norms of democracy and human rights began to come into focus, a tension that Falk has identified as "the essential normative challenge for the future: genocidal behavior cannot be shielded by claims of sovereignty, but neither can these claims be overridden by unauthorized uses of force delivered in an excessive and inappropriate manner."

It is in this context of a maturation of the human rights consciousness in Europe that the Balkans tragedy of the 1990s moved from Bosnia to Kosovo. The rule of law—which included the impermeability of national boundaries and the primacy of the UN Security Council in authorizing the use of force—continued to feature prominently in

---

545 Falk, "'Humanitarian Wars', Realist Geopolitics and Genocidal Practices: 'Saving the Kosovars'," 327.
Europe’s pantheon of contributors to international peace and stability. Yet the success of norm entrepreneurs in advancing human rights concerns led to substantial progress in the emerging consensus that military intervention to save lives was legitimate.\(^{547}\) As Tony Judt observed, “What Milošević quite failed to grasp was the transformative impact of the Bosnian catastrophe upon international opinion. Human rights—ethnic cleansing in particular—were now high on everyone’s agenda, if only out of a gnawing collective guilt at the world’s previous failure to act in time.”\(^{548}\) The Srebrenica tragedy of July 1995 was particularly haunting, where more than 8,000 Bosnian Muslims were executed by Serb militia after the so-called UN “safe haven” controlled by Dutch blue helmets effectively collapsed. In short, in determining the legitimacy of the NATO operation in Kosovo, the legal norm requiring UN authorization gave way to the moral norm favoring the protection of human lives.

Uncorked nationalism that spawned a wave of humanitarian disasters in the 1990s intensified the human rights concerns in Europe. Coupled with an embarrassing record of ending violence in Bosnia previously in the decade and a deep interest in projecting European competency, these factors helped facilitate European acceptance that a U.S.-led NATO humanitarian intervention was not only permissible, but desperately needed.

This ideological climate in which a constellation of legitimacy standards were operating had a deep impact on the negotiation phase leading up to Kosovo between NATO

---


members. A disconnect between the aspirations of a capable Europe and its record in the Bosnian context generated a paradox for Europeans. The public aspired to a greater role for a unified and assertive Europe in world politics, but was fearful of limited results. An increasingly capable Europe also sowed the seeds of transatlantic tensions that revealed themselves in negotiations over strategy and tactics throughout the Kosovo war. Lastly, a deepening of human rights concerns and the embrace of global governance mechanisms led to European preferences for a robust response through a multilateral forum.

American Preference

To assess the strength of U.S. authority in the Kosovo case, and the United States’ ability to affect NATO members’ response, a clear understanding of U.S. preferences must first be determined. As discussed at length in chapter three, authority is the ability to non-coercively generate consent from other states. Thus U.S. authority is measured by the ability to encourage states to voluntarily adopt policies consistent with U.S. preferences. This section focuses on the specific nature of those preferences that the United States wanted its European allies to adopt.

In fact, the changing state of U.S. preferences leading up to the war contributed to the slow materialization of decisive U.S. leadership over Kosovo. At the outset, both U.S. and European officials hoped to avoid the application of military force in the conflict. For Clinton Administration officials, a number of factors contributed to the reluctance to consider a military response. These included a reluctant Congress, the uneven record of responses to humanitarian crises early in the Clinton Administration, the precarious
relationship between President Clinton and the military, and the general belief that coercive diplomacy would be sufficient to compel the Serbian government to grant Kosovo more extensive autonomy rights. Yet absent substantial public support that would accompany clear evidence of acute human suffering, Clinton Administration officials were reluctant to take the lead in crafting a military response.

For most Europeans, military options were a last resort once diplomatic options had been exhausted, and Milošević’s diplomatic strategy was effective in encouraging expectations that a political solution could be reached in the near term. In all, the West’s response to low levels of violence in Kosovo was marked by hesitancy and indecision.

By early 1998, however, the Kosovo Liberation Army (KLA) started having a pronounced effect on the military dynamic in Kosovo as the insurrection mounted, evidenced by the increasingly aggressive response by the Yugoslav National Army (JNA). Justifying their tactics as the elements of a counterinsurgency strategy, Serb forces razed villages, carried out summary executions, and conducted an increasingly brutal campaign. In March, provoked by attacks by the KLA, Serb forces killed 60 Kosovar civilians in Donji Prekaz. The attack marked a threshold in Western thought about the urgency of responding to the eroding humanitarian conditions on the ground, and the rationale that would justify a response.

After Donji Prekaz, considerations focused more heavily on human rights concerns as the crisis grew, which marked a decisive shift in emphasis from the West’s earlier focus on

---

self-determination, which had left the Kosovo Albanians vulnerable to Serb aggression.\textsuperscript{550}

Yet despite the heightened concern regarding conditions on the ground as well as the shift in rationale for engaging Milošević, the West continued to depend upon the threat of economic sanctions through the early months of 1998. Yet judging from the nominal changes in the JNA’s activities in Kosovo, economic sanctions were having only modest effects on the FRY leadership in Belgrade.

As the displacement of Kosovar Albanian civilians intensified and the accounts of abuse escalated, U.S. policy began to shift in favor of military measures. Secretary of State Madeleine Albright took an especially assertive role among U.S. officials in advocating for military pressure. This diplomatic process between the United States and its European allies will be described in detail below, but the key point here is that a divergence existed within NATO states, specifically between the United States and most European states, as to the preferred set of policies required to resolve the mounting crisis. As the thrust of U.S. policy began to shift to incorporate the threat of punitive measures, most European states continued to resist military strikes without an explicit UN authorization. An exertion of U.S. authority would be required to close the gap between U.S. and European preferences.

Richard Holbrooke was sent by the Clinton Administration in early May 1998 to meet with Milošević over Kosovo, in part because Milošević was refusing to meet with Felipe Gonzalez, envoy for the Organization for Security and Cooperation in Europe.\textsuperscript{551}

\textsuperscript{550} Alex J. Bellamy, \textit{Kosovo and International Society} (Houndmills ; New York: Palgrave, 2002), 68.
\textsuperscript{551} Ibid., 75.
Milošević began to marginalize European diplomats at this stage in the negotiations, which required an even more intense leadership role by the United States.

Concurrent with Holbrooke’s trip, President Clinton began to adopt Albright’s position on the importance of military pressure. “No option should be ruled out,” he said at a press conference on May 6.552 Once the United States invested in serious engagement with Milošević and the Kosovo crisis, the U.S. reputation was on the line. And once the Administration concluded that the threat of military action was required to end the humanitarian crisis in Kosovo, the White House wanted as much backing as it could get from its European allies.

The Clinton Administration was highly reluctant to be perceived as carrying the burden of rescuing Europe on its back alone. In addition to an interest in sharing the material burden of an intervention, U.S. policymakers were sensitive to the domestic public that was wary of military operations that had transpired across the 1990s but were perceived as peripheral to U.S. interests and the public’s concerns—interventions such as those in Somalia, Haiti, and Bosnia. Furthermore, President Clinton’s domestic challenges increased his vulnerability to shouldering an excessive portion of any mission abroad that did not endanger obvious and immediate U.S. interests. In short, the United States was looking to share the burden of a pending intervention in Kosovo and sought its NATO partners to contribute substantively to the effort. As a result, the willingness of NATO member states to contribute to this operation is a fair test of U.S. authority.

By mid June, a consensus fully emerged among U.S. policymakers that the threat of military force was necessary to end the violence in Kosovo. Officials from the United States and Britain took the lead in pressing for NATO military strikes on Serbian assets. While U.S. officials broadly supported diplomacy backed by coercive measures and punitive strikes in the event that diplomacy failed, Europeans—with the clear exception of Britain—continued to resist a policy change to incorporate the use-of-force option.

During the summer months, humanitarian conditions deteriorated for the Kosovo Albanians. By the end of June, 350 people had been killed and more than 70,000 Kosovars were driven from their homes, and by October, Serb forces displaced as many as 250,000 Albanians and caused 750 fatalities.553

By the fall, in conjunction with events on the ground, consensus had been reached by NATO members that the moral and political conditions favored intervention. Yet members within the Alliance could not agree on the legal justification for military action. At least six countries—Belgium, France, Germany, Greece, Italy, and Spain—continued to be skeptical of the international legal justification authorizing humanitarian intervention.554 Substantial U.S. authority, coupled with the urgency of humanitarian conditions in Kosovo, would be required to gain the universal consent for air strikes within NATO.

Washington advanced the position with NATO allies that Serb forces were in violation of UNSCR 1199, passed in September 1998, which authorized NATO to respond under Chapter VII of the UN Charter. While interpretations of the Resolution varied,

Secretary of State Albright was unequivocal: “The international community says with one voice, that, if Belgrade does not now choose to end offensive operations in Kosovo, it must be compelled to do so.”\textsuperscript{555} Consistent with this interpretation, U.S. Secretary of Defense William Cohen declared the following week, “the purpose of having a credible military threat is to indicate that in the absence of meeting those demands (Milošević) faces such a threat.”\textsuperscript{556}

The U.S. preference was clear: authorization of military strikes by the North Atlantic Council, the decision-making body of NATO.

In sum, the United States exhibited two concrete preferences vis-à-vis its European allies and the Kosovo crisis that will be used to assess the strength of U.S. authority. First, in the negotiations between NATO members between March 1998 and the agreement of the North American Council to authorize military strikes on January 30, 1999, the United States took a leadership role in strongly advocating for consideration of a military option with other NATO member states. The United States strongly preferred that its NATO allies agree to incorporate the threat of military strikes into its negotiating strategy.

Second, as the decision to initiate air strikes neared, the United States wanted direct military participation from each of the NATO members, largely for the political cover that a unified NATO would generate. This cover was particularly valuable for U.S. officials who were deeply concerned that a skeptical public could not be sold on the war if the U.S.

\textsuperscript{555} Statement by Secretary of State Madeleine Albright, September 23, 1998.
\textsuperscript{556} Secretary of Defense William Cohen, Joint Press Conference with Secretary Albright, Washington, DC, October 1, 1998.
military could be portrayed as overextended in a region of the war with limited discernable U.S. interests.

Authority Metrics

As discussed below, the states selected for examination are restricted to NATO member states. Given the U.S. preference for including punitive measures in the list of options after March 1998 and the preference for sharing the political and military burden with its European allies, and given the limited capacity of European states outside the members of the NATO alliance, NATO member states were the most logical recipients of U.S. requests leading up to the intervention. In fact, the United States imposed few requirements or expectations on non-NATO members, as the material or political contributions of non-NATO states would have been modest and not particularly useful to the alliance’s efforts. In light of the substantial material resources at NATO states’ disposal, there were few material contributions that non members could have provided that would have enhanced NATO’s capabilities in a meaningful way. Furthermore, the alliance’s proposed action was that of a concert, and in defense of humanitarian principles. As a result, if official authorization by the North Atlantic Council could be obtained, additional sanction outside NATO was not regarded as critical. Therefore, given the limited requests outside NATO, the metric of U.S. authority is restricted to the response of NATO members.

The decision to isolate the universe of cases to NATO members raises a number of issues in this study related to the reliability of observing contributions of NATO members to
Operation Allied Force as a metric of U.S. authority. The level of a state’s participation in NATO’s intervention in Kosovo is a less reliable measure of U.S. authority than European participation in the 1991 Gulf War or the 2003 Iraq War, principally because in the other two interventions, ad hoc coalitions were assembled. Institutional constraints in the form of pressure to abide by one’s responsibilities as an alliance member in those cases were not operating to compel participation. Given the lack of formal institutional structure conducting the military action, U.S. authority was essential to generate consent from secondary states. In the 1999 war against Kosovo, NATO was the organizing coalition, due to the location of the conflict in Southeast Europe and the deep interest in developing a justification of continued investment in the alliance in the post Cold War era. Kosovo helped provide that justification. As a result, in addition to the human rights concerns that were energizing the European public, given the interest in NATO viability as well as the requirement of participation in NATO action, European states participated for a host of reasons. Isolating a state’s motivation as pure deference to U.S. authority is more difficult to determine.

While all member states theoretically have equal standing within the alliance, the United States historically has played a special role within NATO. In short, American leadership of the NATO alliance has always been a requirement for NATO effectiveness, due in part to the material preponderance that the United States exhibits relative to the other member states. This material asymmetry does not necessarily enhance U.S. authority,

---

557 In fact, NATO celebrated its 50th anniversary in the midst of the air campaign with its summit in Washington in late April, 1999.
however. While U.S. dominance enhances its coercive power, it also contributes to the propensity of states to free ride on U.S. capabilities. The current situation of low levels of European contributions to NATO’s efforts in Afghanistan exemplifies this point. Thus states’ willingness to contribute in substantive ways under conditions of power asymmetry suggests that other factors are overcoming the temptation to ride free. The argument advanced here is that the decision to engage in joint military action to arrest humanitarian decay in Southeast Europe carried a political return with states’ domestic public that enhanced the benefits of full participation in Operation Allied Force.

Given the U.S. preferences of NATO member agreement to authorize military strikes, even in absence of a UN Security Council Resolution, the first metric of U.S. authority is NATO member-states agreement to punitive measures in October 1998. With the exception of Great Britain, European states initially resisted the U.S. appeal to agree to military action. Thus the ability of U.S. officials to persuade European states to adopt a pro-intervention policy of NATO is a fair test of U.S. authority.

Given the U.S. preference for political cover as well as burden-sharing of the material costs of the intervention, the United States requested that NATO member states contribute in substantive ways to the operation. The response of European states, measured by the level at which NATO members actually contributed to the intervention, is a second test of U.S. authority in the Kosovo crisis.

Although European participation in the intervention is an imprecise measure of U.S. authority, it still demonstrates two important points related to this study. First, despite the
legal “equality” between states in NATO, the alliance is not an egalitarian institution. The United States long had a privileged role in NATO, both in its capabilities, its contributions, and its influence in the decision-making structure. While there is a growing literature examining the ramifications of this asymmetry, it is beyond the scope of this project to explore here. Yet it is important to note that U.S. requests carried special importance within NATO. Even if states do not outright reject U.S. requests to contribute substantially to the mission, hedging behavior and foot-dragging is still notable behavior, evidence that U.S. authority is diminished vis-à-vis its alliance partners. This behavior was on display during the negotiation phase between March and October, 1998, when the United States was actively persuading its allies to agree to threaten military action against Yugoslavia.

The second point that U.S. authority within NATO demonstrates is the extent to which European public opinion, motivated by human rights concerns, influenced elites to intervene in part to protect the Kosovo Albanian population. Confirmation of this public–elite link would be additional evidence of a relationship between normative legitimacy and support for a pro-intervention policy. Even though precision of the dependent variable is compromised in this case, one should not be dettracted from the meta-theme that this project demonstrates—the way in which public evaluations of normative legitimacy shape decisions of national governments to support intervention policies. In the case of Kosovo, even if there is less confidence in the authority metric than in the other empirical chapters, this essential theme of the influence of normative legitimacy on political behavior still yields

558 See, for example, Lake, “The New Sovereignty in International Relations.”
important insights that should not be discarded simply because NATO member states' behavior vis-à-vis U.S. preferences is not a perfect test of U.S. authority.

**Independent Variables**

*European Public Opinion*

The simple explanation that posits a direct relationship between public opinion and policy outcomes suggests that high approval of military intervention should lead to high acceptance levels of U.S. requests to contribute substantively to the U.S.-led intervention. Conversely, states that have publics that are decisively against military intervention should be less likely to contribute in substantive ways to the war. Simply put, however, the evidence does not support this explanation.

First, despite the uneven level of public support tabulated in Table 1, NATO members universally voted to authorize punitive strikes against Serbia in October 1998. Following intense negotiations within NATO, Secretary General Javier Solana announced on October 10 that all NATO members agreed that a “sufficient legal basis” existed for the legitimate application of military force.\(^5^5^9\) NATO ambassadors voted by consensus on the Activation Order (ACTORD) on October 13, 1998, which allowed NATO to begin preparations for military action against Serbia if certain conditions were not met. Significant divisions still existed within NATO, and European states that remained skeptical about military action insisted that a delay of 96 hours be inserted into the agreement before military

\(^{559}\) Ryan Hendrickson, "Nato’s Secretary General Javiar Solana and the Kosovo Crisis," *Journal of International Relations and Development* 5, no. 3 (2002): 240.
strikes could commence. Yet strong U.S. pressure, increasing frustration with events on
the ground, and impatience with the perceived intransigence of Slobodan Milošević, were
sufficient to bring all NATO member states into agreement on the necessity of threatening
military force. Consensus on the decision to threaten military force is not consistent,
however, with a straight reading of public opinion polls. If public opinion alone were
sufficient to shape state outcomes, there should have been more dissent on the October 13
vote.

Second, this direct public opinion-elite response relationship does not explain the
uniform level of material support by NATO members once the intervention commenced,
despite the uneven level of public opinion were exhibited across European states deep into
the crisis. Opinion polls suggest that the favorability of air strikes at the time that Operation
Allied Force was launched was particularly pronounced in Turkey, the Netherlands,
Denmark, and Great Britain—levels exceeded 68 percent in each of these four states and
were as high as 92 percent in Turkey. This was due to the cultural and religious affinity that
the Turkish population felt with Kosovar Albanian Muslims who were suffering grievously
in the war. Public disapproval of the military intervention was particularly elevated in
Greece, Belgium, Spain, and the Czech Republic with less than 40 percent of the public
approving air strikes. Greece was the mirror case of Turkey. Due largely to linguistic,
cultural, and religious ties between the Greek and Serbian populations, just 2 percent of the
population of Greece supported air strikes at the outset of the NATO campaign.

561 See also Philip Everts, "War without Bloodshed? Public Opinion and the Conflict over Kosovo," in Public
Opinion and the International Use of Force, ed. Philip P. Everts and Pierangelo Isernia (London ; New York:
Third, in a number of individual cases, opinion levels and contributions are out of proportion. Of the five states with the highest level of support for intervention in March, only Great Britain and the Netherlands provided substantial numbers of aircraft to participate in the air campaign. Turkey, Denmark, and Norway each provided modest levels of support (12, 6, and 7 aircraft, respectively). Military capacity undoubtedly affected the level that states chose to contribute, yet this explanation for the uneven response between states is incomplete. Belgium, for example, which had the second lowest level of public support of air strikes, contributed 20 aircraft to the campaign, even though its 1999 defense budget ($2.5 billion) was less than that of Denmark ($2.6 billion), which contributed just 6 aircraft.\textsuperscript{562}

Italy is another case that contradicts the straight public opinion explanation. According to one poll, the country was evenly split in terms of support for or opposition to the air campaign. Yet Italy based 53 aircraft in Albania, Bosnia, and Macedonia, as well in Italy. More significantly, Italy was host to nearly 500 aircraft from other NATO members, and hosted thousands of troops at the land bases of Aviano, Brindisi, Cervia, and Sigonella. In short, the public’s skepticism about the war was not sufficient to overcome the benefit of granting NATO states access to its highly valued strategic location and military facilities.


Table 1

<table>
<thead>
<tr>
<th>Country</th>
<th>Public opinion for air strikes (March 1999)</th>
<th>Public opinion vs. air strikes (March 1999)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turkey</td>
<td>92</td>
<td>8</td>
</tr>
<tr>
<td>Netherlands</td>
<td>78</td>
<td>10</td>
</tr>
<tr>
<td>Denmark</td>
<td>74</td>
<td>19</td>
</tr>
<tr>
<td>Great Britain</td>
<td>68</td>
<td>23</td>
</tr>
<tr>
<td>Norway</td>
<td>64</td>
<td>23</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>61</td>
<td>30</td>
</tr>
<tr>
<td>Germany</td>
<td>57</td>
<td>36</td>
</tr>
<tr>
<td>France</td>
<td>54</td>
<td>32</td>
</tr>
<tr>
<td>Poland</td>
<td>54</td>
<td>31</td>
</tr>
<tr>
<td>Hungary</td>
<td>48</td>
<td>41</td>
</tr>
<tr>
<td>Italy</td>
<td>47</td>
<td>47</td>
</tr>
<tr>
<td>Portugal</td>
<td>41</td>
<td>51</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>36</td>
<td>48</td>
</tr>
<tr>
<td>Spain</td>
<td>34</td>
<td>48</td>
</tr>
<tr>
<td>Belgium</td>
<td>30</td>
<td>46</td>
</tr>
<tr>
<td>Greece</td>
<td>2</td>
<td>97</td>
</tr>
<tr>
<td>Iceland</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

* No reliable data available

Sources:

"How the people of NATO see the attacks," *Daily Record*, March 27, 1999, p. 6 (Belgium)

Peter Green, "Czech Split on Air Strike Saps Ally's Commitment," *International Herald Tribune*, Mar 27, 1999, p. 4 (Czech Republic)

Angus Reid group/*The Economist*, at [http://www.gips.unisi.it/circap/doc-opinione-pubblica](http://www.gips.unisi.it/circap/doc-opinione-pubblica)

(Denmark, France, Germany, Great Britain, Hungary, Italy, Norway, and Poland)

ICM/*The Guardian*/European Barometer (Greece, Spain)

NIPO (Netherlands)

IPSOS/Liberation (Portugal)

The Guardian (Turkey)

In sum, public opinion alone is not a sufficient determinant of U.S. authority levels.

Universal agreement to a key Clinton Administration objective of authorizing NATO air strikes in October 1998, as well as the consistent albeit uneven level of material support for NATO operations once the war began, both contradict the predictions that a straight public opinion explanation provide.
Lastly, European public opinion declined sharply as the air campaign began to falter in mid-April, yet NATO members remained undeterred, pursuing NATO objectives until the FRY leadership relented. If straight public opinion regarding a set of policies—which measures the favorability of those policies in its most basic form—dominated elite decision-making, a different response from NATO leaders may have resulted. It is understandably a tenuous prospect to rely on public approval levels, which can be highly volatile, in the midst of a military campaign. This project focuses on a specific type of public opinion—domestic policy legitimacy—which is not dependent on outcomes or effectiveness, but rather is a measure of the receptivity to the normative content of a given policy. Domestic policy legitimacy provides a different explanation for the response of European states to U.S. authority.

Domestic Policy Legitimacy

Throughout this study, the variable of “domestic policy legitimacy” is designed to capture the dimension of public opinion that reflects a policy’s consistency with broadly accepted national legitimacy standards. The conception of policy legitimacy is consistent with Alexander George’s conception of “normative policy legitimacy”, which is an indicator of the desirability of a policy in terms of its consistency with national values. As argued at length in chapter 2, policy legitimacy is more stable than straight public opinion, in part because policy legitimacy reflects normative values that resistant to erratic change. Public

---

563 George, *On Foreign Policy: Unfinished Business*, 17-19. This chapter was published in an earlier version as “Domestic Constraints on Regime Change in U.S. Foreign Policy: The need for policy legitimacy,” in George, Holsti, and Siverson, *Change in the International System*. 

402
opinion polls measure the favorability of a given set of policies, but do not separate normative content from the other factors that also influence opinion, such as a policy’s effectiveness or prospects for success. Due to its inherent stability, policy elites respond to considerations of policy legitimacy, thus enabling policy legitimacy to affect political outcomes.

In the 1991 Gulf War and the 2003 Iraq War, the standard assessed was the fidelity to international rules defining permissible uses of military force, a foundational norm of constitutional governance. In these cases, there was a notable absence of countervailing norms. In 1991, the norms opposing territorial aggrandizement, opposing human rights violations of the Kuwaits, and favoring authorization from the UN Security Council (which was achieved) were all pushing in the same direction as rationale for the U.S.-constructed response, enhancing the prospects of U.S. authority in constructing the alliance. In 2003, given the limit of perceived acute human rights abuses, implausibility of imminent threat, and absence of UN authorization, the norms were pushing in the same direction, but in opposition to the perceived character of U.S. policy. The theory advanced in the project suggests that as a result of the clear consistency of U.S. policy with the prevailing norms in 1991, consent should have been expected. Clear inconsistency with prevailing norms in 2003 should have generated dissent by capable states.

In the Kosovo crisis in 1998-1999, however, the prevailing norms legitimating the use of force were in tension. At the time of the deliberations over the appropriate means of confronting deteriorating human rights conditions in Kosovo, the diplomatic record reveals a strong European preference for allegiance to an international legal framework as the basis
of international order—namely, a UN Security Council resolution. This preference also was prominent in European public opinion in the 1991 and 2003 crises. The strong preference for safeguarding human rights pushed in another direction, privileging the protection of human welfare over fidelity to the narrower confines of positive law. The reaction by European states to the U.S.-led NATO action is a reflection of the resultant vector of these normative standards. This perspective of legitimacy as the result of competing normative standards is consistent with Ian Clark’s account, in which he states that legitimacy is a "factual matter" that is the product of a political judgment by international society.\textsuperscript{564}

Consequently, Clark writes, legitimacy "is never in direct tension with other norms: it is amongst those norms that any tension exists."\textsuperscript{565} In short, these competing normative standards shaped the ideological climate in which European elites were determining how to respond to U.S. pressure to threaten military strikes absent a Security Council resolution.

In fact, there is evidence during this period of deliberations in 1998 that human rights considerations were taking precedence over the legal requirement of authorization by institutional mechanisms. According to the fall 1998 Eurobarometer poll, 79 percent of the public of European Union members believed that an EU priority should be “Guaranteeing (human rights) and respect for the principles of democracy in Europe.”\textsuperscript{566} In the same poll, 94 percent of Europeans believed that a country’s respect for human rights and democratic principles should an important criterion for admission into the European Union—no criterion ranked higher. The publics that were least likely to view human rights as an

\textsuperscript{564} Clark, \textit{Legitimacy in International Society}, 253.
\textsuperscript{565} Ibid., 207.
\textsuperscript{566} "Eurobarometer 50: Public Opinion in the European Union," 52-53.
important criterion of membership (below 90 percent) were Portugal (86 percent) and Austria (88 percent).  

Human rights registered as one of the top four priorities of the European Parliament in Sweden (37 percent), Denmark (31 percent), Britain (25 percent), and Spain (23 percent). Six months later, Luxembourg, Ireland, and France were added to this list. The publics that were least likely to view human rights as a priority were those of Austria (9 percent), Belgium (10 percent), Italy (14 percent), and Portugal (15 percent). Six months later, Belgium had dropped off the list. 

In the spring of 1999, Europeans broadly considered human rights to be an EU priority within Europe. Asked whether “Guaranteeing the rights of the individual and respect for the principles of democracy in Europe” should be a priority for EU action, the results reflected broad and exceptionally strong agreement, particularly among the 11 core EC states included in this sample. Table 2 provides these results.

---

567 Ibid., 85, 87.
569 Ireland is not included, since I am focusing on the intersection of EC states and NATO member states.
In sum, human rights considerations were strongly lodged in the public consciousness in most West European states at the time the Kosovo crisis intensified. The extent to which these normative principles were reflected in European states’ response to U.S. vis-à-vis the humanitarian crisis in Kosovo will provide some evidence of the role of legitimacy norms in authority levels.

Second, the rule of law score of each country is a measure of the degree to which a country has established rules to protect the citizenry’s civil and political rights. As Daniel Kaufmann, Aart Kraay, and Massimo Mastruzzi defined the metric utilized here, it is a measurement of “perceptions of the extent to which agents have confidence in and abide by
the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence. This score takes into account such values as “fairness of the judicial process”, “security of persons or goods”, “property rights”, “trafficking in people”, and “kidnapping of foreigners”. While not a precise measure of human rights considerations, the rule of law score does represent the extent to which each country protects individual rights against arbitrary coercion. In addition to the influence of rule-of-law principles on foreign policy, the additional logic of using this metric is that the public of states with strong traditions of protecting individual rights become socialized into embracing these practices. As a result, the public imposes pressures on their governments to respond to situations in which those principles are perceived to be violated. This reaction by the public should have been particularly acute when human rights violations were occurring inside Europe, as they were in Kosovo during this crisis.

The rule of law scores are presented in Table 3.

---

571 Table B-5, in Ibid., 76.
572 Judith Kelley finds a relationship between a state’s commitment to the rule of law and its international policies when legal norms are at stake. See Kelley, "Who Keeps International Commitments and Why? The International Criminal Court and Bilateral Nonsurrender Agreements."
With respect to the countervailing norm requiring institutional constraints on the exercise of military force, commitment to institutional mechanisms were in decline in the months preceding the Kosovo war. The data suggests that Europeans increasingly questioned the value of a common institutional approach on both defense and security matters as well as foreign policy in general, due in part to perceived inefficiencies or lack of capacity that the Kosovo crisis revealed. According to the 1999 Eurobarometer poll, conducted March-April 1999 at the outset of the war, there was a perceptible reduction among the public in 13 of the 15 EU states that supported a common defense and security policy since the fall of 1998. The report stated, “On the whole we find that public opinion
towards the European Union is less positive in the spring of 1999 than it was at the time of the previous survey in the autumn of 1998,” and attributed the Kosovo war as being partly responsible for this trend.573

Table 4

<table>
<thead>
<tr>
<th>Country</th>
<th>Increase (+) / Decrease (-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Luxembourg</td>
<td>-4</td>
</tr>
<tr>
<td>Denmark</td>
<td>-5</td>
</tr>
<tr>
<td>Netherlands</td>
<td>-1</td>
</tr>
<tr>
<td>France</td>
<td>-4</td>
</tr>
<tr>
<td>Greece</td>
<td>-13</td>
</tr>
<tr>
<td>Belgium</td>
<td>+7</td>
</tr>
<tr>
<td>Spain</td>
<td>-8</td>
</tr>
<tr>
<td>Portugal</td>
<td>+6</td>
</tr>
<tr>
<td>Italy</td>
<td>-4</td>
</tr>
<tr>
<td>Germany</td>
<td>-5</td>
</tr>
<tr>
<td>Great Britain</td>
<td>-6</td>
</tr>
<tr>
<td>Poland*</td>
<td>--</td>
</tr>
<tr>
<td>Czech Republic*</td>
<td>--</td>
</tr>
<tr>
<td>Hungary*</td>
<td>--</td>
</tr>
<tr>
<td>Norway*</td>
<td>--</td>
</tr>
<tr>
<td>Iceland*</td>
<td>--</td>
</tr>
<tr>
<td>Turkey*</td>
<td>--</td>
</tr>
</tbody>
</table>

* No reliable data available

Source: Eurobarometer 51, p. 58

Admittedly, the lack of available data makes it difficult to assess the European public’s views on the importance of an explicit UN Security Council in legitimizing the use of force. Caution is advised in relying too heavily on the results presented in Table 4 as evidence for declining support in legal use-of-force norms. First, the data is incomplete; it

covers EU states in 1999, and thus excludes the key NATO states of Poland, the Czech Republic, Hungary, Norway, Iceland, and Turkey. More importantly, declining support for EU institutions may not translate to declining support for multilateral institutions in general, such as NATO. It is possible that the war increased support for NATO, given the need for military capacity that the intervention required and the European Union could not provide.

Yet the trend of declining support for joint decision-making on security matters is still instructive because it provides a snapshot of public opinion trends at a time when NATO member states were locked in painstaking negotiations from March to October 1998 over how to respond to events in Kosovo, stymied in gaining legal authorization by the threat of a Chinese or Russian veto. Meanwhile, strong human rights norms stimulated increasing public frustration as conditions on the ground in a corner of Southeast Europe continued to deteriorate.

Although this study does not assess the evaluations of policy legitimacy by the U.S. public, it is worth noting that the U.S. public was only narrowly supportive of participation in the NATO operation. Yet confirming the argument that normative standards of legitimacy are a critical component of public opinion, when asked about the rationale that would justify U.S. military strikes, 65 percent believed that Serbian attacks on civilians in Kosovo justifies air strikes. Just 47 percent believed that U.S. strategic interests in Europe justify U.S. air strikes. According to a poll conducted by the Program on International

Policy Attitudes after the completion of the war, 63 percent of Americans found it “convincing” that conditions of minority human rights violations often leads to conflict and instability that can adversely affect U.S. interests, and 79 percent found were unconvinced by the notion that the human rights violations in distant parts of the world were unlikely to affect them.

In sum, extracting the normative component of such public opinion polls requires an inspection of the ideational context in which officials and the public were operating at the time of the conflict in Kosovo. This investigation identifies the normative ideas that were in circulation at that time that formed the normative component of public opinion and had the potential of shaping the policy debate and influencing the response of NATO states to U.S. pressure. Differentiating between public opinion and domestic policy legitimacy provides a more complete explanation for the broad acceptance among European states—after substantial hesitation—of the necessity of air strikes. This study tests the extent to which the character of U.S.-led policy influenced NATO member states’ response to U.S. authority. The metrics utilized to derive the normative content of U.S.-led policy to which the public is reacting are the strength of human rights principles (measured by the polling results presented in Table 2) and the consistency of each state’s conduct with rule-of-law principles (Table 3).

Material Variables
Domestic policy legitimacy motivated the European public, which was broadly concerned about the humanitarian crisis in Kosovo. Human lives were at stake, and the crisis jeopardized human rights principles that were increasingly embraced by the public. European policy-making elites, whether in response to this pressure or out of personal conviction, increasingly supported use-of-force methods to compel FRY leadership to change course in its confrontation with the Albanian majority in Kosovo.

Yet European states' responses to U.S. authority were not uniform, either in the pace with which policymakers came into agreement to apply coercive means through NATO or in the level of material support it promised to Operation Allied Force immediately prior to the intervention. Although variation of domestic policy legitimacy among the respective European states' publics provides a partial explanation, a fuller explanation of the level of assistance offered is provided by including a variable that captures the level of European states' military and economic assets. As in the 1991 Gulf War and 2003 Iraq War, material capabilities influence secondary states' willingness to dissent from U.S. authority due to the fact that capability is a key factor in a state's ability to withstand the negative repercussions that accompany the rejection of U.S. leadership. In short, more capable states are more likely to resist U.S. requests when perceived illegitimacy is driving the public reaction to U.S. policy, because capable states are better equipped to withstand the economic punishment that the United States is capable of delivering. Conversely, in cases in which perceptions of policy legitimacy is driving the public reaction, capable states likely will consent and contribute in substantial ways, because legitimacy norms and material capabilities are pushing in the same direction.
Two metrics of material capabilities are assessed for their utility to determine the effect of this variable on European states’ reactions to U.S. authority. The first is the size of each state’s economy in 1999, measured in gross domestic product, an indicator of a state’s ability to withstand economic isolation from the United States. Higher GDP values provide a state greater capacity to pursue policy independence from the United States. If the public of a state rejects the legitimacy of U.S. policy, elected leaders of capable states are freer to take a divergent path from the United States. The threshold of “economic sufficiency” is set in this 1999 case at a level of gross domestic product of $100 billion (US). Using this threshold, four countries—the Czech Republic, Hungary, Luxembourg, and Iceland—fall below the level of economic sufficiency.

Table 5

<table>
<thead>
<tr>
<th></th>
<th>GDP (billion US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>$2,143.62</td>
</tr>
<tr>
<td>Great Britain</td>
<td>$1,466.70</td>
</tr>
<tr>
<td>France</td>
<td>$1,457.55</td>
</tr>
<tr>
<td>Italy</td>
<td>$1,200.82</td>
</tr>
<tr>
<td>Spain</td>
<td>$617.88</td>
</tr>
<tr>
<td>Netherlands</td>
<td>$411.46</td>
</tr>
<tr>
<td>Belgium</td>
<td>$253.83</td>
</tr>
<tr>
<td>Turkey</td>
<td>$184.27</td>
</tr>
<tr>
<td>Denmark</td>
<td>$173.94</td>
</tr>
<tr>
<td>Poland</td>
<td>$167.94</td>
</tr>
<tr>
<td>Norway</td>
<td>$159.05</td>
</tr>
<tr>
<td>Greece</td>
<td>$154.40</td>
</tr>
<tr>
<td>Portugal</td>
<td>$121.66</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>$60.19</td>
</tr>
<tr>
<td>Hungary</td>
<td>$48.04</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>$21.19</td>
</tr>
<tr>
<td>Iceland</td>
<td>$8.72</td>
</tr>
</tbody>
</table>


The second metric of material capability is the level of military assistance a state receives from the United States, a value identified as “security dependence” (Ω) in chapter 4. The value of security is determined by the sum of the grant programs Foreign Military Financing (FMF) and International Military Education and Training (IMET) as a function of the size of a state’s economy (E) [\(\Omega = (\text{IMET} + \text{FMF}) / E\)]. The logic of testing the utility of this metric is that states that receive high levels of security grants from the United States are more dependent on U.S. assistance, and thus should be more likely respond favorably to U.S. requests relative to states that receive smaller relative levels of grant assistance.

Given that higher levels of security dependence correspond to lower relative levels of material capabilities, the security dependency metric tests two dimensions of material
sufficiency that is expected to affect the dependent variable—in this case, European states’ behavior vis-à-vis U.S. requests to support coercive measures in Kosovo. The value of security dependence is a metric of 1) sensitivity to U.S. leverage, since high dependence on U.S. economic and military support logically generates sensitivity to U.S. demands; and 2) capability to contribute substantively to NATO’s efforts in the war, given the relatively high level of material capabilities that the security dependence variable captures (security dependence is inversely proportional to military sufficiency). If a state is capable with low sensitivity to U.S. demands, the state can chart its own policy course irrespective of U.S. demands. If a state is weak and sensitive to U.S. demands, the state will be more likely to acquiesce to U.S. demands.

Table 6 depicts the values of security dependence $\Omega$. 

Table 6
Table 6

<table>
<thead>
<tr>
<th>Country</th>
<th>$\Omega$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poland</td>
<td>7.50E-04</td>
</tr>
<tr>
<td>Hungary</td>
<td>3.74E-04</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>2.93E-04</td>
</tr>
<tr>
<td>Turkey</td>
<td>8.17E-06</td>
</tr>
<tr>
<td>Portugal</td>
<td>6.94E-06</td>
</tr>
<tr>
<td>Greece</td>
<td>2.01E-07</td>
</tr>
<tr>
<td>Belgium</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Denmark</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>France</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Germany</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Great Britain</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Iceland</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Italy</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Netherlands</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Norway</td>
<td>0.00E+00</td>
</tr>
<tr>
<td>Spain</td>
<td>0.00E+00</td>
</tr>
</tbody>
</table>


It is evident from the data that in 1998 there was a low level of dependence on U.S. security assistance among West European states. There was some reliance on the United States among weaker East European states, but applying the threshold of $\Omega = 1.0 \times 10^{-4}$, below which states are not security dependent (or are militarily sufficient), only Poland, Hungary, and the Czech Republic exhibit significant levels of dependence on U.S. military aid.

Due to the high level of military sufficiency revealed in table 6 and due to Europe’s rapid consolidation and recession of power politics and thus decreased sensitivity to
shortfalls in military capabilities, security dependence is an unreliable measure of material capability in relation to the dependent variable of U.S. authority. In the case of the 1999 Kosovo war, relative to the value of economic sufficiency, military sufficiency is expected to have a minimal effect in determining European states’ reaction to U.S. requests.

Configuration of the Variables

These independent variables combine to influence U.S. authority levels, as measured by the willingness to adopt U.S. preferences to apply coercion to end the humanitarian crisis in Kosovo and to contribute material resources to Operation Allied Force once the policy to apply force was selected by NATO states.

Both the theoretical framework presented in this chapter and the empirical evidence presented above support the claim that public opinion—derived from general questions that are incapable of distinguishing between utilitarian and normative motivations—have an indeterminate effect on the dependent variable.

Domestic Policy Legitimacy, which extracts the normative dimension of public opinion, is predicted to influence European states’ consent to U.S. authority. In other words, states that a higher rule-of-law value exceeding the threshold level of 3.70 and maintain publics that are disposed to human rights considerations (exceeding the threshold level of 50 percent in Table 2), are more likely react favorably to U.S. policy when the character of that policy reflects the normative legitimacy standard of addressing human rights concerns.
Relative military and economic strength are expected to interact with policy legitimacy to influence the level of support for Operation Allied Force. Policy elites of materially capable European states are expected to consent to U.S. requests if U.S. policy complies with the accepted legitimacy standards, and justify the intervention in terms of the defense of humanitarian norms that are the dominant dimension of perceptions of policy legitimacy. Officials of weaker states are likely to utilize the same language justifying the participation in the U.S.-led effort, given the salience of human rights in public discourse, but be less likely to provide substantial levels of military support give the limited material capacity.

When policy legitimacy is not an active component of the public voice, consent is likely to be less forthcoming, particularly for weaker states. Policy legitimacy has an indeterminate effect on stronger states, and these states’ independence from U.S. influence enable an independent evaluation of national interests. Weaker states are expected to resist or reveal hedging behavior, since the extent of public pressure to intervene is less intense. In these cases, elites face resource constraints and are less capable of substantively responding to U.S. requests. In short, resource limitations push in opposite directions, rendering the state dependent on U.S. aid (increasing the prospects of consent) but limited in what it has available to contribute (decreasing the prospects of consent).

In sum, relative material capabilities and the presence of strong popular support along normative lines combine to influence whether states offer high levels of support for the U.S.-led initiative. Chart 6-1 present this combination of material and ideational variables. This chart is identical to Chart 5-1 in the case of the 1991 Gulf War. In both
cases, policy *legitimacy* is driving the public reaction, as opposed to case of the 2003 Iraq War, in which policy *illegitimacy* is driving public opinion.

**Chart 6-1**

<table>
<thead>
<tr>
<th>Material Sufficiency?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Consent</td>
<td>Consent</td>
</tr>
<tr>
<td></td>
<td>Direct robust military aid</td>
<td>Direct weak military aid</td>
</tr>
<tr>
<td></td>
<td>Strong normative rhetoric</td>
<td>Strong normative rhetoric</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Policy Legitimacy?</th>
<th>No</th>
<th>Indeterminate</th>
<th>Resist</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Limited normative rhetoric</td>
<td>Limited normative rhetoric</td>
<td></td>
</tr>
</tbody>
</table>

Combining the policy legitimacy with material sufficiency generates the typological table below (Table 7). The level of military sufficiency, which having minimal effect on consent levels as discussed above, is expected to influence the level of military assistance to Operation Allied Force. When policy legitimacy is driving the public response to the intervention, economic weakness coupled with military strength is expected to result in high levels of military assistance to the intervention. Conversely, for states that exhibit economic strength and military weakness, assistance is expected to be minimal.
Typological Table

Table 7

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Consent, Robust military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>Consent, Modest military assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strong normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Indeterminate, Cognitive Legitimacy</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High level of alliance dependence on U.S.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Indeterminate</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>Y</td>
<td>Resist</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
<tr>
<td>N</td>
<td>N</td>
<td>N</td>
<td>Resist</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Limited normative rhetoric</td>
</tr>
</tbody>
</table>

Falsification

Most European states initially resisted coercive measures early in 1998, when hostilities sharply intensified in Kosovo. In March, U.S. policymakers began to pressure NATO member states to consider the use of force. States’ acceptance of incorporating the threat of military strikes into the negotiation strategy with the FRY government as humanitarian conditions worsened would provide strong evidence that normative considerations played a decisive role in this change in policy position. This would particularly be true for those states that exhibit publics that are strongly disposed toward human rights concerns. If, however, states continued to resist U.S. requests to choose
military options *despite* the deterioration of human rights conditions on the ground, this would present a challenge to the argument that normative legitimacy had a significant effect on the outcome of the negotiations.

**Case Selection**

The cases selected in this study are restricted to the NATO alliance. While other states contributed to the humanitarian crisis—in particular the refugee traffic that flowed into Albanian and Macedonia at the outset of the launch of Operation Allied Force—only a minimal number of non-NATO member states contributed to the coercive operation to reverse Serbian aggression inside Kosovo. Outside of NATO forces, only Switzerland, Austria, Ukraine, and the United Arab Emirates provided aircraft to the operation. Furthermore, the only non-NATO states that provided basing rights for NATO operations were Albania, Bosnia and Herzegovina, and Macedonia, which is expected given their proximity to the theatre of conflict and the threat that the humanitarian crisis posed to their national security.

This tepid response from non-NATO states is not surprising since an established military alliance was already committed to European security in general, and had publicly invested its reputation on restoring peace and stability to fragile southeast Europe. As a result, free-riding type behavior from non-NATO member states that were members of the European Union, such as Ireland, Sweden, and Finland, should have been expected.

If the United States made strong demands on non-NATO European states in this crisis, these states could reasonably be coded as resisting U.S. authority. Yet due to the fact
that U.S. requests for material contributions of non-NATO states were minimal, the response of non-NATO is not a particularly good test of U.S. authority. Requests of NATO states were more extensive, and thus a better test. Therefore, the universe of cases is restricted to the states that were members of NATO at the time of the military campaign against Serb forces in Kosovo.\footnote{The Czech Republic, Hungary, and Poland, which formally joined NATO on March 12, 1999 at the NATO summit in Washington, are included in the list of NATO member states.}

Given that Iceland is in an outlier case among NATO members with respect to its extreme limitations in military projection capacity, geographic remoteness relative to Kosovo, and deficit of U.S. expectations for its participation, Iceland is dropped from the sample tested in this study.

To determine which states are coded according to policy legitimacy being a key component of public opinion, I ranked the states in order of the two metrics of policy legitimacy. If either measure exceeded the threshold level established, that state’s public was scored as being influenced by considerations of policy legitimacy. The first metric is the difference between those who believe human rights should be a priority of the European Union and those who do not. The states cluster decisively into two categories, with the West European states all indicating a difference of these values of greater than 59, indicating a strong consideration of human rights concerns. A threshold level of 50 was determined for human rights considerations to be an active element of public opinion. Three states included in the survey indicated a modest or low level of human rights concerns—Poland,
the Czech Republic, and Hungary. Norway, Iceland, and Turkey were not members of the European Union and thus were not scored.

The second metric is the rule-of-law score, which as discussed above, indicated the extent that each state respected rules against arbitrary treatment of individual rights. As in the case of the 1991 Gulf War, the threshold level selected is 3.70. As in the 1991 Gulf War case, 3.70 is an appropriate level, since the states above this score cluster together, and a significant gap separates them from the 6 states below this level—Italy, the Czech Republic, Hungary, Poland, Greece, and Turkey.

These results are tabulated in Table 8 below.

<table>
<thead>
<tr>
<th></th>
<th>Human Rights:</th>
<th>Rule of Law</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Priority</td>
<td>Not Priority</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>85</td>
<td>4.31</td>
</tr>
<tr>
<td>Greece</td>
<td>83</td>
<td>3.18</td>
</tr>
<tr>
<td>Denmark</td>
<td>82</td>
<td>4.36</td>
</tr>
<tr>
<td>Netherlands</td>
<td>81</td>
<td>4.31</td>
</tr>
<tr>
<td>France</td>
<td>81</td>
<td>3.87</td>
</tr>
<tr>
<td>Spain</td>
<td>78</td>
<td>3.79</td>
</tr>
<tr>
<td>Portugal</td>
<td>77</td>
<td>3.72</td>
</tr>
<tr>
<td>Belgium</td>
<td>75</td>
<td>3.79</td>
</tr>
<tr>
<td>Italy</td>
<td>70</td>
<td>3.34</td>
</tr>
<tr>
<td>Great Britain</td>
<td>61</td>
<td>4.30</td>
</tr>
<tr>
<td>Germany</td>
<td>59</td>
<td>4.16</td>
</tr>
<tr>
<td>Poland</td>
<td>38</td>
<td>3.19</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>27</td>
<td>3.32</td>
</tr>
<tr>
<td>Hungary</td>
<td>-15</td>
<td>3.24</td>
</tr>
<tr>
<td>Norway</td>
<td>--</td>
<td>4.48</td>
</tr>
<tr>
<td>Turkey</td>
<td>--</td>
<td>2.45</td>
</tr>
</tbody>
</table>

In short, all states that exhibited a significant level of human rights concerns (above a difference between an EU priority and not a priority of 50) are considered to have publics
that are actively concerned about human rights concerns, and thus more likely to apply
decisive pressure to their governments to act when human rights principles were in jeopardy
in Kosovo. Norway was not included in the EU poll, but did exhibit a rule of law score
significantly higher than the 3.75 threshold (4.48), and thus is likely to have a public agitating
when rules protecting individual rights break down. Policy legitimacy should be a
consideration in the case of Norway. In the case of Turkey, although there are no polling
results regarding human rights prioritization by the European Union, the low rule-of-law
score is sufficiently low (the lowest of all states in our sample, 0.74 points lower than the
next highest states of Poland) to score Turkey as having a public that was not especially
committed to the legitimacy norm of human rights protection in general.578

Table 9 represents the configuration of the independent variables described above.

578 Turkey's public was in fact very supportive of the use of force to stop abuses in Kosovo. The argument
here, however, is that this was not on account of a concern of human principles in general, but rather a concern
of victimization of the fellow-Muslim Albanian population in Kosovo, a population with which Turkey shared
depth historical and cultural ties.
### Table 9

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Denmark</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Spain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Portugal</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Italy</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Norway</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Y†</td>
</tr>
<tr>
<td>Poland</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td>Ind. ††</td>
<td>Ind.</td>
</tr>
<tr>
<td>Turkey</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Ind. ††</td>
<td>Ind.</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Hungary</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

† Weak support  
†† Indeterminate, cognitive legitimacy

The Authority Test: The Results of Diplomatic Engagement

The ideological climate at the time of the Kosovo crisis had a decisive impact on the European public’s reaction to the increasing violence. The Balkans had already experienced deep human trauma during the 1991-1995 war, when an estimated 70,000-100,000 people representing every ethnic group were killed in the process of provinces seceding from rump Yugoslavia.\(^579\) Throughout the region, “ethnic cleansing” had entered the public lexicon, particularly chilling for Europeans who were newly asserting themselves as comprising a system that was an exemplar of the promise of transnational political integration. The

European Union was consolidating, and most Europeans were highly optimistic that the guarantee of liberal norms—including human rights protections—was a critical function of institutional mechanisms and an objective that the rise of regional governance would help achieve.

Yet Europeans also saw European institutions ill-equipped to end the violence in Bosnia and were witness to Europe in a supporting role to the U.S. leadership that ultimately was required to end the war. European engagement in ending the war was critical—after all, NATO engagement was decisive in weakening Milošević's resolve and pushing him into negotiations—but the United States played the principal role in determining the outcome of the war.

In this climate of increasing concerns over the protection of human rights and anxiety over the perceived impotence of European institutions when human rights principles are imperiled, the public in most European states was broadly enthusiastic about punitive measures to end the increasing violence in Kosovo.

**Humitarian Conditions: Tipping the Balance in Negotiations**

Despite this growing public pressure to intervene, Western officials initially were hesitant with respect to forging a coercive response to degraded conditions in Kosovo. Major powers were divided over the appropriate policy response. Russia and China, for example, were strongly opposed to applying military force in the region, in part due to concerns over the violation of national sovereignty and the implications for the options they had with respect to the separatist movements in their own states.
Some Western states also understandably were concerned that aiding Albanians in Kosovo would set a precedent for coming to the defense of separatist groups, thus legitimizing Kosovar Albanians’ claims for independence and setting in motion a chain of secessionist claims not only by Albanians in Bosnia, Macedonia, and the FRY, but also by all groups seeking a homeland separate from their country of residence. Other states had other political motivations for opposing intervention.

While these concerns may have been an element of the initial resistance to NATO air strikes by Greece, Italy, and Spain, as Alex Bellamy suggests, the strategic-choice explanation is incomplete. Relative to other European states, public opinion is each of these states opposed intervention. As indicated in Table 1 above, 97 percent in Greece, 48 percent in Spain, and 47 percent in Italy opposed intervention. In another poll, 49 percent of the public in Italy opposed air strikes and just 25 percent supported them. Furthermore, each of these countries exhibits a lower-than-average rule-of-law score, and are ranked 16th, 10th, and 12th respectively among the 17 sampled states ranked in Table 3 above. These results indicate that the public in these states have a diminished regard for human rights considerations abroad, and thus less likely to agitate for their governments to support military strikes in Kosovo.

A critical concern in Europe was reflected in the fact that the legitimacy- legality dilemma revealed that the clear terrain of positive law on territorial sovereignty was in tension with the still-emerging obligations under human rights law. The justification for

---

580 Bellamy, Kosovo and International Society, 86.
applying military force to deteriorating humanitarian conditions was an evolving standard and open to competing interpretations. The legal prohibition against assaults on territorial sovereignty was established law. Most European states privileged legal constraints on international behavior, a concern that was prominently voiced in the Kosovo case by Belgium, France, and Germany, all of which identified the *legality* of a proposed intervention was a prominent concern. French Foreign Minister Hubert Védrine and German Foreign Minister Klaus Kinkel both argued that explicit UN Security Council authorization must precede a military intervention by NATO. 582

In short, most European states initially resisted U.S. requests to agree to support NATO air strikes if a diplomatic solution could not be obtained and continued to prefer accelerated diplomatic strategies short of military force to stop the escalating violence in Kosovo. Despite the intensification of U.S. diplomacy with NATO members after the Donji Prekaz attack on March 5, most European states continued to deny U.S. authority. Italy's Foreign Minister Lamberto Dini directly resisted Secretary Albright's call for military strikes at a joint press briefing on March 7. "We must make every effort to redirect the situation within the limits of diplomacy," Dini said on March 7. The next day in Bonn in a meeting with Secretary Albright, German Foreign Minister Kinkel, after insisting on a UN Security Council authorization for the use of force, proposed a three-track response that excluded the use of force. At the same time, the Contact Group's response was weaker that Secretary Albright preferred, consisting of demands that Yugoslav leaders order the removal of special police units from Kosovo and grant access to humanitarian groups such as the

International Committee of the Red Cross, but stopping short of threatening punitive measures.\textsuperscript{583}

Atrocities occurred on both sides of the conflict. Attacks by KLA forces were characteristic of guerilla warfare—pinprick attacks, many of them heinous acts of barbarity, on Serb police and Serb politicians. Serb forces were restrained early in the crisis, reflecting awareness by FRY leaders that excessive international attention could trigger a firm western response. Increasing levels of displaced Kosovar Albanians stirred memories of Bosnia, however, which, despite the low casualty rates, led to increased intolerance by Western officials. By May, President Clinton had revealed that he favored a military option to stop atrocities in Kosovo, indicating that all options were on the table and making repeated references to the “lessons of Bosnia”.\textsuperscript{584} On July 19, the U.S. Senate passed a resolution urging officials at the War Crimes Tribunal to indict Milošević with “war crimes, crimes against humanity and genocide.”\textsuperscript{585}

The British Government was the sole European government that was broadly supportive of the United States’ approach from the beginning. Before departing for a June EU summit in Cardiff, Prime Minister Blair sent an internal memo to staff indicating his strong preference for including the threat of force in negotiations with the FRY government. Blair wrote, “The only question that matters is whether you are prepared to use force. And

\textsuperscript{583} Ibid., 73-74.
\textsuperscript{584} Joint press conference with President Clinton and Italy’s Prime Minister Prodi, Washington, DC, May 6, 1998.
\textsuperscript{585} Judt, \textit{Postwar: A History of Europe since 1945}, 681.
we have to be. Reports indicate a level of butchery that risks escalating into another
Bosnia.”

Meanwhile, conditions on the ground continued to deteriorate. Between June and July, the number of displaced persons tripled, reaching a level of approximately 300,000 refugees and internally displaced persons by late July. While the casualty levels remained low relative to Bosnia, the large-scale displacement of civilian populations generated intense international attention. After KLA forces seized a strategically important coalmine at Belačevec on June 23 and attacked the Trepča mine three weeks later, Serb forces went on the offensive. JNA troops mobilized, wresting the town of Orahovac out of KLA control, before into the Drenica valley, forcing thousands of Kosovar Albanians out of their homes, which were looted and burned. Tim Judah recounts, “Villages were burning, crops were burning, cattle were being machine-gunned and tens of thousand of people were now hiding in the hills and woods.” By August 3, the UN High Commissioner for Refugees estimated that 200,000 Kosovars had been displaced as a result of the fighting. On September 26, in Golubovac, 14 men were taken from the town, interrogated, abused, and executed. The New York Times carried a front page picture of the Gornje Obrinje massacre four days later. The same day as the Golubovac killings, after KLA insurgents killed 14 Serb policemen in

586 Bellamy, Kosovo and International Society, 87.
587 Refugee figures extrated from the Office of the UN High Commissioner for Refugees Briefing Notes, cited in Ibid., 84.
588 Judah, Kosovo: War and Revenge, 169-70.
590 “A Week of Terror in Drenica,” (Human Rights Watch, 1999), 1-3. One man survived the attempted execution by feigning death.
the town of Gornje Obrinje, special Serb police retaliated by killing 21 members of a single family, as well six women between the ages of 25 and 62, two men over 60, and five children between the ages of 18 months and 9 years.

The lack of a decisive response by western officials began to be politically untenable. Yet despite the deterioration of conditions and the increased international media attention, the absence of an explicit UN Resolution authorizing a military response continued to complicate U.S. efforts to persuade European leaders to agree to use force against Serb forces. United States officials argued that in the face of these atrocities, NATO should act. Most NATO countries, while continuing to resist U.S. pressure, having long argued that a Security Council mandate was mandatory for offensive military force to be legally authorized, gradually began to shift positions as evidence of the humanitarian crisis escalated. The central feature of the operation on which European states judged the legitimacy of the U.S.-led military action was its objective of stopping a mounting humanitarian catastrophe. European complicity resulted, in fact, due to a combination of the consistency of objectives with the UN Charter and previous UN mandates, and steady domestic pressure to take decisive action to stop the violence. Following the onset of hostilities, the UN system was an essential component of the diplomatic effort to end the war. Furthermore, NATO fashioned its activities along the lines of several UN Security Council Resolutions.591

By late September, all NATO members except for Greece were in agreement to approve air strikes against Serbs in Kosovo. In a vote in the North Atlantic Council, Greece

591 Daalder and O'Hanlon, Winning Ugly: NATO's War to Save Kosovo, 102.
initially rejected a resolution to approve military force, demanding that the vote on a plan for phased air strikes be delayed until after debate on a UN Security Council resolution then being debated reached a conclusion. On September 23, the UN Security Council passed Resolution 1199 by a vote of 14-0 (China abstained), calling for immediate withdrawal of Serbian forces from Kosovo and referenced Article VII of the UN Charter, which implied that the Kosovo crisis was a threat to international peace and security, and implied—but not explicitly—authorization to apply military force to resolve the threat. While Russia indicated that it would veto any resolution that explicitly authorized military strikes against the Serbs, Russian diplomats also seemed to recognize that the threat of force might be necessary in order to get a deal with Milošević.

This resolution marked the beginning of more intense intra-NATO discussions regarding the viability of use-of-force options. One day later, the North Atlantic Council (NAC) approved an Activation Warning that raised NATO military preparedness in the event that authorization was subsequently approved to conduct air strikes. The ACTWARN called for an end to Serbian “repressive actions” and “immediate steps to alleviate the humanitarian situation”.

United States officials utilized this resolution as the legal justification for use of force, enabling U.S. officials to avoid submitting the bill to the full legal legitimation process.

593 Daalder and O'Hanlon, Winning Ugly Nato's War to Save Kosovo, 74.
required under international law. Secretary Albright said on the day of UNSCR 1199 passage, “The international community says with one voice, that, if Belgrade does not now choose to end offensive operations in Kosovo, it must be compelled to do so.” This interpretation allowed the United States to argue that an additional resolution was unnecessary, thus avoiding the possibility of a veto by China or Russia, which would have compromised U.S. efforts to strengthen European support for a NATO intervention. This resolution also provided Greece the justification to support the NATO Activation Order (ACTORD) in October, despite the lack of a resolution explicitly authorizing the use of military force.  

At this point, consensus had been reached within NATO. French President Jacques Chirac argued prior to the October NAC vote that military force was justified in the face of a humanitarian disaster.

In this particular case, we have a resolution which does open the way to the possibility of military action. I would add, and repeat, that the humanitarian situation constitutes a ground that can justify an exception to a rule… France would not hesitate to join those who would like to intervene in order to assist those who are in danger.

British Prime Minister Tony Blair was as forthright as any allied leader in his defense of intervention as morally justified, and that Milošević must answer for the war crimes committed under his direction. Prior to the ACTORD vote, Blair declared, “There are no half-measures to his brutality, and there can be no half-measures about how we deal with it.

596 Statement by Secretary of States Albright, September 23, 1998, cited in Bellamy, Kosovo and International Society. 89.
597 Alex Bellamy provides a fascinating account of the Greece-Russia-U.S. negotiations over the competing resolutions of UNSCR 1199 and the NATO ACTORD in Ibid., 92-93.
598 Quoted in Guicherd, "International Law and the War in Kosovo," 28.
No compromise, no fudge, no half-baked deals,” he said in making the case for joining the U.S.-led military intervention.

At a joint news conference on October 6, French Foreign Minister Hubert Védrine stated alongside Italian Prime Minister Romano Prodi,

Our shared position of principle… is that, before any military intervention… the Security Council must adopt a Resolution authorizing that intervention. But in the specific case of Kosovo, on which a Resolution citing Chapter VII has already been adopted, we must… keep a very close eye on the humanitarian aspect of the situation… which can demand very rapid… implementation of measures to deal with an emergency.599

Incoming German Chancellor Gerhard Schröeder similarly supported the air war, albeit less decisively. “No one,” Schroeder declared, “and above all the Yugoslav President, should hope that we will take a less decisive approach (than the outgoing government of Helmut Kohl)… (Milošević) must fulfill the U.N. resolutions completely and we will do all we can to insure it is fulfilled. The U.S. knows that is our view… I find it very important to reveal a certain degree of decisiveness here.” President Clinton expressed satisfaction with Schroeder’s response. “The first issue is whether Germany will support NATO issuing the action order to make sure that the plans are in place and authorized if NATO action should be needed;” Clinton said. “That is what he said yes to today.”600 It was an affirmative response to U.S. authority. When Germany did ultimately participate in the intervention,

including 27 aircraft flown out of Bosnia and Italy, it was the first time the German military participated in combat since the Second World War.\textsuperscript{601}

In newly admitted NATO states of Hungary and the Czech Republic, support for military action was more muted among both elites and the public relative to most Western European countries. In Hungary, 48 percent supported air strikes in March 1999, and 41 percent opposed them. Prime Minister Viktor Orban refused Hungarian troops to the mission, although he did signal a willingness to open airspace and continued use of the air base in Taszar. In the Czech Republic, 36 percent of the public supported air strikes and 48 percent opposed them. Reflecting this public resistance and minimal level of policy legitimacy infusing the public reaction, the Czech government logically faced less public pressure to support military intervention and ultimately refused to endorse air strikes, announcing that it preferred diplomatic efforts to resolve the conflict. This behavior is striking, given the new responsibilities the country had assumed through its new status as a member of NATO, and confirming of the argument advanced here that legitimacy norms had a decisive effect on ally behavior (in this case, the lack of legitimacy norms generated minimal levels of public pressure).\textsuperscript{602}

In Poland, where 59 percent supported NATO's military strikes against Serbia, President Alexander Kwasniewski pledged full support for the mission.\textsuperscript{603} This result poses

\textsuperscript{601} Daalder and O'Hanlon, \textit{Winning Ugly Nato's War to Save Kosovo}, 244, Appendix B.

\textsuperscript{602} Peter S. Green, "Czech Split on Air Strike Saps Ally's Commitment," \textit{International Herald Tribune}, March 27 1999. These polling results were conducted by Angus Reid group/The Economist, and can be found at http://www.gips.unisi.it/circap/doc-opinione-pubblica. Poll conducted March 25-April 17, 1999.

\textsuperscript{603} Ibid.
a potential challenge to the expectations of the model presented here, since Poland’s low rule-of-law score (3.17) and low human rights score (difference between a priority for the European Union and not a priority of 38 percent, below the threshold of 50 percent) suggest that policy legitimacy was not an active component of public opinion in Poland. Yet Poland exhibits a relatively strong economy and is scored as economically sufficient. As a result of this combination of independent variables, the model fails to predict its response to U.S. authority (an “indeterminate” effect of policy legitimacy on response to U.S. requests), with the decision of whether to support military intervention and to substantively contribute to be the outcome of narrow national interest calculations (cognitive legitimacy) rather than the consistency of U.S. policy with national conceptions of policy legitimacy. The fact that Poland contributed 8 aircraft, based in Italy, despite its lack of military capabilities suggests that Poland made a calculation to accede to U.S. requests and do more than expected vis-à-vis its NATO commitments because it perceived a benefit of currying favor with U.S. policymakers. In fact, this behavior is consistent with strong historic support for U.S. policy among Poland’s public, and propensity to ally with the United States given those historic ties. In sum, this analysis suggests that Poland’s behavior was a reflection of a perceived national interest in choosing a policy course that closely resembled the United States’ regardless of the character of U.S. policy, and not the result of the fact that the U.S.-led NATO intervention was premised on the basis of protecting humanitarian principles per se.

On January 15, the dissention within NATO states further dissipated as news spread about another massacre of Kosovar civilians—this time in the village of Račak, where 45
Albanians were killed. As many as 23 people were executed, and the total death toll included two women and a 12-year old boy. The attack helped galvanize international opposition to atrocities in Kosovo, and public pressure urged NATO states to act.

Yet as it turned out, even after the Račak massacre on January 15, every NATO member with the exception of Great Britain and France continued to resist diplomatic efforts by Secretary of State Madeleine Albright to settle on a threshold of events that, if crossed, would trigger NATO air strikes on Serb forces in Kosovo. The sufficiency of the normative conditions in legitimizing coercion, however, had been established. The reasons for this reluctance was less about the normative underpinnings of the operation than it was about strategic concerns that Europe had about the most effective way to win the war. To achieve European support, an asset that U.S. officials wanted in order to trigger NATO engagement, U.S. officials actively adjusted their strategic approach to meet European concerns. Washington sought to more explicitly tie the threat of force to strategic objectives, something that had previously been less apparent. Officials in Washington also agreed to condition the threat of force on KLA moderation, and to participate in a NATO-led peacekeeping operation designed to enforce a negotiated settlement. 604

In January, after the ACTORD had been issued and as the violence continued, UN Secretary General Kofi Annan provide additional reassurance to Europeans meeting with the North Atlantic Council that a formal UN-sponsored mandate was not essential in the case of Kosovo and the eroding conditions on the ground. “Bloody wars of the last decade have left us with no illusions about the difficulty of halting internal conflicts,” Annan said, “…

nor have they left us with any illusions about the need to use force, when all other means have failed. We may be reaching that limit, once again, in the former Yugoslavia.”

Due to the prominence of the United Nations in limiting self-interested behavior and the perception that U.S. motives were based on broad international interests and humanitarian norms, Europeans broadly held that the U.S.-led NATO intervention was legitimate. Shortly after Secretary General Annan issued this statement, NATO Secretary-General Javier Solano made a public statement asserting that NATO was prepared to take military action.

NATO members in Europe had settled on the threat of military force to compel the FRY government to change course in Kosovo. In late January, President Jacques Chirac issued a joint statement with British Prime Minister Tony Blair, suggesting that they were “willing to consider all forms of military action, including dispatching ground forces, necessary to accompany the implementation of a negotiated settlement.” German Foreign Minister Joschka Fisher argued, “I am not a friend of using force, but sometimes it is a necessary means of last resort. So I am ready to use it if there is no other way. If people are being massacred, you cannot mutter about having no mandate. You must act.”

From March 1998 to the initiation of the war, President Clinton premised the war in humanitarian terms, announcing that the United States had the “moral imperative” to launch

---

air strikes to end the human rights abuses that were unfolding. Days before the launch of NATO air strikes, Clinton declared, "Serbia’s mounting aggression must be stopped. Since the adjournment of the peace talks in Paris, less than a week ago, an estimated 30,000 more Kosovars have fled their homes. The number now exceeds more than a quarter of a million people." In a national television address on March 24, at the launch of war, Clinton said, "by acting now, we are upholding our values, protecting our interests and advancing the cause of peace."

Tony Blair claimed in a televised address, "We are doing what is right, for Britain, for Europe, for a world that must know that barbarity cannot be allowed to defeat justice. That is simply the right thing to do." In justifying British participation in the U.S. led intervention, Blair described the human costs of Serb atrocities in Kosovo. "These are our fellow human beings. Husbands taken from wives. Fathers taken from children, never to see them again, never knowing if they are dead or alive as they walk, mile upon mile, to a safety they may never find... Our fellow human beings. Act or do nothing."

In speaking to the British members of the House of Commons the day of the start of the air campaign, the British Defense Secretary George Robertson was resolute about the

---

nature of the intervention. "Action is taken on behalf of all NATO allies," he said, "with the aim—the clear and, I believe, justified aim—of averting a humanitarian disaster."\(^{612}\)

United Nations General Secretary Kofi Annan weighed his comments carefully. Although he asserted that the UN Security Council was solely responsible for authorizing non-defensive military force, he also acknowledged that "there are times when the use of force may be legitimate in the pursuit of peace."\(^{613}\)

Javier Solana, NATO Secretary General, announced on the eve of the start of the war that NATO action had three objectives: 1) Ending the humanitarian crisis by incapacitating Serb forces' offensive efforts in Kosovo; 2) Acceptance of an international peace plan by Milošević, which involved a NATO-led peacekeepers; and 3) Alleviation of the Albanian refugee crisis.\(^{614}\) Each of these objectives reflected the commitment of NATO member states to address the humanitarian nature of the conflict, and Solana was cognizant of the fact that straying beyond this specific rationale for the war would risk the cohesion between NATO members that that negotiations within NATO had established.

This record of elite rhetoric confirms two important points related to the main argument of this chapter. First, the prevalence of strong normative language employed by European leaders entrapped elites to comply with the principles invoked—namely the protection of human rights—which in turn helped to ensure that elites would not relent on the war until the humanitarian trauma was resolved. In other words, the rationale presented


\(^{613}\) Quoted in Daalder and O'Hanlon, Winning Ugly: Nato's War to Save Kosovo, 127.

by policymakers served to encourage their continued pursuit of policies that were consistent with the language invoked.

Second, the language used to legitimate the war telegraphed the ideological environment and signaled the normative principles that were in circulation during the diplomatic maneuvering before the war. The fact that the protection of human rights were a consistent element of U.S. and European objectives reveal that policymakers determined that there was a political payoff in invoking this legitimacy norm, and in pursuing policies designed to reinforce or safeguard this norm.

There are valid reasons to be skeptical that the motivations for NATO’s intervention in Kosovo were principally *humanitarian* in nature. The motivations of U.S. and European elites, however, are not at question here. To evaluate the extent to which normative legitimacy enhanced U.S. authority in the Kosovo war, two forms of evidence are required: the European public’s receptivity to normative claims, and the public justification in normative terms of U.S. and European policy elites.

Furthermore, there was some skepticism toward U.S. objectives. According to one public opinion poll, 98 percent of Russia’s population opposed NATO’s bombing of Serbia. Another survey indicated that 48 percent of those polled within Russia perceived the United States to be a substantial threat. This figure was compared to 23 percent fearing China, 24 percent fearing Iraq, and 22 percent fearing the European Union. United States violation of the territorial integrity of another state was more alarming for Russia than

---

Western European states. Russia was a declining world power and surrounded by former enemies that were threatening to expand (through EU and NATO accession).

Despite Russian objections, however, the critical case of Western European opinion confirmed European perceptions of U.S. legitimacy. Public opinion in key European countries continued to strongly support NATO intervention in Yugoslavia. According to a June 2, 1999 poll, approval outnumbered disapproval scores by at least 10 points in Britain, France, Germany, and Italy. French opinion polls mirrored the support voiced by within the French government. This opinion was reinforced by at least one prominent official commission assembled to comment on the lessons and precedent of the NATO war in Kosovo. The Independent International Commission on Kosovo, initiated by Swedish Prime Minister Göran Persson and endorsed by Secretary General Kofi Annan, accented the normative dimension of legitimacy in their findings.

The Kosovo Commission found that the U.S.-led war in Kosovo was “illegal but legitimate.” The finding held that, despite circumventing the Security Council (since an authorization of the use of force had never been explicitly authorized), NATO answered a growing humanitarian disaster, a function that the UN Security Council was unable to fulfill. “The intervention was justified,” the Commission found, “because all diplomatic avenues had been exhausted and because the intervention had the effect of liberating the majority

---

618 Based on polling by the French newspaper Liberation. See also Kosovo Task Force, (Kosovo Situation Reports, 1999), 6.
population of Kosovo from a long period of oppression under Serbian rule.\footnote{Ibid.} NATO violated the letter of the law, but acted in accordance with the spirit of the UN Charter.\footnote{Ibid., 169.}

This broadly accepted standard is consistent with the hypothesis advanced in this dissertation that conceptions of legitimate behavior hinge on normative factors and are not confined to compliance with formal legal processes. The evidence suggests that Western European allies and the European public accepted the legitimacy of the U.S.-led intervention as a result of the perception that humanitarian norms were motivating U.S. behavior, especially in clear absence of any significant U.S. security or economic interest in Kosovo (in contrast to, for example, petroleum assets in Iraq).

This diplomatic record reveals three important points that are critical to the causal story developed in this chapter. First, the United States initially was alone in advocating for including the threat of military force against Serb forces in Kosovo early in 1998—with the exception of top British leadership. Second, the European public was broadly committed to the strengthening human rights norms and the rule of law as critical components of the European identity and incorporating the defense of humanitarian principles into European policy. Third, the normative legitimacy of the U.S.-led military intervention through NATO and the objective of reinforcing human rights and safeguarding human welfare was a key reason that key European states began to shift their policies in support of military intervention, as evidenced by the rhetoric that European leaders were evoking. Fourth,
economic and military capabilities, combined with the presence of policy legitimacy as a component of European public opinion, played an important role in determining the extent to which European states conceded to U.S. authority in supporting the North Atlantic Council’s decision to ultimately threaten air strikes, and then participated in operations once they commenced in late March, 1999. The outcome of this combination of independent variables is tabulated in Table 10 below. The highlighted states are those that conformed to the outcome predicted by the model presented here, and tabulated in Table 9 above.

In sum, the model presented in this project does relatively well in predicting the response of European states to U.S. authority. Of the states in which legitimacy consideration are active in the public, legitimacy alone predicted 11 of the 12 countries expected to contribute. Of the 16 NATO states included in this study, the model failed to predict the actual outcome in only one definitive case—Luxembourg.

This outcome fails to present a serious challenge to the model, however. Luxembourg was expected to contribute to the military operation, given the public support for the legitimacy of NATO air strikes and military capacity, but refused to offer military assets. Yet Luxembourg’s military has no naval or air force units and is comprised solely of a sub-500 unit army. Since Operation Allied Force was an air campaign in its entirety, there was no meaningful way that Luxembourg could have contributed to the military force.

The two remaining cases that were not definitively confirmed by the model were Poland and Turkey, each of which presented a questionable outcome that neither confirmed nor disconfirmed the model. The typology above indicates that the reaction to U.S. requests by both states is indeterminate. Since policy legitimacy was not in operation (due to low
human rights and rule-of-law scores) and some level of military capacity (Turkey) or economic capacity (both Poland and Turkey) enabled each state to support the intervention if national interests required it. Neither state is expected to support the intervention because of its compliance with legitimacy standards. Free from public pressure to respond for normative reasons, Poland and Turkey are both expected to operate out of national interest concerns, a product of a determination of cognitive legitimacy. Due to the indeterminate nature of this outcome in both states, they are both coded as resulting in a questionable outcome.

A caveat is in order regarding Greece. Greece’s response was confirmed by the model, but not decisively. Greece was expected to contribute robust levels of military support, given its economic and military capacity coupled with the presence of strong legitimacy concerns of the public. Greece did provide support, but not at robust levels. Greece only provided one aircraft, based in Albania, and based ten U.S. aircraft in Greek territory. A principal reason for this low level of support is the strong cultural, religious, and linguistic ties shared between Greece and Serbia, which drove public opposition to NATO air strikes to extremely high levels. Polls indicated that as much as 97 percent of the Greek public opposed the war. In other words, public opinion had some effect on the level of response by Greek leaders, but was not sufficient to lead them to reject appeals to support NATO action.
Table 10

<table>
<thead>
<tr>
<th>Country</th>
<th>Policy Legitimacy</th>
<th>Economic Sufficiency</th>
<th>Military Sufficiency</th>
<th>Direct Military Aid?</th>
<th>Indirect Military Aid?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y*</td>
<td>Y</td>
</tr>
<tr>
<td>Denmark</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Netherlands</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Spain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belgium</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great Britain</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norway</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>Poland</td>
<td>N</td>
<td>Y</td>
<td>N</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turkey</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Czech Republic</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N*</td>
</tr>
<tr>
<td>Hungary</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td></td>
<td>Y</td>
</tr>
</tbody>
</table>

* Modest level (fewer than 4 ships or 100 troops)
† The Czech Republic Cabinet eventually agreed to NATO overflight rights, but not until April 2 after the campaign began, and not by a unanimous vote.

<table>
<thead>
<tr>
<th>Confirmed</th>
<th>Disconfirmed</th>
<th>Questionable outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disconfirmed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Questionable outcome</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A more detailed description of NATO state contributions follows in Table 11.

<table>
<thead>
<tr>
<th>Country</th>
<th>Aircraft Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Belgium</strong></td>
<td>20 aircraft based in Italy</td>
</tr>
<tr>
<td><strong>Czech Republic</strong></td>
<td>No participation initially, although 3 aircraft based in Bosnia and Herzegovina and Italy by the close of operations</td>
</tr>
<tr>
<td><strong>Denmark</strong></td>
<td>6 aircraft based in Italy</td>
</tr>
<tr>
<td><strong>France</strong></td>
<td>75 aircraft based in Albania, Bosnia and Herzegovina, France, Italy, and Macedonia; Host to French, UK, and US aircraft; Land base in Istres (permanent); 2400 troops taking part in NATO’s 10,000 troops</td>
</tr>
<tr>
<td><strong>Germany</strong></td>
<td>27 aircraft based in Bosnia and Herzegovina and Italy; Host to NATO and US aircraft; Land bases in Ramstein and Rhein-Main (permanent)</td>
</tr>
<tr>
<td><strong>Great Britain</strong></td>
<td>63 aircraft based in Bosnia and Herzegovina, France, Italy, Macedonia, and the UK; Host to UK and US aircraft (87 US); Land bases in Fairford and Mildenhall (permanent);</td>
</tr>
<tr>
<td><strong>Greece</strong></td>
<td>1 aircraft based in Albania; Host to US aircraft (10); Land base in Souda Bay by the end of the war</td>
</tr>
<tr>
<td><strong>Hungary</strong></td>
<td>No aircraft offered, but 57 US aircraft based in Hungary; No troops pledged by start of war, opened airspace and continued access to air base at Taszar</td>
</tr>
<tr>
<td><strong>Italy</strong></td>
<td>53 aircraft based in Albania, B/H, Italy, and Macedonia; Host to aircraft from Belgium, Canada, Czech Republic, Denmark, France, Germany, Italy, NATO, Netherlands, Norway, Portugal, Spain, Turkey, UK, and US (483 total); Land bases in Aviano, Brindisi, Cervia, and Sigonella (permanent)</td>
</tr>
<tr>
<td><strong>Luxembourg</strong></td>
<td>0 aircraft offered</td>
</tr>
<tr>
<td><strong>Netherlands</strong></td>
<td>23 aircraft based in Albania, B/H, Italy, and Macedonia</td>
</tr>
<tr>
<td><strong>Norway</strong></td>
<td>7 aircraft based in Italy</td>
</tr>
<tr>
<td><strong>Poland</strong></td>
<td>0 aircraft offered; Full backing to NATO; assets in Albania (troops)</td>
</tr>
<tr>
<td><strong>Portugal</strong></td>
<td>8 aircraft based in Italy; 3 F-16s</td>
</tr>
<tr>
<td><strong>Spain</strong></td>
<td>11 aircraft based in Bosnia and Herzegovina and Italy; Host to 37 US aircraft; Land base in Moron (permanent)</td>
</tr>
<tr>
<td><strong>Turkey</strong></td>
<td>12 aircraft based in Italy; Host to 58 US aircraft</td>
</tr>
</tbody>
</table>

These results suggest that a correlation is likely to exist between policy legitimacy and consent to U.S. authority, with material factors playing a mediating role in the level of support that a state ultimately contributes.

Additional research is required to determine the extent to which legitimacy norms in fact have a causal effect on states’ willingness to accept or reject U.S. authority. To test for causality, a more extensive treatment of three cases will determine the extent to which policy legitimacy, active among the domestic public, influenced elite decision-making. Specifically, probing the language evoked by key policymakers will help determine the presence of legitimacy norms that work their way into the decision-making apparatus.

As argued throughout this dissertation, elite rhetoric has causal properties, which poses a challenge the notion that elite rationale is often merely cheap talk that yields to calculations of self- or national interests when the opportunity presents itself. The language of policy justification exerts constraints on leaders, inhibiting their deviation from scripts that they invoke, thus playing a causal role in political outcomes.

This conception of rhetoric as cause is illustrated by the behavior of Slobodan Milošević as he directed Serb forces in Kosovo in 1998-1999. Milošević secured the presidency of Yugoslavia in 1988, and the principal tool that he applied to facilitate his ascension up the ranks of leadership positions was the tool of ethnic politics. It is beyond the scope of this dissertation to explain in detail the specifics in this series of events. The essential point, however, is that in positioning himself as defender of the ethnic Serbs in Kosovo, he submitted to a brand of ethnic politics that paved his way to leadership, but also demanded that he remain faithful to its essential tenets. As stated in The Kosovo Report,
“By playing the nationalist and ethnic card in Kosovo as his path to power, Milošević had made himself captive of internal ideological forces that were unwilling to compromise on Kosovo.” In other words, his earlier denunciation of reconciliation between Serbs and Albanians in Kosovo inhibited his ability to seek reconciliation at the climax of hostilities in 1998. His rhetoric entrapped him into abiding by the essential core of his message—zero tolerance on behalf of Serb nationalism. His position of power depended upon it.

Three cases are selected for further research. Because the rhetorical record of the larger West European states was covered extensively above (France, Germany, Italy, and Great Britain), they are not covered again here. These cases selected display unusual combinations of dependent and independent variables, and are generally interesting cases that have drawn some international attention. The three states are Greece, Poland, and the Czech Republic.

Table 12

<table>
<thead>
<tr>
<th></th>
<th>Policy Legitimacy?</th>
<th>Economic sufficiency?</th>
<th>Military sufficiency?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Poland</td>
<td>N</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

Greece

---

622 Ibid., 132.
Deep cultural, religious, and linguistic commonalities are woven between the Slavic populations of Greece and Serbia. This affinity between populations was reflected in the strong public opposition to air strikes against Serb forces—97 percent opposed NATO air strikes in March 1999. Yet despite the high level public pressure on Greek leaders to oppose the intervention, Greece refused to veto the Activation Order that NATO ambassadors voted on in mid October 1998, enabling NATO to begin preparing for military strikes in the event that diplomacy failed to end the conflict, and Greek officials blamed Milošević for the failure to reach a peace agreement.  

The metrics of policy legitimacy indicate that the Greek public should have been concerned about the human rights conditions in Kosovo. The human rights score was 83 percent, second only to Luxembourg. Eighty-nine percent of the public believed that human rights should be a priority of the European Union, and only 6 percent indicated that it should not be a priority. The rule-of-law score (3.18) was below the threshold, but as indicated above, the threshold of only one of these two metrics had to be surpassed for policy legitimacy to be coded as being an active component of public opinion. This condition was met by only one other state in the sample—Italy. For the remaining 14 states, both metrics jointly indicated whether or not human rights norms was an active consideration.

This strategy is consistent with Gary Goertz’s classification of the “family resemblance” condition structure, which operates according to the logical “or” and the

---

variable is coded according to whether "m of n" conditions are met. In this chapter, the legitimacy consideration of safeguarding human rights is active in the public mind if the threshold of either the human rights score or the rule-of-law score is surpassed.

In terms of material capabilities, Greece narrowly exceeds the cut-off value for both metrics. Economic output is $154.40 billion, surpassing the $100 billion. Among states coded as economically sufficient, only Portugal had a smaller economic output in 1999. Greece relied on a nominal level of U.S. security grants in 1998, a combined figure of Foreign Military Financing and International Military and Education Training grants of $31,000. In term of the variable of security dependence (Ω), Greece exhibits the value of 2.01E-07, indicating it should not have been particularly sensitive to U.S. requests.

Given the positive values of economic and security assistance, Greece was sufficiently equipped to chart a policy course independent of U.S. preferences if it chose to, but contribute effectively if it chose to consent and participate in the NATO operation. Given the positive value of policy legitimacy, coupled with the deterioration of human rights conditions on the ground, the Greek public is expected to have pressured the government to respond affirmatively to U.S. requests. In short, the typology suggests that Greece should have consented to participate in the intervention, and should have contributed robustly with direct military assistance. The policymaking elites should have justified the intervention in

---

624 Goertz, Social Science Concepts: A User's Guide, 35-42. Goertz contrasts the "family resemblance" structure with the "necessary and sufficient" structure, in which a condition is met "if and only if n characteristics are present" (p. 36).
normative terms, referencing the humanitarian principles at stake and the humanitarian objectives of the NATO operation.

Substantial levels of public protest that was critical of the air campaign—as well as of NATO and the United States—percolated in Greece throughout the lead-up to war, encouraged in part by the Greek media and Orthodox Church, as well as by the communist party and some far-right politicians. Most opposition parties in the Greek government were critical of NATO action, and blamed the United States for initiating the air campaign. Elevated levels of public protest likely had an impact on Greece’s response to the United States and NATO, generating signs of hedging by the Greek government with respect to the NATO intervention. Greek officials were adamantly opposed, for example, to a ground invasion by NATO troops, and publicly voiced their opinion.

Yet other factors evidently had a greater effect on the Greek leadership. The government, led by Prime Minister Costas Simitis, leader of the Panhellenic Socialist Movement (Pasok Party), ultimately agreed to contribute substantively to the intervention effort. While Greece only offered a single aircraft, based in Albania, and hosted 10 U.S. aircraft, the government fulfilled its NATO obligations by keeping its ports and fuel lines open to NATO-member ships and aircraft, and participated in the Western-led oil embargo that restricted fuel supplies to Serbia.

---

626 Donfried, "Kosovo: International Reactions to Nato Air Strikes," 92.
The reason for Greek support for NATO was a complex combination of factors, and the nature of Greece’s response to the conflict revealed that the leaders were caught in the vortex of countervailing forces. First of all, Greece exhibited sufficient economic and military capacity to provide military supplies that were helpful to NATO’s efforts.

Furthermore, a principal reason for supporting the intervention despite the strong popular opposition was the policymaking elites’ interest in fulfilling Greece’s responsibilities to the alliance. Both Prime Minister Simitis and Costas Karamanlis, leader of the main opposition party, New Democracy, were united in placing high value on continued progress in European consolidation. Working against the emotional appeal of cultural affinity with the Serbian population was the desire expressed by both major political parties—Pasok and New Democracy—for increased European integration, including sustained membership within NATO. The prospect of increased stability and prosperity that accompanied increased integration was a powerful force that facilitated a significant degree of cooperation with Greece’s NATO allies. As Ivo Daalder and Michael O’Hanlon suggest, “Greek leaders… tended to think more of the interests of the country, which involved being a good ally within NATO and casting its lot with the West in general. They stuck by the war effort despite popular resistance.”

Why was the highest level of public opposition among NATO countries not sufficient to inhibit consent to U.S. requests and NATO responsibilities? Strong public opposition pushed leaders to resist requests to participate in the intervention, but the theory advanced in this project suggests that the policy legitimacy metrics detailed above indicate

628 Daalder and O’Hanlon, Winning Ugly: Nato’s War to Save Kosovo, 129.
that public opinion was inconsistent with the human rights norms that were circulating in Greek society. As a result, policymakers may have calculated that the normative thrust of the intervention was likely to overcome opinion levels that could was less of a reflection of deep normative concerns, and thus downgraded the effect of opposition in the short run. As argued in chapter 2, opinion that does not reflect legitimacy concerns is more likely to be unstable, and thus less likely to be regarded highly by elected officials. Opinion that reflects legitimacy norms, on the other hand, is more stable across time and a more reliable measure of long-term public impressions. In short, given that human rights norms were highly valued in Greece at the time of this crisis, it is highly possible the political leaders calculated that public opposition could be tolerated since it likely would erode if the intervention was effective.

Greek leaders were cognizant of the effect that crafting policy consistent with those legitimacy norms was one way of strengthening public support and reducing the political costs of defying short-run public opinion. Consistent with the legitimacy concerns of human rights violations that existed in the Greek public, political leaders focused particularly on providing humanitarian aid to both the Kosovo refugees as well as the Serbs who faced intense physical hardships as a result of the NATO bombing campaign.629 Greece also agreed to accept as many as 5,000 Albanian refugees generated by the conflict, a small but

significant number considering the tensions between the Greek and Albanian populations that the crisis helped enflame.\textsuperscript{630}

Consistent with strong humanitarian values that existed at the core of public sentiment, political elites’ grew increasingly impatient with perceived excesses of the Milošević government in Belgrade. Early in the conflict, Prime Minister Simitis said, “These (Serb) actions must stop immediately”. Foreign Minister George Papandreou announced, “Our information is that there are Serbian forces conducting cleansing, resulting in large movements of population. We have condemned any ethnic cleansing operation.”\textsuperscript{631}

These results confirm the specific way that policy legitimacy affected the Greek leadership’s response to the West to participate in NATO operations, which differs from the reaction predicted by adhering to a strict reading of opinion polls. Despite high levels of public opposition to air strikes against Serb forces in Kosovo and Serbia, the Greek public’s embrace of humanitarian values helped to counterbalance the effects of degraded public support for intervention, and provided some freedom for policymakers to pursue a policy that advanced Greece’s national interests. The support for intervention was facilitated by sufficient military and economic capabilities, which helped ensure that Greece would not suffer substantial material hardships from a modest level of participating in NATO action.

In the final analysis, the governing party in Greece did not suffer substantially high loses at the polls in the wake of the air campaign against Serbs in Kosovo, evidence that the

\textsuperscript{630} Ibid., 173.
success of the intervention in ending the humanitarian crisis was sufficient to mute the long-term effects of the initial elevated levels of public opposition. These results are consistent with the argument advanced in this project that public opinion that primarily reflects opposition to the effects of policy but unrepresentative of deep national values is more fickle and thus less influential than opinion that reflects normative standards that are reflected in domestic policy legitimacy. As a result of Greece’s participation—albeit at modest levels—the case confirms expected reaction of the Greek government to U.S. requests presented in the typological theory above.

Poland

The indicators employed in this chapter reveal that the Poland’s public should not have been highly motivated to pressure the government to support the use of force in Kosovo because of human rights concerns, nor supported the United States because of the perceived legitimacy of U.S. policy. Relative to most other NATO member states, the perception of legitimacy was less of an issue for Poland’s public. The human rights score was 38 percent, significantly below the threshold level of 50 percent, and the rule-of-law score of 3.19 was below the threshold level of 3.70. Both legitimacy indicators suggest that the legitimacy of U.S. policy was not an active component of public opinion.

Poland exhibited impressive economic health considering that it had inherited the legacy of the Cold War and the limitations on capitalism that had harnessed Poland’s economy. The gross domestic product of $167.94 billion (U.S.) was substantially above the margin of $100 billion that established the floor of economic sufficiency.
As indicated by Table 6, Poland ranked as the most dependent of all NATO member states on U.S. military assistance in terms of the metric of security dependence ($\Omega$). At a value of $7.50E^{-04}$, more than twice as large as the second highest state (Hungary, $\Omega = 3.74E^{-04}$) relative to the size of its economy, Poland received the highest level of U.S. military assistance in 1998. In other words, Poland was highly dependent on the United States for security aid and should have been highly sensitive to U.S. requests. The level of Foreign Military Financing and International Military and Education Training grants was approximately $126 million in 1998.\footnote{632}

Given this combination of variables—inactive policy legitimacy considerations by the public, economic sufficiency, and military dependence—the expected reaction to U.S. requests is indeterminate. The reaction to U.S. requests is expected to be a function of strategic calculation formed on the basis of narrowly conceived national interests. The legitimacy of the NATO operation should not have been an active consideration and should not have appeared prominently in officials’ rhetoric in rationalizing how to contribute to the operation. The minimal military assets should have limited the contributions to the operation that Poland ultimately provided, but the dependence on the United States should have led Poland’s officials to support the intervention in indirect and non-costly ways. The substantial economic assets should also have encouraged some policy independence, pushing in the same direction as the lack of policy legitimacy (and minimal level of public pressure supporting Poland’s involvement in the intervention). In short, Poland’s response in terms

of military contributions should have been minimal, but rhetorical support was likely to have been significant given the security dependence on U.S. assets and desire to adhere to its commitments as a new member of NATO. The lack of legitimacy considerations should have dampened the enthusiasm for supporting this humanitarian mission and the rationale is likely to have reflected strategic considerations of the value of close diplomatic ties within NATO.

In fact, of the three new NATO member states—Poland, Hungary, and the Czech Republic—Poland’s policymaking elite expressed the most enthusiasm for the U.S.-led NATO mission. While the public support was greater in Poland than in Hungary or the Czech Republic, the public is not expected to have been highly motivated by humanitarian principles. To restate, policy legitimacy is an important causal variable in the decision to consent to U.S. request to participate in NATO operations. Exemplifying this point, four states that had lower public support for the intervention than Poland provided more substantial levels of military support to the mission. Yet in each of these states, policy legitimacy considerations regarding human rights norms were active in the public mind, confirming the argument advanced here of the critical role that policy legitimacy plays in consent decisions.

In Poland, while 61 percent of the public indicated that human rights should be a priority of the European Union, 23 percent indicated that it should not be a priority, which was a high percentage relative to other European states of those not prioritizing human rights. Poland’s relatively low rule-of-law score and history of political repression indicate

633 These countries were Italy, Portugal, Spain, and Belgium.
that Poland did not experience a deep tradition of liberal rights that is often necessary to
generate public support for defending liberal principles. In short, it is expected that the
decision of Poland’s political elite would not be particularly influenced by human rights
norms per se, in part because the public was not actively advocating for defense of these
norms. Rather, elites are expected to have made a decision of whether to support the U.S.-
led intervention based on other strategic factors.

In fact, the empirical record reveals that the protection of human lives never was a
prominent rationale that officials offered for participating in Operation Allied Force—nor
was the lack of an explicit UN resolution authorizing force ever seriously pursued as an
argument against involvement in the operations by detractors of the intervention. As
predicted by the model, the legitimacy question never surfaced in discussions over whether
to participate in military operations.

As the violence and level of displaced persons intensified in Kosovo during the
summer and fall of 2008, the government strongly supported NATO operations. Foreign
Minister Bronislaw Geremek and Prime Minister Tadeusz Mazowiecki both offered words
of support as a “mature and loyal ally” of NATO.634 President Kwasniewski, like his
predecessor Lech Walesa, pursued a policy of Western integration. Shortly after ratifying the
North Atlantic Treaty on February 26, 1999, formally accepting the invitation to join the
alliance, President Kwasniewski announced “We are joining NATO. We are coming back to
where our place is, because the alliance is a joint strength in the name of joint values…”

634 , Le Monde, July 31 1999. Cited in Rick Fawn, “Perceptions in Central and South-Eastern Europe,” in Kosovo:
Perceptions of War and Its Aftermath, ed. Mary Buckley and Sally N. Cummings (New York: Continuum, 2001),
137.
Today, just moments before stepping over the threshold to NATO, we express aloud our desire for the door to the alliance to remain open to future new members, because security is a common good.” On the eve of the launch of the air war, Kwasniewski said that NATO’s military intervention was justified, and confirmed that Poland was prepared to participate in the implementation of any peace accord that was reached.

According to one account, Polish diplomats in Brussels and Washington were at the forefront of officials proposing that air strikes target Serbian television and radio stations in order to disrupt Milošević’s propaganda campaign. They were also expressing determination to support ground forces if air strikes failed to break the will of Serb forces. The mainstream of the Democratic Left Alliance (SLD)—the so-called social democratic wing of the SLD—also supported the air strikes throughout the war. According to an account by Peter Talos and Laszlo Valki, “The crisis provided a chance for (the SLD mainstream) to demonstrate their fellowship and unit with the English and German social democrats and to prove that they had left behind their communist past, thus becoming full members of the community of West European social democrats.” In other words, the decision to support NATO bombing was heavily strategic, and had little to do with the aim of ending human rights abuses in Kosovo that was a principal goal stated by most Western governments.

Yet the evidence suggests that the support from the Polish government was designed to give the impression of strong support for NATO in principle, but was willing to provide

635 “Polish President’s Speech at Signing Ceremony of Washington Treaty,” (BBC Monitoring Europe, 1999).
637 Ibid., 208.
only a minimum of material backing. As air strikes commenced, President Kwasniewski said that NATO action was justified, but that “at this moment we do not foresee” the participation of Polish troops in the operations. Presidential lawyer Ryszard Kalisz said the same day on Radio Plus said that the government must first pass a resolution before the president can decide whether to use Polish forces abroad.638

Despite its status as a newly inducted member of the NATO alliance, Poland offered no aircraft or military troops to Operation Allied Force before the operation was launched on March 24. While Poland did supply troops after the war commenced, with another 1400 troops based in Kosovo by the fall of 1999, these assets were not provided until after the air war had already begun. This limited and delayed support provides evidence that the government tried to curry favor with its NATO allies while protecting its limited military assets, which inhibited robust levels of military support to the conflict. Some Polish military leaders admitted that given the resource constraints of the Polish military, it was likely that Poland could not have been able to back the rhetorical support of Polish diplomats for full military backing of air and ground operations should it be required.639

Since relatively low levels of policy legitimacy reduced the pressure that the public was placing on the government, the government had an incentive of expressing a commitment to the intervention without providing full participation in NATO’s efforts. Poland’s leaders were cognizant that a show of support for the west was an important strategic move given its high dependence on U.S. security assistance and commitment to live

638 “President: Nato’s Military Operation Justified,” (BBC Summary of World Broadcasts, 1999). Reported by Polish news agency PAP.
639 Talas and Valki, ”The New Entrants: Hungary, Poland, and the Czech Republic,” 207.
up to its obligations within NATO. Revealing of his desire to stand with western leaders and Poland's new commitments as a member of NATO, Kwasniewski wrote a letter in late April to 140 troops preparing to depart for Albania. “Day by day,” he wrote, “your task will be to raise the prestige of Poland’s armed forces and the North Atlantic Alliance.”

Splits did exist between the policymaking elite. Opposition leader Jaroslaw Kalinowski of the Polish Peasant Party suggested that Poland should be actively pursuing diplomatic solutions to the crisis, and resist the contributing ground troops to the operation should the request come. Other voices of opposition existed in Poland, but mainly came from within less established parties and more diminished political figures. The conservative National Democratic Party vigorously condemned the bombings, as did the socialist wing of the SLD, which historically had expressed allegiance to Moscow. Yet as stated above, the arguments of opposition leaders never rose to sufficient levels that led to a change in policy course that the Polish leadership was pursuing. This should not be surprising, however, since the policy course never required substantial costs given the minimal level of material support that was ultimately offered.

In sum, Poland's behavior in the Kosovo war confirms the model's predictions. Although a precise reading of the accuracy of the model is difficult since the typological theory advanced here suggests that the outcome is indeterminate, four outcomes are expected. First, given the low level of policy legitimacy in Poland, it is expected that the

---

legitimacy of U.S.-led policy and the illegitimacy of human rights violations in Kosovo will not be prominent in the rationale by Polish leaders. Second, given the limited level of legitimacy norms in circulation in Poland, policymaking elites are expected to make a determination of whether to support U.S. policy on the basis of narrowly framed strategic or national interests—such as the requirement to fulfill new NATO commitments—which will be revealed in policymakers' rhetoric. Third, given the high level of security dependence on the United States, Polish officials are expected to strongly advocate for robust support for U.S. strategy and objectives. Fourth, given the resource constraints of military assets, if support is offered, contributions will be minimal. As the empirical record reveals above, each of these expectations was confirmed.

Czech Republic

Comparing the response of the Czech Republic with that of Poland provides insights into the expected effects of the independent variables. Both states were emerging from a similar totalitarian past, having suffered under German occupation during the Second World War, followed by domination from the Soviet Union during the Cold War. At the time the Kosovo Crisis intensified in 1998, both states were candidate countries to NATO and political leaders in both countries strongly advocated joining the alliance. One prominent analyst suggested in early 1999 that the Czech Republic "is likely to be among the more pro-U.S. members in the alliance," and contribute "small but potentially politically important
forces to future NATO operations.” In fact, the Czech did not provide substantial contributions to the NATO intervention. The evidence presented below suggests that an important dimension of the explanation is that the government’s hesitancy to firmly back the NATO campaign was a reflection of the public’s indifference toward the character and objective of the mission—namely, the protection of human rights in Kosovo.

The indicators of domestic policy legitimacy suggest that the Czech public, like that of Poland, should not have been particularly motivated by the human rights conditions in Kosovo, and thus would not have been likely to place excessive pressure on the policy-making elite to strongly support U.S. policy. The low rule-of-law score of 3.32 was slightly higher than that of Poland, but well below the 3.70 threshold. While a majority of the public believed that human rights should be a priority of the European Union (58 percent), a very high 31 percent believed it should not be a priority, resulting in a human rights score of 27 percent, significantly below the 50 percent threshold. In short, these measures suggest that the public should not have been particularly agitated on account of the human rights conditions of the Kosovar Albanians. In addition to the fact that policy legitimacy was not strongly considered by the public, the low level of support for the intervention in general pushed in the same direction. As indicated in Table 1, just 36 percent supported air strikes in March 1999, compared to 48 percent who were opposed. These combined incentives

---

inhibited political leaders from strongly supporting the Czech Republic’s participation in the NATO action.

In terms of material capabilities, the Czech Republic’s economy was weak in 1998 relative to most other NATO states—only Hungary, Luxembourg, and Iceland had smaller outputs in terms of gross domestic product. The GDP was $60.19 billion ($U.S.), roughly one-third the size of Poland’s economy. In terms of security dependence, the Czech military was dependent on U.S. military aid, although not at the level of Poland. Measured by the level of military grants from the United States provided through Foreign Military Financing and International Military and Education Program funding, relative to the size of each states economy, Poland received more than two and a half times the funding that the Czechs received. In terms of absolute figures, the Czech Republic received approximately $17.6 million in security grants in 1998, less than one-seventh the level supplied to Poland. While this metric suggests that the Czech government should have been sensitive to U.S. requests, all else equal it should have been significantly less so than Poland’s government.

The typology presented in Table 7 suggests that the combination of limited considerations of policy legitimacy by the Czech public and constrained military and economic capabilities are expected to result in official resistance to U.S. requests to participate in the war. The logic is that resource constraints inhibit participation, and that economic capacity is insufficient to overcome the level of security dependence that otherwise encourages consent to U.S. authority. To recall a previous explanation, the

security dependence variable pushes in two different directions. High values indicate both a deficit of military capacity and dependence on the United States, both of which increase sensitivity to U.S. requests. Yet low capacity also inhibits participation, because it is more likely to impose an excessive burden on existing resources. Economic capacity can be decisive in determining the ultimate outcome of the state’s reaction to U.S. requests.

In other words, *ateris paribus*, economic insufficiency shifts the outcome from indeterminate (in which decisions are dominated by cognitive legitimacy) to resistance to U.S. authority. In the case of Poland, economic capacity that exceeded the threshold level of $100 billion enabled limited contributions to the NATO operation. In the case of the Czech Republic, however, the model predicts that low economic capacity combined with low military capacity and a lack of policy legitimacy should have pushed the state toward rejecting U.S. requests.

Like Poland, legitimacy norms are not expected to be prominent among the elite discourse during policy deliberations leading up to the NATO intervention.

The empirical record reveals that while the Czech government was divided on the prudence of air strikes against Serb forces, as predicted by the model, on balance the government opposed participation in the NATO intervention. This response is striking considering that the country was newly inducted into NATO, having formally joining the alliance by ratifying the accession agreement on February 26. At the ceremony, President Vaclav Havel declared his strong support for entry into NATO, saying on Czech radio, “The ratification of our integration into NATO is of paramount importance not only to the three
candidate countries but also to NATO itself. By its expansion, NATO will become a truly European defense organization."  

Yet divisions within the Czech government generated resistance to participating in the operation. In fact, other than Greece, the Czech Republic was the only NATO country that voiced open “dissent” to the use of force by NATO. Prime Minister Milos Zeman strongly opposed the military operations, along with most top officials who either were ambivalent towards the intervention or were publicly opposed. Zeman and Foreign Minister Jan Kavan explained their opposition by suggesting that the U.S.-led military intervention was taken before the Czech Republic was formerly a member of NATO, thus relieving it of the obligation to participate. Opposition leader and parliament chairman Vaclav Klaus of the Civic Democratic Party was a consistent critic of air strikes. As the operation commenced, Klaus said that he was “deeply disappointed by the military attack.”  

In addition to official opposition, the public and non-governmental actors within the Czech Republic generally opposed the intervention, including the leader of the influential Czech Orthodox Church.  

In sum, the official Czech position opposed participation in the NATO intervention. The parliament was alone among states in the region in waiting for 10 days after the launch of Operation Allied Force before authorizing NATO access to Czech airspace, and both Zeman and Kavan declared that the government would refuse any request for ground

---

643 "President Notes Importance of Czech Republic’s Nato Entry Ratification", (BBC Monitoring Europe, 1999). Supplied by Czech Radio-Radiozurnal.


645 Daalder and O’Hanlon, Winning Ugly: Nato’s War to Save Kosovo, 129.

646 Green, "Czech Split on Air Strike Saps Ally’s Commitment," 4.

647 Fawn, "Perceptions in Centeral and South-Eastern Europe," 141, 37.
troops. As the government opposed participation in the military exercises, Prime Minister Zeman did announce the offer of sending 84 medical staff and 18 security staff to aid both Albanian and Serb victims in the war. Even this offer, however, was delayed for up to two months after the start of the war. In late April, the Czech government dithered on approving NATO attacks on Serb communication and transportation conduits, which had a consequential effect on the effectiveness of the air war by delaying a critical component of NATO strategy.

Among Czech political figures supporting NATO intervention, President Havel was practically a solitary figure. He publicly declared support for NATO actions at the outset of the intervention and blamed Milošević for being “unequivocally responsible.” Yet Havel was not a strong proponent of war, having appealed repeatedly to the FRY leadership to relent to the diplomatic pressure from Western governments. Once the use of force was authorized and initiated, however, Havel was sensitive to the new responsibilities his country had inherited by joining NATO, and was concerned that the Czech government would fail the test of new membership in NATO as well as undermine future expansion.

Havel wasn’t entirely alone in supporting the intervention. Christian Democrat Cyril Svoboda criticized the Czech government’s obstruction of NATO’s efforts, but framed his criticism in terms of obligations as NATO members rather than the importance of ending human rights abuses or safeguarding humanitarian principles. “We are fully-fledged NATO

---

648 Talas and Valkič, "The New Entrants: Hungary, Poland, and the Czech Republic," 211.
649 Ibid.
members, other countries have made pledges of solidarity with us, so we should also show solidarity with them."651

Havel shared Svoboda’s concern of the impact that a lack of participation would have on NATO cohesion and his own state’s reputation, and stated publicly his concern over the effect that a failure to support the intervention would have on the country’s status within NATO. Yet Havel balanced these concerns with sensitivity toward the humanitarian principles at stake in the conflict. Shortly after the launch of air strikes, Havel framed the operation in normative terms, saying that those who share his view that intervention is necessary know “who is the source of evil and who was in the background of the war with Slovenia, attacks on Croatia, killings in Krajina and the war in Bosnia.”652 Later in the war, Havel expressed that the war was the first to be waged for “principles and values,” as opposed to narrowly defined national interests.653 He was a lone voice among the upper echelons of the Czech policymaking elite in advancing in part a normative justification for the war, and even when he did, he balanced his rhetoric with the strategic concern of fulfilling the Czech Republic’s new responsibilities as a member of NATO.

The model predicts that, given the low level of policy legitimacy and low economic and military capacity, the Czech government will resist efforts to encourage broad participation in the NATO intervention. In terms of the rhetoric of the elites, low policy legitimacy suggests that arguments supporting and opposing intervention will be low in

651 CTK, April 26, 1999, cited in Ibid.
normative content, and will focus on the strategic costs and benefits of intervention.

Human rights and humanitarian principles are not in circulation in Czech society to the extent that they are further to the West, and thus elites perceive little benefit in accessing those norms to support their arguments. These expected results were confirmed by the process tracing exercise.

One unexpected result is that policy elites were less active in rhetorically supporting NATO's operation than they were in Poland. Given the benefits of NATO membership and inclusion into the Western society of states, the strategic benefit of closer allegiance with NATO partners should have generated more rhetorical support than actually occurred. President Havel did express strong support for NATO as well as for the intervention, and it is possible that his pronouncements gave other political leaders cover, enabling them to play to the domestic base. As reported by Talas and Valki, NATO membership yielded little perceptible benefit to much of the public and political elite, and became more popular once it was perceived that NATO membership was the most efficient path toward EU membership. Prague was emphasized other security mechanisms over NATO, including the Organization for Security and Cooperation and Europe, and new security mechanisms were rising in importance, including the North Atlantic Cooperation Council, Partnership for Peace (which included Russia), and the NATO-Russia Permanent Council. NATO membership was widely perceived by Czech officials to be a step toward the more critical goal of integration with the West, which was being pursued simultaneously through these alternative institutional pathways. In short, “Between 1989 and early 1997, the Czech people
were not much interested in security policy and NATO accession,” which had the effect of diminishing the enthusiasm for NATO intervention in Kosovo.654

Concluding Remarks

This chapter adds an important component to the debate of what constitutes legitimacy in international politics, and further illuminates this study of the relationship between legitimacy and consent. In both the 1991 Gulf War and the 2003 Iraq War, international legitimacy was assessed on the basis of the fidelity of U.S. behavior to international law. In the 1991 war, a UN Security Council resolution helped reassure Europeans in allying to the United States’ side; Iraq’s violation of the legal norm prohibiting aggressive war also helped galvanize European support for the U.S.-led intervention. In the 2003 war, the lack of a UN Security Council resolution served as the focal point for a significant portion of the international opposition to U.S. policy. This resistance—particularly in Western Europe—was reinforced by an overall skepticism over the limits of U.S. objectives, and the extent to which they included de facto territorial gains in the form of permanent military basis in a region critical to U.S. security or control over valuable petroleum resources. In short, legal legitimacy and normative legitimacy were coterminal in both cases.

In the 1999 Kosovo war, the decay of humanitarian conditions in Kosovo, coupled with perceptions of European impotence in resolving the Bosnian war, served to reinforce European resolve to stop the unfolding tragedy. The essential point is that the legitimacy of

military intervention in Kosovo did not depend on the legal authorization by the UN Security Council, nor did it require the violation of clear legal norms by Kosovo. The legitimacy concept was stretched beyond its legal boundaries to encompass broader normative considerations. The legal requirement of respect for territorial sovereignty left few remedies available to states seeking to ameliorate the effects of internal conflict. Yet despite this lack of legal authorization, Europe broadly supported war against Serb forces in Kosovo due to the scale of the human tragedy, reinforcing the growing legitimacy norm of protecting human security in the process.

The model presented throughout this project predicts the response of European states to the request to participate in the U.S.-led NATO intervention reasonably well. Of the 16 states tested in the alliance, only one state—Luxembourg—definitively responded contrary to the model’s predictions. Two other states—Poland and Turkey—produced questionable outcomes, but failed to disconfirm the model.

The process tracing exercises in Greece, Poland, and the Czech Republic provide additional insight into the precise way in which legitimacy norms combined with economic and military capabilities influence state reactions to U.S. requests. These cases within the 1999 Kosovo case confirm that policy legitimacy influences the extent to which political elites access legitimacy norms in attempting to persuade their audiences, and ultimately shapes the extent to which states are willing to support U.S. policy.

As many as 865,000 refugees were created by the war, representing half the Albanian population, and most European leaders were acutely aware of the political costs of not
arresting this humanitarian tragedy. Yet Europeans also concluded that even in 1999, nearly a decade after the end of the Cold War, U.S. leadership was an essential commodity. Late in the war, Prime Minister Tony Blair defended U.S. leadership, saying “America has once again shown that it has the vision to see that instability, chaos and racial genocide in the heart of Europe will never affect Europe alone.” On June 9, Belgrade relented to NATO air strikes, and agreed to remove police and JNA troops from Kosovo. The United Nations mandated the installation of NATO-led force in Kosovo (KFOR). This study suggests that legitimacy norms were an important feature in states willingness to consent to U.S. leadership, and engage in an operation aimed to arrest the deterioration of human rights on European soil.

Chapter 7

CONCLUSION

At this stage of any extensive project, it is tempting to be distracted by the rigidity of the variable metrics, methodological shortcomings, or the messiness of the empirics, which threaten to obscure the animating idea that inspired the project’s conception. In the space remaining, I resist this temptation and seek to rescue the subject of legitimacy that energized my interest in this study at the outset and has threaded through this discussion.

Legitimacy creates a backdrop of appropriateness against which political action unfolds. Competing normative standards comprise this ideological climate in which outside observers assess the acceptability of the policies and behavior of political elites.

Political elites do not necessarily internalize these normative standards or operate without conscious regard for their effect on the policy environment. Rather, the shrewdest politicians utilize these normative standards to increase public receptivity to their political objectives and reduce friction that threatens their policy agendas. As Frank Schimmelfennig argues,

Rational political actors confront the standard of legitimacy as an external institutional or cultural fact. Whether rational political actors act egoistically or altruistically, pursue value-based or interest-based goals, seek to come to and stay in power or propagate moral norms, they must take the standard of legitimacy into account in order to act effectively. Legitimacy is both a resource of support for legitimate actions and a constraint that imposes costs on illegitimate actions.656

---

656 Schimmelfennig, The Eu, Nato and the Integration of Europe: Rules and Rhetoric, 207.
This dynamic of political elites utilizing societal standards to advance a political agenda is familiar in the domestic political context. The Bush Administration’s success in obtaining authorization from Congress to invade Iraq in October 2002 and in deepening Republican control of Congress in the 2002 midterm elections illustrates the way in which existing societal norms that constitute the ideological climate can serve as a “resource of support” for policymakers.

Leading up to the war, Bush Administration officials and their congressional allies strategically advanced compelling narratives that corresponded with the public’s recent memory of the September 11 terrorist attacks. In making the case for war, the Administration utilized public anxiety over international terrorism to advance the Administration’s agenda of regime change in Iraq. A computer disk found in Lafayette Park adjacent to the White House detailed the Administration’s strategy to utilize the public’s post-September concerns to leverage the terrorism issue and the pending Iraq War to gain political advantage over Democratic candidates. White House pollster Matthew Dowd admitted, “The No. 1 driver for our base motivationally is this war. When an issue dominates the landscape like this one, it will dominate the landscape in a way that probably for a long time to come would put the Republicans on a very good footing.” President Bush obliged, accusing the Democratic-controlled Senate of being “not interested in the security of the American people.”

The strategic use of public concerns of the terrorist threat to simultaneously legitimize war with Iraq and discredit Democrats on national security issues succeeded. Congress overwhelmingly authorized the President to go to war, with a vote of 296-133 in the House and 77-23 in the Senate. Furthermore, Democrats lost seven seats in the House and two seats in the Senate in the midterm elections. It was the first time since Franklin Roosevelt’s first term in 1934 that the president’s party gained House seats in the initial midterm election of any presidency. The residue of September 11 created a climate that enabled the Bush Administration to increase the salience of public concerns of diminished security, giving traction to a successful political strategy.

This phenomenon of an ideological climate enhancing the receptivity of political ideas is not restricted to the domestic realm. Consider the example of Western officials’ success in reinforcing the Western alliance and vastly expanding the institutional infrastructure by grounding these projects in the shared normative values of the centrality of the rule of law in establishing domestic and international order.

In the late 1980s, where this study begins, the legitimacy of the constitutional order was reinforced by the public’s observance of the nature of the political regimes that were

---

659 It is worth noting that the vote in this so-called illegitimate war was far more lopsided than the congressional vote authorizing the so-called legitimate Iraq war in January 1991, which was 52-47 in the Senate and 250-183 in the House. This relative closeness in the vote, compared to the 2003 vote, is at odds with the legality of the 1991 Gulf War, which included a backing by a UN Security Council Resolution, strong ally support in Western Europe, and substantial support from Middle Eastern states. This paradoxical result is evidence of the role that public sentiment and perceptions of legitimacy have on domestic political outcomes. In 1991, the public and Congress was less persuaded by the legal claims of Iraq’s violation of Kuwait’s territorial sovereignty. In 2003, the fear of terrorism and a nuclear-armed Saddam Hussein overwhelmed any concerns of illegality by the public and a majority of Congress.

emerging victorious from the U.S.-Soviet competition. There was a broad perception that a clear victory had been achieved by the West in the ideological contest between political regime types. This perception of an ideological victor was firmly lodged in the public mind, enhancing the legitimacy of fledging democratic dissident movements in Eastern Europe and consolidating Western European public support for a sustained U.S.-led alliance premised on liberal norms.

I ideological competition had been waged throughout the twentieth century, and the public consistently played an enabling role. The cold predictability of fascism found a compliant public in the material uncertainties of Western Europe in the 1930s, most determinedly in the more economically depressed and demoralized regimes that had emerged from the First World War. Communist idealism was emboldened by the failures of Italian, Spanish, and German fascism and nurtured by the residue of a global economic depression, which reinforced the more benign socialist values that privileged the common good and challenged the perceived heartlessness of hard-edged capitalism. To call these purely elite phenomena denies the role the public played in providing an audience with which opportunistic leaders' rhetoric resonated and the platform from which they began their ascent to power.

New organizing political strategies replace failed ones. In the sphere of macroeconomics, Keynesianism was an antidote to the 1930s free market failure and shortage in labor demand, and was politically tenable in an environment dominated by the Great Depression. Friedrich Hayek prominently provided a counter-antidote in the 1930s in the form of government deregulation, but his ideas were slow to take root in the existing
climate. His writings, highly critical of central planning of federal controls, eventually earned him a Nobel Prize in economics in 1974, and his ideas worked their way into government policies only as the public’s growing disgust with government intrusion intensified. His economic principles were commensurate with the rise of small-government philosophies of such political luminaries as Margaret Thatcher and Ronald Reagan, who championed moving beyond the economic inefficiencies of federal interference in the marketplace. Thatcher and Reagan did not create the condition of public dissatisfaction with the status quo—rather, they benefited from it. In each of these ideological contests, public sentiment created a fertile environment in which ambitious politicians could capitalize on the national mood, thus paving their path to—or consolidating their hold on—power. As *New York Times* columnist Frank Rich wrote during the heat of the battle for the presidential nomination between Hillary Clinton and Barack Obama, “Mr. Obama hardly created this moment, with its potent brew of Bush loathing and sweeping generational change. He simply had the vision to tap into it… We don’t know yet if he’s the man who can make the moment… but there’s no question that the moment had helped make the man.”

By the late 1980s, the public perception of the success of the democratic and capitalist West critically undermined communist ideology and the foundations of the Soviet empire. It is axiomatic that the public played a facilitating role, strengthening regimes in the liberal West (there were democracies, after all). These states were governed on the basis of law and consent, and by example, weakened the closed regimes in the Soviet sphere, which were

---

governed on the basis of coercive means. Coercion was always a key element of the Soviet Union's means of maintaining its empire, and by 1989 the consent of the governed had eroded to threshold levels. Pockets of public resistance in the Soviet Union's periphery had begun to merge.

In this study the variable of "domestic policy legitimacy" is designed to capture the dimension of public opinion that reflects a policy's consistency with broad national normative standards. Each chapter opens with a discussion of the ideological climate in which U.S. authority is tested during the debates between allies of the legitimacy of applying military force. As the description of each respective circumstance reveals, the legitimacy standard is not rigid, but rather is formulated in consonance with the society's expectations specific to each episode.

In the 1991 Gulf War and the 2003 Iraq War, the legitimacy standard assessed was the fidelity to international rules defining permissible uses of military force, a foundational norm of constitutional governance. In these cases, there was a notable absence of countervailing norms. In 1991, the norms opposing territorial aggrandizement, opposing human rights violations of the Kuwaiti population, and favoring authorization from the UN Security Council (which was achieved) all pushed in the same direction as the U.S. -

---

662 A fair critique of this analysis of the governing principles of the West versus the East is that it wildly oversimplifies the governing philosophies at work in each respective pole. It simply is not true, for example, that the United States consistently operated out of respect for law or on the basis of consent within the alliance. The history of U.S. foreign policy is littered with examples of the commission of gross injustices toward other, largely weaker, states and peoples. The essential point, however, is that the public impression that the United States and its Western allies operated according to a philosophy that was premised on a respect for law, and particularly civil and political rights, however incomplete or imperfectly implemented, had a positive effect on the cohesive forces holding the alliance together.
constructed response, enhancing the prospects of U.S. authority in constructing the alliance. As a result of the clear consistency of U.S. policy with the prevailing norms in 1991, all else equal, consent is expected. In 2003, in the absence of perceived ongoing human rights abuses, imminent threat, or UN authorization, the norms similarly pointed in the same direction, but in opposition to the perceived character of U.S. policy. The model developed here suggested that clear inconsistency with prevailing norms in most West European states predicted that these states should have resisted U.S. authority. Yet in the Kosovo Crisis of 1998-1999, which revealed grave and immediate humanitarian concerns, the evolution of human rights concerns displaced strict interpretations of the requirements for authorizing the use of military force. In this case, states whose publics indicate a significant regard for human rights concerns were predicted to consent to U.S. requests to authorize NATO air strikes. Together, across the three episodes in this study, the legitimacy standards evaluated reflect—but are not restricted to—legal norms.

This dissertation attempted to reconcile three overlapping objectives. First, in general, this research project was designed to explore the influence of legitimacy perceptions on political outcomes, a departure from the material explanations that dominate much of the international relations literature. The investigation of legitimacy has received extensive academic treatment in recent years. This study applied the standards of social science research to the question of whether international evaluations of the legitimacy—or illegitimacy—of U.S. foreign policy had a consequential strategic impact on the United States.
To make progress toward this objective, the concept of legitimacy, a characteristically elusive concept, had to be defined, including the determination of the source of legitimacy perceptions that is most likely to impact the character of international politics. This study focused on the domestic public as a source of consequential legitimacy considerations, a source that is understudied in the international relations literature, given the dominance of systemic models and statist explanations of foreign policy outcomes. In short, this study presents a populist model of international legitimacy, specifically the legitimacy standard defining the permissible use of military force.

The third objective was to examine how legitimacy norms interact with material capabilities to influence a specific political dynamic. The specific context evaluated here is secondary states’ willingness to accept or reject U.S. authority. This theoretical framework developed in this dissertation explored the academic underpinnings of a relationship between legitimacy and authority and then sought empirical evidence to determine the extent to which U.S. aberrance from legitimacy norms generates authority deficits in the form of secondary state resistance, or conversely, the effect of fidelity to legitimacy norms on authority surpluses.

To achieve these objectives, this study tested four claims. First, the ideological climate in which legitimacy norms are situated infiltrates the policymaking process and influences the course of international politics. Second, the legitimacy standards that have this effect comprise the normative component of public opinion and are found in the domestic public and reflected in opinion polls that extract normative legitimacy from narrower measures of public opinion. Third, European public perceptions of the legitimacy
of U.S. policy influence European policymakers' willingness to consent to U.S. requests in the use-of-force context. Finally, the ideational variable of legitimacy perceptions interacts with material factors to affect the outcome measured in U.S. authority levels. All else equal, U.S. illegitimacy generates European resistance, and U.S. legitimacy generates European support.

In the testing phase of this project, methodological challenges in each respective empirical chapter challenged this researcher's confidence that a definitive relationship exists between policy legitimacy and U.S. authority. In each of the three episodes, the operationalization of both policy legitimacy and the material variables and insufficient variation in the dependent or independent variables in the three cases make it difficult to definitively test the veracity of the hypothesized relationship between legitimacy norms and authority levels.

The European Community's response to U.S. authority in the Gulf War episode was overwhelmingly positive, largely a consequence of the widespread concern throughout the European public that legitimacy standards protecting national sovereignty were at risk due to Iraqi action against Kuwait. Correspondingly, the U.S.-led military intervention was authorized by the UN Security Council and supported by the 12 EC states. Yet the minimal level of variation in the dependent variable and the fact that an alternative (material) explanation pushed in the same direction raise some concern of the utility of the chapter as a stand-alone product.
In the Kosovo case, consensus among NATO members was slow to congeal but ultimately was achieved, driven largely by the fact that U.S. leadership seeking NATO authorization to threaten punitive action was consistent with the normative standard of humanitarian concerns that threaded through the vast majority of European states. Support for the intervention was uneven, however, and the evidence confirms the hypothesis central to this project that each state’s support for the U.S.-led intervention was related to the degree to which each state’s public was motivated by human rights considerations. Yet the metric of U.S. authority in this specific case is suspect since the mission was to be conducted by an established alliance. In the 1991 Gulf War and the 2003 Iraq war, the ability of the United States to gain consent from its allies to participate in the respective coalitions is a valid test of U.S. authority, since the coalitions required U.S. leadership to organize each operation. In Kosovo, the willingness to participate is not exclusively a test of U.S. authority, but also a test of each state’s commitment to NATO, potentially contaminating the dependent variable of U.S. authority. As a stand-alone chapter, this test of U.S. authority is not entirely convincing.

In the 2003 Iraq war, participation in the coalition of the willing was much more uneven than in the 1991 Gulf War or 1999 Kosovo intervention, and was consistent with the model’s prediction that variation in U.S. authority would correspond with variation in domestic perceptions of the legitimacy of initiating military force in absence of either a formal UN Security Council authorization or an acute humanitarian crisis. Yet in this case, isolating the legitimacy variable from the material variables is complicated by the fact that in the European states in the sample tested, economic and military capacity co-varied with
perceptions of policy legitimacy. As a result, while the process-tracing exercise is a good check on the hypothesized relationship between legitimacy norms and consent, drawing inferences of the effect of policy legitimacy on U.S. authority from this case alone is compromised due to the difficulty of separating which independent variable is impacting authority levels.

A final concern is that a comparison between the cases is compromised by the fact that policy legitimacy is evaluated for its effect on U.S. authority in two of the cases, and policy illegitimacy is tested for its effects in the third case. In the Gulf War and Kosovo Conflict, the legitimacy of U.S.-led intervention is evaluated, and the similarity between the respective typological tables for each case (Chart 5-1 and Chart 6-1, respectively) demonstrates this point. In the 2003 Iraq War, the illegitimacy of the U.S.-led intervention is tested, and the difference from the Gulf War and Kosovo cases is demonstrated by the different formulation of the typological theory presented in Chart 4-1.

Yet although the layout of the typological tables is slightly different between the Gulf War and Kosovo cases and the Iraq War case, the logic is the same. Assuming material sufficiency, strong public opposition to U.S. policy that is driven by normative considerations is likely to influence policy-making elites and translate to secondary-state resistance of U.S. authority. This was the dynamic at work in the lead up to the 2003 Iraq War. In comparison, strong public support of U.S. policy that is driven by normative considerations is more likely to generate consenting behavior to U.S. requests, such as in the case of the 1991 Gulf Crisis. The principal difference between these two episodes is whether the policy was clearly perceived by the public as legitimate (as in 1991) or as illegitimate (as in 2003). In both
episodes, the reaction to U.S. policy among publics not influenced by legitimacy considerations generated indeterminate behavior by elites. In 1991, for example, reactions that were not influenced by legitimacy considerations should not be confused with the assumption that the public found U.S. policy to be illegitimate. Rather, a fair interpretation of the case is that the public simply did not regard legitimacy norms to be sufficient grounds for determining whether U.S. leadership in the Gulf War coalition was acceptable. As a result, the secondary-state reaction to U.S. requests was indeterminate. Correspondingly, in 2003, the publics that were not privileging legitimacy norms did not necessarily find the 2003 Iraq War to be legitimate. Rather, these publics were simply accessing different standards for determining their reaction to U.S. policy. Again, for this reason, the secondary-state response was indeterminate.

Moving back to the composite level and combing the three cases, confidence in the relationship between domestic policy legitimacy and U.S. authority is restored. The following integrated matrix combines the typological theories presented in the respective empirical chapters and captures the expected outcome of perceptions of legitimacy and material capabilities on U.S. authority levels. To summarize, European public perceptions of the legitimacy of U.S. policy will generate consent to U.S. requests by European states. In such cases, European elites will justify their support for U.S. requests by strongly evoking norms of legitimacy that are in circulation among the domestic public. Perceptions of illegitimacy generate outright resistance or hedging behavior. Material capabilities—particularly economic capabilities in a traditional security community such as Europe—
determine the form or level of support offered if consent is offered. High levels of economic and military capacity enable states to resist U.S. authority in cases of perceived illegitimacy, and equip states to contribute high levels of support when policy is regarded as legitimate. Low levels of material capacity generate weak support or free-riding when policy is considered to be legitimate, given the limited resources at that state’s disposal, and weak levels of support or symbolic measures when the policy is perceived by the public to be illegitimate.
<table>
<thead>
<tr>
<th></th>
<th>Material Sufficiency</th>
<th>Material Insufficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legitimacy</strong></td>
<td>Consent</td>
<td>Consent</td>
</tr>
<tr>
<td></td>
<td>Strong support</td>
<td>Weak/symbolic support</td>
</tr>
<tr>
<td></td>
<td>Strong norm. rhetoric</td>
<td>Strong norm. rhetoric</td>
</tr>
<tr>
<td><strong>Illegitimacy</strong></td>
<td>Resist</td>
<td>Hedging</td>
</tr>
<tr>
<td></td>
<td>No support</td>
<td>No/weak/symbolic support</td>
</tr>
</tbody>
</table>

It is significant that in the cases investigated in this study, the legitimacy of the constitutionalism norm was never in question. Irrespective of power asymmetries and a transition from liberal to conservative administrations in the U.S. government, there is no record of policymakers publicly claiming that the legal and normative constraints curtailing the use of force were suspended (although there were debatable claims that the United States had achieved an international legal basis for using force despite the absence of authorization from the UN Security Council. This normative framework was circumvented in other ways, but the legitimacy of these constraints never faced direct challenge. This raises the question of whether they are relevant if they did not restrain the United States from invading Iraq in 2003. The issue is not whether normative arguments always carry the day. The real issue is whether the United States paid a price for violating this normative framework. The evidence clearly suggests that it did.

**Implications**
The results of this study suggest that U.S. authority levels vary with public perceptions of legitimacy, casting doubt on claims that ideational variables in the form of international perceptions of the legitimacy of U.S. policy are inconsequential with respect to the efficacy of U.S. foreign policy and alliance maintenance. These findings suggest that the United States would strengthen its authority by constructing policy that is sensitive to the international public voice. The need for allies is self-evident in the turbulent contemporary environment and most intractable international problems cannot be solved by the United States alone. Intelligence deficiencies, drug and human trafficking, proliferation of weapons of mass destruction, failing states, ethnic violence, and environmental catastrophe all demand joint responses by the world's most capable countries. The question of what holds alliances together has immediate importance. The implications of this research suggest the need for policymakers to reassess the relevance of legitimate behavior and the impact that administration policy has on U.S. leadership among its allies.

Another significant implication of the evidence presented here is that U.S. influence cannot be restricted to U.S. material assets. This finding suggests that the United States in fact undermines its own authority when it rejects constraints on its own behavior. This argument may be extended to other domains, and a wide range of international norms potentially impact leadership capacity, including standards related to the environment, treatment of prisoners, and wider conduct in the so-called war on terror. This result would pose a challenge to pure structural explanations in which material variables dominate the causal chain. Ideational variables have been increasingly asserting themselves in causal
explanations advanced in the literature in recent years, and the results of this study presents another domain in which ideas operate to influence international outcomes.

Future Research

One theoretical assumption that I advance but demands further research is the assertion that a dimension of international public opinion reflects normative legitimacy, which privileges value-laden considerations over narrow parochial concerns. As a result of its normative character, legitimacy perceptions are more likely to be stable, consistent across time, and sufficiently intense to generate public protest, and thus more likely to compel policymakers to adjust policy in response. This research agenda challenges much of the conventional scholarship on public opinion that suggests that the public voice is too volatile and ill-informed to have a consequential effect on policy construction and outcomes.

A related project could examine the extent to which the public is more likely to make policy judgments that reflect normative legitimacy than policymakers. The core argument suggests that policymakers are tasked with securing the national interest and, absent public pressure, are more likely to respond to stimuli that reflect cognitive legitimacy, which logically joins together means and ends. This divergence in policy judgments has important implications for the consistency of public opinion and its weight in the policymaking process.

Thirdly, this study is principally a static model that examines the extent to which normative legitimacy infiltrates the policymaking apparatus in significant ways. By inference, this evidence suggests an important mechanism by which normative shifts result in policy
changes. There is ample evidence that legitimacy norms shift across time—slavery, colonialism, women’s suffrage, and human rights all gradually penetrated the human consciousness. Evidence that the public voice—infused with the perceptions of normative legitimacy—is an important determinant in state behavior suggests that dynamic legitimacy norms place new pressures on policymakers and explain changes in international behavior. Examining these dynamic effects of norms and policy behavior would challenge explanations that rely on a prevailing logic that timeless forces influence outcomes in international policy.

A fourth research agenda is inspired by the concept of the time-bound contours of legitimacy and the role of normative influences on the policymaking process and international outcomes. This research agenda entails investigating whether the public voice is aggressively asserting itself in innovative ways on the foreign policymaking apparatus in the United States and European states. Such a finding would shift the balance from an executive-dominated foreign policy structure (which is commonly assumed to exist in the United States) to a more populist version that entails competing prerogatives over foreign policymaking. This research would investigate whether there are structural or domestic political factors that have altered the predominant influences on foreign policymaking by suppressing the traditional dominance of elites and opening up the process to provide a greater voice to the mass public.

A Closing Word on the Essence of the Transatlantic Alliance
The United States requires allies to pursue key strategic goals of basing and airspace rights, intelligence sharing, non-proliferation efforts, post-war reconstruction, isolation of

global disease, protection the environment, and overall economic growth. The historic
closeness that the United States enjoys with its transatlantic partners reinforces the utility
that European states provide the United State on these critical challenges. Due to the fact
that the European states and the United States enjoy the fruits of an established alliance
structure—through such permanent alliances as NATO, GATT, and the WTO—Western
policymakers benefit from the coordination between the world’s two largest economies that
eliminate start-up costs and extract minimal transaction costs that newly designed regimes
would require.663

The second reason that sustaining close ties between the United States and Europe is
so critical is ideational in nature. Events of recent years have cast serious doubt on Francis
Fukuyama’s argument that Western-style liberalism is on the verge of vanquishing its
ideological rivals. There is not sufficient space here to fully explore the alternative
organizing frameworks that could potentially displace the political and economic openness
that many in the West now take for granted. Yet particular constellations of events, such as
a global pandemic, increased instability in the Middle East, or economic collapse of Western
governments would seriously challenge the legitimacy of Western-dominated governing
strategies.664 The West stands the best chance of staving off the counter-ideological

663 For a basic theoretical framework that demonstrates that long-standing alliances can lower transaction costs, see Keohane, "The Demand for International Regimes," 325-55.
664 For related arguments that raise the prospects of a rising challenge to Western liberalism, see Harold James, The End of Globalization : Lessons from the Great Depression (Cambridge, Mass.: Harvard University Press, 2001), ———, "The Vulnerability of Globalization" (paper presented at the Federal Reserve Bank of Dallas conference,
alternatives if transatlantic ties are strengthened, clarifying the unity of the Western claim and reinforcing the legitimacy of that claim in the minds of the public outside this established alliance.

Former German ambassador to the United States Wolfgang Ischinger recently editorialized on the urgency of close Western ties, writing, “The West—as a political and moral concept—must remain united. This is about more than just NATO, the European Union and free trade—it is about the legacy of European Enlightenment. Opposing absolutism, and believing in people’s ability to create self-balancing and self-regulating, just, relativist and secular political systems: That is the Enlightenment’s gift to the world, and it continues to be the West’s promise.”

The transatlantic relationship, while showing strains after the disintegration of the Soviet Union, shifting geostrategic focus, and divergent strategies to confront new strategic threats, still exhibits considerable promise in efforts to promote a pro-social future. It is for this reason that Western European countries are the focus of this project.

Over the course of this research, I sought to demonstrate that the perceived character of U.S. foreign policy affects the fortitude of the Western alliance. The findings presented here suggest that perceived illegitimacy of U.S. policy also is instrumental in driving alliances apart, compromising the prospects for a promising geopolitical order. If this research sheds light on the cohesive forces of alliances and the requirements of effective leadership in foreign policy construction, then those who accept these findings cannot find


comfort in structural explanations for order breakdown. One would be forced to reconsider the criteria on which hegemonic authority is assessed. If this is an outcome of this research, then a substantial service will have been provided.
BIBLIOGRAPHY


DeYoung, Karen


"European Security Events in the near and Middle East." 25: Assembly of the Western European Union (WEU), 1990.


Fisher, Marc. "Bonn May Send Troops to Turkey; Germany Considers Rare Deployment." The Washington Post, December 29 1990.


Green, Peter S. "Czech Split on Air Strike Saps Ally's Commitment." International Herald Tribune, March 27 1999.


"No Us Request yet for Bulgarian Role in Iraq War." BBC Monitoring Europe, 2003.


"President Notes Importance of Czech Republic s Nato Entry Ratification ". BBC Monitoring Europe, 1999.


Salmon, Trevor. "Europeans, the E.C. And the Gulf." In Iraq, the Gulf Conflict, and the World Community, edited by James Gow, 89-106. London: Brassey's (UK), 1993.


"War Not the Answer to Gulf Crisis." *Herald Sun*, November 19 1990.