

Abstract

Due to a lack of a universally accepted definition of terrorism, this term has often been used by states selectively and to delegitimize liberation organizations. This thesis examines the implications that this label has on liberation movements, focusing specifically on the case of the Kosovo Liberation Army (KLA). This analysis explores the 'terrorist' label as a powerful political tool that is often used by states to further political goals, justify military intervention and gain public support. Addressing the research question, *What are the implications of labeling liberation organizations as terrorists?*, the study employs a qualitative analysis of existing literature and case studies. The findings reveal that such classifications have crucial legal, moral and political consequences on this movements, obscuring their legitimacy, moral standing and political support. Additionally, the results indicate the fluidity of the 'terrorist' label suggesting that it is often depended on the broader political context and geopolitical strategies. In this context the media is often used to influence public perception and to construct narratives. This is highlighted in the case of the KLA which was initially regarded as a terrorist organization but its perception shifted once international interests aligned with their cause and attention was instead drawn to the humanitarian crisis. Ultimately, this thesis emphasizes the need for clearer definitions and a nuanced discourse around terrorism that also includes state terrorism.

Keywords: terrorism, self-determination, Kosovo Liberation Army, National Liberation Movements, Geopolitics, Media Representation, Political Labelling, State terrorism.

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Introduction

Terrorism does not have a universally accepted definition. “It is often said that one of the weaknesses of the field of terrorism studies has been the inability of to reach a consensus on an academic definition of terrorism (Schmid 2014, as cited in Norris, 2015). This consensus has also proven elusive in the wider world, as there are over 100 definitions of terrorism as the search for a universal definition appears fruitless (Silke 2004a, as cited in Norris, 2015)” (Norris, 2015, p. 37-38). Due to this ambiguity in its definition, the ‘terrorist’ label is often used by states to delegitimize liberation movements and undermine their cause. This thesis examines the political, legal and social implications of labelling national liberation movements as terrorist organizations, particularly using as a case study the Kosovo Liberation Army (KLA) to investigate how such a label may affect international support, public perception and the right to self-determination.

With this primary question in mind, the aim of this thesis is to analyze how liberation movements are impacted by the ‘terrorist’ label when it comes to their legitimacy, political standing, public perception and international relations. By focusing on the KLA, this research aims to explore the broader implications of the terrorist label in the struggle for self-determination and the international community’s responses to such movements. Additionally, this thesis analyses the implications of geopolitical interests and the role of the media and propaganda in shaping public perception of liberation organizations, ultimately constructing a certain story to fit the desired narrative.

Previous studies have explored the complexities surrounding the labeling of national liberation movements as terrorist organizations (Huff & Kertzer 2018; Muller 2008; Zeidan 2003; Sulyok 2002). Norris (2015) explores terrorism as a social construct shaped by perceptions and narratives. Additionally, scholars such as Zeidan (2003), Maogoto (2003) and Blakeley (2016) give emphasis to the importance of including state terrorism in the discussion around terrorism as a key variable in further understanding terrorism. Mueller (2011) explores how the KLA, by leveraging international norms of self-determination, was able to partially reshape its image from a terrorist group to a legitimate military force. In contrast, other scholars, such as Friedlander (1981), have questioned whether movements that employ violence to achieve self-determination can ever fully escape the terrorist label in international law. This thesis builds on these discussions and aims to provide a deeper understanding of the complex implications of labeling liberation movements as terrorists, specifically in the context of the Kosovo Liberation Army (KLA).

This thesis adopts a qualitative research design to investigate the implications of labelling national liberation movements, specifically focusing on the Kosovo Liberation Army (KLA) as a case study. By utilizing a case study method, this thesis aims to provide a comprehensive

analysis of how such labelling influences legal, moral, and political dimensions surrounding liberation movements. A detailed analysis of important events in the history of the KLA will be conducted to provide context in understanding the labelling of the KLA as a terrorist organization. Data collection for this study will involve a thorough examination of both primary and secondary sources. Key documents will include academic articles and books that delve into terrorism and liberation movements, legal documents, such as international court rulings related to the KLA. This included an analysis of scholarly articles, international court rulings, and official documents from international bodies such as the United Nations and NATO to understand the broader implications of such labeling in legal, political, and social contexts. Additionally, a comparative analysis will be employed to examine how different contexts or countries label similar movements, aiming to draw broader conclusions about the impacts of such designations.

This thesis is structured into several key chapters in order to address the research question. Chapter 1 examines existing literature on terrorism and self-determination to better understand these concepts and ultimately to distinguish between the two. Chapter 2 on the other hand, focuses on the Kosovo Liberation Army as a case study giving a comprehensive understanding on the Kosovo war in order to further understand the KLA and the varying strategies and means that led to the armed struggle. This chapter is a good predecessor for chapter 3 which further examines the KLA and its labelling a "terrorist organization" by various states. The chapter explores how the label was used to justify actions and how shifting geopolitical interests and narratives led to the eventual recognition of it as a legitimate actor in the conflict.

Chapter 4 focuses on the role of media and propaganda in shaping public perception toward a liberation organization particularly focusing on how the Kosovo crisis was portrayed in local and international media. Chapter 5 on the other hand, examines the role of geopolitical interests in determining who is or is not a terrorist. The chapter focuses on the role that regional actors and major powers played in shaping the narrative around the KLA and the Kosovo conflict. Finally, chapter 6 examines the definitional vagueness of terrorism and the vagueness surrounding the current international law on the right to self-determination. It explores the interplay of violence, liberation movements and state terrorism. The chapter also focuses on the discussion of terrorism label as a social construct and ultimately analysis the implications of labeling liberation movements as terrorist.

Chapter 1: Self-determination and Terrorism - A General Overview

The concepts of terrorism and self-determination are intertwined within the context of global conflicts and political struggles. Acts labelled as terrorism have often emerged from movements seeking self-determination, as oppressed groups strive to assert their rights and identities against dominant powers. This chapter explores the history of terrorism and self-determination in order to provide a more comprehensive understanding of these two concepts. It will address the definitional issues around terrorism and the myriads of definitions proposed which reflect the subjectivity and politicization of the term. Moreover, the right to self-determination which determines the right of people to decide their political status and pursue their economic, social, and cultural development, further complicated the discussion. Often due to the vagueness in definitions, terrorism has been used as an excuse to delegitimize liberation organizations. By analysing these concepts, the chapter aims to provide an understanding of both terms and ultimately distinguish between the two.

History of terrorism

The history of terrorism can be traced back 2000 years with the zealots and sicarii. The Jewish resistance group known as Sicarii-Zealots “carried out terrorist campaigns to force insurrection against the Romans in Judea. These campaigns included the use of assassins (sicarii, or daggermen), who would infiltrate Roman-controlled cities and stab Jewish collaborators or Roman legionnaires with a sica (dagger), kidnapping members of the staff of the Temple Guard to hold for ransom, or use poison on a large scale (Hudson, 1999, p. 17).”

Another early example of terrorism is the *Assassins*, who used targeted killings of political and religious figures to spread their influence and destabilize opposing powers. Also known as *Hashashin*, they were part of the Ismaili branch of Shia Islam and were one of the most secretive and feared groups in medieval times. They were masters in the use of psychological warfare; therefore, they instilled fear in their enemies as they could attack at anytime and anywhere. The killings being conducted in very public and dramatic ways, also contributed to the spread of terror and fear among their enemies. Their targets were various rulers, military leaders, and religious figures, contributing in destabilizing regimes and altering the balance of power in the region.

The term terrorism however was first used in the late 18th century during the French revolution. During the 1793–1794, Maximilien Robespierre and the Jacobin Party’s Reign of Terror conducted state-sponsored violence and mass executions to eliminate perceived enemies and consolidate power. As Garrison explains, “Robespierre initiated the idea that terrorism has utility as a tool to achieve governmental ends, and he used terror systematically to suppress opposition to his government (Garrison, 2003, p. 6).”

The late nineteenth and early twentieth centuries saw the rise of the Anarchists, a group who believe in abolishing all government. According to Abbasi and Khatwani (2014), "At the end of nineteenth century and earlier decade of the twentieth century, the major political assassinations and casualties were instigated by anarchist ideas and labelled as anarchist terrorism. These killings created an assurance and sense of fear among governments about the existence of anarchist conspiracies on national and international level. The political assassinations included assassination of Russian Tsar Alexander II at the hands of Ignatei Grinevitski, a member of People's Will Party in 1881 and the assassination of the French President Marie-François Sadi Carnot who was killed by an anarchist Sante Geronimo Caserio in 1894 as well as In 1901 American president William McKinley was assassinated by Leon Czolgosz" (p. 104).

During this time the anarchists introduced a tactic known as individual terrorism and the concept of propaganda by deed. Individual terrorism meant that the aggression was directed toward a specific target, mainly persons with governmental titles and positions in the nobility. Individual terrorism helped to limit collateral injury to innocent bystanders. Also, anarchists developed the concept of propaganda by deed which intended to inspire the masses to revolt through acts of violence such as assassinations and bombings (Garrison, 2003). As Garrison (2003) states, anarchists believed that "the use of terrorism will communicate to the masses that they can revolt, as well as communicating to the ruling class that they are not beyond the reach of the people, who resist their oppression (p. 7)."

Their theory, as Laqueur (1977) states was that "If ten or fifteen of the establishment were killed at one time and the same time, the government would panic and would lose its freedom of action. At the same time, the masses would wake up (p. 34)."

With the beginning of the 20th century and the Soviet Revolution of 1917, there was a change with how terrorism was seen and practiced. This period saw a shift in the methods as well as the targets of terrorism. Targets of the attacks were more indiscriminate and aimed at the broader population rather than specific political rivals; entire social classes were targeted, such as the kulaks. "Marx, Engels, Lenin and Stalin studied the theories of Maximilien Robespierre and refined them to provide methods and justifications for modern terrorists throughout the world (Parry, 1976)." Methods such as the secret police, surveillance but also the use of labor camps were used to inject fear among all people. As any group, the Soviet Revolution had introduced a set of ideological justifications for the terror. Terrorism was seen as a just way to achieve the goals of the revolution. The Soviet model of state terror inspired other regimes from Maoist China to the Khmer Rouge in Cambodia.

The Irish Rebellion of 1919, brought about new change in the ways terrorism operates. The Irish Republican Army (shortly referred to as IRA) was created in 1917 from members of the Irish Volunteers and the Irish Citizen Army. Their aim was the liberation of Ireland from Britain. They implemented selective terrorism, which consisted of targeting of representatives of the British

government operating in Ireland. “The Irish Rebellion of 1919 demonstrated that, to be successful, terror must be sustained over a long period of time, because sustained terror will, over time, break down the will of the targeted government, which eventually will seek an accommodation (Garrison, 2003, p. 8).” The Irish War of Independence culminated with the signing of the Anglo-Irish Treaty in December 1921. This treaty, established the Irish Free State and ended the British rule in 26 of the 32 counties of Ireland. The treaty also formalized the partition of Ireland, with Northern Ireland remaining as part of the United Kingdom.

The WWII Era marked a distinct shift in terrorism practices. Up until the early 20th century, terrorism was generally state-sponsored, however the decolonization movements and nationalist struggles inspired certain groups to use terrorist tactics to achieve their political goals. Some of these groups were the FLN in Algeria and the Irgun in British Mandate Palestine.

The period after the war saw an increase of hope toward decolonization and gaining of independence. The Atlantic Charter and the UN Declaration were the catalysts of this expectation by the colonized people. However, as Bruce Hoffman (cited in Shughart, 2006) noted “the principles of self-determination were never meant to, ‘apply either to Asia or Africa, especially not to India and Palestine, but only to those peoples in hitherto sovereign countries conquered by Germany, Italy and Japan’ but ‘the damage had already been done’ (p. 17).

During the late 20th century, we saw also the rise of transnational terrorism. This meant the targeting of international symbols such as embassies, airplanes, and multinational corporations. This was exemplified by groups like the Palestinian Liberation Organization (PLO) and, later, Al-Qaeda. The development of technology and later the rise of social media helped the impact and reach of these groups to become bigger and global.

Some other significant new tactical shifts were:

1. Suicide Bombings: Suicide Bombings were maybe one of the most significant tactical shifts in the late 20th century, used by groups such as Al-Qaeda.
2. Targeting of civilians: Targeting of civilians is nothing new, however the 20th century saw a drastic increase in attacks aimed at causing mass casualties; such as the 1998 U.S. embassy bombings in East Africa.
3. Cell operations: To enhance the efficiency of the operations a new tactic was used - cell operations. Each cell had their own role and did not have communication with the rest of the cells, making the destruction and discovery of the terrorist organization difficult. This decentralization strengthened these organizations and made them harder to dismantle.

The most popular association with terrorism in the modern day is the radical interpretation of Islamic religion. Terrorism nowadays is often associated with the Islamic religion. There are a

variety of reasons for this, however possibly the most crucial one is the attacks perpetrated by groups identifying themselves as Islamic such as the September 11, 2001, by Al-Qaeda, the 2004 Madrid train bombings, and the 2015 Paris attacks by ISIS.

The most important event that shifted the efforts toward counterterrorism and globalized the fight against terrorism was the September 11, 2001 attack on the United States. The events of 9/11 led the United States to launch the Global War on Terrorism which led to the invasion of Afghanistan in October 2001 and later the invasion of Iraq in 2003. In domestic policies, this led to the creation of the Department of Homeland Security and the implementation of the USA PATRIOT Act.

On the morning of September 11 four planes, which were scheduled to travel from the East Coast to California, were hijacked by terrorists. Two planes crashed into the Twin Towers of the World Trade Center in New York City and a third plane hit the Pentagon, the headquarters of the U.S. Department of Defense in Arlington County, Virginia. The fourth plane was unsuccessful to hit its target due to a passenger revolt leading to the plane crashing in rural Pennsylvania. The intended target is suspected to have been either the U.S. Capitol or the White House. These attacks took the lives of nearly 3,000 people and injured more than 6,000 others. Shortly after the events of September 11, the United States declared that they would be launching the "War on terror", with the aim of eliminating terrorist groups starting with al-Qaeda. President George W. Bush, declared on September 20, 2001, "our war on terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated." (George W. Bush Presidential Library and Museum, n.d.)

The war on terror began with Operation Enduring Freedom on October 7, 2001 in Afghanistan. The group identified as the responsible for the attacks on 9/11 was al-Qaeda, led by Osama bin Laden which were provided refuge by the Taliban. U.S' goal was to dismantle al-Qaeda and remove the Taliban from power. The U.S supported by allies and NATO invaded Afghanistan and by November 2001 had captured Kabul, the capital. However, the search for Osama bin Laden lasted until 2011 when he was eventually found in Pakistan and killed by U.S. Navy SEALs.

In March 2003, the United States invaded Iraq under the alleged assumption of possession of weapons of mass destruction (WMDs) and a supposed link to terrorism by the leader of Iraq, Saddam Hussein. Although initially the war had support, later criticism rose as the intelligence used to justify the invasion was later found to be flawed. Ahsan I. Butt (forthcoming) describes the U.S invasion of Iraq as a performative war, as he states, "The performative war thesis entails a war that must be fought; no peaceful bargain, however lopsided, can promise the same benefits." arguing that " U.S.'s concern with status, reputation, and hegemony – more so than WMD, oil, Israel, or spreading democracy in the Middle East – drove the decision to fight." "Although combat operations in Iraq and Afghanistan have ended, other aspects of the Global

War on Terror - such as efforts to prevent the financing of terrorism - continue to this day" (George W. Bush Presidential Library and Museum, n.d.).

In terms of national policies, the most notable legislation is the Patriot Act (2001), which extended the government's surveillance and law enforcement powers. This included broadening the scope for detaining and deporting non-citizens suspected of being involved in terrorism or posing a threat to national security, increased surveillance and the ability to monitor phones and email, expansion of the ability to track and monitor financial activities to stop potential terrorist financing and also facilitated information sharing between federal, state, and local agencies. However, many found this new legislation to be a potential infringement of rights of noncitizens. As Sinnar states (2002-2003), "As the USA Patriot Act went into effect, several hundred immigrants remained in government detention under a separate emergency order allowing them to be held without charge for an extended period. The lengthy detention of so many aliens, few of whom were suspected of involvement in the terrorist attacks, generated concern that efforts to protect national security in the wake of September 11 had infringed on the constitutional rights of noncitizens (p. 1420)."

Several other measures were taken to combat potential terrorist threats after 9/11 such as the strengthening of airport security through increased screening and no-fly lists for suspected terrorists, and expansion of intelligence gathering to identify potential threats. The most controversial counterterrorism measure was the establishment of detention camps in Guantanamo Bay, Cuba to hold and interrogate suspected terrorists. They are controversial due to reports of torture and indefinite detention without trial. "In relation to Guantanamo Bay prisoners, one study suggests that '86% of detainees were not apprehended on any battlefield'; instead, bounty hunters turned over many men in exchange for large bounties offered by the United States" (Brief for Amicus Curiae the Center for Constitutional Rights in Support of Respondents, 2022; *United States v. Abu Zubaydah*, 2022 as cited in Grand, 2023, p. 191).

Shortly after the attacks on 28 September 2001, the Security Council passed Resolution 1373 under Chapter VII of the United Nations Charter. The Resolution is legally binding on all UN member states and is aimed at combatting terrorism through international cooperation. Particularly, states are required to ensure that "terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts." (United Nations Security Council, 2001). As Muller (2008) suggests, "All previous international conventions on terrorism were act specific and did not generically define who was a terrorist and who was not. However, President Bush's clarion call changed all of that for good. It effectively required numerous States to define its position in relation to numerous dissident groups and armed struggles around the world by pressuring states to adopt various proscription regimes" (p. 2).

Defining terrorism

The etymological root of terrorism is the Latin word *terrere*, which means to frighten or to cause to tremble and from which are derived the terms *terrible*, *deter*, and *terrify* as well as *terror* (Weimann & Winn, 1994m as cited in el-Nawawy, n.d.). Defining terrorism can be a daunting task due to the complexity and difficulties of identifying terrorism. There are a lot of definitions of the word terrorism and it seems that the international community cannot decide on a clear and distinct definition of it. "The Subcommittee on Terrorism of the United States House of Representatives Permanent Select Committee on Intelligence 'found that practically every agency in the United States government with a counterterrorism mission uses a different definition of terrorism' (Saba, 2004 as cited in Schmid, 2004, p. 377). According to Schmid (2004), "a lack of definition is perceived widely as one of the factors likely to encourage future terrorism" and that "the absence of a common definition also encourages the continuation of double standards" (p. 378-379). "It is widely agreed that international terrorism can only be fought by international cooperation. In the field of mutual legal assistance, one of the basic principles for judicial cooperation in general and extradition in particular, is the principle of dual criminality - an act must be a crime in both countries involved. If states disagree about whether or not an act constitutes terrorism, chances of interstate cooperation are clearly diminished" (Schmid, 2004, p.379).

But why is terrorism hard to define? Schmid (2004) identifies 4 reasons for this, (1) Because terrorism is a "contested concept" and political, legal, social science and popular notions of it are often diverging; (2) Because the definition question is linked to (de-)legitimation and criminalisation; (3) Because there are many types of "terrorism", with different forms and manifestations; (4) Because the term has undergone changes of meaning in the more than 200 years of its existence. Stampnitzky (2017) argues that, the struggle over the definition of terrorism is a struggle over the answer to three questions: Who is the enemy? When is violence legitimate, and when is it illegitimate? And what is (and is not) political? Furthermore, "commentary from both academic and journalistic advocates of 'fixing' the definition tend to suggest that a proper definition of terrorism would be neutral, both positionally (i.e., it would apply equally to those we consider enemies and those we view as friends) and morally" (Stampnitzky, 2017, p. 18). Stampnitzky (2017) argues that the difficulty with fixing the definition of terrorism is that the politicization of the term is not corruption of an otherwise neutral term but "the political" is part of the concept of terrorism from the very beginning.

In 1972, "an Ad Hoc Committee on International Terrorism was established, which in turn consisted of three sub-committees, with one sub-committee dealing with the problem of defining terrorism. While seven draft proposals were submitted by different groups of nations, no consensus could be reached. The Non-Aligned Group defined terrorism as acts of violence

committed by a group of individuals which endanger human lives and jeopardise fundamental freedoms, the effects of which are not confined to one state. The proposal stressed that this definition would not affect the inalienable right to self-determination of people subjected to colonial and racist regimes. Other states made similar distinctions. Greece, for instance, distinguished terrorism from freedom fighting. France, on the other hand, described in its proposal, international terrorism as a heinous act of barbarism committed on foreign territory. As a result of such divisions, no resolution on the definition of terrorism could be adopted, and after six years the committee was phased out” (Schmid, 2004, p. 386).

Moreover, “in November 2001, the United Nations came very close to a definition from the Ad Hoc Committee on Terrorism's discussion on a Comprehensive Convention against International Terrorism”. However, compromise could not be reached as for example an Australian compromise definition was rejected “because it would not exempt national liberation movements fighting foreign occupation”. Another issue was whether to include state terrorism in the definition. “The majority of states which wanted to arrive at a common definition of terrorism, preferred to limit the application of the term to individuals and groups” however, a number of states were in favor of the inclusion of state terrorism in the definition (Schmid, 2004, p.388).

Having addressed the complexities surrounding the definition of terrorism, it is important to examine the various interpretations that exist across legal, political, and academic domains. According to Bailey & McGill (2008), “a true definition of terrorism must include the goal of intimidating a population in order to force or coerce the government into some form of action” (p. 85). Therefore, their definition of terrorism is: “Extreme political or ideologically motivated violence with the intention of causing overwhelming fear in the civilian population, in order to coerce the existing powers into a pre-determined course of action.” (Bailey & McGill, 2008, p. 85)

According to the UN General Assembly Resolution 49/60 (1994) terrorism is defined as the "Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them." The European Union - Council Framework Decision on Combating Terrorism (2002) defines terrorism as: "certain criminal offences set out in a list that, given their nature or context, may seriously damage a country or an international organisation when committed with the aim of:

- seriously intimidating a population, or

- unduly compelling a government or international organization to perform or abstain from performing any act, or
- seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization."

According to the UK Terrorism Act (UK Government, 2000), "Terrorism means the use or threat of action designed to influence the government or an international governmental organization or to intimidate the public or a section of the public, and made for the purpose of advancing a political, religious, racial or ideological cause."

Claridge defines terrorism as the "systematic threat or use of violence, whether for or in opposition to established authority, with the intention of communicating a political message to a group larger than the victim group by generating fear and so altering the behaviour of the larger group" (Claridge, 1998, p. 66).

However, these definitions seem to have some elements in common:

1. violence or the threat of violence:
2. Political motivation: For an act to be considered terrorism, its purpose has to include the advancement of a political, religious, radical, or ideological aim.
3. Targeting of non-combatants: terrorist organizations tend to target civilians to instil fear.
4. Intent to influence or intimidate: their ultimate goal is to intimidate or influence.

Moreover, defining what constitutes an act of terrorism is often subjective. The label is often used to delegitimize the group in the eyes of the others and to justify certain measures taken against them. This is encapsulated in the fact that in many instances a group that had been labelled as terrorism in the past, later was recognized as a liberation movement. African National Congress (ANC) in South Africa during apartheid and the Irish Republican Army (IRA) in Ireland are two of the examples of groups which were seen as freedom fighters by one side and as terrorists by another. The phrase "one person's terrorist is another person's freedom fighter" describes just this; their cause might be viewed as legitimate by some countries or organizations, while being labelled as terrorist from others. Geopolitical interests, historical ties, and strategic alliances often are deciding factors in these decisions.

Certainly, this label also has moral implications on the group and how it is viewed by the general public. Terrorists are often viewed as people who cause indiscriminate violence on innocent civilians, while the violence of groups who are struggling to gain freedom is viewed as justified. Public perception is also shaped by the media. The language used and the portrayal of events help frame the narrative and sway public opinion toward a desired outcome.

The legal implication of being labelled as terrorist may be the most important element and probably the most damaging when it comes to groups struggle toward self-determination. Not only does the label delegitimise them in the eyes of the international community resulting in lose of support but it can also lead to sanctions, travel bans and restrictions on funding. As Muller (2008) argues, “There is a discernible tension between calls for a wider concept of terrorism and how that interplays with the recognition of the principle of self-determination, involving as it does a potential license to deploy force as a last resort in defence against an oppressive regime. It is this tension that lay at the heart of the international community’s inability to come to an agreed consensus about what constitutes terrorism before 9/11” (p. 119). Moreover, “Far from seeking to protect the principle of self-determination or democracy, since 2001 member states have used the opportunity presented by the upsurge in terrorism to further relegate its practical effect. Time and again they have ignored these rights preferring instead to define terrorism in its broadest sense thereby giving governments the widest possible discretion to prohibit groups suspected of falling within that broad definition” (Muller, 2008, p. 120).

As terrorist organizations are not considered legitimate actors, the label can hinder their chances of formal negotiations. The policy of not negotiating with terrorists has been stated by different countries and particularly from the United States. US presidents such as Ronald Reagan, George W. Bush in the aftermath of the 9/11 attacks and Barack Obama have reiterated this policy on several occasions. This is not always the case though because in some occasions indirect or backchannel communications is necessary for example in situations when hostages are involved. The negotiations are not done openly as to maintain the official stance but are conducted secretly or in other situations through intermediaries. However, in some instances formal negotiations are finalized.

The Palestine Liberation Organization (PLO) is one example of a group that was initially labelled as a terrorist organization but later gained legitimacy and recognized as the representative of it people. As Selamat, Shah and Ali (2023) state, “The Palestine Liberation Organization (PLO), the organisation that was recognised by the UNGA as ‘the sole legitimate representative of the Palestinian people’ in resolution 3210 (XXIX) in 1974, had been designated as a terrorist organisation by Israel in 1964 for its military action (Avgustin, 2020 as cited in Selamat, Shah, & Ali, 2023). The PLO later change their approach to self-determination to a peaceful means” (p. 199). The PLO was founded in 1964 and its aim was to liberate Palestine and establish an independent Palestinian state. The PLO, especially in the beginning of its inception, engaged in acts of terrorism against Israeli targets, such as the 1972 Munich Olympics massacre, airplane hijackings and bombings. This resulted in the PLO being labelled as a terrorist organization. This perspective was also pushed by Israel and supported by its allies like the United States and

some European countries. The alignment and the support from the Soviet Union during the Cold War further contributed to the image of the PLO as a terrorist organization in the West.

To gain legitimacy the PLO shifted to include diplomacy in its strategy. In 1974, it gained observer status in the United Nations General Assembly and the UN also recognized the right of the Palestinian people to self-determination (United Nations, 1975). In 1988 the PLO recognized the existence of Israel and accepted the two-state solution based on the pre-1967 borders, something that they initially opposed. The Oslo Accords further legitimized them such as a mutual recognition of both parties and the creation of a Palestinian interim self-government, the Palestinian Authority (PA). "After the peaceful talks between the PLO and Israel and the signing of the Oslo Accords, the way of struggle for the PLO has undergone substantial changes in the history of Israeli-Palestinian conflict. Violence was no longer resorted to; instead, stopping violence has become a responsibility of the PLO" (Shu & Hussain, 2018, p. 6).

The Taliban on the other hand is a particular example of how even an organization that has been designated as a terrorist organization becomes a recognized partner in negotiation. The Taliban emerged in the mid-1990s and in 1996, gained control over large parts of Afghanistan. Their aim was to establish an Islamic state based on a strict interpretation of Sharia law. They ruled Afghanistan between 1996 and 2001 and were very repressive particularly toward women and minorities. According to Rashid (1999), "The predominantly Pushtun Taliban emerged in late 1994 as a Messianic movement made up of taliban (literally, students) from Islamic madrasahs (seminaries) who were living as refugees in Pakistan. They vowed to bring peace to Afghanistan, establish law and order, disarm the population, and impose sharia (Islamic law). Welcomed by a war-weary Pushtun population, the Taliban were at first remarkably successful and popular. Until they captured Kabul in 1996, they expressed no desire to rule the country. But ever since then - abetted by their Pakistani and Saudi backers and inspired by ideological mentors such as bin Laden - the Taliban have committed themselves to conquering the entire country and more".

After 9/11, the United States decided to invade Afghanistan in order to dismantle al-Qaeda and overthrow the Taliban regime in Afghanistan which had close ties to al-Qaeda. "After the September 11 attacks, the Bush Administration decided to militarily overthrow the Taliban when it refused to extradite bin Laden, judging that a friendly regime in Kabul was needed to enable U.S. forces to search for Al Qaeda activists there" (Katzman & Thomas, 2010). By late 2001, the Taliban government had fallen. Despite the initial success, the US did not fully succeed in getting rid of the Taliban. According to Katzman and Thomas (2010), "The effort, which many outside experts described as 'nation-building', was supported by major international institutions and U.S. partners in several post-Taliban international meetings. The task has proved more difficult than anticipated. In part this is because of the devastation that

years of war wrought on Afghan tribal structures and related local governing institutions, on the education system, and on the already limited infrastructure. Some observers believe the international community had unrealistic expectations of what could be achieved in a relatively short time frame—particularly in establishing competent, non-corrupt governance and a vibrant democracy” (p. 9). The prolonged war was met with the desire by the US to end it, due to its high costs in lives and resources as well as the lack of a clear path to victory. With the Taliban remaining a significant power in Afghanistan and their control over large parts of the territory, made the United States decide to negotiate with them. Finally, the U.S. and the Taliban signed the "Agreement for Bringing Peace to Afghanistan" on February 29, 2020. The agreement entailed the withdrawal of the US troops from Afghanistan, the prevention of any group from using Afghan soil to threaten the security of the United States or its allies and direct negotiations between the Taliban and the Afghan government. According to Farr (2020), there are some issues with the agreement, “for one, the Afghan government was not a party to the negotiations. Afghan president Ashraf Ghani does not support many of the parts of the agreement and has objected to taking the next steps necessary to move the peace process ahead.... An additional problem is that last Afghan presidential election has been contested and resulted in a split and dysfunctional government in Kabul. With two opposing candidates declaring themselves winners, no one is in charge in Kabul. Since the next stage of the peace agreement is for talks to take place between the Taliban and the Afghan government, a split and fractured government in Kabul makes that next step difficult. The Taliban itself is a divided house, with its political leaders signing the agreement, but the commanders in the field may not be on board” (p. 3/4).

The decision to negotiate with the Taliban was met with criticism as it legitimized them while it excluded the Afghan government. Unlike the case of the PLO, the Taliban had not agreed to a ceasefire or renounced violence. Also, groups such as the PLO gained recognition and the perception toward them shifted over the years. Whereas, the Taliban is still viewed as a terrorist organization by international entities such as the United Nations Security Council (UNSC) which continues to list the Taliban under its sanctions regime, United States which has designated them under various U.S. sanctions programs, such as the Specially Designated Global Terrorists (SDGT) list maintained by the U.S. Department of the Treasury, European Union and several other countries.

Self-determination

According to Selamat, Shah, and Ali (2023), “The right to self-determination is the right for an organization of people to freely determine and control their political, economic, or socio-cultural future” (p. 191). Overall, while the notion of self-determination has roots in earlier political and philosophical traditions, its formal recognition and articulation in international law

began in earnest with the aftermath of World War I and the establishment of the United Nations.

The early foundation of the concept of self-determination was during the American Revolution. "Throughout the 1760s and early 1770s, the North American colonists found themselves increasingly at odds with British imperial policies regarding taxation and frontier policy" (Office of the Historian, n.d.). The oppressive policies such as the Stamp Act and the Intolerable Acts and also the growing American identity led them to desire self-determination. Finally, the outbreak of conflict with the British troops pushed the American colonies to sign "The Declaration of Independence" from British rule in 1776. The principles of liberty, equality, and fraternity of the French Revolution (1789) have also contributed to the development of the concept of self-determination and self-rule. But it wasn't until the end of the World War I and with the signing of the Treaty of Versailles in 1919, that the idea of self-determination became recognized in international law.

Negotiated at the Paris Peace Conference, the Treaty of Versailles, was one of the most significant treaties that ended World War I. During the negotiations national borders were redrawn (parts of eastern Germany ceded to Poland, Alsace-Lorraine returned to France) and new countries created including Poland, Czechoslovakia, and Yugoslavia. The basis for this were President Woodrow Wilson's Fourteen Points, described as "a blueprint for world peace that was to be used for peace negotiations after World War I" (The U.S. National Archives, n.d.). Despite some success, the implementation of self-determination led to numerous grievances from countries and minority groups that were left unsatisfied with the separations. The division of the Ottoman Empire, the establishment of mandates in the Middle East and many Arab territories that were placed under British and French control are some of the examples. These unresolved grievances and tensions, led to the eventual outbreak of World War II.

The principle of self-determination was also included in the covenant of the League of Nations created in 1920. Even though the League of Nations was short lived, it marked an early attempt to formalize self-determination in international governance. The creation of the United Nations, an international organization established on October 24, 1945, marked a key moment in reaffirming the principle of self-determination. In Article 1 (2), the UN states as one of its purposes to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;" (United Nations, n.d.).

The United Nations has played a crucial role in supporting the self-determination of people and the process of decolonization as many countries in Africa, Asia, and the Caribbean were seeking independence. The Declaration on the Granting of Independence to Colonial Countries and

Peoples of 14 December 1960 is a key example of this. The declaration helped in promoting self-determination and ending of colonialism, declaring that "All peoples have the right to self-determination; by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development." (OHCHR, n.d.).

Another key milestone were the International Covenant on Civil and Political Rights (1966) and International Covenant on Economic, Social and Cultural Rights (1966). They reaffirm once again the right of all people to self-determination but also expand on a broader range of specific rights for the protection of human rights such as the right to freedom of religion, right to protections against torture and arbitrary detention and rights related to economic and social welfare. Differently from 1960 Declaration, ICCPR and ICESCR are both legally binding treaties which means that countries that ratify them are legally obligated to follow their provisions and report of them. They also established the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, to monitor and oversee the implementation of the provisions.

The right to self-determination is also recognized charters or declarations in many regional organizations, such as the African Union, the Organization of American States, and the Council of Europe. African Charter on Human and Peoples' Rights of 1981 in Article 20 (1) states:

"All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen." (African Union, 1981, p. 6).

The Organization of American States also recognizes the right to self determination and non-intervention in it's Charter. Specifically, Article 3(e) states: "Every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it." (Organization of American States, 1948, p. 2). This article addresses the principle of non-intervention and the right of self-determination by affirming that each state has the sovereignty to determine its own political, economic, and social systems without outside influence.

Article 3(b) emphasises on respecting the sovereignty and independence of states, which is closely tied to the concept of self-determination. This section asserts, "International order consists essentially of respect for the personality, sovereignty, and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law." (Organization of American States, 1948, p. 2).

These principles are also stated in the American Declaration of the Rights and Duties of Man, adopted by the Ninth International Conference of American States in Bogotá, Colombia in 1948. Although this declaration does not mention self-determination specifically, it does mention some key aspects of self-determination such as political rights, participation in government, and freedom from oppression.

Article XX states the right to vote and to participate in government, implying a recognition of the importance of people having a say in their governance. This article states that "Every person having legal capacity is entitled to participate in the government of his country, directly or through his representatives, and to take part in popular elections, which shall be by secret ballot, and shall be honest, periodic and free" (Organization of American States, 1948).

Article XXI recognizes the right to assembly, stating that "Every person has the right to assemble peaceably with others in a formal public meeting or an informal gathering, in connection with matters of common interest of any nature." (Organization of American States, 1948). It affirms the right of individuals to assemble peacefully and to associate themselves for the purpose of expressing their views. This can be seen as supporting the broader right of a people to self-determine their political status.

Article XXIII on the right to property supports the idea that individuals and communities have the right to control their resources, which is a component of self-determination in terms of economic independence. This article affirms that "Every person has a right to own such private property as meets the essential needs of decent living and helps to maintain the dignity of the individual and of the home." (Organization of American States, 1948).

Regarding the Council of Europe there are two important documents, that although do not directly mention self-determination, they do mention some principles that are key to the concept of self-determination. The first one is The European Convention on Human Rights (ECHR), adopted in 1950, "a treaty designed to protect people's human rights and basic freedoms." (Council of Europe, n.d.). Right to Participate in Government: Article 3 of Protocol No. 1 to the ECHR guarantees the right to free elections and the right to participate in government. This is related to self-determination as it touches on the right of people to choose their government.

The right to self-determination has been reaffirmed also by the International Court of Justice (ICJ) in several cases shaping its understanding and application. Nevertheless, the application of this right still remains complex and dependent of the context. Some key cases and advisory opinion include the Western Sahara Case, the Namibia Advisory Opinion, Chagos Archipelago and the Kosovo Advisory Opinion. The International Court of Justice (ICJ) was established in

1945 to replace the Permanent Court of International Justice (PCIJ). The ICJ is the principal judicial organ of the UN and the court's seat is in The Hague, Netherlands. "The Court may entertain two types of cases: legal disputes between States submitted to it by them (contentious cases) and requests for advisory opinions on legal questions referred to it by United Nations organs and specialized agencies (advisory proceedings)." (International Court of Justice, n.d.)

Western Sahara Case (1971): Western Sahara is a territory located in North-West Africa, which was claimed by Morocco and Mauritania following Spain's announcement of its intentions of decolonization. ICJ's advisory opinion was requested by the UN General Assembly to the legal status of the territory and the implications of the claims made by Morocco and Mauritania. The Court was posed two questions: Question I "Was Western Sahara at the time of colonization by Spain a territory belonging to no one (terra nullius)? Question II, "What were the legal ties between this territory and the Kingdom of Morocco and the Mauritanian entity?" (International Court of Justice, 1971). The ICJ advisory opinion stated that, "at the time of colonization by Spain was not a territory belonging to no one (terra nullius)." Also, regarding question 2, "the Court's conclusions is that the materials and information presented to it do not establish any tie of territorial sovereignty between the territory of western Sahara and the Kingdom of Morocco or the Mauritanian entity. Thus, the court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the territory." (International Court of Justice, 1971). The ICJ affirmed the right of self-determination and the right for the Sahrawi people to determine their own political status. The opinion reinforced the principle of self-determination as a fundamental right under international law.

Namibia Advisory Opinion (1971): The Namibia Advisory Opinion addressed the legality of South Africa's continued presence in Namibia. Namibia, formerly known as South West Africa, was given to administer to South Africa by the League of Nations after Germany's defeat in World War I. "On 27 October 1966, the General Assembly decided that the Mandate for South West Africa was terminated and that South Africa had no other right to administer the Territory. On 29 July 1970, the Security Council of UN decided to request of the Court an advisory opinion." (International Court of Justice, n.d.). The question was "What are the legal consequences for States of the continued presence of South Africa in Namibia notwithstanding Security Council resolution 276 (1970)?"

The court found that, "the continued presence of South Africa in Namibia being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory; that States Members of the United Nations are

under obligation to recognize the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia, and to refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration; that it is incumbent upon States which are not Members of the United Nations to give assistance, within the scope of subparagraph (2) above, in the action which has been taken by the United Nations with regarding to Namibia.” (International Court of Justice, 1969).

The ICJ confirmed the illegality of South Africa's presence in Namibia, the obligation of UN member states to recognize this illegality and finally, reinforced the right of the people of Namibia to self-determination. The ICJ’s opinion was an important step toward Namibia’s independence on March 21, 1990. The Namibia Advisory Opinion is also noteworthy in the discussions about the legal implications of continued occupation or administration of territories without proper international mandate.

Chagos Archipelago: The Chagos Archipelago is a group of islands in the Indian Ocean. In 1965, the islands, which up until then were part of the British colony of Mauritius, were separated from Mauritius by United Kingdom to create the British Indian Ocean Territory (BIOT). The entire Chagossian population was forcefully displaced from the archipelago to Mauritius and the Seychelles, with no possibility of return. Mauritius claimed that the separation of the Chagos Archipelago was illegal and that it should be returned to Mauritius as part of its decolonization process. In 2017, an advisory opinion was requested regarding this issue by the United Nations General Assembly (UNGA).

The Court addressed two questions: “Was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law...?”; “What are the consequences under international law, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?”. (International Court of Justice, 2019).

In its advisory opinion the Court concluded that: “having regard to international law, the process of decolonization of Mauritius was not lawfully completed when that country acceded to independence in 1968, following the separation of the Chagos Archipelago; the United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible; that all Member States are under an obligation to co-operate with the United Nations in order to complete the decolonization of Mauritius.” (International Court of

Justice, 2019). Once again, The ICJ reaffirmed the principle of self-determination as a fundamental right under international law, deeming the separation of the Chagos Archipelago from Mauritius as a breach of that right. It also reaffirms the illegality of colonial practices that disregard the rights of indigenous populations. In spite of this the Chagossian people continue to struggle for sovereignty and self-governance as the UK has not renounce control of the Chagos Archipelago.

Distinguishing Self-Determination from Terrorism

The main difference between terrorism and self-determination is tied to legitimacy. Self-determination is a right that is recognized in international law whereas terrorism is considered a breach of international law. “Even the United Nations has stated that people under foreign occupation have a right to resistance and that any definition or ‘terrorist’ or ‘terrorism’ should not include them” (High Panel Report, 2004 as cited in Bailey & McGill, 2008, p. 86). Yassir Arafat (as quoted in Shughart II, 2006, p. 26) argues that, “the difference between the revolutionary and the terrorist lies in the reason for which each fight. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists, cannot possibly be called a terrorist...”

Moreover, “one of the best ways to differentiate between freedom fighters and terrorists lies in the targets at which they strike. Freedom-fighters aim to make their primary targets military or state based. While civilian casualties may occur, they are not the intended target” (Goldie, 1987 as cited in Bailey & McGill, 2008, p. 87). Terrorist organizations are known for their indiscriminate attack on civilian targets and often use violent tactics such as bombings in large areas, assassinations, kidnappings and other forms of violence to instill fear. “In many cases of terrorism, the perpetrators are heedless of the fact that the victims are complete strangers with no individual strategic value. They are treated as a symbolic target for the separate purpose of instilling overwhelming fear in the hearts of the target population” (Goldie, 1987 as cited in Bailey & McGill, 2008, p. 87). Self-determination movements on the other hand, have at their core the goal of achieving a political solution. They use a variety of methods including peaceful protests, diplomatic efforts and armed resistance.

As Garrison states (2003) “Terrorism is not defined by the fact that life is lost in an act of violence or the amount of life that is lost. Terrorism is defined by the intended effect of the use of violence and the purpose of the terrorist act. There is a difference between the use of violence on a target because the target has an intrinsic and specific value, and the use of violence on a target that has no intrinsic or specific value, but is attacked in order to affect the larger audience watching the attack. The former is an act of war; the latter is terrorism.”

Saul's (2006, as cited in Bailey & McGill, 2008, p. 85) definition of terrorism as "serious, violent, criminal act[s] intended to cause death or serious bodily injury that occur outside an armed conflict for a political, ideological, religious, or ethnic purpose and that are intended to create extreme fear with the goal of intimidating a population" or unduly compelling a government", bring up an interesting point as, "the inclusion of the statement in Saul's definition regarding "outside of armed conflict" is notable as this would be outside an open declaration of war. According to this definition one could immediately discount insurgencies during times of war and occupation as non-terrorist activities." (Bailey & McGill, 2008, p. 85).

Chapter 2: Kosovo's path to self-determination: historical context and the creation of the KLA

This chapter explores the history of Kosovo in order to better understand its path to self-determination. Kosovo's struggle for independence has two opposing ideas. On one hand there is the peaceful resistance led by Ibrahim Rugova which sought independence through nonviolent means. On the other there, the Kosovo Liberation Army (KLA) sought to confront the oppressive measures imposed by the Serbian government with armed struggle. This armed struggle marked a decisive moment in Kosovo's history, culminating in international intervention that ultimately led to independence. As we delve into these key phases of Kosovo's journey, this chapter aims to understand the varying strategies and means that liberation organizations use to achieve their goals which are often shaped by circumstances, ideologies and challenges they face.

Early Kosovo

Kosovo is a country located in Southeast Europe on the Balkan Peninsula. It is bordered by Serbia to the north and east, Montenegro to the west, and Albania to the southwest. A range of hills divides Kosovo into two roughly equal parts. The western part, called Metohia by Serbs, is named after the Byzantine Greek term "metochia," which referred to land owned by monasteries, reflecting its historical use by Orthodox monasteries granted land by medieval Serbian rulers. Albanians prefer the name 'Rrafshi i Dukagjinit' for this area, as it avoids the connotations of Serbian Orthodox land ownership. The eastern half of Kosovo is simply referred to as "Kosovo." During Tito's rule, the region was officially known as "Kosova and Metohia," often shortened to "Kosmet." (Malcolm, 2001, p.3).

Throughout its history, Kosovo has been conquered multiple times including by the Romans, Byzantines, Ottomans, and various other empires and states. According to journalist and historian Noel Malcolm (2001), "Geography, and even geology, explains the essence of why Kosovo had continuous historical importance.... That part contains the largest concentration of mineral wealth in all of Southeast Europe. The 'Trepça' mine,, in the post-war period became one of Europe's largest suppliers of lead and zinc; this mineral area..., in 1960 was estimated to contain 56% of the reserves of those metals in Yugoslavia and 100% of nickel. Simultaneously this area supplied half of the country's magnesite production. ...Most important during its early history was the wealth of silver. Since pre-Roman times there have been mines, both silver and lead, in this region; these mines were widely used during the Roman period. The medieval Serbian kingdom obtained most of its wealth from the mines of Kosovo" (p. 4).

"Geography also explains why the possession of this territory has always been important for strategic reasons. With all the mountain ranges, Kosovo has been a crossroads for both

commercial caravans and armies... the position of Kosovo has been described before as "almost central"... Whoever holds Kosovo would be able to control strategic access to Bosnia and Northern Albania and could close the link between Serbia and the Macedonia-Aegean region. The occupation of Kosovo was a decisive element in the ambitious Austrian strategy of 1989, which aimed to separate all of Serbia, Kosovo and Bosnia from the Ottoman rule. Also, in Kosovo, the Bosnian rebel forces confronted the Ottoman army in 1831... During three centuries, Kosovo has been either a turning point or a blocking point for four withdrawals of German-speaking forces (in 1690, 1773, 1918 and 1944) ..." (Malcolm, 2001, p.5-7).

In antiquity, Kosovo was part of the Kingdom of Dardania, an Illyrian state. In the 1st century BCE, the territory was conquered by the Romans, becoming part of the province of Moesia and later into Dacia. Subsequently, it was conquered by the Byzantines. In the medieval period, Kosovo became part of the Serbian Kingdom and later the Serbian Empire under the Nemanjić dynasty. During this time began the construction of Orthodox monasteries, making Kosovo a center of Serbian cultural and religious life.

After the battle of Kosovo in 1389, Kosovo fell to the Ottomans. In the following decades, the region was under administrative and military control of the Ottomans and was incorporated into the province of Rumelia. Kosovo was part of a smaller administrative unit known as the Sanjak of Kosovo which was governed by a Sanjak-bey. During this time cities like Pristina and Mitrovica became important regional trade centers through the promotion of production, trade, and urban development by the Ottomans. Under Ottoman rule, significant cultural and religious changes occurred in Kosovo specifically with the introduction of Islam. Over time, many people converted to Islam and mosques, madrasas (Islamic schools), and other Islamic institutions were constructed.

The early and late 19th century was characterized by the rise in both Serbian and Albanian nationalism. Serbian nationalism aimed to establish an independent Serbian state and reduce Ottoman influence which culminated with the creation of the Serbian state. On the other hand, the Albanian nationalism was more fragmented. Nevertheless in 1878, they established the League of Prizren in the town of Prizren (modern day Kosovo). The League's goal was to achieve greater autonomy for Albanians within the Ottoman Empire and it opposed the plans of Congress of Berlin 1878, to divide Albanian lands among neighboring states (Serbia, Montenegro, Greece, and Bulgaria) as part of the Ottoman Empire's territorial concessions.

The early 20th century marked the end of the Ottoman rule in the region with the First Balkan Wars. The Treaty of London was signed in 1913 and the Ottoman Empire was forced to give up its European territories, including Kosovo, to the Balkan League members. The Balkan League was a coalition of Serbia, Montenegro, Greece, and Bulgaria to fight the Ottoman Empire out of

the region. Additionally, in November 1912 Albania declared independence from the Ottoman Empire but despite the desire among Albanian leaders and nationalists to incorporate Kosovo and other Albanian territories into the newly established state, Kosovo became part of Serbia which had been a key player in the Balkan Wars and as a result was awarded control of the territory. Consequently, after the end of the Second Balkan War, Kosovo was definitively incorporated into the Kingdom of Serbia under the Treaty of Bucharest in August 10, 1913.

During World War I, Kosovo became a battleground between the Central Powers and the Allies. With the goal of expanding their influence in the Balkans, Austria-Hungary and Bulgaria as part of the Central Powers launched an offensive against Serbia and Kosovo was later occupied by them. Serbia on the other hand, was supported by the Allies, aiming at restoring Serbia's control over the territories. The end of World War I brought the defeat of the Central Powers and Kosovo returned under Serbian control. Meanwhile, the idea of uniting South Slavic peoples (Serbs, Croats, and Slovenes) into a single state had been growing. The Kingdom of Serbs, Croats, and Slovenes was established on December 1, 1918 and in 1929, the Kingdom of Serbs, Croats, and Slovenes was renamed the Kingdom of Yugoslavia.

Turning our attention to, World War II which was marked by significant violence, ethnic tension, and shifting power dynamics between Albanians and Serbs. In 1941, as a result to the invasion of the Kingdom of Yugoslavia by Nazi Germany and its allies, Kosovo was divided among Axis powers and the largest portion of it was annexed by Italian-occupied Albania, "...with the aim of preventing the irredentism of the ethnic Albanians from turning into an anti-German resistance movement. ...Italy was very interested in taking over all of Kosovo because of its rich mineral resources: in a detailed report, prepared for Mussolini by an ore expert, on April 2, it was stated that if Italy would have the ore of Trepçe in hand, it would become the largest exporter of lead and zinc in all of Europe" (Malcolm, 2001, p.303). Following the Italian surrender in 1943, Kosovo was occupied by Germany. As the Axis powers were quickly losing the war, Yugoslav Partisans, aided by the Soviet Red Army, began to liberate Kosovo from German control. The region was reincorporated into Yugoslavia as part of the Socialist Republic of Serbia.

Kosovo's autonomy under Tito's Yugoslavia

In 1946, Kosovo was granted limited autonomy as an autonomous province within the Socialist Republic of Serbia, one of the six republics of Yugoslavia. However, the Albanian language was restricted and their political and cultural rights were reduced. Kosovo was one of the poorest regions in Yugoslavia despite some industrial development, particularly in mining. Moreover, Albanian landowners were disproportionately affected during the redistributing land that had been seized during the war.

“The 1950s and early 1960s, from the Albanian point of view, constitute the worst period of Tito's rule. It continued in great ethnic disparity: Serbs and Montenegrins, who made up 27% of Kosovo's population according to the 1953 census, made up 50% of party membership and 68% of administration and leadership positions” (Malcolm, 2001, p. 336). The 1960s and 1970s marked a positive shift in policy. One of the first steps in 1968, was the amendment of the 1963 constitution. “...amendment VII stated that the autonomous provinces belonged to both Serbia and the federal structure; while the designation "Kosovë-Metohi" or "Kosmet", which angered the Albanians, was simplified to "Kosova". What was more important, the XVIII amendment defined the autonomous provinces as "political-social communities" and pointed out that they had all the obligations of a republic apart from the obligations related to the Republic of Serbia” (Malcolm, 2001, p. 338).

Moreover, there was growing sentiment toward a Kosovo Republic. “For the first time, the slogan "Kosova Republikë" was heard on the street, on November 27, 1968, when several hundred demonstrators marched through the streets of Pristina” (Malcolm, 2001, p. 338). Also, “Since 1969, Kosovo Albanians had been allowed to use their "national" emblem, the Albanian flag - an unusual stance by the Yugoslav government, which added to the fear of Kosovo's Slavs over the rise of "separatism" or "irredentism" (Malcolm, 2001, p. 339).

The 1974 Yugoslav Constitution, granted Kosovo and Vojvodina substantial autonomy within Serbia. “The 1974 constitution brought another important right, according to which the autonomous provinces could issue their own constitutions” (Malcolm, 2001, p. 341, translated by author). But why wasn't Kosovo granted “republic” status eventually? According to Malcolm (2001, p. 339, translated by author), there are two answers, one theoretical and the other practical. The theoretical answer consists in the fact that republics were entities for "nations", as opposed to "nationalities". The nation (Serbian narod) was potentially a state-forming unit and therefore a federal republic with the ultimate right to secede. Nationalities (Serbian narodnost) were a displaced part of a nation, the main part of which lived elsewhere. Consequently, it could not become a constitutional nation in the federation. Kosovo Albanians were "nationalities" because their "nation" had its own state in Albania. In practical and political terms, the first fear was that Kosovo as a republic would separate from Yugoslavia to join Albania. Also, the communist leadership in Belgrade was afraid that by not giving it the status of a republic, it would cause great political discontent in Serbia itself, as well as among the Serbs who lived in Kosovo.

Furthermore, the University of Pristina was founded on November 18, 1969 and officially began its operations in 1970, with classes on Albanian language. Regardless of increased autonomy, Kosovo faced substantial economic challenges such as high unemployment and poor living conditions. As Malcolm (2001, translated by author) states, during the 70s and 80s

In March 1981, students from the University of Pristina protested against poor living conditions in university dormitories, lack of food, and the overall economic situation in Kosovo, which quickly escalated into a larger movement. The demands evolved and included calls for Kosovo to be granted republic status within Yugoslavia, equal to other republics like Serbia, Croatia, and Slovenia. The Yugoslav government, declared a state of emergency in Kosovo and military and police forces were deployed which violently suppressed the protest. "According to official figures, 9 demonstrators and 1 policeman were killed. Well, a later announcement comes out with the number of more than 1000 killed. More than 2000 Albanians were arrested during the demonstrations; mostly closed trials were held without the public, while prison sentences varied from 1 month to 5 years" (Malcolm, 2001, p. 349, translated by author).

Following the 1981 protests, the Yugoslav government intensified its repression in Kosovo, restricting Albanian-language education, censoring media, and the security presence was increased. The 1981 protests mark a key point in the beginning of Kosovo Albanian's struggle for independence and self-determination.

The road to self-determination: Rugova's peaceful movement

Following the aftermath of the 1981 and the growing suppression toward to Albanian population in Kosovo, their eagerness for self-determination grew. Milošević's rise to power marked a lot of challenges for the Albanian-population of Kosovo. Under Milošević's leadership, Kosovo's autonomous status was revoked in 1989 with Belgrade taking over Kosovo's political and economic institutions. According to Kuperman (2008), "As Yugoslavia's ruling socialist party lost cohesion in the late 1980s, Slobodan Milosevic came to prominence as leader of Serbia largely on the nationalist issue of protecting Kosovo's Serbs. In 1989, he successfully pushed through reforms that revoked Kosovo's autonomy, required use of the Serbo-Croatian language in its government institutions, and removed Albanians from most government jobs, which were the best ones in the socialist economy. In some cases, Albanians were fired immediately; in most others, they were dismissed after refusing to sign oaths of loyalty to Serbia. A new Serb police force in the province also harassed Albanians in its search for alleged separatists. But Belgrade initially did not perpetrate genocide or ethnic cleansing against the ethnic Albanians because they eschewed armed secession" (p. 65).

The growing discontent among Kosovo Albanians led to organized resistance and calls for independence. The Democratic League of Kosovo (LDK) established in 1989 and led by scholar Ibrahim Rugova was one of the most notable Kosovo Albanians political forces. Rugova, also known as the "Gandhi of the Balkans" advocated for a peaceful resistance to gain international sympathy and support for the cause. LDK established parallel institutions, that included a shadow government, which operated unofficially but organized essential services for the

Albanian population, such as healthcare and education. Furthermore, they established an underground education system to educate the youth in Albanian-language and culture which was banned from public schools and the University of Pristina. "This parallel-institution strategy included boycotting Yugoslav and Serbian elections, refusing to pay taxes to Belgrade, and abandoning state schools because they required the Serbo-Croatian language and no longer taught Albanian history or culture" (Kuperman, 2008, p. 65).

In response to the revocation of autonomy and increasing repression, the Assembly of Kosovo and Metohija declared Kosovo an independent Republic in July 2, 1990 which was not recognized by the international community therefore Kosovo remained under Serbian rule. "Parallel education and health systems were formed. A government in exile headed by Bujar Bukoshi, a former surgeon, was also dispatched to live abroad. These acts seemed to hold the promise that, one day soon, independence really would come." (Judah 2000, p. 65).

Another key point was the collapse of Yugoslavia. Throughout 1991 and 1992, several Yugoslav republics such as Croatia, Slovenia, and Macedonia followed by Bosnia and Herzegovina declared independence, leading to the formal breakup of the Socialist Federal Republic of Yugoslavia (SFRY) and the establishment of the Federal Republic of Yugoslavia (FRY) on April 27, 1992, consisting of Serbia and Montenegro. Finally on June 3, 2006, Montenegro declared independence and two independent states were created Serbia and Montenegro marking the end of Yugoslavia. "As Yugoslavia crumbled, Rugova restrained his people. War would bring disaster he argued. "We would have no chance of successfully resisting the army," he said in 1992. "In fact, the Serbs only wait for a pretext to attack the Albanian population and wipe it out. We believe it is better to do nothing and stay alive than be massacred." (Judah 2000, p. 65).

The breakup on Yugoslavia did not come about peacefully. The most notable and longest war was the Bosnian war which ended in 1995 with the signing of the Dayton Accord. "Horrified by the wars in Croatia and Bosnia, most Kosovo Albanians thought that Rugova, "president" of the phantom republic, had got things right. Independence could wait a few years especially if that meant avoiding the horrors of ethnic cleansing." (Judah 2000, p. 65). Rugova had hoped that the issue of Kosovo would have been addressed during the accord but Kosovo was excluded from negotiations. According to Malcolm (2001, p. 368-369), "This fact was just a blow to Rugova's prestige. He, in fact, for four consecutive years had convinced his people that they should be patient until the international community imposed a final solution for the former Yugoslavia, in which their interests would be respected."

The Establishment and Armed Struggle of the KLA

By the mid-1990s, there was growing frustration with the lack of progress through nonviolent means which gave rise to the Kosovo Liberation Army. The Kosovo Liberation Army (KLA) or Ushtria Çirimtare e Kosovës (UÇK) in Albanian was a political-military force of the Kosovo Albanian people, which fought for the independence of Kosovo and its liberation from Serbia's rule during the years 1991-1999. The KLA was created as an opposing way in the struggle for self-determination. While Rugova's vision was that of peaceful means, the KLA conducted an armed struggle against Serbia. "[The KLA] was founded in 1991 and made its first appearance in 1993 but gained serious attention after 1996, and in particular after the 1997 chaos in Albania gave it the opportunity to acquire substantial numbers of weapons" (Freedman 2000, p. 347).

According to writer and journalist Tim Judah (2000). "The roots of the KLA can be traced to Kosovo's years of political upheaval in the early 1980s, which centered on Pristina University" (p. 62). However, even though "Most Kosovo Albanians sympathized with calls for a republic, during the eighties, the idea of an armed uprising seemed ridiculous, especially as the Serbs were not even running the autonomous province. Still, on the fringe of Kosovo Albanian politics, there were those who plotted and conspired, and even a handful who went to the hills to train for war" (Judah 2000, p. 63-64).

In the 1980s the Popular Movement for the Republic of Kosovo (LPRK) was established, which "operated with a secret cell structure, members being called upon to help produce and distribute radical leaflets" (Judah 2000, p. 64). "In terms of the history of the KLA however a turning point came in 1989 when Slobodan Milosevic, then president of Serbia, using the sensitive issue of the Kosovo Serbs, who felt persecuted by the province's Albanians, abolished Kosovo's autonomy. Demonstrations again shook the province...but despite the unrest, the majority of Kosovo Albanians continued to regard the LPRK and its calls for a violent uprising against Serbia and the Yugoslav state as ridiculous" (Judah 2000, p. 64). Meanwhile, the underground resistance was beginning to take small, concrete actions; In exile, members of the group began raising funds to prepare for war; Additionally, "from 1990, small numbers of men were also sent for training in Albania, many at a camp in Labinot. The exiles were also now linking up with the new generation of radicals inside Kosovo, such as Hashim Thaci." (Judah 2000, p. 66).

In August of 1993 a secret meeting was held in the Drenica region, a region known for rebellion against Serbian and Yugoslav rule. At the Drenica meeting, the LPRK was split into two organizations the National Movement for the Liberation of Kosovo (LKCK) and the Popular Movement for Kosovo (LPK). The latter "set up a "Special Branch" of four men including Hashim Thaçi whose job it was to prepare for a guerrilla war" (Judah 2000, p. 66). The name Kosovo Liberation Army (KLA) was decided in December 1993.

One of the biggest challenges of the Kosovo Liberation Army (KLA) was the acquisition of weapons. According to Judah this was difficult because (2000), "firstly, the Serbian police, bolstered by a network of informers, were constantly raiding houses and surrounding villages in search of weapons. Secondly, being landlocked, there was no way to import significant quantities of guns into the province." To acquire weapons, they relied on diaspora funding, arms smuggling and support from networks in neighboring countries. However, the most important way in which they secured armament was during the 1997 collapse of the Albanian government after a series of pyramid schemes had collapsed and thousands of people had lost their savings. Military depots were raided, the army disbanded, and the police fled, leaving Albania flooded with hundreds of thousands of Kalashnikov rifles. For the Kosovo Albanians, the opportunity was clear: a vast supply of weapons for as little as \$10 each with no central authority to regulate their distribution. (Judah 2000, p. 68).

A turning point for the KLA was the Dayton Accord, which failed to meet the expectations of the Kosovo Albanians. As the ineffectiveness of peaceful resistance became apparent, support for the KLA began to rise. As Malcolm (2001) states, "Whatever the degree of support for this "army" was, it should be interpreted as an expression of the popular disappointment towards the apparent inability of Ibrahim Rugova to ensure a new recognition of Kosovo's interests by the international community, after Dayton" (p. 368-369).

In 1997 ethnic Albanian students from the University of Pristina demonstrated in Pristina, in a response to the oppressive conditions under which Kosovo Albanians lived following the revocation of Kosovo's autonomy by the Serbian government in 1989. The students protested against the discriminatory policies of the Serbian regime, particularly in education, where Albanian-language education had been marginalized, and Albanian students were expelled from university facilities. The demonstrations on October 1, 1997, drew thousands of participants and were marked by a heavy-handed response from Serbian police forces. As Tim Judah (2002) writes "about 20,000 students managed to successfully confront the police, before violence erupted that led to the beating of the students and the arrest, for a short time, of their leaders. Demonstrations were also held in other parts of the province" (p.172).

"The Albanian resistance, who pursued low-level guerilla warfare until late 1997, reached a turning point with the killing of the KLA leader, Adem Jashari, and 58 people in Prekazi on 28 February 1998" (Ozerdem, 2008). Kosovo Albanians were overflowed with anger, pushing the KLA, which had planned to launch significant operations in 1999, to take action sooner. The KLA swiftly moved weapons and uniforms from Albania across the border, and soon, dormant fighters were mobilized, village militias formed, and clan leaders, especially in Drenica, proclaimed it was time to resist the Serbs. In this way, a small guerrilla group preparing for battle suddenly became intertwined with the longstanding Kosovo Albanian tradition of kaçak

uprisings. (Judah, 2000, p. 70). As the KLA intensified its activities, the Yugoslav regime responded with a brutal crackdown. "The Milosevic approach to counter-insurgency is not, however, subtle, as was shown on 28 February 1998, when the Yugoslav Army attacked villages with alleged KLA connections. As the KLA staked its claim to more territory during the first half of that year, the Yugoslav forces perpetrated their own form of mayhem. By the summer, 400 Albanians were dead, and many had fled their homes" (Freedman, 2000, p. 347). According to Kuperman (2008), "...Serb forces initially refrained from the wholesale violence and ethnic cleansing that had characterized their responses to armed challenges in Croatia and Bosnia, apparently because they now had become aware of the emerging norm and so strove to avoid crossing a line that would again trigger international intervention against them (Mandelbaum 1999 as cited in Kuperman, 2008). Despite this relative restraint, the Serb crackdown boosted support for the rebels among Kosovo's Albanians, the Albanian diaspora, and the international community." (p. 65).

As the situation in Kosovo escalated, the international community recognized the growing threat to regional stability. In October 1998, a UN resolution, while not explicitly authorizing force, invoked Chapter VII of the UN Charter, categorizing the conflict as a threat to international peace and security and imposing firm demands on Belgrade (UN Security Council, 1998, as cited in Freedman, 2000, p. 348). On a press release statement on 22 March 1999, Secretary-General Kofi Annan states that "In addition to 269,000 refugees in Western Europe and neighboring countries, the number of those displaced within Kosovo has now reached 235,000 civilians, including 25,000 who have fled their homes since 20 March. Displacement has been accompanied by renewed burning of houses by the security forces and destruction of means of livelihood" (UN Secretary-General, 1999). One of the events that influenced the NATO intervention in the conflict is the Raçak massacre. "On 16 January the bodies of 45 peasant farmers and their children were found at the village of Racak. Most had been shot at close range in the head or neck with a single bullet. Some were mutilated. William Walker, heading the OSCE observer group, accused the Serbs of an 'unspeakable atrocity' and a 'crime against humanity'" (Freedman, 2000).

Freedman (2000) argues, that the concept of 'ethnic cleansing' in Kosovo stemmed not from a simple territorial grab but from the aim to cut off local support for the KLA. The initial strategy focused on securing communication lines and eliminating KLA bases to crush their resistance and force Albanians to accept their fate. However, this approach inadvertently strengthened the KLA. The Potkova 'horseshoe' strategy, implemented in early 1999, involved encircling Kosovo and pushing the population into Albania. By the end of 1998, nearly 200,000 people were displaced, with many still away from their homes when the 1999 campaign began. Fighting persisted, especially in the south near the Albanian border. The Yugoslav forces,

numbering over 22,000 in November 1998, increased to 29,000 by mid-March 1999. The Serbs focused on securing a north-south railway line to move heavy military equipment deeper into Kosovo (p.351).

International Intervention and Kosovo's Independence

During February 6 to March 18, 1999, a peace agreement was proposed between the parties known as the Interim Agreement for Peace and Self-Government in Kosovo or Rambouillet Accords which was held in France. According to the agreement (United Nations, 1999), Kosovo would gain autonomy while remaining part of the Federal Republic of Yugoslavia. An interim administration would be established, giving considerable authority to local Kosovo Albanian leaders. It called for the deployment of a NATO-led international force, known as KFOR and an international civilian presence, led by the United Nations, would oversee the region's administration and ensure the agreement's implementation. Furthermore, it comprised the disarmament of the Kosovo Liberation Army (KLA) and the withdrawal of Serbian forces from the region. The agreement also emphasized the protection of human rights and the safety of all ethnic groups in Kosovo. It also included the safe return of refugees and internally displaced persons. The Kosovo Albanian delegation, led by Hashim Thaçi, hesitated over an interim deal as it did not promise a referendum on independence but it did not oppose one either. Initially, both Serbian and Albanian representatives refused to sign. However, upon returning to Kosovo and finding strong support for the deal among Albanians, Thaçi agreed to sign. Slobodan Milošević, on the other hand rejected the deal, particularly due to the presence of foreign troops. Subsequent talks in Paris stalled due to Serbian obstruction, and when air strike threats did not compel a change, the bombing campaign began on March 24 (Judah, 2000, p. 72-73).

According to NATO (n.d.), "By the end of 1998 more than 300,000 Kosovars had already fled their homes, the various cease-fire agreements were systematically being flouted and negotiations were stalled." Following the failure of the Rambouillet Accords, NATO launched an air campaign against the Federal Republic of Yugoslavia known as Operation Allied Force, in March 1999, "to stop the humanitarian catastrophe that was then unfolding in Kosovo" (U.S. Navy, n.d.). On the other hand, Kuperman (2008) points out that, "NATO started bombing in late March 1999, expecting quickly to compel Milosevic's acceptance. Instead, Belgrade escalated from counter-insurgency to ethnic cleansing, demonstrating that under coercive pressure to surrender sovereignty, a state may instead opt to perpetrate genocidal violence in hopes of retaining sovereignty. After 11 weeks of bombing that inflicted billions of dollars of economic damage and killed hundreds of civilians (Human Rights Watch 2000 as cited in Kuperman 2008)" (p. 67).

The NATO bombing campaign and international pressure, led to a ceasefire agreement in June 1999. "The NATO bombing campaign lasted 78 days" (Judah, 2000, p.73). As a result, Yugoslav forces withdrew from Kosovo and allowed the deployment of an international peacekeeping force (KFOR) led by NATO. Also, the UN Security Council adopted Resolution 1244 and to administer the province and oversee the transition to self-governance, The United Nations Mission in Kosovo (UNMIK) was established. Finally on February 17, 2008 Kosovo unilaterally declared independence from Serbia.

Chapter 3: Labelling of the KLA as Terrorist

The Kosovo Liberation Army (KLA) was initially labeled as a "terrorist organization" by some governments and international actors. As Freedman (2000) noted: "The KLA did not enjoy a good press. It contained a mixture of ideologies and had a shadowy leadership, divided between Marxists and Islamists. There were rumors of connections with the heroin trade and organized crime. Given the chaotic and lawless situation in neighboring Albania this would hardly be surprising. This does not mean, however, that it did not enjoy widespread support as representing the aspirations of the Kosovar people. Events conspired to add to its legitimacy" (p. 347). As the conflict evolved, so too did the perception of the KLA. This chapter examines the origins, evolution, and implications of this shifting label, exploring how it was used to justify actions and shape the narrative around Kosovo's path to self-determination.

Understanding KLA's Terrorist Label

The Kosovo Liberation Army (KLA) was referred to as a terrorist organization by the UN Security Council in Resolution 1160 where it condemned "all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training" (United Nations, 1998). Moreover, the KLA was designated as a terrorist organization by Serbia, United Kingdom, Russia and some EU member states. On February 23, 1998, Robert Gelbard, the U.S. special envoy to the region, visited Pristina and stated, "The violence we see increasing day by day is extremely dangerous." He criticized the "officially announced" violence by the Serbian police and then condemned the KLA, saying, "We strongly condemn the terrorist actions in Kosovo. The KLA is, without a doubt, a terrorist group" (Agence France Presse, 1998, as cited in Judah, 2002, p. 174).

The Kosovo Liberation Army (KLA) has been linked to numerous atrocities. Reports from various sources indicate that the KLA committed acts widely recognized as terrorism. These included the regular abduction of Serbian military personnel, Serb and Roma civilians, as well as Albanians accused of collaboration; hostage-taking; torture, ill-treatment, and murder of several kidnapped individuals, including women and children; arbitrary arrests and detentions; and summary executions carried out by Albanian "paramilitary tribunals." Additionally, there were instances of harassment and discriminatory practices. These findings are corroborated by multiple documents, including U.N. reports and ICRC updates, as referenced in Sulyok (2002). But as Sulyok (2002) notes, despite the atrocities, labeling the KLA as a terrorist group is not straightforward. While the KLA committed violent acts, it also operated as a national liberation movement with clear goals. Its members were identifiable by uniforms and insignia, and they openly carried weapons. The KLA conducted significant military operations and controlled areas previously held by Serbian forces, setting up checkpoints and performing policing functions.

However, some violations, such as seizing items from journalists and punishing collaborators, occurred within this context.

When examining the terrorist label, it is crucial to consider how this designation is used to justify actions against a group, delegitimize their cause, and avoid engaging in negotiations. This label was not only a tool for international actors but also for local authorities. As Judah (2002) notes, "If the KLA was a terrorist group and the representative of the most powerful country on earth [The US] said so, then there would be no opposition if the Serbian police intervened to settle scores with it. Surely the United States, at first sight, had given Milosevic the green light to act without wanting to" (p. 174). This reflects a determination that Belgrade also adopted to justify its actions against the KLA, reinforcing the use of the terrorist label as a means of legitimizing repressive measures against the group. (Caplan, as cited in Friedman, 2000, p.347).

Special Tribunals and Their Impact

The establishment of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the subsequent Kosovo Specialist Chambers (KSC) play a crucial role in the debate over the KLA's designation as a terrorist organization. While the ICTY's investigations provided a broader context for understanding the KLA's actions during the conflict, the KSC's focused approach aimed to address specific allegations, contributing to a more nuanced understanding of the KLA's actions and their place in the struggle for Kosovo's independence.

The International Criminal Tribunal for the Former Yugoslavia (ICTY) was a body established by the United Nations in 1993 to prosecute serious crimes committed during the Yugoslav Wars, including war crimes, crimes against humanity, and genocide. The court was located in The Hague, Netherlands, until it was dissolved in 2017. The ICTY has indicted a range of individuals, including former heads of state, prime ministers, military chiefs of staff, interior ministers, and numerous high- and mid-ranking political, military, and police officials from different sides involved in the Yugoslav conflicts. The charges cover crimes committed between 1991 and 2001 against various ethnic groups in Croatia, Bosnia and Herzegovina, Serbia, Kosovo, and what is now North Macedonia. (International Criminal Tribunal for the Former Yugoslavia, n.d.).

While the ICTY's focus was primarily the actions of Yugoslav and Serbian military, it also investigated the alleged crimes committed by the KLA. Its focus was not to assess the KLA as a whole but to investigate the individual actions of all parties to determine if they constituted war crimes or crimes against humanity. However, the ICTY's investigations do contribute to the broader debate about the KLA's legitimacy and methods.

In August of 2015 there was the establishment of special tribunals for Kosovo to address allegations of war crimes and crimes against humanity committed during and after the Kosovo War (1998-1999). The key tribunal established for this purpose is the Kosovo Specialist Chambers and Specialist Prosecutor's Office (KSC & SPO). The creation of the special tribunal was prompted by the publication of a report by Swiss politician Dick Marty for the Council of Europe in December 2010. In the "Marty Report", titled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo", it was alleged that senior KLA members, were involved in serious crimes such as illegal detention, organ trafficking, and extrajudicial killings of political opponents and ethnic minorities. The report called for independent investigations. Following, international pressure particularly from the European Union and the United States, Kosovo's Assembly passed a law in 2014 to establish the Specialist Chambers and Specialist Prosecutor's Office (SPO). The new court is based in The Hague, Netherlands, to ensure impartiality and to protect witnesses. The KSC is a hybrid court integrated into Kosovo's legal system but operates outside of Kosovo, in The Hague. The KSC has the mandate to try war crimes, crimes against humanity, and other serious crimes committed between January 1, 1998, and December 31, 2000. While the SPO is an independent prosecution office also located in The Hague. It is responsible for investigating and prosecuting crimes within the court's jurisdiction. The SPO has the authority to issue indictments, conduct investigations, and prosecute individuals, including those who hold or held high-level positions. The KSC has issued several indictments, including against high-profile figures such as: Kadri Veseli, Jakup Krasniqi, and Rexhep Selimi and the former President of Kosovo and a former KLA leader, Hashim Thaçi who resigned from his post in November 2020 after being indicted by the SPO on charges of war crimes and crimes against humanity.

In the context of the terrorist label, the establishment of the KSC and SPO challenges its simplification by focusing on individual actions and providing accountability for crimes allegedly committed by former KLA members rather than generalizing the entire group. In Kosovo, however the existence of this tribunals in seen as unfairly targeting those who contributed to Kosovo's struggle for independence.

Furthermore, the advisory opinion on Kosovo, delivered on July 22, 2010, has significant implications for the labeling of the Kosovo Liberation Army (KLA). The International Court of Justice (ICJ) was asked to give an advisory opinion on the question: "Is the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo in accordance with international law?" The ICJ concluded "that the adoption of the declaration of independence of 17 February 2008 did not violate general international law, Security Council resolution 1244 (1999) or the Constitutional Framework". Finally, it concludes that

“consequently the adoption of that declaration did not violate any applicable rule of international law.” (International Court of Justice, 2014, p.14).

The Court recognized that during the eighteenth, nineteenth and early twentieth centuries, “State practice...points clearly to the conclusion that international law contained no prohibition of declarations of independence.” (International Court of Justice, 2014, p.7). Also, “During the second half of the twentieth century, the international law of self-determination developed in such a way as to create a right to independence for the peoples of non-self-governing territories and peoples subject to alien subjugation, domination and exploitation. A great many new States have come into existence as a result of the exercise of this right.” (International Court of Justice, 2014, p.7).

Despite the fact that the advisory opinion does not directly mention the Kosovo Liberation Army (KLA), it does influence how it is perceived. By concluding that Kosovo's declaration of independence did not violate international law, it did give legitimacy to Kosovo's existence and statehood. This shift in legal recognition helps the overall image and perception of the KLA, favouring the narrative of a legitimate resistance movement. While not binding the ICJ opinions contribute to the body of international legal precedents concerning self-determination and statehood, influencing how other states and international organizations approach recognition and diplomatic relations. Of course, this issues still remain subject to political and diplomatic considerations.

Media Portrayal and Public Perception

Although initially, Western media depicted the KLA as a terrorist group, highlighting KLA's violent actions, including attacks on Serbian police and military targets. as the conflict progressed, the narrative surrounding the KLA began to shift. International attention started to focus more on the humanitarian crisis in Kosovo and the actions of Serbian forces. Events such as the Raçak massacre, which was condemned as a ‘crime against humanity’ by international observers, played a pivotal role in changing public perception. Over time, the KLA began to be seen more as a resistance movement fighting against oppression, and the earlier terrorist label gradually diminished. In a study by Richard Vincent (2000, as cited in Rizanaj, 2018, p. 78) reporting on major US media during the Kosovo war called “A Narrative Analysis of U.S. Press Coverage of Slobodan Milosevic and the Serbs in Kosovo,” he noted the four themes that captured journalistic attention: (a) Serbs as terrorists, (b) Serbs as evil, (c) Milosevic as a dictator, and (d) Kosovo refugees as fearful victims of Milosevic and Serbs”.

In the article by Rizanaj (2018), titled "The Kosovo War in Media: Between War Journalism and Foreign Policy of NATO Members," published in the *PRIZREN SOCIAL SCIENCE JOURNAL*, the

author explores the media coverage of the Kosovo conflict and its implications. His findings suggest that, the media in dominant NATO countries consistently supported NATO's position during the Kosovo crisis. Unlike Bulgaria, which maintained a neutral stance, and Greece, which was anti-war, the mainstream media in NATO countries such as Germany, Britain, Italy, and France acted as advocates for NATO, focusing on Serb atrocities and aligning with NATO's narrative. CNN, in particular, served as NATO's de facto public information arm, framing the air strikes as a humanitarian intervention. In contrast, Chinese media criticized the strikes as a violation of Yugoslavia's sovereignty, while Russian coverage evolved from strong disapproval of NATO's actions to a more neutral tone with Russia's involvement. Rizanaj's research highlights that media coverage was overwhelmingly supportive of NATO and lacked critical scrutiny of official sources, playing a significant role in shaping the conflict's development and outcome.

Geopolitical Interests Influencing the Label

Initially the international community, was reluctant to intervene in Kosovo, "without appearing to give support to the KLA, a group whose ambitions extended beyond Kosovo itself, into Albania and Macedonia, and were generally rejected by the international community. The more the KLA proclaimed its strength the less reason there was for outsiders to intervene" (Freedman, 2000). Also, what further complicated by concerns over Serbia's sovereignty. As Freedman (2000) notes, "The group was inhibited from pushing forward not so much because of the reluctance to use force to back up their demands, but because they were conscious of the sovereignty of Serbia."

One key factor in the decision to intervene was the severe humanitarian crisis in Kosovo, marked by widespread ethnic violence and atrocities against the Albanian population. "The memory of Srebrenica in July 1995, when thousands were murdered under the noses of a hapless UN peacekeeping force, was also in mind" (Freedman, 2000, p.349). Strategically, the Balkans' instability posed a threat to regional security and broader European stability. Also, the intervention aligned with broader geopolitical goals of NATO and the U.S., including countering Russian influence in the Balkans. By supporting Kosovo, NATO and the U.S. aimed to limit Russia's sway in the region and reaffirm their own influence in post-Cold War European affairs. The intervention also served to demonstrate NATO's capability and resolve in addressing conflicts, reinforcing the alliance's role in maintaining European security. The NATO intervention in Kosovo had a significant impact on the legitimacy of the KLA. By supporting the intervention, NATO's actions effectively aligned with the KLA's goals and contributed to its increased legitimacy. The association with NATO, a major international actor, lent credibility to the KLA's cause and underscored its role in the fight against Serbian forces. As a result, the KLA's position was strengthened both politically and diplomatically.

Chapter 4: Geopolitical Interests and Regional Power Struggles in the Context of Terrorism Labeling

The terrorist label is significantly influenced by geopolitics through various mechanisms such as state interests, international alliances and global counter-terrorism norms. This designation can be affected by diplomatic relations and strategic interests. A country might label a group as a terrorist organization to justify military action, achieve geopolitical goals or support its allies. Countries often pressure each other to adopt specific labels based on their geopolitical alliances and rivalries impacting how the international community views a certain group. Furthermore, the label may restrict a groups access to funding and military support and in turn weakening its operational capabilities. Sanctions and embargoes are also often employed to limit the group's resources and influence.

This chapter explores the role of external actors in either labeling an organization as terrorist or choosing to support it and the factors that influence it. It examines how the motivations and actions of key regional actors such as Serbia, Albania and neighboring countries as well as the geopolitical interests of major powers like the United States, Russia, NATO and European Union shaped the narrative around the KLA and Kosovo but also their influence in the Balkans. By analyzing these factors, the chapter seeks to understand the reasons and external interests that impacted the discourse on the KLA and its eventual legitimacy as a liberation movement.

Regional Context of the Balkans

For centuries, the Balkans has been a crossroads between East and West, shaped by the cultural and religious influences of the Byzantine and Ottoman Empires, which still affect the region today. The history of the region is complex and is characterized by claims from various ethnic groups asserting that they were the original inhabitants to a certain territory, which has often fueled nationalistic sentiments and conflicts in the region. However, this discussion is not one that we will be focusing on this thesis. As historian Noel Malcolm (2001) notes, "...they don't matter when it comes to deciding the rights or wrongs of today's political situations" (p. 22).

The Balkan region was originally inhabited by several ancient civilizations, including the Thracians, Illyrians, and Paeonians. They had distinct cultures and societies, with the Thracians known for their rich traditions and the Illyrians for their seafaring skills and warrior culture. Throughout antiquity, the region was a crossroad of trade and culture exchange between Europe, Asia, and the Mediterranean. In the 8th century BCE, the Greeks established colonies in the region, with the most notable settlements being Byzantium (modern-day Istanbul) and Apollonia (modern-day Saranda), which became important centers of trade and culture. By the end of the 1st century BCE, the region was fully integrated into the Roman Empire, which contributed to its development through extensive infrastructure, including roads, aqueducts, and urban planning. The Romans also played a significant role in bringing Christianity to the

Balkans by establishing Christian communities and constructing churches, laying the foundation for Christianity's long-lasting influence in the region. In the 4th century CE, as a result of the division of the Roman Empire, the Balkans became part of the Byzantine Empire. "Byzantium was one of the most powerful economic, cultural, and military forces in Europe" (Mulaj, 2010, p. 78). The region continued to play a crucial role in the Byzantine Empire until its decline. "Slavs began migration into the area during the 5th century AD. They were later identified as South Slavs to include Serbs, Croats, Slav Macedonians, Bosniaks, and Montenegrins who were Christianized by Eastern Roman or Byzantine Empire" (Mulaj, 2010, p. 78).

In the late 14th century, the Balkans were gradually conquered by the Ottomans, who achieved one of their early victories at the Battle of Kosovo in 1389, defeating the Serbian forces led by Prince Lazar Hrebeljanović. The Ottoman influence in the Balkans lasted for several centuries. Throughout the 15th and 16th centuries, they established their control over key regions such as Macedonia, Serbia, Bulgaria, Albania, Greece, Bosnia and Herzegovina and Montenegro, through military conquest, diplomacy, and alliances. The Ottomans also introduced Islam religion to the region, shaping the region's history and culture until the rise of nationalist movements and the eventual decline of Ottoman power in the 19th and early 20th centuries. Zöpel (2018) notes that "The Ottoman Empire was one of the two adversaries in the global conflict between Europe's dominating empires since the end of the Middle Ages, Habsburg the other one. While the Ottoman Empire was oriented towards the east, Habsburg was oriented towards the west as far as America, which marks the beginning of the modern age. There, England and France became new imperial adversaries. The West, North America and France experienced democratic revolutions at the end of the 18th century related to the Enlightenment and the articulation of human rights. They freed South Eastern Europe from the Ottoman Empire and brought about national efforts which were the beginning of conflicts lasting to this day; they are linked to made-up ethnic-cultural historical-political perceptions" (p.4). Zöpel further argues that, "The imperial interests of Habsburg, the "national powers" of England and France as well as Russia – on cultural grounds of Slavic unity – and the Deutsche Reich after 1871 all stirred up the "small nations" in South Eastern Europe against one another. Their antagonisms resulted in the Balkan Wars in 1912-13 and led the "great nations" into two world wars" (p.4).

The decline of the Ottoman Empire was marked by the Balkan Wars of 1912-1913. Some Balkan countries known as the Balkan League, comprising Serbia, Montenegro, Greece, and Bulgaria, launched an attack against the Ottoman Empire. The Balkan League succeeded in defeating and reducing the Ottoman empire's control of the region and by the end of the 1913, the Ottomans had lost almost all of their territory in the Balkans, except for a small area around Constantinople. The end of the First Balkan Wars was formalized by the signing of the Treaty of London in 1913 by the two sides; the Balkan League and the Ottoman Empire. Under the terms

of the Treaty of London, the Ottoman Empire ceded almost all of its European territories to the Balkan League members, the independence of the Balkan states was recognized and new borders were established. This marked a significant shift in the balance of power in southeastern Europe but it also created a lot of disputes over the way the territories were divided.¹

The disagreements with the territorial division were the catalysts for the beginning of the Second Balkan War. Specifically, Bulgaria wanted to revisit the territorial settlement and it sought to gain additional territories in Macedonia and Thrace. Thus, a war between Serbia, Greece, and Montenegro against Bulgaria started. The conflict ended in 1913, with the signing of the Treaty of Bucharest where Bulgaria was forced to cede some of its territorial gains to Serbia, Greece, and Romania. The end of the Balkan Wars marked the end of the Ottoman Empire's control over the region but the changes in territories also led to unresolved disputes and ethnic tension. The Balkan Wars led to the emergence of new countries such as Albania which gained its independence in 1912. "The newly created state was a consequence of a triple game: Great Powers rivalries for zones of influence in the South East Europe, Albanian national movement, and neighboring Balkan states prowling appetite for territories, all feeding each other's vulnerabilities and choices of alliances and cooperation partners" (Abazi, 2021, p. 88). There were also significant territorial changes like Serbia, Greece and Montenegro expanding their territories while Bulgaria lost some of its territory. "As a matter of fact, although formally independent, the Balkan states remained economically and politically weak, vulnerable to external aids and influences, and in competition with each other for state preservation, expansion and international support. Because of that, political landscape remained very fragmented" (Abazi, 2021, p. 88). These territorial changes altered the political landscape of the Balkans and set the stage for further conflicts in the region, including World War I.

The trigger for World War I, was the assassination of Archduke Franz Ferdinand of Austria in Sarajevo on June 28, 1914. The assassination heightened tensions between Austria-Hungary and Serbia, which eventually led to a broader conflict. Austria-Hungary, backed by Germany, issued an ultimatum that ultimately led to war. Russia mobilized in support of Serbia, thus turning a regional issue into a global war. The alliances between European powers, included the Triple Entente (comprising France, Russia, and Britain) and the Central Powers (Germany, Austria-Hungary, and Italy). As O'Loughlin & Kolossov (2002) argues, "within a generation of the division of the European great powers into two alliance structures (Triple Alliance and Triple Entente), Balkan disputes had pulled the German Empire into World War I against Russia, France, the United States, and Great Britain" (p. 574). Following the end of WWI, the geopolitical landscape of the Balkans changed. New states and borders were redrawn. The Kingdom of Serbs, Croats,

¹ For further reading, see Mark Mazower, *The Balkans* (London: Granta Books, 2000) and Misha Glenny, *Balkans: Nationalism, War and the Great Powers, 1804-1999* (London: Granta Books, 1999).

and Slovenes was established in 1918, which was later renamed the Kingdom of Yugoslavia in 1929. Romania gained territories like Transylvania, Bukovina, and Bessarabia, expanding its influence, while Bulgaria, having been on the losing side of World War I, faced territorial losses.

Similarly, during the Second World War, the Balkans were a significant geopolitical battleground. The Axis powers, led by Germany and Italy, sought to secure their control over Southeastern Europe. This led to the invasion and occupation of several Balkan countries, including Albania, Greece and Yugoslavia. Also, the Allied powers which included United States, United Kingdom, Soviet Union, China and France sought to counter Axis influence in the region. The Russian Empire, which was part of the Soviet Union during the war, had strategic interests in the Balkans, as noted by Mulalic and Karic (2014), who state, "The Russian Empire fought for dominance in the Western Balkans and definitely had strategic interests in the region during the World Wars" (p. 95).

The aftermath of the two World Wars did not bring stability to South Eastern Europe. As Zöpel (2018) notes, "Efforts to develop democratic statehood in South Eastern Europe between World War I and II remained unsuccessful also because the German-Italian fascism prevented it from happening. After 1945, South Eastern Europe was politically divided following an agreement between Stalin and Churchill and the region became – with the exception of Greece – communist. Soon, this division became a part of the globally imperialistic and ideological dualism between the Soviet Union and the United States" (p.4). This geopolitical division was further defined during the Cold War, with the Balkans being split into distinct blocs. As Mulalic & Karic (2014) notes, "After the First and Second World Wars the Balkans represented a clearly identified group of six countries: Albania, Greece, Bulgaria, Romania, Yugoslavia and Turkey. During the Cold War the subsequent six countries were divided into so-called 2+2+2 groups. NATO members included Greece and Turkey, a member of the Warsaw Pact included Bulgaria and Romania and the non-aligned and independent blocs included Yugoslavia and Albania. After the fall of the Berlin Wall and the disintegration of Yugoslavia several new states were founded" (p. 93).

With the end of the Cold War, the geopolitical landscape of the Balkans underwent transformation such as the collapse of communism in the region and the breakup of Yugoslavia in the early 1990s which brought the creation of new states. Slovenia declared independence on June 25, 1991, Macedonia became the second republic to declare independence on September 08, Croatia third on 08 October of the same year while Bosnia and Herzegovina joined the secession on March 01, 1992. "But the situation in recognized independent Croatia and [Bosnia and Herzegovina] was different. By 1995 the Serbs had conquered 1/3 of Croatia's territory. The Croatian War of Independence was costly with thousands of lives lost, damages to infrastructure, and facing atrocities by the Serbs in Eastern Slavonia bordering Serbia. Croatia retook the territories lost to the Serbs in 1995 (Operation Oluja - Storm) and around 200,000

Serbs left as refugees". "The worst atrocities known as Bosnian genocide occurred in [Bosnia and Herzegovina]. About 100,000 people killed, majority of them Bosniaks. The Bosnian War (1992-1995) created an estimated number of 2 million people displaced, nearly half of total population" (Mulaj, 2010, p. 88-89). These conflicts drew international attention and set the stage for the eventual NATO involvement in Kosovo in 1999.

Influence of Regional Powers

When discussing the terrorist designation of the Kosovo Liberation Army (KLA) it is important to talk about the regional power struggles and geopolitical objectives of the region's countries. The use of the "terrorist" designation is not always just a national security matter but also a tool to achieve one's goals and objectives.

Kosovo is very important to Serbia due to its historical legacy, cultural heritage and national identity. Kosovo is often considered the cradle of Serbian medieval history as it is the site of the Battle of Kosovo in 1389. According to Djokic (2009), "the memory of the Battle of Kosovo was preserved in the rich epic poetry and in church chronicles and sermons throughout the Ottoman period", and "the myth only assumed today's significance in the nineteenth century, when modern Serbian nationalism emerged". Also, Kosovo contains many important Serbian Orthodox monasteries and churches. For Serbia control over Kosovo is a matter of national sovereignty and pride. Its main objective was to maintain territorial integrity to prevent further loss of territory and maintain its status as a leading regional power. According to Confédération paneuropéenne (2000, as cited in Boriçi, 2014), "The dissolution of Yugoslavia turned Serbia into an enclave. Historically, the passage of Serbia to the Adriatic Sea through the Dalmatian seashore was made passing through Croatia and Bosnia. Since 1999 and the war in Kosova, Serbia to passage to the Adriatic Sea was dependent from her Montenegrin port but now Serbia has withdrawn north of Kosova" (p. 201).

Thus, the "terrorist" label against the Kosovo Liberation Army (KLA) was used by Serbia as a way to delegitimize the groups cause for self-determination and presenting it as a threat to Serbia's sovereignty and security. By framing the KLA as a terrorist organization, Serbia could justify its use of large-scale military operations and police actions on suspected supporters of the KLA. Moreover, labelling the organization as terrorist helped gain domestic and international sympathy and support not only when it came to the fight against terrorism but also from states dealing with their own separatist movements such as Russia and China.

On the other hand, Albania supported the KLA and its aspirations for independence. This is because both countries have a majority ethnic Albanian population and share an ethnic and cultural background. The suppression of Albanian identity also contributed to the support. In addition, Albania provided logistical, military, and political support to the Kosovo Albanian cause. Albania was used by the KLA for training, supply route, as a base for operation and many

Albanian nationals crossed into Kosovo to join the KLA. Despite supporting the KLA, the Albanian government also aimed to promote regional stability and peace, both to align with international expectations and to avoid potential isolation from Western powers.

The reaction from the other regional countries was mixed. Croatia sympathized with Kosovo's struggle for self-determination and did not label the KLA as a terrorist organization. Having fought their own war of independence, they saw similarities with Kosovo. Croatia's aim was to align itself with Western institutions and to counterbalance Serbia's influence in the region, therefore they supported NATO's intervention in Kosovo.

For Bosnia and Herzegovina due to its internal ethnic divisions, their position was rather complex as each group (Bosniaks, Croats, and Serbs) had their own different perspective on the KLA and Kosovo. Bosnian Serbs generally supported Serbia's stance on Kosovo while many Bosniaks sympathized with KLA's fight against Serbian rule as they had suffered ethnic cleansing and genocide at the hands of Bosnian Serb forces backed by Serbia. This led to Bosnia and Herzegovina keeping a neutral stance on the topic, however it did support NATO's intervention. As Hadjimichalis (2000) notes, "Bulgaria offered its air and ground space to NATO forces and has accepted without protest several 'mistakes': 'intelligent' bombs that landed near Sofia and near the nuclear power station of Kosloduy" (p. 180). Hadjimichalis further argues that "...pro-western governments in neighboring countries supported the war in Yugoslavia to advance their own nationalistic interests" (p. 179). For instance, Hungary, as a new NATO member, permitted the use of its territory for attacks against Yugoslavia, driven by its interest in the country's disintegration due to the presence of a substantial Hungarian minority in the Vojvodina region and another in the Romanian province of Transylvania (p. 180).

Geopolitical Interests of Major Powers in Terrorist Labelling

Geopolitical interests of major countries often affect how an organization is perceived. By examining the actions and motivations of key major players, we can better understand how global power dynamics intersect with the politics of terrorism. When it comes to the Balkans the influence of major powers has been consistent throughout its history. As noted by Jelavich (1983), Danopoulos and Messas (1997), and Bugajsky (1994, as cited in Abazi, 2021, p. 89), "Historically, the interests of major powers and their alliances have been sources of division rather than integration of South East Europe. Even though more implicitly than explicitly, they often powered nationalism in the region and/or a sense of alienation or isolation. Balkan states were encouraged and manipulated by the Great Powers in the hope of gaining influence. In this way, 'their size, shape, stage of growth and even existence were in the final analysis regulated by great powers considerations'" (Pavlowitch, 1999, as cited in Abazi, 2021, p. 89).

While initially the Western powers were skeptical of the Kosovo Liberation Army (KLA) with some considering it as a "terrorist" organization due to their use of armed struggle, their

perception changed over time. The humanitarian concerns and reports of ethnic cleansing in Kosovo contributed to this shift. As a result, the U.S. and other Western countries began to reassess their position on the KLA, leading to the NATO intervention in 1999. As Newman and Visoka (2023) note, “the narrative of those – generally Western – states which led the promotion of Kosovo’s independent statehood has been couched in unmistakably liberal terms. The US statement, following its recognition of Kosovo, referred to the background of ‘brutal attacks on the Kosovar Albanian population’ and praised the ‘democratic institutions’ that had emerged in Kosovo following NATO’s intervention (US Department of State, 2008, as cited in Newman & Visoka, 2023, p. 376). It also highlighted Kosovo’s commitment to ‘embrace multi-ethnicity as a fundamental principle of good governance.’ While the US observed that this is a ‘special case’ and indicated that ‘Kosovo cannot be seen as a precedent for any other situation in the world today,’ the US justification clearly presents a normative perspective that is distinct from that of the BRICS” (p. 376).

In addition, “The UK’s statements in support of Kosovo’s independent statehood were similarly framed with reference to Kosovo’s difficult recent history, the supervision of the international community, and the sensitivities of the region and the importance of minority rights within Kosovo – all of which reflects sympathy with the concept of remedial secession” (FCO 2009 as cited in Newman & Visoka, 2023, p. 376). France also put its recognition of Kosovo into the context of the region’s conflicted past, and suggested that “Independence was achieved with respect for exemplary principles in relation to democracy, the rule of law, human rights and the rights of minorities, and without jeopardizing regional stability” (Republic of France 2009, as cited in Newman & Visoka, 2023, p. 376). Although, “a split exists within the EU in relation to Kosovo’s independence. Five EU member states, namely Cyprus, Greece, Slovakia, Spain and Romania, have not (as yet) recognized Kosovo’s independence – largely for domestic reasons – which significantly undermines the EU’s ability to project power and resolve protracted conflicts in the Western Balkans” (Newman & Visoka, 2023, p. 375).

However, humanitarian concerns were not the only reason why the US and NATO intervened in Kosovo. The intervention served as a way to assert NATO's influence in the region and counterbalance Serbia’s dominance and prevent it from undermining the stability of the Balkans. Serbia has historically been an ally of Russia; therefore, the intervention was also a way to counterbalance Russian influence in the Balkans. Furthermore, as O’Loughlin (1999, as cited in O’Loughlin & Kolossov, 2002) points out, “Despite an explicit promise to Mikhail Gorbachev in 1989 that NATO would not expand east ward to Russia, by 1995, NATO was committed to admitting three Central European states and had promised to consider seriously the future admission of other former Communist states. Despite significant opposition from across the Russian political spectrum, the list includes former (Baltic) republics of the Soviet Union. If all would be joiners are admitted, the alliance would take on a strong eastern European character

and the “Atlantic” leg of the charter would look increasingly tenuous, predicated largely on the continued involvement of the U.S. on the European continent” (p.579).

According to Hadjimichalis (2000) Yugoslavia, despite lacking significant resources, is strategically valuable for neo-imperial interests due to its location at the crossroads between Central Europe, the East, and the Black Sea. This location is increasingly important with Europe's eastward expansion and planned pipelines transporting Russian oil and gas from the Black Sea to Central Europe and the Adriatic. The rise in oil prices has made this project more viable (p. 178). Furthermore, Hadjimichalis adds that “...the combination of strategic location with a non-pro-West government, the non-alignment tradition of the country plus the cultural-religious sympathy with the Russians, could turn to a situation in which a crucial strategic area in central Europe could remain beyond the control of the USA–EU–NATO globalized interests. I believe that the parallel project of state-formation and neo-imperialist intervention provides us with a possible explanation of this war which also answers the question of why EU countries accepted USA primacy so easily. It also answers the question of why civilian infrastructure was destroyed: the country is now forced to turn to western banks and financial institutions to rebuild what has been destroyed by ‘intelligent bombs’. Where neo-liberalism could not be imposed peacefully it is now introduced by force, alongside the dependency of the country on western interests. This is to some extent ironic, as former Yugoslavia, of all other ex-communist countries in the Balkans, was culturally and politically closest to the West” (p. 178).

In contrast, Russia due to its historical ties and broader geopolitical strategy supported Serbia's position in naming the KLA as a terrorist organization, opposing the NATO intervention and Kosovo's independence. Russia and Serbia share cultural, religious, and historical ties, with Serbia being a predominantly Orthodox Christian country and Russia being the largest Orthodox state. Moreover, by supporting Serbia, Russia aims to assert its influence in the Balkans and undermine Western dominance in the region. As Newman and Visoka (2023) explain “Russia,..., sees the West's sponsorship of Kosovo's independence as highly provocative – as an assertion of Western hegemony broadly – in addition to being counter to its interests. Kosovo's declaration of independence is thus seen as a culmination of Western – and in particular British and US – involvement in the region, including military intervention in 1999” (p. 379-380).

Consequently, Russia has supported Serbia's campaign to derecognize Kosovo as a strategic move to strengthen ties with Serbia, expand its influence in the Balkans, and challenge US and Western dominance. By advocating for Kosovo's derecognition, Russia aims to reverse the Western approach to state creation and recognition, thereby enhancing its bargaining power and restoring its global status. This strategy allows Russia to assert its influence and demonstrate its resurgence on the global stage by controlling which entities are recognized as sovereign states (Newman & Visoka, 2023, p. 372). According to Hadjimichalis (2000) on the other hand, “...the heavy involvement of Russia was due less to its cultural and religious links

with Yugoslavia and more to its prime interest in the safeguarding of the oil route, the only valuable resource it can export. Russia is economically destroyed and totally dependent on the World Bank, while its army lacks the capacity of the past. So NATO and the USA, by playing the card of Yugoslavia's destruction, were also checking the various degrees of Russian resistance" (p. 178).

The 'terrorist' label is also linked to the concept of International Recognition. International recognition is crucial for a state because it affirms its existence as a sovereign entity, it enables it to achieve political stability, economic development, engage in diplomatic relations and integration into the international order. It also helps in strengthening its government's legitimacy. As Albertini (2012), notes. "What is new, in the globalized world, is that the exercise of power is no more confined to national borders; in other words, self-determination could hardly be reached without foreign support and sometimes active international involvement. This means that the birth of new nations does not only depend on internal relations between the majority and the minority (or the minorities) of a country's population, but above all on the role these local struggles can perform in the relations between great powers; a state of things that makes new 'nations' more malleable and manipulable by those who detain larger capitals in the international arena" (p.4).

In the case of the KLA the 'terrorist' label was used to delegitimize the organization's objectives but the label influences not only how the organization is viewed but it can also undermine the broader aim of a people to achieve self-determination. The label was applied to the Kosovo Liberation Army (KLA) by Serbia and supported by Russia and other states opposed to Kosovo's independence. Thus, the label often serves as a justification for political stances regarding state sovereignty, intervention, and the balance of power. "Great powers tend to support secessionist entities and movements which would either preserve or expand their influence. This reflects a historical pattern. During the Cold War, for example, the US withheld support from the efforts of Biafra, Eritrea, Kurdistan and South Sudan for independent and recognizable statehood fearing that such territories would become allies of the Soviet Union and thus undermine its own influence in these regions" (Paquin 2010, as cited in Newman & Visoka, 2023, p. 379).

As Lampe (1990 as cited in Abazi, 2021, p. 89) suggests, such actions contribute to sustained instability, enabling dominant powers to dictate political legitimacy on favored elites and shape the size and governance of states. "This way of doing things have gained consistency affecting how gaining legitimacy is perceived in most of the countries of the region even nowadays. The political actor that acquires foreign support automatically become legitimate for the public. This attitude gives precedence to the external factor and undermines the domestic legitimizing procedures, showing in this way the weakness of civil society and the danger of basing legitimacy on an alien judgement that may be biased and effected by other than national interests".

In this context, geopolitical strategies play a critical role. For instance, “the US is more likely to oppose the expansion of states if the new or nascent states signal strategic alliances with Russia or China, among other competing powers. The US considers the West Balkans to be an important geopolitical zone for preserving and expanding the Euro- Atlantic community and limiting the role of other competing powers. Support for the independence of former Yugoslav republics, including most recently the case of Kosovo, are core to the US’s stability-seeking foreign policy. To undermine the US’s dominance in the Balkans, Russia proactively opposes Kosovo’s independence and supports the nationalist leaders of Republika Srpska, an entity within Bosnia and Herzegovina which seeks greater autonomy and eventual separation (Björkdahl 2018; Jackson and Jeffrey 2019 as cited in Newman & Visoka, 2023, p. 379). In turn, the US actively opposes the independence of de facto states in Eastern Europe and South Caucasus, as it considers these breakaway territories to be Russian satellites” (Newman & Visoka, 2023, p. 379). The decision to support one group or another in their struggle for independence often reflects the broader aim of major or regional powers to influence the geopolitical landscape. Thus, the term “terrorist” is used selectively and usually becomes a tool in the larger geopolitical struggle for regional and global influence.

Chapter 5: The Impact of Media and Propaganda on Terrorism Labels

The media and propaganda play a crucial role in shaping public perception and influencing political narratives. It can influence how a group is perceived by the public and shape their image as a 'terrorist' organization or as a group fighting for self-determination. Media outlets can be a powerful tool to legitimizing or delegitimizing a group through their reporting, framing, and language choices. This chapter explores the media narratives and the portrayal of the Kosovo Liberation Army (KLA) by drawing on existing content analyses from various studies, both in local and international media to ultimately analyses how the media contributed to shaping the discourse surrounding the KLA.

The impact of media and propaganda

The media's portrayal of events is a powerful tool in creating the narrative of a group and in the interpretation of events. The depiction of violence is often influenced by the need to attract views or align with specific political narratives. Huff and Kertzer (2018) highlight the media's significant role in shaping public perceptions of violent events, noting that "...the media has significant agency in shaping how the public comes to classify violent events; given the extent to which terrorism increases news ratings, market-based theories of the media would expect the media to have an incentive to frame ambiguous violent events in certain ways" (p.69). Huff and Kertzer (2018) further argue that "...unlike many foreign policy issues, terrorism is highly salient, capturing the public imagination—and producing downstream political consequences—to an extent that more ubiquitous forms of violence do not. It receives extensive media coverage (Nacos, Bloch-Elkon, and Shapiro 2011, as cited in Huff and Kertzer 2018) and fuels powerful emotional responses that not only affect the public's attitudes toward foreign policy issues (Albertson and Gadarian 2015; Huddy et al. 2005, as cited in Huff and Kertzer 2018), but also how citizens act toward each other (Merolla and Zechmeister 2009, as cited in Huff and Kertzer 2018)" (p. 57).

Building on this, violent acts due to their attention-grabbing nature receive more media coverage in comparison to non-violent acts. Violent acts evoke strong emotional responses and as a result they capture headlines and dominated news cycles, overshadowing peaceful or routine events. As Nacos (2006) notes, "...it does not require spectacular acts of deadly political violence to trigger massive news coverage that results in the attention that terrorists aim for. For example, consider the small group of self-proclaimed anarchists that dominated the news of a summit meeting of the 1999 World Trade Organization (WTO) in Seattle, Washington, after they used hammers, baseball bats, and spray paint to damage store fronts, and clashed with police. While the media all but ignored some 50,000 peaceful anti-globalization demonstrators and the summit proceedings, relatively minor acts of political violence took center stage in television and print news" (p.6).

The media shapes their audience's perception of whether an event is classified as terrorism or not. In their paper "How the Public Defines Terrorism", Huff & Kertzer (2018) find that "the likelihood that ordinary citizens classify an event as terrorism is heavily dependent on relatively objective facts on the ground, such as the extremity and severity of violence employed. And yet, the public is also heavily influenced by the descriptions offered of who carried out the incident and why: acts are more likely to be seen as terrorism if they are carried out by organizations, less likely if they are carried out by individuals with histories of mental illness, more likely if they are carried out by Muslims, more likely if they are carried out in order to achieve political goals, and so on" (p.69). Furthermore, governments can use the media to influence the public by framing an event in a particular way to sway public opinion and push a certain agenda. "Our results also suggest politicians can potentially manipulate perceptions of terrorism by framing violent incidents in certain ways. For example, if decision makers are in favor of pursuing more assertive foreign policies to combat a particular terrorist organization, we might expect them to highlight the potential for "foreign ties" in order to increase the likelihood the public perceives an incident to be terrorism and demand retribution" (Huff & Kertzer, 2018, p. 69).

Media and Propaganda Strategies of Serbia and the KLA during the Kosovo War

In Kosovo before and during the conflict, "the media were tightly controlled by Serbian authorities, with newspapers being fined for printing news which was perceived as pro-KLA or pro-separatist. For example, the newspaper Kosovo Sot was fined 800,000 dinars in March 1999, accused of advocating national hate and producing terrorist propaganda after writing articles about the KLA" (Mueller, 2011, p. 15). The manner in which the KLA conveyed its agenda and communicate its messages was through press releases, called communiqués which "were written by KLA members within Kosovo, and faxed to trusted colleagues outside Kosovo for wider distribution to media outlets and other potentially interested parties", and via the RKL, a radio station broadcast by the KLA. "Over the course of the 4 years that the KLA was engaged in shaping their public image, their use of international norms in their public discourse shifted considerably, growing from no use at all for the first year and a half that the KLA was making public pronouncements, to a significant part of their discourse by the final months of the war" (Mueller, 2011).

According to Freedman (2000), there are four possible options for countries in situations where it is not possible to win in a set-piece military confrontation. One of them is the strategy of the victim. "The antecedents of this strategy are essentially Gandhian. Gandhi's great achievement was to turn a core morality into a powerful political weapon." This strategy was employed by Serbia which sought to frame itself as the victim in the conflict in order to gain sympathy and legitimacy. "Ordinary people were encouraged to stand on bridges almost to dare NATO to bomb them and create numerous martyrs. Belgrade presented attacks against a TV station calculated to gain sympathy amongst the world media" (Mares, 1999, as cited in Freedman

2000, p. 356). And, "On 10 May Yugoslavia began proceedings before the UN International Court of Justice in the Hague, accusing NATO of genocide. The country was presented as a martyr to some vindictive, illegal but vague American grand strategy. The hope was that their anger—and each successive NATO mis hit—would cause the West to reconsider its stand, or at least sufficient elements within it to cause an outbreak of disarray" (Freedman, 2000, p. 357).

According to Höijer, Nohrstedt, and Ottosen (2002), "The Serbian government was quite open in its attempts to put restrictions on the Western journalists in Belgrade. Most of the journalists from NATO countries were expelled from Kosovo and Serbia, but many of them were able to stay or return to Belgrade at a later stage. Even though the Serb government tried to implement censorship on the news sent out from Belgrade, the apparatus to implement the restrictions seemed half-hearted and inefficient. Both the Norwegian and the British journalists found it quite easy to avoid the control-mechanisms by using satellite telephones rather than the telephones on the "official press centre" etc" (p.6).

On the other hand, the KLA's strategy was to present itself as an entity that does not attack civilians. During the emergent Period between November 1997 and September 1998 it can be seen "the emergence of an important theme in the presentation of the KLA: the idea that the KLA does not attack civilians. This view of the KLA was set in contrast to the actions of the Serbian police and, later, the military and paramilitary groups, who were portrayed as attacking civilians as part of their counter-insurgency campaign. This presentation of the KLA became a central core of its identity" (Mueller, 2011, p. 25). The language employed by the KLA in the initial communiqués was straightforward and did not directly reference specific organizations or bodies in their appeals to international actors. Over time, the language evolved, and "press releases began to specify targets, such as members of the UN Security Council, and refer to international norms in making their more targeted appeals" (Mueller, 2011). The KLA began incorporating humanitarian law and human rights terminology when discussing the Serbian regime, Serbian troops, and police forces. Conversely, the term "genocide" was used selectively and reserved for particular incidents, such as the massacres in Drenica and Raçak in January 1999 (Mueller, 2011).

International Media Representation and Propaganda During the Conflict in Kosovo

In Western media there was an emphasize in the humanitarian crisis and the unfolding atrocities in Kosovo. This portrayal provided a rationale for NATO's intervention. In his study of US media Vincent (2000) analyzed a data pool comprised of 645 separate stories on Kosovo identified across eight individual media during the one week and found the following themes, "(1) presence of violence, (2) portrayal of Milosevic as a dictator, (3) a discussion of the Serbs as evil, (4) descriptions of the refugees living in fear, (5) crazy and irrational behavior on behalf of the Serbs and NATO, (6) vicious and calculated acts performed by the Serbs or NATO and (7)

occurrence of so-called 'missing' themes such as mention of: (a) events at Rambouillet, (b) events at Racak, (c) the Kosovo Liberation Army (KLA) and criminal activity, (d) the KLA and drug activity, (e) the KLA and terrorist activity, (f) the KLA and smuggling activity and (g) the KLA and forced recruitment efforts" (p. 326).

Furthermore, as Bilder (1999) notes, "New York Times Columnist Anthony Lewis wrote: 'The Serbian people will suffer, but so they must for the tyranny they have repeatedly endorsed' (Lewis, 1999 as cited in Bilder, 1999). In an OpEd in early May, Mrs. Thatcher wrote: 'There are, in the end, no humanitarian wars.... it is the men of evil, not our troops or pilots, who bear the guilt.' (Thatcher, 1999 as cited in Bilder, 1999). And Michael Ignatieff, a noted author on human rights, concluded a New York Review article by saying: 'There are times, and Kosovo is one, when we need to be as ruthless and determined in our choice of means as we have been high-minded in our choice of ends'" (Ignatieff, 1999 as cited in Bilder, 1999 p. 169).

To rally support both domestically and internationally for the intervention in Kosovo, Western leaders framed the narrative of a 'just war' by emphasizing the humanitarian crisis and widespread human rights abuses perpetrated by Serbian forces. In the media the suffering of Kosovar Albanians and the alleged brutality of the Serbian regime was highlighted. The intervention was portrayed as a moral obligation and as necessary to prevent further suffering. "President Clinton, repeatedly citing the unspeakable atrocities waged by Yugoslav leader Slobodan Milosevic, called the bombing a moral duty and declared NATO's air campaign 'a just and necessary war' (Clinton, 1999 as cited in Bilder, 1999) British Prime Minister Tony Blair said that NATO 'must be willing to right wrongs and prosecute just causes' (Blair, 1999 as cited in Bilder, 1999). Elie Wiesel, the Nobel Laureate Holocaust survivor, pronounced the bombing 'a moral war' and said that '[when evil shows its face... [y]ou must intervene'" (Rohde, 1999 as cited in Bilder, 1999, p. 153).

Moreover, Vincent (2000) examined in this study another variable which, "was how 'fear' was a factor in the presentation of refugees and their stories. The use of terms dwelling on the fear factor holds the potential to heighten the drama and further emphasize the atrocities which occurred in Kosovo. In a good number of stories we saw footage or accounts of refugee hardship and suffering" (p. 328). Also, an evident double standard is recognized in media coverage during the Kosovo War, where the blame for civilian casualties was often skewed depending on the perpetrator. Vincent (2000) notes that, "when military attacks resulted in casualties, the Serbs would typically be held at fault for their barbarous acts. When NATO was responsible for killings, though, the press supported NATO efforts to rationalize and justify the events. Often it is presented as an accident. This included references to specific events where Serb citizens were killed by NATO bombings to the more general condoning of increased bombing missions which placed the Serb and Albanian populations at greater risk due to collateral damage" (p. 337).

This raises the question: “wasn't it completely predictable that the bombing, against which the Serb soldiers and civilians were virtually helpless, would not only fail to protect the Kosovars, but would also further enrage and increase atrocities by the Serbs against the Kosovars, whom they would certainly blame for encouraging and being the intended beneficiaries of the bombing? Interestingly, the New York Times reported the following comment by Special Envoy Holbrooke after his failed attempt on March 23, 1999, to get Milosevic to accept NATO's ultimatum or face the bombing, which began the next day: On his way out of the country, Mr. Holbrooke was asked if he feared that NATO's air attacks would push the Serbs into ever more vicious 'ethnic cleansing.' 'That is our greatest fear by far, by far,' he replied. Asked what NATO, operating only from the air, could do to prevent a catastrophe, Mr. Holbrooke went silent and shrugged” (Harden, 1999 as cited in Bilder, 1999, p. 170-171). “If the bombing was not only unlikely to accomplish its ostensible purpose, but likely instead to make matters worse, did it thereby lose its humanitarian justification?” (Bilder, 1999, p. 170-171).

Furthermore, as Herman and Peterson (2000, as cited in Schweitzer, 2010) point out “CNN in particular served throughout the war as a reliable “de facto information partner” repeating the information fed to them by NATO without questioning it. This was in contrast to other media outlets such as the German paper Frankfurter Rundschau which at least put a warning in their paper every day that the information they received was restricted and therefore unreliable” (p. 219).

According to Höijer, Nohrstedt, and Ottosen (2002), “the NATO propaganda in the Kosovo War was in general quite successful all through the conflict in spinning the media in key strategic terms. The media never seriously questioned the enemy Milosevic as the only one responsible for the war, and NATO's self-proclaimed motives” (p. 15). Höijer, Nohrstedt, and Ottosen (2002), analyze media discourses in Norwegian and Swedish media and find that, “Media discourses in Sweden and Norway were equally occupied by the fate of the civilian population and their suffering due both to terror on the ground and to the NATO air attacks” (p. 6). The two differ however as Norway's media initially supported the NATO bombings while Sweden's media was more critical from the start. “In particular, the NATO bombing operations were initially given remarkably opposite coverage, but later the two media discourses converged towards a rather critical image. From the start the media in Norway, the NATO country in this comparison, had a low profile with respect to the effects of the air strikes, but they were generally described as necessary in order to restore peace in Kosovo. The Swedish media on the contrary had a much more outspoken and critical voice, emphasizing the potential risks of the conflict spreading out over the entire Balkans and eventually into a third world war. Under the impact of subsequent events, and especially the misdirected attacks on Albanian refugees, the media news discourses

in both countries turned into a mainly critical image of the NATO bombings” (Höijer, Nohrstedt, & Ottosen, 2002, p. 16).

According to (Rizanaj, 2018), “French media coverage of the Kosovo crisis was the continuation of a crusade begun over Bosnia, in which ideological suppositions excluded unwelcome facts and indignation silenced questioning. The leading role in shaping the French attitude toward the Yugoslav conflicts has unquestionably been played by the newspaper *Le Monde* whose influence is perhaps without equivalent in any other country as the newspaper of the mandarins. In France, an intellectual is sometimes defined as a person who reads *Le Monde*. In government ministries, universities, in all the places where ‘public opinion’ is developed, people read *Le Monde*, or *Libération*, and the weekly, *Le Nouvel Observateur*. And they watch television. All these media purvey the same center-left apology for neoliberalism (Johnstone, 2000 as cited in Rizanaj, 2018, p. 84).

In addition, Schweitzer (2010) notes that, “With regard to the British print media Hammond (2000) makes an interesting observation: The conservative press while supporting the British military expressed some caution and questions about the NATO war, but the more liberal section followed the Blair government in its emotionally loaded moral assessment of a ‘just war’” (p. 219). “Public service broadcaster BBC maintained a more independent line, for example showing the effects of the NATO bombings on civilians. Also the mainstream media in other European countries basically supported the war as did their governments (with the exception of Greece) though in some countries critical voices may have been stronger than in the US and Britain” (Deichmann 2000, Johnstone 2000b, Røn 2000, Hammond and Herman 2000, as cited in Schweitzer, 2010). “The Russian media mirrored similarly mostly the opposition of their government of the war although disagreeing over several issues like the position towards Milosevic, the significance of the war for Russia’s position in the world and the notion of Slavic fellow-feeling” (Hammond, Nizamova and Savelieva 2000, as cited in Schweitzer, 2010).

As Höijer, Nohrstedt, and Ottosen (2002) point out when examining the role of media in modern conflicts, including the Kosovo War, it becomes clear that media coverage not only informs the public but also influences military and political strategies. “Either the propaganda discourse and the compassion discourse push and pull in the same direction, as during the first weeks of the Kosovo War; or the two discourses may conflict and influence the media in opposite directions, as in the second half of the war after the human costs of the air strikes had taken the paramount place on the news agenda. Hence, it is today more difficult to predict where the sympathy from the general public will land in a military conflict than during the cold war period. This will probably encourage increased concern from spin doctors and propaganda strategist in their ambitions to control the way pity flows. But the positive thing about this new world order is that it gives civil society more space for anti-ideological and anti-propaganda discourses. And

hopefully propaganda based on compassion will be contested and requested to fulfil its claims, or otherwise it will meet with a credibility crisis" (p. 16).

Moreover, several key dynamics, such as the CNN effect, the bodybag effect, and the bullying effect, demonstrate how media can sway both public opinion and policy decisions. "The biggest effect of the 'CNN effect' is the agenda-setting effect. The media affects the agenda by identifying a certain issue as a priority and push the policy-makers towards dealing with that issue prior to the other issues" (p. 76). The 'bodybag effect' on the other hand had a significant impact on American policymaking during the Kosovo conflict, reflecting the fear of U.S. casualties. This can explain the reluctance of President Clinton to send ground troops into combat. "The influence of the 'bodybag' effect has been confirmed in all accounts of American policymaking on Kosovo. It explains the extraordinary caution when it came to risking the lives of servicemen and women in combat. The most obvious example of this came with President Clinton's reluctance to commit ground troops, but it was also evident in the avoidance of low altitude air strikes and holding back on the use of Apache helicopters" (Freedman, 2000, p. 339). In addition, a third effect has been seen in Kosovo, 'the bullying effect' which suggests that the West used its superior military strength, particularly through precision air strikes, to pressure or "bully" Serbia into compliance. "Kosovo also revealed a third effect, which we might call 'the bullying effect.' This is a reflection of the West's superior military strength, especially in air power. Air power doctrine has come increasingly to stress both the possibility and virtues of precision military strikes, allowing for military targets to be hit while civil society can stay relatively unscathed" (Freedman, 2000, p. 339-340).

It is also important to note how media language plays a crucial role in shaping public perception and narrative framing. The choice of words and emphasis on certain aspects of the conflict can significantly shape how the audience sees and responds to military actions and humanitarian issues. For example, "During most parts of the war [Serbians] were referred to in rather abstract words, for example when air strikes was said to hit "areas" and not people, or when official NATO comments, declaring that the bombs were not aimed at the Yugoslavian people but Milosevic, were repeated without critical remarks" (Höijer, Nohrstedt, & Ottosen, 2002, p. 12). In contrast, "[Kosovo-Albanians] were shown in despair, with crying women and children expressing their pain, horror and hopelessness in photos of great emotional appeal" (Höijer, Nohrstedt, & Ottosen, 2002, p. 12).

Chapter 6: Implications of labelling liberation organizations as terrorists

The 'terrorist' label has significant implications for liberation organizations as evidenced by the case of Kosovo. It can undermine their legitimacy, hinder international support, undermine their moral legitimacy and impact on the broader struggle of a people for self-determination. On this chapter there is a focus on definitional ambiguities of terrorism but also on the right to self-determination, state sovereignty, the global war on terror as a new variable that complicates the pursuit of national aspirations and state terrorism. Moreover, it examines who has the power to define who is or is not a terrorist and the inclusion of liberation organizations on terrorist lists. Exploring why national liberation movements engage in violence is also crucial in understanding their broader objectives and the challenging conditions they face in their pursuit of independence. Ultimately, this chapter analyses how the terrorist label can impact the narrative around liberation organizations and the implications that this label has on their goals and aspirations.

Definitional Ambiguities and Impact on Terrorism Labeling

As discussed in Chapter One, there is a lack of a clear definition of terrorism. The absence of a universally accepted definition poses a significant issue when discussing about self-determination. Due to the ambiguity around terrorism, it can be used as a justification to undermine national liberation movements and their cause. This can lead to legal and diplomatic consequences. The United Nations High-Level Panel on Threats, Challenges and Change (2004) highlighted that, "Lack of agreement on a clear and well-known definition undermines the normative and moral stance against terrorism and has stained the United Nations image. Achieving a comprehensive convention on terrorism, including a clear definition, is a political imperative" (p. 48). As Zeidan (2003) further notes, "The political value of the term currently prevails over its legal one. Left to its political meaning, terrorism easily falls prey to change that suits the interests of particular states at particular times" (p. 491-492).

As a consequence of the term terrorism being applied selectively, often acts of resistance are conflated with terrorism in order to serve specific political interests. To ensure that legitimate resistance movements are not unjustly labelled as terrorist organizations there is a need for a clear, comprehensive, and universally applicable definition. "Above all there is the need to provide evidentiary proof of the actual (not alleged) terrorist activity of a group in order to avoid politically motivated abuse of the term to justify state terrorism under the excuse of 'fighting terrorism'. A definition of terrorism should be comprehensive in order to avoid double standards, and it should encompass all forms of the act, irrespective of the perpetrator, actor, target, place or time. It should also distinguish between terrorism and the legitimate right to resist occupation. Many of the organizations deemed terrorists today may use terrorist methods

but their motives may well be legitimate. The confusion between terrorism and resistance is caused by a skewed definition of terrorism that emphasizes non-state actors and downplays state terrorism” (Zeidan, 2003, p. 492-493).

According to Abbasi and Khatwani (2014) “There is a reason for the terminological contradiction of the term terrorism for use of terrorist actions as a weapon by criminals, freedom fighters (who are fighting for the right of self-determination) and even states in order to legitimize their order and suppress the opponents. Thereby, it is assumed that terrorism is being practiced by all political, revolutionary, nationalists, religious and ruling class for the achievement of their objectives or promoting their plans. Their struggle or strategy turns terrorism into a weapon of violence, which is used indiscriminately against non-combatants and the targets are common people. Many types of terrorism exist, but each of these has the same objective of effecting change within, or in respect of, a political system through violent means. Among the various species of terrorism frequently identified are ethno national, political-religious, extreme left-right, single-issue and state-sponsored terrorism. Terrorist acts aim at having power. Most of the political ideologies were practiced through terrorist means. Anarchism, Fascism, anti-colonial movements and religious movements are the main examples in that context” (p. 106). As Walter Laqueur (1987, as cited in Schmid, 2004), “cautioned, 'terrorism is dangerous ground for simplificateurs and generalisateurs'” (p. 378).

In their paper Selamat, Shah and Ali (2023) investigate how the merging of national liberation movements as terrorists has affected the exercise of the right to self-determination. They find that “although terrorism can be prosecuted as a war crime in the ICC, the court lacks jurisdiction to hear such cases due to the lack of explicit mention of the term in the Rome Statute. The lack of an agreed upon definition of the term will also pose a legal problem for the court in deciding the matter. Thus, by designing a NLM as a terrorist organisation, aside from being able to criminalise the movement, the state will also be able to complicate the legal options available to the movement. The designation will justify the state’s resort to counterterrorism measures to eradicate the whole movement itself, which will be a direct contradiction to the purpose of the United Nations. In the end, it comes back to the objectives of the United Nations, which are to ensure the peace and security of the world and ensure that humans have equal rights and self-determination” (p. 200).

Given that terrorism lacks a universally accepted definition and is often applied selectively, another way to approach the discussion around it, is to view it as a social construction. Norris (2015) argues that “approaching terrorism from a social constructivist perspective allows us to investigate the other side of the terrorism coin. Not so much what causes people to turn to terrorism, but what causes certain actions and events to be treated as terrorism. [Identifying terrorists] involves a value judgment, since terrorism is inherently value-laden, ‘an ineluctably

normative concept, subject to value judgments' (Horgan & Boyle, 2008, p. 56, as cited in Norris, 2015, p. 46). Moreover, it recognizes that the label of terrorism is molded by government, media, culture, and history" (Gearty, 1991, as cited in Norris, 2015, p. 46). Also, "When two events fall under the same legal definition of terrorism, but only one is considered to be terrorism according to the government, then what we have is not an objective definition of terrorism. Instead, we have a normative, socially constructed label" (p.15).

In a similar manner, the current international law theory regarding self-determination is uncertain and inconsistent, and it does not align with how states practice it (Cass, 1992). According to Saul (2011), there are potential reasons why states may value the vagueness in the law of self-determination such as flexibility, selective application, avoiding legal consequences and indeterminacy can also help states to avoid taking clear stances on certain issue that could cause political complications. Saul notes that "the controversial nature of some of the subject matter that the right to self-determination has been suggested to include, such as the right of a group within a state to secede and form a new state, might not be the only reason that states have not made more effort to make their views on the scope and content of the right known. It is possible, for instance, that states place some value in the vagueness of the law of self-determination because it permits a broad range of plausible interpretations and is therefore able to accommodate unforeseen circumstances. It is also possible that doctrinal debates about the right's normative status could be deterring states from suggesting content for fear of the consequences that will follow from a more determinate norm coupled with a particular normative status" (Saul, 2011, p. 611).

As Muller (2008) suggests, "Too many states have a vested interest in downplaying the right or not legally protecting the right to self-determination - precisely because of their own concerns about their own minorities or indigenous peoples or those of their allies" (p. 119). Furthermore, "the right of self-determination with its suggestion that peoples of a territory can determine by a free and genuine vote the political status of their homeland either through independence, autonomy or integration with another state – presents a very threat to the power and authority of the nation state" (p. 120). Moreover, the right to self-determination is not clearly defined in international law both in what it means legally and how important it as a rule. Saul (2011) points out that the way the normative status of the right to self-determination is presented in legal discussions makes some countries hesitant to share their views on it. Specifically, there is confusion regarding the presentation of the norm as one of *jus cogens*. When there is no much detail, countries might wrongly assume that any clear aspect of self-determination automatically falls under the *jus cogens* status, which is not always the case. Due to the consequences that follow from *jus cogens* status, this misunderstanding may deter countries from contributing in clarifying what self-determination really means in a legal sense.

Saul (2011) notes, "Political importance could be a reason for states to prefer that the right remains ill-defined. This is because the international community are more likely to respond to the breach of a norm that is perceived as politically significant, but if the norm is kept ill-defined, states will retain a leeway to resist claims that they are not fulfilling obligations to peoples under their authority. However, there are also established and potential legal consequences attached to the acceptance of a particular normative status for self-determination. To illustrate, if the legal right to self-determination was to be accepted as a jus cogens norm, any treaty that contravened an aspect of the right would be void. (Articles 53 and 64 Vienna Convention on the Law of Treaties as cited in Saul 2011). It is not unreasonable to suspect that this type of consequence might deter states from activity that would help to make the legal meaning of the right more determinate" (p. 612).

However, differently from terrorism which does not have a universally agreed upon definition, the principle of self-determination is more firmly established in international law. The lack of a definition of terrorism can complicate the labelling of organizations as terrorist and lead to inconsistencies in its applications of international norms. In contrast, "The principle of self-determination of peoples has been recognized by the United Nations Charter and in the jurisprudence of the Court (see Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I. C. J. Reports 1971, pp. 31- 32, paras. 52-53 ; Western Sahara, Advisory Opinion, I. C. J. Reports 1975, pp. 31-33, paras. 54-59); it is one of the essential principles of contemporary international law" (International Court of Justice, 1995).

"Furthermore, the U.N. Charter Articles 1.2, 51 and 55 prohibits states from violating the right of peoples to self-determination for any reason, and it urges them to refrain from the threat or use of force against the territorial integrity or political independence of any state. In Article 103 it also notes the cancellation of any international agreement that breaches or does not implement this right. Hence, terrorism should not be equated with the legitimate, internationally protected right of peoples to self-determination" (Zeidan, 2003, p. 493).

Nonetheless, the ambiguities in definitions both in the definition of terrorism and the right to self-determination do contribute to the terms being applied more selectively and thus being subject to political interpretations and considerations.

Weller (2009) identifies, several new techniques that have emerged for addressing the self-determination dimension beyond the colonial context. In Kosovo's case, the Ahtisaari proposal confirmed the aim of statehood in several other ways. "The Ahtisaari proposal for Kosovo adds yet another model for a possible solution. According to the settlement plan, Kosovo was to be equipped with all the objective elements of statehood. However, it was left to the organized international community to determine the consequences of these facts and form a view on

statehood. It was hoped that this would be done collectively, through a decision of the UN Security Council which would at the same time establish original limitations on Kosovo's sovereignty and 'supervised independence'. As there was no Security Council resolution embracing this solution, another route had to be found to legally anchor this case of supervised independence. Kosovo unilaterally accepted original limitations on its sovereignty in its declaration of independence, along with the exercise of certain international supervisory powers for a period" (p. 162). Weller (2009) further notes that, "Kosovo,...., also points to a further innovation: conditional self-determination. External conditionality permits the activation of self-determination in the face of developments which lie outside the entity that may be seeking independence. Internal conditionality relates to the entity's acceptance of certain international obligations (combating terrorism or weapons of mass destruction, observing human and minority rights) and performance according to standards of good governance" (p. 162).

Who determines who is or is not a terrorist?

An important question to address is who determines which groups are labeled as terrorists and how are these decisions being made. One way is through proscription lists, which are one of the primary ways in which countries designate groups or individuals as terrorists. Being part of these lists often leads to travel bans, freezing of assets and cutting off funds. Proscription lists are maintained by countries such as the U.S. Department of State and the U.K. Home Office, as well as international organizations like the United Nations Security Council. According to Muller (2008), "The consequences of proscription are profound and far-reaching. Whether it is the USA Patriot Act or the EU Common Position on Combating Terrorism or the UK Terrorism Act 2000, all use proscription terror lists as a condition precedent to invoking a regime of offences designed to stifle a group's ability to organize, meet and communicate. The purpose of the proscription lists are clear - it is to ostracize, censor, criminalize and silence all those groups that unfortunately find themselves on the list or who are associated with groups or persons on the list" (p. 129).

Proscription lists are also a mechanism used by governments to advance their political agenda. Muller (2008) gives the example of the PKK, a radical Kurdish nationalist party advocating greater rights for Kurds in Turkey, to illustrate the complexities of this system. The PKK was banned by the European Council despite giving up armed conflict and searching for a non-violent solution. "Some observers suggest the process had more to do with international politics and the need to appease Turkey than with the strict application of law" and that "whether a group is on or off a proscription list has more to do with geo politics and diplomatic relations between states than with genuine threats to a particular country's national security and the strict application of law in relation to terrorism" (p. 125-127). Muller (2008) further

argues that, “What is clear is that the lack of procedural and substantive rights afforded to these organisations by the Council of the European Union hardly engendered within those organisations a respect for the rule of law or an acceptance that de-proscription procedures will be applied neutrally and fairly. If anything the manner by which the proscription regime was deployed merely fuelled the PKK’s eventual return to violence as all avenues for dialogue were closed” (p.127).

In this way these ‘terrorist’ lists can be counter-productive, prompting groups like the PKK to resort to violence despite their efforts to renounce armed struggle. In this regard Aduma and Agbom (2024) point out that “Empowering the state as the sole determinant of terrorist organizations provides an oppressive environment for minority groups asserting their rights to self-determination, resulting from economic, cultural, and political injustices. Such organizations are vulnerable to state political and legal manipulations in labeling them, ‘terrorists’” (p. 38). Aduma and Agbom (2024) further argue that, “the lack of global coordination and lack of global agreement on terrorism also poses a threat to armed struggles and dissident groups since each state has the power to define who is a terrorist. Thus, the absence of a universally accepted definition of terrorism and the inherent sovereign power of states to enact anti-terrorism legislation will allow the conflation of terrorism” (p. 39).

State Sovereignty and the Global War on Terror

The right to Self-determination often clashes with state sovereignty specifically because self-determination movements seek to alter national borders and create new states. As (Uri, 2014) notes “After all, any claim for national self-determination almost always came into conflict with the older and more respected international principle of state sovereignty and territorial integrity that had existed at least since the days of Westphalia. The Kurds are an ancient people by all objective and subjective criteria, whose national aspirations were ignored after the First World War when their territory was divided among Iraq, Iran, Turkey, and Syria. Ever since, all of these states have argued against any idea of an independent Kurdish state” (Marcus 2007 as cited in Uri, 2014, p. 124).

The desire for self-determination by certain ethnic or national groups more often than not creates conflict with a state’s desire to preserve its territorial integrity and political unity. This tension leads to a significant challenge in international relations for states to balance these principles. “As UN Secretary Boutros-Ghali said in 1992, ‘If every ethnic, religious or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve’ (Boutros-Ghali 1993: 468–498 as cited in Uri, 2014, p. 126). The desire to protect the existing state sovereignty and territorial integrity is, of course, behind such reasoning. After all, if the fear of war were the

issue, the refusal to grant self-determination has often increased the chances of war and even led some times to genocide. Moral reasoning is also mentioned as a reason for denying self-determination. Proponents of this argument maintain that correcting one injustice through the principle of self-determination might cause another, or even many, injustices, and make other minorities in multi-ethnic states feel insecure” (Shehadi 1993: 7 as cited in Uri, 2014, p. 126).

The Global War on Terror adds yet another variable that complicates or obstructs the pursuit of national aspirations. According to Uri (2014), “the GWT created an environment (real or imagined) of ‘national (in)security’ in which national aspirations and demands for self-determination were delegitimized and denied on a basis, which fetishized terrorism and placed it at the center of the international political map” (p. 126). Uri goes on to explain that “Terrorism has a clear definition. It is a form of violence that is primarily designed to influence an audience through concealment, surprise, stealth, conspiracy, and deception, which are meant to shock, frighten, excite, or outrage (Crenshaw 2011: 2 as cited in Uri, 2014). The problem, however, derives not from the term’s conceptualization but from the political tendency to use the term as a characterization of the ‘other’ who is morally degraded. Undoubtedly, President Bush was using the term in that way. He refused to restrict it to the 9/11 attacks or to the specific enemy that initiated them, deliberately preferring to use the term in a vague and charged way” (Uri, 2014, p. 129).

Putin as well used 9/11 and the global war on terror to equate to it Russia’s conflict with Chechens, despite the comparison being flawed. The Chechens sought independence, unlike al-Qaeda. Both Putin and Bush employed vague, demonizing language about terrorism to justify political and military actions and rally support. “Recontextualization was also evident in the way in which Serbian students and intellectuals used Bush’s ‘war on terror’ discourse in order to legitimize, retroactively, Serbian prior violence against Muslims in Bosnia and Kosovo (Erjavec and Volcic 2007 as cited in Uri, 2014), and these are just a few examples” (Uri, 2014, p. 136).

Why do national liberation movements use violence?

In many cases, national liberation movements resort to violence to achieve their goals. When other forms of resistance are ineffective such as protests or negotiations, liberation movements choose violence which is seen as a last resort to attract international attention, rally support among the population and pressure the dominant power into negotiations. However, the question remains: why do national liberation movements use violence and can liberation be achieved peacefully? As Friedlander (1981) notes, “In the context of world public order, during the past seven decades, self-determination claims have been put forward as both a legal and moral rationale for: (1) a right to internal revolution; (2) ground for seceding from a dominant political entity; (3) a foundation for the unification of peoples; (4) a basis for the choice of state affiliation; (5) establishing minority rights; (6) a means for the acquisition of territory; and (7)

recognition per se as a human right. In our own era, self-determination has become a code word for independence. The fundamental issue centers on the nature of secession and revolution, and whether a means of legitimizing the revolutionary process within the broader parameters of national aspirations and international law can be ascertained without resorting to violence. The historical record is not encouraging” (p. 285).

Similarly, Weller (2009) points out that, “...self-determination conflicts are among the most persistent and destructive forms of warfare. Given the structural inequality between an armed self-determination movement and the opposing central government, self-styled ‘national liberation movements’ will at times resort to irregular methods of warfare, possibly including terrorist tactics. Such a campaign may trigger a disproportionate response by the government, at times putting in danger the populations of entire regions” (p. 111-112).

However, as Aduma and Agbom (2024) point out “It is pertinent to recognize that not all separatist movements employ terrorism in achieving their aims, and not all terrorists are separatists. While several separatist groups are engrained in nationalism, mobilizing support to promote their goals (Ryabinin, 2017 as cited in Aduma & Agbom, 2024) some separatist movements employ violence (and occasionally terrorism) to achieve their objectives. Although, separatist groups often employ terrorism to intimidate the government in power to achieve their aims. However, not all separatist movements adopted terrorism in their liberation struggles. The secessions of Hungary from Austria in 1867, Singapore from Malaysia on 9 August 1965, and Norway from Sweden in 1905 are some of the separatist movements that adopted peaceful strategies in achieving independence from their parent states” (p. 38).

Why do some movements choose terrorism? According to Crenshaw (2013), one variable to consider are concrete grievances among a subgroup. When these movements are unable to achieve their goals through other means, some factions within these movements may choose to resort to terrorism, however these grievances are neither necessary nor sufficient for terrorism to occur. “The first condition that can be considered a direct cause of terrorism is the existence of concrete grievances among an identifiable subgroup of a larger population, such as an ethnic minority discriminated against by the majority. A social movement develops in order to redress these grievances and to gain either equal rights or a separate state; terrorism is then the resort of an extremist faction of this broader movement. In practice, terrorism has frequently arisen in such situations: in modern states, separatist nationalism among Basques, Bretons, and Québécois has motivated terrorism. In the colonial era, nationalist movements commonly turned to terrorism. This is not to say, however, that the existence of a dissatisfied minority or majority is a necessary or a sufficient cause of terrorism. Not all those who are discriminated against turn to terrorism, nor does terrorism always reflect objective social or economic deprivation” (p. 383).

Furthermore, mere deprivation is not enough, perception of injustice is also needed. “Some theoretical studies have suggested that the essential ingredient that must be added to real deprivation is the perception on the part of the deprived that this condition is not what they deserve or expect, in short, that discrimination is unjust. An attitude study, for example, found that ‘the idea of justice or fairness may be more centrally related to attitudes toward violence than are feelings of deprivation. It is the perceived injustice underlying the deprivation that gives rise to anger or frustration’ (Lupsha, 1971, pp. 89-104; Gurr, 1970, pp. 24-30). The intervening variables, as we have argued, lie in the terrorists' perceptions. Moreover, it seems likely that for terrorism to occur the government must be singled out to blame for popular suffering” (Crenshaw 2013, p. 383).

Despite the risks of choosing to employ violence such as civilian casualties, instability, lose of international support which in turn can undermine the movement’s legitimacy many liberation movements choose it. According to Cunningham et al., (2012) violence can also be increased when there is competition between co-ethnic factions. The likelihood of violence increases as the number of factions employing it grows. “Factions in self-determination groups compete with each other for political relevance, which can essentially be obtained from either above or below. States make some factions relevant by selecting them as negotiating partners. However, factions can become relevant even if they are ignored by the state, for instance by gaining support among their constituent population, contesting state authority, or eliminating rivals. Violence is one strategy that factions can use to do this. Factions that use violence impose costs on the state and so may be more likely to be incorporated into some process of negotiation (Fearon 1995; Powell 1999 as cited in Cunningham et al., 2012, p. 8). Additionally, the use of violence may increase a faction’s popularity with hard-line members of the community. This can lead to a dynamic of escalatory outbidding, in which factions use violence to establish their nationalist credentials, leading other factions to resort to violence” (Rabushka and Shepsle 1972; Rothschild 1981; Horowitz 1985; Kaufman 1996; Snyder 2000; Walter and Kydd 2002; Bloom 2004; Toft 2007 as cited in Cunningham et al., 2012, p. 8). Factions gain political relevance either through state recognition or by building a strong support base, with violence playing a key role in the latter. While nonviolent factions shouldn't be ignored, as relevance isn't solely tied to military strength, competition often centers on factions that use violence to impose costs and create influence from below (Cunningham et al., 2012, p. 20).

In the case of Kosovo’s struggle for self-determination, the initial pursuit was rooted in peaceful efforts. Under the leadership of Ibrahim Rugova, the Democratic League of Kosovo (LDK), advocated ‘passive resistance’, which involved building parallel institutions and calling for international support without resorting to armed conflict. However, when these attempts proved unsuccessful, the movement shifted towards the use of violence. As Mueller (2011), states, “Rugova was committed to peaceful resistance, and urged all Kosovar Albanians to

renounce violence, in large part to save Kosovo from the bloodbath which enveloped Croatia and Bosnia. The majority of Kosovar Albanians believed in Rugova's approach and his assurances that peaceful resistance would lead to attention and support from international quarters, and eventually a peaceful solution to the increasingly critical situation in Kosovo" (p. 7-8). Mueller (2011) further argues that, "The pacifist approach did not garner the international attention which was hoped for by Rugova. This was clear at the two international conferences addressing the conflict in the Balkans. At the International Conference on the Former Yugoslavia, London Conference in August 1992, the Albanian delegation was excluded from the main conference chamber and delegated to a small side room (Judah 2000, as cited in Mueller 2011). The sidelining of the Albanian issue was abundantly clear by the time of the Dayton Peace Conference in November 1995. Far from being included as a part of the Peace Accords, the Kosovo issue was largely ignored, leading to disillusionment with Rugova's approach" (p. 8).

This raises a crucial question: why do not all groups resort to violence? According to Cunningham et al., (2012) "Violence is a risky strategy, which can lead to reprisals from the state, including the potential for the faction to be eliminated and a decline in international support. Certain factions may adhere to peaceful tactics either due to ideological convictions, strategic beliefs about the utility of nonviolence, or to remain relevant by carving out a niche as a peaceful faction, for example, as a legal opposition party. However, as the competition within the group increases (i.e., as there are more factions vying for relevance), the incentives for factions to use this risky strategy also increase" (p. 8). In the case of Kosovo, as Kuperman (2008) states, "the leadership was divided into pacifists and militants. But both factions believed the Albanians were too weak and vulnerable to achieve independence on their own, and so required international aid. Rugova believed that such support depended on eschewing violence (Mustafa 2000 as cited in Kuperman, 2008), whereas KLA leaders felt that it necessitated violence (and were proved right). Despite this inner divide, the Albanians as a group did behave rationally, eschewing violence when they perceived no hope of success, then switching to violence as they perceived indications of support for rebellion and obtained weapons to implement it" (p. 71).

Additionally, external factors such as the failure to gain international attention and support with Rugova's peace approach also contributed to the increased support for the KLA and the armed struggle. As Crenshaw (2013) notes "Dramatic failure of alternative means of obtaining one's ends may also fuel a drive toward terrorism" (p. 389). "In February 1998, the Serbian forces escalated their campaign against the KLA which included three massacres in the Drenica region: in the villages of Likoshan and Qirez, and followed by the Jashari family in Prekaz in March. These three massacres marked a turning point in the Kosovar perception of the use of violence in the struggle in Kosovo: after the massacre in Prekaz, the cost of the non-violent path

seemed high for many to pay. The KLA was overwhelmed with volunteers eager to join, and their operation expanded rapidly thereafter” (Mueller, 2011, p. 9).

According to Freedman (2000), “In the modern world, with images of conflict and mayhem competing for media attention, the largest peaceful demonstration or campaign of non-cooperation with an oppressive regime makes little impact. It was on this basis that one of the most substantial tests in recent times of a non-violent, Gandhian strategy failed. The power of moral example that worked for Gandhi and Martin Luther King failed to work for Dr Ibrahim Rugova, the Kosovar Albanian leader” (p. 349). “The non-violent route meant that he was dependent upon impressing the international community with the dignity and integrity of his people in the face of oppression. The international community was indeed impressed, but remain unpersuaded on the case for independence” (Freedman, 2000, p. 349).

Nevertheless, As Friedlander (1981) argues not all acts of violence against political systems or governments constitute legitimate forms of public protest. There is a need to clearly differentiate between the different forms of armed struggle. “Violence is not automatically a form of public protest when directed against particular political systems and established governments. When victims comprise civilian populations, murder is murder, regardless of what slogans are piously shouted or what justifications are ingenuously conceived. Who determines those who are to suffer and those who are to survive? Do victimizers have a better claim of right over their helpless victims? What of the majority of the human race who, to borrow a phrase from Nobel Laureate Albert Camus, ‘want to be neither victims nor executioners?’ (Camus, 1972, as cited in Friedlander, 1981, p. 282). “The need to draw a distinction between the use of violence as a first resort and the use of violence as a last resort has itself become so obfuscated by the world community that national liberation struggles have often provided moral or legal justification for terrorist acts. Despite the fact that they have co-opted the terminology of ‘guerrilla’, not all terrorists are guerrillas. Even more true is the obverse” (Friedlander, 1981, p. 282). Friedlander (1981) makes the distinction between the two, “Terrorism is distinguished from guerrillaism by its attacks upon the innocent and the separation of its victims from the ultimate target” (p. 282).

Building on this a distinction must be made between ‘terrorists’ and ‘freedom Fighters’. As Schmid (2004) notes, “As long as this issue is not resolved, we are not likely to have a common definition of terrorism, and one man's terrorist will remain the other man's freedom fighter” (p. 414). “Freedom fighters and terrorists are not mutually exclusive categories. Terrorists can also fight for national liberation, and freedom fighters can also carry out inhumane atrocities. While a cause to go to war might be just and be covered by the *jus ad bellum* (the law of [just] war), that is, in legal terms, there is no license to use any method of waging conflict. The *jus in bello* (the rules governing warfare) puts constraints on the way armed conflict can be fought. The

"ideal-type" (in the Weberian sense) freedom fighter fights those who deprive people (a term not defined in international law) of their freedoms. However, if the victims of their armed struggle are others than those who directly stand in the way of achieving freedom, the would-be freedom fighter risks being labeled differently. Such a fighter exercises a tyrannical kind of violence, depriving innocent third parties of not just freedom but the right to life. The goal of freedom for one group does not justify depriving another group from living in peace, so long as that that other group is not demonstrably contributing to the oppression of the first group" (Schmid, 2004, p. 414).

Ganor (2002) makes the differentiation between the goals and means used by organizations. "The aims of terrorism and guerrilla warfare may well be identical; but they are distinguished from each other by the means used – or more precisely, by the targets of their operations. The guerrilla fighter's targets are military ones, while the terrorist deliberately targets civilians. By this definition, a terrorist organization can no longer claim to be 'freedom fighters' because they are fighting for national liberation or some other worthy goal. Even if its declared ultimate goals are legitimate, an organization that deliberately targets civilians is a terrorist organization" (p. 288).

State terrorism

When exploring why national liberation movements might resort to violence, it is crucial to examine another significant factor which is the role of state terrorism. According to Zeidan (2003) "State terrorism is the unlawful use of violence or repression perpetrated or sponsored by a state against some or all of its citizens, based on political, social, racial, religious, or cultural discrimination, or against the citizens of a territory occupied or annexed by the said state, or those of neighboring or distant countries. States usually avoid the terrorist label for acts committed by invoking the excuse of "self defense" (equivalent terms include "security," "law and order" and, of course, the "fight against terrorism")" (p. 495). Blakeley (2016) on the other hand notes that "state terrorism involves a deliberate threat or act of violence against a victim by representatives of the state, or a threat of such when a climate of fear already exists through prior acts of state terrorism, which is intended to induce fear in some target observers who identify with the victim, so that the target audience is forced to consider changing their behaviour in some way. They also reinforce the monopoly on legitimate violence afforded to the state, even though within international norms and law, it is clear that certain acts of state violence are never permitted" (p. 11). However, similar to terrorism, there is no universally acknowledged definition of state-terrorism, as Maoggotto (2003) states, "The confusion over a precise definition of State-sponsored terrorism is in large part reflective of the basic disagreement over the elements of terrorism itself. There are, however certain basic elements attendant to State sponsored terrorism: A politically subversive violent act or threat thereof; a

State sponsor; an intended political outcome; and a target, whether civilian, military or material, whose death, injury or destruction can be expected to influence to some degree the desired political outcome” (p. 10).

Moreover, Koufa Report, (2001, para. 43 as cited in Sulyok, 2002) defines state terrorism as, “...a reign of terror by state organs against the population, characterized by, inter alia, the following acts: kidnapping and assassination of political opponents, imprisonment without a trial, persecution and torture, massacres of religious and racial minorities or of certain social classes, incarceration of citizens in concentration camps, and so on”. Sulyok (2002) further argues that, “In Kosovo, as commonly known, the Yugoslav state committed several, if not each, of these typical acts of state terrorism. Yet, rather significantly, none of the international actors – with the possible exception of the U.N. Security Council,...– really mentioned state terrorism. Other phrases were resorted to instead, such as ethnic cleansing, crimes against humanity, violations of the laws and customs of war, and sometimes even genocide. Nevertheless, if the crisis is to be examined in terms of terrorism, it should not be ignored that not only the armed Albanian extremists can be charged with such activities, but – at least to some extent – also the Belgrade regime in power at that time”.

At first, the U.N. Security Council characterized the KLA as a terrorist organization, stating “as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training” (United Nations Security Council, 1998). “Interestingly, the tone of the latter resolutions significantly changed: in the subsequent documents the Council seemingly refrained from explicitly naming the KLA as one of the terrorist organisations, and phrased its views and demands in rather broad terms. Moreover, the Security Council later condemned acts of terrorism “by any party”, which obviously includes the Yugoslav state, as well. This early strong criticism by the Security Council, even though it might have been well grounded, was in fact fairly unhelpful” (Sulyok, 2002). As Marc Weller (as cited in Sulyok, 2002, p. 187) notes: “In this way, the Yugoslav view was strengthened that it has carte blanche in tackling the insurrection in Kosovo, as indeed it seemed to have over the summer of 1998. The KLA, on the other hand, had little incentive to ensure that its operations would remain strictly limited to military objectives, targeted against the security apparatus in the territory.”

To have a more comprehensive understanding of the implications of terrorism, it is essential to examine why states themselves might engage in terrorism. According to Terry (1986, p. 161 as cited in Maogoto, 2003) “State involvement in terrorist activity is dictated by practical as well as ideological considerations. The strategic thinking involved incorporates the view that terrorism is a suitable substitute for traditional warfare when that warfare becomes too expensive or too risky. The construct of State support includes propaganda and political support, funding,

intelligence, training, and supply of weapons at one end of the spectrum, and direct covert involvement at the other” (p. 10). According to Zeidan (2003), “[States] tend to brand their political opponents as terrorists in order to avoid political dialogue and as justification to crush any dissent. Hence the importance of avoiding politically motivated abuse of the term to justify state terrorism under the excuse of "fighting terrorism," by focusing on the nature of the act itself” (p. 495). “In order to protect the sovereignty of states, international law has practically (but not theoretically) disregarded terrorism practiced by states. Any follower of current events agrees that it is individuals and sub-national groups that are the ones usually branded as terrorists. States are rarely identified and condemned as terrorist states. They may harbor, encourage or turn a blind-eye to terrorists on their soil, but rarely do we hear of a state itself being condemned as terrorist. It is as if terrorism has become only that which is used against the state, to the exclusion of that used by the state” (Zeidan, 2003, p. 495).

Implications of labelling liberation organizations as terrorists

As mentioned, terrorism does not have a universally recognized definition. Thus, it is often used to delegitimize self-determination causes. “In fact, Bakunin states that in the course of revolution, opponents will cast them as ‘terrorists’ in order to denigrate their cause” (Bakunin, 1869, as cited in Bailey & McGill, 2008, p. 84). As Hodges (2011, as cited in Huff & Kertzer, 2018) notes, “To categorize something as terrorism is to delegitimize its goals; terrorism is not merely a problem to be managed, but one to be destroyed; terrorists are to be hunted, rather than negotiated with” (p. 56). “It is also common for a political power to label a group as terrorists for solely political purposes. Sceptics argue that some criminal acts become terrorist activities in order to secure political mileage” (Barnaby, 2007, as cited in Bailey & McGill, 2008, p. 86). “Any label given to a group by a state or nation it is in conflict with must therefore be viewed with suspicion” (Bailey & McGill, 2008, p. 86).

Labeling a group as a "terrorist organization" can lead to severe consequences such as international bans, arms embargos, and other restrictive measures aimed at crippling the group's ability to operate and gain support. In the context of the Kosovo conflict, the designation of the Kosovo Liberation Army (KLA) as a "terrorist organization" by some states led to significant repercussions, including international bans and arms embargos, which constrained their operational capabilities and hindered their efforts to gain international support. In Resolution 1160, the United Nations Security Council (1998) stated that member states should “prevent the sale or supply to Yugoslavia, including Kosovo, of arms and related matériel of all types, and shall prevent arming and training for terrorist activities there”.

Consequently, labelling a group as terrorist leads to significant legal and political consequences. The label can lead to sanctions and restriction that include freezing of assets, trade embargoes

and travel bans for members of the group. Politically, the terrorist label can result in diplomatic isolation which can hinder regional and global alliances. Such measures aim to isolate the group and can also complicate peace processes by creating barriers to negotiations and shifting international support. During the Kosovo conflict, despite significant international involvement and the apparent breaches of humanitarian law, neither the Serbian government nor the KLA declared a formal state of war. It was in fact NATO's intervention that established the conflict as an international armed conflict.

According to Selamat, Shah and Ali (2023), "A point to be highlighted in this case was that none of the parties involved declared a state of war in the entirety of the conflict. The Serbian government was consistent in its belief that the conflict was an act of terrorism, and it has the authority to resolve "an internal Yugoslav affair" no matter how harsh the repercussions (Obradović, 2000 as cited in Selamat, Shah, & Ali, 2023). Whilst, the KLA, most likely due to a lack of legal knowledge, also failed to declare a state of war. It was with the intervention of NATO that the international armed conflict was able to be established. Despite having an obvious transgression of international humanitarian law, the issue raised by the international community on the independence of Kosovo solely lies in the legality of its unilateral declaration. This later led to a request for an advisory opinion from the International Court of Justice on the matter by the UNGA, of which declared that the declaration "did not violate any applicable rule of international law." Despite the constant designation of KLA as a terrorist organisation by the Serbians, this matter was not discussed. It was the establishment of the Kosovo Specialist Chambers & Specialist Prosecutor's Office by the European Union in the Kosovo court system that is later responsible to try all the transgressions committed during the conflict, notably war crimes and crimes against humanity, with no mention of any crime of terrorism" (p. 197).

Moreover, the label 'terrorist' is often used to justify disproportionate military responses against liberation movements. By using this term, governments can frame their actions as counter-terrorism thus, undermine the broader goal of self-determination or political autonomy and enforcing state power. Agamben (2005, as cited in Huff & Kertzer, 2018) argues that, "As a discursive category, terrorism is understood as qualitatively different from other types of acts of violence: an extranormal or exceptional act, mandating an exceptional response" (p. 56).

Governments may choose to label National Liberation Movements as 'terrorist' to avoid engaging in negotiations, often to avoid making political concessions or addressing the underlying issues. Aduma and Agbom (2024), emphasize the importance of dialogue in understanding and addressing underlying grievances and that ignoring non-military approaches may only escalate conflicts. "Some scholars are of the position that it is wrong to view negotiation, mediation, and dialogue with terrorist groups like Boko Haram as a sign of

weakness or compromise. They further argued that refusing to talk with them (terrorists) and over reliance on military force are defective responses which has often escalated conflicts, as terrorist activities are founded on real or imagined grievances, demands, or deprivations, and dialoguing with them will not only provide opportunity to fully understand the basis of the terrorism but also convey a sense of achievement on the part of the terrorist group that they have successfully drawn attention of the state to their plight. Therefore, peace building and negotiation should not be completely ignored as an approach to resolving contending issues like terrorism” (Mbagwu et al., 2016 as cited in Aduma & Agbom, 2024, p. 38).

Geopolitics also plays an important role in the ‘terrorist’ designation of national liberation movements. Countries will often support or withhold support for a liberation organization depending on its geopolitical goals and aspirations. As Newman and Visoka (2023) note, “Regional power complexes have also influenced the practice of regional powers and smaller states in their surrounding areas or spheres of influence. For example, the US more or less shapes how the EU states respond to secession elsewhere (with the exception of four EU countries which do not recognize Kosovo). Russia influences the response of central Asian states. Similarly, China influences countries in its region, and South Africa influences parts of Africa in terms of their response to recognition claims” (p. 372).

This is also true in the case of the Kosovo conflict. “Brazil, Russia, India, and China issued statements in relation to Kosovo which underscored the importance of territorial integrity, international law, sovereignty, and the illegitimacy of unilateral secession without the consent of the ‘parent’ state (Embassy of the People’s Republic of China in the UK 2008; Ministry of External Affairs of India 2008; People’s Republic of China 2009; Russian Ministry of Foreign Affairs 2008 as cited in Newman & Visoka, 2023). Most of them also emphasized the importance of legal norms for regional and international peace and security, and the “very dangerous precedent for similar cases around the world” posed by Kosovo (Ambassador of India to Serbia 2008 as cited in Newman & Visoka, 2023). None of them referred to or accepted any exceptions to these norms as a result of human rights or issues of democracy. As Brazil stated in relation to Kosovo, “the principle of self-determination must not run counter to the principle of territorial integrity” (Brazilian Ambassador to the ICJ 2009 as cited in Newman & Visoka, 2023). This normative invocation notwithstanding, a formidable rationale of rising powers for contesting Kosovo’s independence relates to their disagreement with the US’s uneven and selective intervention and application of norms to suit its geopolitical interests” (Newman & Visoka, 2023, p. 375-376).

Concerning Russia's geopolitical ambitions in the Balkans, Mulalic and Karic (2014) note, “Russia aims at a maximum efficient use of Russian energy potential for full integration into the global energy market and strengthening its position in achieving the highest possible benefits for the national economy. In this regard, the Balkan region has become a strategy for Russian

integration into the global energy market, which is an important transit route and significant market. As a transit route Balkans is the final phase of the Russian supplies of oil and gas. Russia is interested to continue negotiations on the sale of gas and the use of transport options to the Balkans” (p. 100). Furthermore, “With Slovenian and Croatian joining of the NATO the political and strategic interests of Russia were greatly limited. In both Slovenia and Croatia strong and organized Serbian minorities do not exist which greatly reduced a chance of Russia to built stronger pro-Russian policy based on Orthodoxy. Therefore, because of these limitations the main attention of Russian foreign policy has been directed towards Serbia, which is believed to be the only Eastern European ally” (Mulalic & Karic, 2014, p. 95).

On the other hand, the strategic interests of the United States reveal a different alignment. The US’s geopolitical objectives often intertwine with those of NATO and EU. As Zarić & Budimir (2022) point out, “...the key factor for the realisation of the interests of the US, as the leader of the West, is NATO, and the secondary aspect of the same complex is implemented by engaging the EU” (p. 84). A combination of humanitarian concerns, the need to counterbalance Russian and Serbian dominance in the region and the desire to assert US and NATO influence in the Balkans prompted NATO’s intervention in 1999. “With the Račak massacre as a turning point in January 1999, the North Atlantic Treaty Organization (NATO) decided to militarily intervene (Anderson, 2015). The intervention, which also led the Serbian military to escalate their ethnic cleansing campaign, manage to end the armed conflict in June of the same year (Recent International Advisory Opinion, 2010). Following that, the UNSC adopted resolution 1244, which created a new status for Kosovo of having completely separate administrative, political and security arrangements despite remaining within Yugoslavia. On 17 February 2008, Kosovo attained its independence by way of a unilateral declaration with the recognition of various states, including the United States, Britain, France, and Germany” (Selamat, Shah, & Ali, 2023, p. 197).

The media is also a powerful tool used by political actors to further their agenda and present the desired narrative to the public to gain support. As Bilder (1999) argues “For example, there is no doubt that the television and NGO reports of Serb atrocities - the recurrent images of unending columns of refugees were crucial (and fully-exploited by NATO) to mobilize and maintain support for the bombing. New York Times columnist Max Frankel commented that, in the Kosovo crisis, ‘the tube’ was driving our politics, (Frankel, 1999, as cited in Bilder, 1999, p. 178) and, in his 1997 Hague lectures, Professor Zemanek lamented that an international crisis only existed ‘if it is covered by CNN’ (Zemanek, 1997, as cited in Bilder, 1999, p. 178). Furthermore, “A New York Times article at this time enthused: ‘Fifty-four years after the Holocaust revelations, America and Europe had finally said ‘enough,’ and struck a blow against a revival of genocide [h]uman rights had been elevated to a military priority and a pre-

eminent Western value' (Wines, 1999, as cited in Bilder, 1999). New York Times article reluctantly conceded: 'But to many other nations, the Kosovo atrocities.., were just the broken eggs of yet another national omelet, and the West was a self righteous, ever-more-meddlesome cook'" (Wines, 1999, as cited in Bilder, 1999).

Höijer, Nohrstedt, and Ottosen (2002) on the other hand, identify three perspectives for analyzing the influence of propaganda on media discourses during the Kosovo conflict. The first one is the NATO/USA stance: "Milosevic can only be persuaded by tough methods. For a long time, at least ever since the Bosnian civil war, he has shown that he does not heed warnings. Therefore the Serb terror against the Kosovo Albanians can only be stopped by force strong enough to make him give up. Military threat and ultimately air strikes are the only options available if we want to help the persecuted Kosovo people". The second is the Belgrade view "The war is the result of the USA's imperialistic aggression. The USA wants to dominate Eastern Europe politically and economically. The EU is also an enemy allied to NATO/USA. The conflict might have been solved, had the UN been allowed to take responsibility in Kosovo. Belgrade also criticises the NATO interpretation of international law and claims that the bombings are a violation of the national sovereignty of the FRY". The third is a critical perspective. "This perspective is mainly promoted by intellectuals, peace researchers, and activists in so called alternative media. In this view military threat and the bombings are counterproductive and will jeopardise the declared objectives of NATO. They will only encourage the enmity and aggravate the conflict. The actual motivation for NATO/USA to use violence is a hidden agenda. Besides, the bombings violate international law (the UN charter and the Geneva Accord)" (p. 9).

In addition, when analyzing the terrorism label, it is crucial to mention that often the designation is less about objective criteria and more about the interplay of political power, prevailing narratives and geopolitical strategies. The label is used selectively to describe organizations or individuals who are seen as opposing the strategic or political interests of dominant states or influential actors. While humanitarian and ethical arguments are often cited to justify interventions, these arguments are inconsistently applied. "But as Ignacio Ramonet, director of Le Monde Diplomatique, argues: . . . humanitarian and ethical arguments are well received and have a legitimate basis, but they cannot convince us. Because there exist equally important human and ethical reasons for an intervention (if we accept for a moment that such a right exists) in Kurdistan, where since 1984 Ankara conducts a war with 29.000 deaths and 1 million refugees. . . . Or aren't 'human' and 'ethical' arguments equally applicable against the ethnic clearance of 160.000 Greek Cypriots in Cyprus by the Turkish army since 1974? ... And finally, why don't 'human' and 'ethical' reasons exist for an intervention in support of thousands of Palestinians who every day lose their land and homes, kicked violently out by Israeli forces?" (Hadjimichalis, 2000, p. 177).

This critique highlights the complexity and selectivity involved in labeling and responding to conflicts based on humanitarian and ethical grounds. The determination of which liberation movements achieve independence is predominantly shaped more by political power rather than by considerations of moral, legal, or just principles. As Uri (2014) notes, "Nevertheless, it was often power politics and coercion, not values and morals that determined who the lucky winners were". In this context Norris (2015) argues that "If terrorism should be approached as an analytical category, which is produced in discourse and narratives, then the label will not be applied to those the narrative does not consider to be terrorists. Terrorism is a label used to make sense of and act during unfolding events (Stump and Dixit 2012, 207 as cited in Norris, 2015), so once the narrative frames terrorism as being related to a particular community, the label will be attached to them as a way of explaining unfolding events" (p. 266). Contrary, once the political or geopolitical strategy changes in favor of a liberation movement, the discourse around it changes as well to account for the new narrative.

As a consequence, once an organization has gained widespread recognition and endorsement, the narrative and perception toward it also shifts. Thus, a group that was once deemed as terroristic, is now seen in a positive light and is increasingly validated. As Sulyok (2002) argues, "Once the legitimacy of terrorist violence acquires wide recognition, it seems to be preferable not to discuss it under the rubric of terrorism, but to label it as something else. The reason is that the term involves an extremely negative moral judgement, obviously inadequate to describe situations, when the overall, general moral reflection is itself positive".

When approaching the problem of terrorism, it is crucial to understand the root causes of it in order to effectively address complexity. Recognizing underlying social and political issues is crucial in developing effective counter-terrorism strategies. Consequently, state terrorism is also an important factor that should be acknowledged and identified accurately. "Combating terrorism does not take place with weapons alone, as long as the anger among the oppressed persists. General Assembly Resolution 42/159 acknowledges that the cause of terrorism often lies in the "misery, frustration, grievance and despair" that leads people to seek radical change. The resolution identifies the root causes of terrorism as occupation, colonialism and racism. A definition of terrorism should thus be comprehensive, in order to avoid double standards. It should encompass all forms of the act, irrespective of the perpetrator, actor, target, place and time. It should include state terrorism" (Zeidan, 2003, p. 496).

According to Schmid (2004), "We have to realize that there is no intrinsic essence to the concept of terrorism it is a man-made construct. Definitions generally tend to reflect the interests of those who do the defining. A successful definition sets the parameters for the public debate and can shape the agenda of the community. In many conflicts, the government is the principal 'defining agency' and holds de facto 'definition power.'" (Sederberg, 1989 as

cited in Schmid, 2004, p. 385). "Words and formulas such as "Axis of Evil"-convey legitimacy or disapproval, appeal to emotions, and serve as mobilization tools" (p. 385). Zeidan (2003) notes that, "The repercussion of the current preponderance of the political over the legal value of terrorism is costly, leaving the war against terrorism selective, incomplete and ineffective" (p. 492).

Ultimately, labelling a liberation movement as 'terrorist' is not simply a rhetorical choice but a powerful political tool that is often used by states to reshape the narrative and delegitimize their cause. In the context of the Kosovo conflict, despite the KLA initially being labelled as a terrorist organization the perception toward it shifted once international interests aligned with their cause. This demonstrates the fluidity of such labels and how they are depended on the broader political context. However, a distinction should be made between terrorism and a legitimate liberation movement as the blurring of this terms can obscure the root causes of conflicts and hinder peaceful resolution. Additionally, it is equally important to recognize that the misuse of the label 'terrorism' can not only interfere with the right of self-determination but it can also obscure acts of state terrorism often excluding states from accountability. Therefore, the global discourse around terrorism must remain nuanced.

Conclusion

This thesis has examined the impact of the 'terrorist' label on national liberation movements, demonstrating that the lack of a clear and well-defined definition of terrorism, creates space for manipulation by states and allows for a more flexible and broader use of the term whenever it serves their purposes or aligns with their agenda. The 'terrorist' label is often used by states for political, moral, legal, and geopolitical reasons.

Equally, there is some vagueness in the right to self-determination that stems from the fact that the current international law does not reflect state practices. Many states are hesitant to clarify their views on this due to concerns about internal minorities thus, they value this vagueness for its flexibility, allowing selective application and avoidance of legal consequences. Also, there is a lack of clarity when it comes to the legal status of self-determination, particularly in relation to *jus cogens* norms. This ill-defined norm allows states to resist claims of non-compliance with obligations to peoples under their authority.

Moreover, with states being the sole authority to define what constitutes or does not constitute terrorism it can lead to the term being used to delegitimize certain organizations and liberation movements, hinder their goals and moral standing. States do this through proscription lists. "These lists are not just designed to combat criminality. They are designed to de-legitimize certain organizations and their attendant struggles" (Muller, 2008, p. 128). Using the 'terrorist' label is an effective approach for countries to delegitimize an organization that they do not want to engage in dialogue with but also a way to justify disproportionate military responses and the state's measures to eradicate the whole movement itself aligning themselves with counterterrorism efforts.

Geopolitical interests also play a crucial role in labeling certain organizations as terrorists. Countries will often support a liberation movement if it aligns with their overall geopolitical goals and will not support it if it does not meet their interests. The U.S. and EU countries support for Kosovo's independence was largely driven by their geopolitical considerations such as countering Russian influence in the Balkans. Similarly, Russia countered Kosovo's independence seeking to increase its control in the region.

The media is also a powerful tool used by political actors to further their agendas and present the desired narrative to the public to gain support. The influence of the media is used both by states and liberation organizations. In the case of the Kosovo crisis, media was used by Western countries and NATO to legitimize and gain support for the intervention in 1999 by depicting Serbian atrocities and constantly showing the endless lines of refugees fleeing Kosovo, framing the narrative of a just war.

An important but often overlooked dimension in the terrorism debate is state terrorism. State terrorism is overlooked as states are generally considered to have a monopoly on violence. Thus, states are rarely face with accountability for their actions, highlighting the inconsistency of how terrorism is perceived. State violence is often justified under the pretense of self-defense. But as Blakeley (2016) states, “The key difference between state terrorism and other forms of state violence is that state terrorism involves the illegal targeting of individuals that the state has a duty to protect with the intention of creating extreme fear among an audience beyond the direct victim of the violence”. However, similarly to terrorism, state terrorism also lacks a universally agreed upon definition which further complicates the classification of state actions as terrorism. In response to state terrorism, liberation movements can be compelled to resort to violence as a means of resistance. Furthermore, national liberation movements may turn to violence when peaceful methods fail to achieve their goals and to gain international support. The resort to violent tactics can also be driven by factors such as specific grievances, deprivation and a perception of injustice. Competition between different factions, in cases where multiple factions exist within a movement, can also prompt violent strategies as a way to assert their significance. In the case of Kosovo, the lack of a positive outcome from Rugova’s peaceful movement, led many to support the armed resistance of the KLA as a way to achieve their goals. As Mueller (2011) points out, “The results of the Dayton Accords gave credibility to the KLA’s argument that the international community only listened to violence” (p. 8-9).

As previously discussed in Norris work (2015), the findings of this thesis suggest that the ‘terrorist’ label is a socially constructed label shaped by perceptions and narratives as it is often used selectively and for political reasons rather than objectively. The Kosovo Liberation Army (KLA) was initially dismissed as a terrorist organization by countries like the US and international bodies such as the United Nations but the narrative shifted to view the KLA more as a legitimate liberation movement when the political interests of Western countries aligned with their cause.

This thesis has illustrated the complexities of the ‘terrorist’ label, revealing that this label is often used to further political agendas, undermine moral and legal legitimacy and justify political or military measures towards liberation movements. Moreover, refusal of some states to engage in dialogue with liberation organizations and dismissing them as terrorists does not contribute to a peaceful resolution to conflicts but on the contrary, it further perpetuates violence. Thus, in order to properly address terrorism and the right to self-determination a better and universal understanding of this terms is needed. Ultimately, the discourse around terrorism should acknowledge all forms, such as state terrorism, and address the complexities involved.

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