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Interview: Francis A. Boyle

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# Balkan war the pretext for Anglo-American reshaping of NATO

*Francis A. Boyle is a professor of international law at the University of Illinois at Urbana-Champaign. This interview was conducted by Joseph Brewda on June 16.*

**EIR:** According to a report in *Newsweek*, the U.S. Pentagon is drawing up a scenario to intervene militarily against Serbia in the Serbian-Bosnian war, with a force of 30-50,000 U.S. and European troops. This seems particularly noteworthy in the context of the NATO foreign ministers meeting in Oslo, Norway in early June. There, U.S. Deputy Secretary of State Lawrence Eagleburger secured at least a partial agreement to transform NATO into a force potentially deployed outside of western Europe, and also for potential use in so-called peace-keeping purposes. Eagleburger demanded that the first use of NATO in these two new capacities be to protect food shipments to Bosnia. The U.S. government seems to be bent on using NATO against Serbia in the same way that it had used European countries and others in the war against Iraq. What is your view of this?

**Boyle:** I read that *Newsweek* article too, and the question that immediately came to my mind is, where are they going to get 30-50,000 troops? It's clear to me that that is what they have in mind; that it would take that number of troops to do the job as they see it in the former Yugoslavia. The only place they are able to get 30-50,000 troops on fairly short notice is by drawing on NATO troops, which means primarily troops of the United States, Britain, and other NATO countries.

This, then, gets into the question of the proposed transformation of NATO by the Bush administration. I think planning for this goes back to at least the fall of the Berlin Wall in 1989 and the collapse of the Warsaw Pact, when it was very clear that NATO as constituted at that time had no further purpose or role to play in Europe. NATO was originally set up, allegedly, as a collective self-defense pact, to defend the NATO member states from an armed attack by the Soviet Union or other members of the Warsaw Pact. Once the Warsaw Pact collapsed, it was clear that there was no legal role for NATO to play.

But there always was a secondary reason for the existence of NATO, and that, of course, was to keep Europe under U.S. and British control. That has always been the secondary motivation for NATO.

**EIR:** Which has now become primary.

**Boyle:** That's the point. The presence of 150,000 U.S. troops in Europe (there had been 250,000, but it is now being scaled down), under whatever pretext or guise, means that the U.S. government—and the British, they also have troops there—keep control over Europe. They can keep control over the further integration of Europe, and also keep control over the German people. Because they do not trust the German people. This is one way for the U.S. to keep its political, military, and diplomatic domination over Europe, despite the fact that it is no longer an economic superpower, and the European Community [EC] has the potential to evolve into an economic superpower (I'm not talking of its military potential here, but its economy).

So they had to come up with some other rationale to keep U.S. forces in Europe. The rationale they came up with was to argue that instead of serving the purpose of collective self-defense, NATO forces could be used for so-called peace-keeping missions in other countries in Europe.

First, there's a lot of propaganda here, regarding these so-called peace-keeping forces. These troops, such as those suggested for use in Bosnia, are not being used for peace-keeping purposes. Apparently, what the Pentagon, and Bush and the British, have in mind, is the offensive use of NATO troops, particularly U.S. and British troops, to police eastern Europe, the Mediterranean, and perhaps part of the former Soviet Union. That's really what they have in mind with their so-called new world order.

The label, "peace-keeping force," is a lot of nonsense. The historical practice of truly peace-keeping forces wielded by the U.N. prohibits any sort of offensive use of military force. Peace-keeping troops carry nothing more than side-arms. What they are talking about here, 30-50,000 troops, is an offensive use of military force. Some people may think

this is a good idea, but clearly this is not peace-keeping: It is offensive use of military force to control and dominate this particular area.

**EIR:** At the Oslo meeting, the U.S. intent seemed to be to make NATO, in effect, into the military arm of the Conference on Security and Cooperation in Europe. At the upcoming CSCE heads of state summit in Helsinki in July, Bush will reportedly try to ram this through.

**Boyle:** That's right. Remember, this is something that has been well planned. There is a very interesting article in the April issue of *NATO Review* dealing with the upcoming CSCE meeting in Helsinki. The author, Christopher Anstis, director of the International Security Policy and CSCE Affairs Division of the Department of External Affairs of Canada, traces all these developments back to the Paris CSCE summit meeting of 1990. He says that this proposal has been bouncing back and forth from the CSCE to NATO, and he traces it from Paris, to a meeting in Berlin, to a meeting in Prague. Now we had the Oslo meeting, and then we go back to Helsinki next month. This is an article in an official NATO publication, basically conceding that this is something they have had in mind since November 1990, and probably before that. So clearly, this is something that has been well organized, well orchestrated.

**EIR:** But there is no legal connection between NATO and the CSCE at this time.

**Boyle:** There is none at all, and this is clearly Bush's agenda to make one.

What Bush wants to do, in order to keep U.S. control or domination over Europe, is to have NATO, which the U.S. and British control, transformed into the military arm of the CSCE, as opposed to having the CSCE rely on the WEU—the Western European Union—which is supposed to be the military arm of the EC. Bush is afraid that NATO, and U.S. forces and British forces, will be moved out of the picture, and the Europeans will assume responsibility for their own defense, their own peace-keeping operations, and a variety of things like that. So, what Bush and the British are trying to do is to turn NATO into the military arm of the CSCE.

Now this proposal clearly violates the terms of the NATO pact, which can only be triggered in the event of an armed attack on a member state. Moreover, there is an area restriction, since NATO forces can only operate north of the Tropic of Cancer. But now they're also putting into effect a NATO rapid reaction corps, apparently designed to intervene in Third World countries in the Mediterranean, outside of NATO area restrictions, and also illegally exceeding the lawful authority of NATO to simply serve as nothing but a self-defense pact [see box].

There is no authorization anywhere in the NATO treaty to engage in peace-keeping operations, military intervention, or anything else. It is strictly limited to operations in the

## NATO powers restricted to Atlantic self-defense

North Atlantic charter, Article 5: "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all, and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually, and in concert with other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."

event of armed attack on NATO state members. No one is threatening to attack NATO state members. Now the Soviet Union has dissolved, so there is no threat. So they are now trying to create a new justification.

**EIR:** What Eagleburger was demanding at Oslo are overt violations of NATO's charter.

**Boyle:** That's correct. What is being attempted is a fundamental alteration of the original purpose for the establishment of NATO, and the provision of troops to Europe stationed under the auspices of the NATO charter. The CSCE has approved in principle this transformation of NATO from a collective self-defense pact into some type of organization for the use of military force. But that change would, as a matter of law, require an amendment of the North Atlantic Treaty, which some call the NATO charter, which would in turn require the approval of the parliaments of the NATO member states.

What Bush and the British are trying to do here is to have NATO transformed simply at the request of the CSCE, and bypass any amendment to the North Atlantic Treaty. It's really a subterfuge. They are trying to get away with this, without an amendment to the NATO pact, so as to avoid debates on the advisability of this within the parliaments of the various NATO members states, where I think there would be an awful lot of opposition by the European people, even the American people, to this fundamental transformation of NATO.

So, Bush is trying to cut a backroom deal here, with his cohorts and proxies in Brussels, London, and The Hague—the Netherlands government has been used as a stalking horse

here, as it has always been used by Bush—also Oslo, to try to cut a deal with them, behind the backs or over the heads of the parliaments in Europe and also in the United States and Canada.

**EIR:** What the Bush administration is trying to do is also a violation of the laws of all the individual NATO member states, it seems, since any revision in the NATO treaty requires various forms of parliamentary consent or even revision in constitutions.

**Boyle:** Bush is trying to avoid all the requirements of domestic constitutional law, in every one of the NATO member states, because he realizes the obstacles to actually transforming NATO into an offensive military force. If it is actually put up for a free, fair, and open debate in any of these parliaments, I suspect it would not pass. Now each country has different constitutional requirements that would have to be satisfied in order to bring this transformation into effect. For example, Germany, where it would actually require an amendment to the German Constitution. Bush and his proxies in Germany are trying to bring this about right now.

Here in the U.S., the reason why Bush is trying to do this, without following the normally required legal procedures, is that he knows full well that if this matter was ever debated openly and publicly before the Senate and House, it would probably be rejected by the American people. In the Senate, this amendment to the NATO pact would require the advice and consent of two-thirds of the Senate present and voting, as required by the Constitution. I doubt very seriously that Bush could get two-thirds of the Senate to agree to an amendment of the NATO pact to transform NATO from a collective self-defense organization into some kind of international police organization. Bush and [Secretary of State] James Baker know it.

Also we are talking about \$100 billion per year out of our budget that goes to keeping U.S. military forces in Europe. Bush would lose on the money alone. There is no way that if the economic consequences of this proposal were brought to the U.S. people and Congress, anyone in their right mind would vote to approve it.

Now as for the House, the House has several different roles in terms of implementing legislation here. They would have to pay for the whole thing. There would have to be status-of-forces agreements renegotiated. There are all types of legislation that would have to be amended and approved to do this, if Bush were to do it in the appropriate way.

Second, in the event that they try to use U.S. forces for offensive intervention, that would be subject to the requirements of the War Powers Act, which would ultimately give both Houses of Congress the final say on the deployment of U.S. military forces for offensive purposes in eastern Europe or the former Soviet Union. So Bush wants to avoid that, and would rather cut a deal with his cohorts and proxies in NATO and the CSCE.

This is the same thing which he did in the war against Iraq. Rather than come clean, and be honest with Americans, Bush just cut backroom deals at the U.N. Security Council, bribed, threatened, and intimidated members of the Security Council to get his vote, and then after getting his vote, turned to Congress and said: You can't give me anything less.

**EIR:** It seems that Bush wants to ram through this revision at the Helsinki CSCE summit in July.

**Boyle:** As this *NATO Review* article makes clear, that is their agenda. Bush and the British easily control NATO, there is no question about it. The CSCE is not that easy—the Russians will be there, and the French, who we do not necessarily always control, and there might be some objections. But I take it Bush is meeting now with Boris Yeltsin and trying to get him to sign on to this whole thing. So, if he can line up Yeltsin, they will all show up at Helsinki, and he can ram the thing through the CSCE, and present us all with a *fait accompli*, unless the people and parliaments of Europe, the U.S., and Canada start raising a fuss.

**EIR:** It is striking that the pretext used at the Oslo conference was the Serbian war against Bosnia and Croatia, even though the Bush administration had earlier encouraged Serbia to launch its military adventures. In fact, Lawrence Eagleburger had had business relations with Serbian strongman Milosevic, when Eagleburger was a partner of Kissinger Associates.

**Boyle:** Eagleburger is a Kissinger protégé. Bush is a Kissinger protégé. All these people learned at the hands of Kissinger. Kissinger thinks in classic *realpolitik* terms. And what classic *realpolitik* teaches us in this situation, as the U.S. government sees it, is that there is a power vacuum in eastern Europe, with the collapse of the Warsaw Pact. They want to rush in there, and dominate and control as much of eastern Europe as they can, before the Russians are in a position to reassert themselves. This is also the reason why the International Monetary Fund requirements are being imposed on eastern Europe; it is an attempt to dominate eastern Europe economically. And now this NATO revision is an attempt by the U.S. and U.K. to dominate eastern Europe militarily. I think that's what their agenda is here, to rush into what they perceive to be a power vacuum and take as much political control as they can.

There is an alternative—for the EC, CSCE, and WEU to go it alone—but the U.S. and U.K. do not want that. They don't want the people of Europe getting together and solving their own problems, and putting together their own economic, political, and military system that could in theory compete with the U.S. and U.K.

We saw the same thing in the Mideast. Once the Soviet Union collapsed, the U.S. moved against Iraq and gobbled up all the Arab oil fields, grabbed up the entire Persian Gulf except for Iran. Now they are setting the stage for a grab of eastern Europe.