The Role of the Media in Monitoring International Humanitarian Law during Military Interventions: The Case of Kosovo

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This article explores the gap between International Humanitarian Law (IHL) and its implementation by means of military interventions. We suggest that using states' militaries to resolve humanitarian crises sometimes runs the risk of causing new forms of IHL violations that go unnoticed or are simply minimized because of the belief that a larger humanitarian goal has been served. Because so-called humanitarian forces in the past decade have often acted as if they are not bound to respect the basic norms of IHL, a space of mediation has remained open between IHL and state-sponsored military interventions. This space has yet to be occupied by international actors other than states. In this study, we evaluate the possibility that the media may serve as such an actor. As allegedly objective mediators, the media have a responsibility to report human rights and humanitarian law violations, even when humanitarian interventionist troops, the alleged "good guys," are directly at fault. To determine whether the media can reduce the space of normative incompatibility between IHL and state-sponsored humanitarian interventions, we examine their role in the Kosovo conflict of 1999.

Since the early 1990s, much attention has been paid to the commission of atrocities during war time. The escalation of brutal internal conflicts in places such as the former Yugoslavia, Rwanda, East Timor, or Somalia, and more recently the proactive military interventions of the United States in the context of its war against terrorism have sharpened the critical focus of the world community on human dramas and human rights violations caused in the course of conflict. A common response to the occurrence of human rights violations and other illegal actions during conflict is to confront the perpetrators with existing principles of human rights law and basic norms of international humanitarian law (once simply referred to as the law of warfare). Willingness on the part

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of the international community to implement and, if need be, enforce International Humanitarian Law (IHL) has not been a major problem of late. If anything, as evidenced by the recent wars in Afghanistan and Iraq, the decision by certain states to restore the rule of law in places where human atrocities are committed and where severe threats to international security are thought to reside is a common response. In fact, one might even wonder whether this new regime of military intervention perpetrated on allegedly humanitarian grounds (often broadly and vaguely defined) ought not to be more carefully and scrupulously reviewed by contemporary international legal scholars and practitioners. Still, as the 1990s demonstrated, military interventions by powerful third parties to put an end to existing conflicts and ameliorate humanitarian conditions during such wars are certainly not just a post–September 11 U.S. invention. The previous decade witnessed several situations where military interventions on the part of third parties, while often carried out selectively, were thought to be the most adequate and readily available solution to man-made disasters and traumas. Toward the end of the 1990s, with the NATO-led intervention in Kosovo in particular, the perception of many in the international community (and the West mostly) was that sending troops to put an end to human rights violations exacerbated by conflict and to enforce the respect of IHL had become a panacea.

The problem with military interventions, however, is that they often serve more than one objective. Only one of these objectives, but not necessarily the primary one, is to restore the respect for existing norms of humanitarian law during and after conflict. Military interventions deployed on humanitarian grounds are often more flashy, visually graphic, and spectacular than they are humanitarian. This is all the more the case when Western media are allowed or even encouraged to follow so-called humanitarian interventionist forces so that they may provide the necessary photo-op images that political leaders generally find to be beneficial for their own political advancement. As several interventions undertaken by the U.S. military during the Clinton administration showed, some of these operations have the potential to become successful public relations campaigns on behalf of certain leaders or policies. While getting the humanitarian job done is probably not completely overlooked (and often such operations are able to restore order, security, and a modicum of respect for law and human rights), the fact that other objectives, many of them political, determine the initial undertaking may help to explain why they take place in the first place

and how they unfold.[1] The possibility that other objectives may motivate the intervention and its undertaking has a direct effect on if and how the humanitarian job gets done: What situations or violations get preferential treatment? Who becomes a victim and who is labeled an aggressor? To what extent is the respect for the norms of IHL enforced and for how long? At what point does the military intervention stop and what happens to the rule of law and human rights afterwards?

More crucially perhaps, while the interventionist forces may or may not get the job done, an important side-effect of their presence is that humanitarian law starts to be applied very selectively and sporadically. Although humanitarian troops seek to make sure that belligerents or human rights violators cease their actions and become respectful of existing humanitarian norms, they themselves sometimes act as if they are beyond the reach of IHL. Believing that their interventionist actions are placed under a broad humanitarian umbrella, many forces involved in these kind of operations behave as if they are the law and can determine what counts as legal humanitarian action. As a consequence, in the course of military operations deployed on humanitarian grounds, basic rules of humanitarian treatment and protection vis-à-vis civilians, public facilities, prisoners, or third parties are simply ignored. The more recent conflicts of the United States in Afghanistan and Iraq once again demonstrated this point.[2] Working on the premise that such wars were perpetrated in the name of the rule of law, the fight against global terrorism, and the respect of human rights, U.S. military command (including the office of the President) did not think twice about violating several basic rules of IHL along the way, even when it was eager to point out how the enemy forces were themselves violators of such norms.[3] Putting the emphasis on the end result (getting rid of the Taliban regime in Afghanistan, toppling Saddam Hussein in Iraq) rather than on the legal process by which the result was to be obtained, forces and, by extension, nations involved in these conflicts—both of which had broad and quite vague humanitarian justifications—sometimes acted as if they were exonerated from traditional IHL requirements.

It is morally, legally, and even politically wrong to believe that military interventions conducted on behalf of humanitarian law and human rights (broadly conceived) should be or in fact are exonerated from existing IHL obligations. The *raison d'être* of IHL requires that internationally recognized humanitarian norms, starting with those codified in the Geneva Conventions,[4] be recognized and respected at all times, even when so-called humanitarian forces are involved. This

nonderogatory nature of IHL must be recognized even if respect for it is thought by political and military leaders to modify military operations and alter political strategy. In fact, respect for basic norms of IHL should take precedence over the concerns regarding the political benefits of such military undertakings. If the recognition of the priority of IHL norms during these operations is not afforded, then it is very likely that the existing gap between human rights and humanitarian law on the one hand and state action on the other will widen even further. Furthermore, if military interventions actually exacerbate the lack of respect for the rule of law by imposing stability and order on the basis of what mainly amounts to a use of force, a conceptual and practical space of humanitarian intervention will remain wide open. Put differently, in this space of normative incompatibility between humanitarian law and state-sponsored military interventions, the humanitarian gap has yet to be filled.

In order to fill this gap, public pressure is necessary. Leaving it up to military interventionists to decide what is right or wrong, what is legal or not once they have taken charge of the humanitarian situation (as has been the case in several U.S.-led operations in the last fifteen years or so) is the equivalent of admitting that force has become law and that might is right. Decisions of this nature have to be made by the global public, and particularly the nationals of the countries that have decided to lead or take part in the military operations. The public has the right to know what is allegedly being done on their behalf. Needless to say, so-called humanitarian troops are unlikely to want to advertise their mistakes, mistreatments, violations, or general neglect of humanitarian law. They are unlikely to tell on themselves and candidly announce to the public that they have failed in this regard. Previous situations have shown that it is generally after many cover-ups, leaks, and investigations, when an issue is finally too huge to disguise anymore, that such a self-critical analysis can take place.[5]

In the Western world, over the past two to three centuries, it has often been left to another kind of actor, one whose job it is to mediate between government policies and the public, to publicize situations that are of direct interest to the population and that people have a right to know about. This actor is of course the press, or as it is more appropriately called today, the media. The media have traditionally held the function of objective observer, fact-finder, and truth-seeker in Western democracies. The media have been and are still today the guarantee that political elites cannot cheat and lie to their citizens who have put them

in power and placed their trust in them and their policies. A basic role for the media is thus to investigate and report, to provide information, and also to remind public officials that they are accountable to those whom they serve. As previously noted, military humanitarian interventions appear to be ideal settings for the media to perform these functions of reporting information to the public and helping to maintain political accountability. In the past fifteen years, many Western states that have sent "humanitarian" troops to various conflicts have been eager to let the media display their forces' alleged humanitarian exploits. From Somalia in 1992 to the recent war in Iraq in 2003, tens of thousands of journalists and television crews have sent stories and beamed images and video footage back home in an effort to describe what often amounted to military and political victories. In the past ten years, there certainly has not been any lack of media presence or coverage during humanitarian interventions. But perhaps it is not the sheer number or size of the media that matters, but rather how they perform their task and what they decide to report.

Despite the fact that the Western media in particular have shown a general tendency to withdraw their focus once a humanitarian military intervention has been deployed (whereas media images of humanitarian crises are overabundant before an intervention to the point that some have argued that they may trigger state-based interventionism in the first place),[6] we argue in this article that it is precisely in the moments when humanitarian troops enforce what they consider to be the rule of law that media focus is most necessary. Our study suggests that it is in these moments that some of the most common and pernicious violations of IHL take place, when intervening forces and their governments feel that they have *carte blanche* to no longer attend to basic principles of humanitarian law. It is in those instances that the Western media have the opportunity and perhaps the duty to perform their mediating task of reporting on and sometimes denouncing humanitarian law violations, even when these are perpetrated by so-called humanitarian agents.

While we believe that the media often have the opportunity to perform this function, our study questions the willingness of today's media to shoulder this burden. We ask the question: Can the Western media play the role of humanitarian mediator by reporting on the active or passive lack of respect for IHL by so-called humanitarian forces in the context of recent military interventions? We find this question to be crucial because it is not just a moral concern but also, as indicated above, a burning reality in the light of recent and still unfolding

operations in Afghanistan and Iraq. The point of our study, however, is not to give a categorical or definitive negative answer to this question, but rather to make intelligible several important issues and processes that make it difficult at the present time for the media to succeed in their role as humanitarian mediators or reporters. As we make clear in this study, there are conceptual as well as practical reasons why our preliminary answer to this crucial question has to be a negative one. At the same time though, while we distinguish between conceptual and practical reasons for the sake of clarity, it is obvious that the conceptual challenges that impede a positive media role in this matter are directly connected to practical impossibilities as well. Conceptually, we argue that today's media cannot consistently and thoroughly serve as objective truth-seekers or fact-finders with regard to humanitarian troops' lack of respect for IHL because the media crave spectacular and graphic images more than they are interested in investigating a situation earnestly and in detail. The thirst for the flashy audience-grabbing and ratings-soaring image or story has turned the media into a social and even political agent that operates according to its own goals and motivations, often disconnected from the idea of the public interest. Practically, we demonstrate that the Western media cannot fulfill the role of humanitarian mediators by showcasing the attitude of the media in the course of the military humanitarian intervention performed by NATO (and mostly composed of U.S. forces) in Kosovo in 1999. We feature this case not just to support our argument about the desire of the media for the spectacle to the detriment of fact-finding, but also to gain empirical insight into this matter and to explain how the humanitarian gap between IHL and state-sponsored military actions expands when such operations take place. While the bulk of this study is devoted to an analysis of the Kosovo case, the next section provides a brief conceptual rationale for why the media cannot succeed as humanitarian mediators and reporters.

THE MEDIA CONSTRUCTION OF HUMANITARIAN SPECTACLES

The intervention of the media in conflicts, particularly humanitarian crises, is not new. The press has traditionally played the role of purveyor of information to the public, with the assumption that the public needs to know about the political dealings of elected officials, both domestically and internationally.[7] Because providing information about

events and issues of concern to public life is construed as a duty (to inform), and because the public has the right to be enlightened (to know), the freedom of the press has been affirmed as a fundamental principle in liberal democratic systems. According to media theorist Lee Edwards, it is in democratic political systems that the media truly thrive. Under such political conditions, the media are protected by the principle of the freedom of the press, and they are better able to serve the "philosophy of social responsibility."[8] To be socially responsible, the media (and journalists in general) do not necessarily have to be neutral. In fact, social responsibility sometimes demands that sides be taken. In democratic settings, this generally implies that the media operate on democracy's side.

Social responsibility is generally served when the media subscribe to the idea of "committed journalism."[9] Committed journalism implies that a certain set of values (democracy, free choice, openness, morality, serving the common good, etc.) is to be privileged by the media and their representatives. Some media scholars believe that only this kind of committed journalism can truthfully, objectively, honestly, and justly inform the world's citizenry about political, social, economic, and cultural affairs. To adequately serve as mediators between political power and the citizenry and be "committed journalists," members of the media often have to be willing to act as public "watchdogs."[10] As James Curran asserts, "[t]he principal democratic role of the media, according to liberal theory, is to act as a check on the state."[11] The media's social duty is at its highest when political leadership, blinded by power, no longer feels that it is accountable to the public and starts to act in a manner that is detrimental to the public good. Proponents of "watchdog" journalism famously point to the exposure of the Watergate scandal in 1972 by *Washington Post* reporters Bob Woodward and Carl Bernstein as a successful case of committed, responsible, and democratic media reporting.[12]

The views presented by the proponents of media social responsibility, committed journalism, and the idea of the press as a "watchdog" are not always consistent or tenable for the main actors involved in this debate (mostly the citizenry, political leadership, and the media themselves). For one, the rejection of the principle of neutrality (because allegedly undemocratic and possibly leading to social indifference) may lead to a mode of reporting that is one-sided, biased, overtly nationalistic, and potentially self-interested. In the context of international humanitarian crises, military interventions, and possibly IHL violations,

this socially responsible model would dictate to a journalist reporting in the field not to provide any information that may place those who intervene on behalf of justice, democracy, and humanitarianism in danger.[13] This also means that if in the course of strategic/military operations the humanitarian troops perpetrate war crimes or commit human rights violations against enemy forces or civilian populations, these incidents should also be kept away from the public's eye, as reporting on those situations may dramatically change the course of and support for the intervention. While media silence in this case would be justified from the perspective of media responsibility, this lack of reporting could potentially negate the very purpose of this form of responsible journalism by consciously hiding and covering up injustices, violations of the law, and inhumane treatment.

Because journalists cannot fulfill all the socially responsible roles (watchdog, democratic messenger, reporter, objective analyst) given to them by the proponents of committed journalism,[14] journalists often have to pick and choose between contradictory values. Put differently, the media are often left to select on a case by case basis which democratic value (objectivity, public vigilantism, free-flow of information, knowledge) they will privilege. This means that, even when the media operate within the context of democratic political institutions, they have in reality a large degree of autonomy when choosing which version of democracy they will embody: Will they choose to be ethical and moral at the risk of condemning the political system and ideological structures that give them their legitimacy and guarantee their freedom? Or will they go along with and follow the greater democratic principles embodied by their home governments, their political leaders, the military forces of democratic and peace-loving states, UN peacekeepers, friendly allies, and the international community, even if this means remaining silent about abuses of power, political mistakes, accidents, or violations of the law perpetrated by the "good guys"?

Some scholars believe that it is actually a benefit to the public when the media become political actors and when they start to get involved in the policy-making process.[15] Thanks to their freedom of movement, these media theorists argue that the media can play a crucial role in the formation, formulation, adoption, and evaluation of public policies. Journalists and media specialists refer to this public function of the media as "investigative reporting." Investigative reporting suggests that the media are most useful in democratic settings when they help shape the policy-making process by "probing situations in depth" and

"exposing scandals and corruption."[16] Investigative reporting assumes that the media contribute to public knowledge, not just by denouncing abuses of power, but also by offering constructive criticisms and often desirable assistance to public officials in charge of developing policies that may usher in social change.

In the context of International Humanitarian Law and its respect by military forces involved in humanitarian interventions, investigative reporting appears to be a more promising model for the media than the idea of committed journalism. In principle, investigative reporting should allow the media to inform, report, denounce, and yet contribute to the creation of new policies and to a better implementation/enforcement of IHL. Because investigative reporting is closely associated with policy making, journalists are freed from the dilemma of having to decide whether or not to report violations of IHL committed by humanitarian troops. Instead, they have a duty to report those violations, not just because they are neutral, but because informing and telling the global public about these situations is part of the process of forming, formulating, and evaluating better (and more accountable) social policies. As the Kosovo case will show, however, today's Western media have a tendency to subscribe to the notion of investigative reporting when it comes to revealing an initial humanitarian tragedy, setting the humanitarian social agenda (their gruesome images of war try to arouse a public response), and at times helping to formulate a policy. Unfortunately, their investigative reporting virtually stops at those stages and remains far too silent about the parts of policy making that do not involve graphic visual reports, namely the question of adoption, implementation, and evaluation of the existing norms of humanitarian law. While it is easy for the general public to be shocked and outraged by images showing tortured war prisoners, destroyed villages, disfigured refugee women and children, or a passenger train on a bridge just as it is being hit by a bomb launched from a fighter jet, it is far less certain that the public would continue to care about humanitarian law and war crimes if, for example, media coverage were to consist of relating the proceedings of the International Tribunal in charge of prosecuting war crimes in the former Yugoslavia for example. It is likewise less exciting and media-worthy for journalists to explain why an international criminal court needs to be created and supported, and why the implementation of IHL needs to be improved. And, finally, it is perhaps seen as less urgent in the context of investigative reporting to highlight how humanitarian troops do make an effort (or not) to respect the law (and how this may

limit their actions in the field) than to bombard the world's television screens with scenes of torture, execution, rape, and genocide perpetrated by war criminals and human rights violators of all stripes. These last considerations indicate that, in order to understand the place of the media in relation to humanitarian interventions, an analysis of the construction of political spectacles by the media must be performed too.

In opposition to the belief that today's media are indeed capable of producing socially constructive pieces of investigative journalism, many contemporary analyses of the media suggest that altruism, responsibility, and morality are values that are actually not promoted by the media. Instead, public mediation by all sorts of media can sometimes be downright hostile to the democratic ideal as the so-called duty to investigate and report is merely used as an excuse by media networks to fulfill their selfish interests. Critical media scholars often conclude that most journalistic work today cannot be trusted to be balanced and objective. Since media interventions cannot be truthful, they can neither inform the public nor take part in the policy-making process.

Critical scholars like Jean Seaton note an apparent paradox: more and more politicians and citizens throughout the world claim that the news is having a greater impact than ever before on global politics. Yet journalists themselves believe that "real-time" reporting is actually having far less of a meaningful social impact than in the past.[17] While the media are omnipresent and, according to some, could serve as early detection systems in brutal conflicts, it turns out instead that "the media gaze looks like that of an overindulged tyrant, irrational, self-regarding and all powerful."[18] As soon as they have captured their 30 second (or less) sound and/or video-byte ready to be beamed over almost instantaneously via satellite or video-phone to their world headquarters in Western Europe or North America, today's global journalists move on in search of the next image of horror to be shown live to far distant audiences. As some researchers have noted, contemporary media place much focus on humanitarian traumas and sometimes force political leaders to react and intervene.[19] But once food has been dropped, a few refugees have been air-lifted, and some UN or NATO troops have been deployed (all under the spotlight of the Western media's cameras), the interest of political leaders recedes in just as short a time as it takes for their constituents to switch to another channel in their endless quest for new diverting images.

The previous observation suggests that journalists take center stage in a global media spectacle that is daily constructed and reinforced by

the type of news reporting that is being produced. This notion of a quotidian construction of social and political spectacles by the media implies that, far from defending democratic values and protecting the right of the public to know, entertainment, social passivity, and popular apathy are the types of outcomes that are found to be desirable by the media as these guarantee their continued production of social values, cultural meanings, and individual desires. One of the main proponents of the idea of a media-driven construction of social/political spectacles is Murray Edelman, who argues that "[t]he spectacle constituted by news reporting continuously constructs and reconstructs social problems, crises, enemies, and leaders, and so creates a succession of threats and reassurances."[20] Edelman believes that the media create their own "reality" out of the many events, facts, and situations that unfold throughout the world on a daily basis. This does not necessarily mean that the "reality" constructed by the media is fake or unreal. Rather, it means that it is only one of the many possible "realities" about the world on a given day, at a given moment in time, in a given spatial context. This media construction of everyday realities is based on an arbitrary process of selection by the media, a process that is directly tied to the media's own logic (viewership, competition with other networks, controlling the cultural message, generating new cultural signs and icons). Any concern for the public interest is beyond the point since "the 'public' is mainly a black hole into which the political efforts of politicians, advocates of causes, the media, and the schools disappear with hardly a trace."[21]

Over the past ten years, one of the Western media's most sought-after spectacles has been that of international humanitarian crises, where victims are highly visible, villains can be easily targeted, and humanitarian heroes (mostly Westerners) can be followed live.[22] The media's construction of the humanitarian "problem" in the past decade is not just the result of media corporate owners seeking to gain higher ratings through the constant flow of tragic images. Linking the notion of the construction of media spectacles only to a capitalist logic of corporate profit is a convenient way of avoiding to realize that the media spectacle offers important social, political, and moral advantages to many people in the Western world mostly, politicians and members of the public alike. Indeed, this humanitarian spectacle provides a moral buffer that nonetheless legitimizes the continued apathy of the Western spectator. Media coverage of humanitarian crises/disasters gives states, their political leaders, and their populations the confirmation that they are indeed intervening, that they are morally engaged, and that they are doing the

right thing. As Michael Ignatieff notes, "television coverage of humanitarian assistance allows the West the illusion that it is doing something; in this way, coverage becomes an alternative to more serious political engagement."[23] Needless to say, this kind of coverage can easily obliterate the crucial humanitarian issues.

The media spectacle can further distort the reality of a humanitarian situation by showcasing an issue that is not central to an ongoing crisis or is more likely to strike a (moral, political) chord with Western donors and/or interventionists. For example, Rony Brauman, former president of Médecins sans Frontières, often deplored the fact that, when TV cameras finally arrived in Rwanda in the summer of 1994, the genocide of the Tutsi population had already taken place (in April) but had not been well reported. What became a humanitarian crisis instead (because this was shown by the media) was the fate of hundreds of thousands of Hutu refugees dying of cholera in the UNHCR camps of eastern Zaire.[24] Thus, consciously or not, the media have the ability to obliterate actual humanitarian issues, not only by ignoring them, but instead by bombarding their audiences with other images (some of them quite tragic) that sometimes provoke an immediate, almost visceral reaction on the part of the spectator. This gut reaction only gives the Western viewer a semblance of involvement as his/her sentiments are being overtly manipulated by the image and, soon enough, compassion fatigue, lack of interest, and indifference set in. Unfortunately, it is often this kind of journalistic work that passes for the kind of investigative reporting that is claimed to be necessary in the course of humanitarian military operations today. As will be shown in the case of Kosovo presented in the next section, this media approach largely ignores humanitarian law and human rights issues that sometimes are more pernicious but not as media-worthy.

THE INTERVENTION IN KOSOVO AND THE MEDIA

The humanitarian intervention by NATO in Kosovo (involving many U.S. troops and spearheaded by the U.S. government) is a suitable case for our study not only because it involved a large military mobilization over a relatively extended period of time, but also because it attracted some of the most widespread media coverage that any such intervention ever received. To give an idea of the scope of media coverage in Kosovo, at one point during the conflict, CNN had a total of 70 journalists and crew members dispatched there and was spending an average of $150,000

a day just to cover the events in Kosovo. During a one-week period from April 22 to April 28, 1999, there was a total of 745 news stories about the situation in the region produced by only nine major U.S. media outlets (mostly television and written press).[25] While the scope of the coverage is in itself meaningful because it shows how much attention was devoted to the conflict by Western (and here specifically United States) media, we are more directly interested in the media's function in "mediating" the conflict for the public good and the media's effectiveness in uncovering and broadcasting IHL violations.[26]

Based on the media's persistent underreporting of IHL violations perpetrated by NATO forces, simplistic framing of violations that were reported (as unfortunate, inevitable accidents), uncritical acceptance of NATO explanations for those violations, and consistent focus on the spectacular aspect of the violations (charred bodies and leveled buildings, rather than the conduct responsible for this spectacle), we conclude that the western media are currently not capable of occupying the space of normative incompatibility that exists (and was quite obvious in Kosovo) between IHL and state practice. However, our objective here is not simply to establish that the media failed to occupy the space of normative incompatibility in Kosovo, but also to use the Kosovo case to elucidate some of the issues and processes that at present impede the media from functioning as humanitarian mediators. We find that a central impediment was that the media saw Kosovo and, in general, perceive humanitarian interventions as spectacular opportunities that allow them to easily grab viewers, increase their ratings, and propagate a simplistically sensationalist and sentimentalist discourse.

Background of the Conflict

International attention was drawn to Kosovo in 1997 when a full scale conflict erupted between the Albanian Kosovo Liberation Army and the Serbian special police aided by the Yugoslav federal army. While conflicts had been present in the region since the beginning of the twentieth century, the sudden escalation of hostilities in 1997 essentially represented a state of civil war. The alleged results of this civil war (refugees, human rights violations, possibly genocide) prompted the international community to take action. Preceded by a number of unsuccessful UN and NATO-led efforts to resolve the conflict peacefully through diplomatic negotiations, a NATO bombing campaign, strongly supported by the United States and its President, Bill Clinton, was

initiated on March 24, 1999, and continued through June 9, 1999. NATO's objective was to force the Yugoslav government of Slobodan Milosevic to accept the terms of the peace accord that NATO (mostly the United States) had previously drafted and negotiated. The expectation was initially that this intervention would be a quick and relatively easy task for the vastly superior NATO forces.[27] However, as with many humanitarian interventions in the 1990s, the task proved a great deal more complex and drawn out than initially anticipated.

The Yugoslavian government had clearly committed numerous egregious human rights violations and war crimes, both before and during the course of the conflict with Kosovar Albanians. Many of these violations were the immediate impetus for the international intervention. Of particular concern for the international community was the fact that Milosevic's forces were engaging in purposeful violations of the law to ethnically cleanse Kosovar Albanians from Kosovo. Thus, the NATO-led intervention in Kosovo was perceived as an attempt to put an end to the unfolding humanitarian crisis caused by the massive displacement of tens of thousands of people from Kosovo.

However, this humanitarian purpose gave NATO forces a feeling of exoneration under which troops and commanders considered that any military means they wished to employ—heavy artillery, shelling, sustained and indiscriminate air bombing—were appropriate means to fulfill their humanitarian task in Kosovo and thus that they should be immune from critique. These often indiscriminate means led many to claim that there was a significant gap between IHL and the conduct of NATO forces as humanitarian agents.[28] In particular, many accused NATO of IHL violations involving the targeting of persons *hors de combat* and of civilian property and sites. Undeniably it is always difficult to ascertain what kind of IHL violations, and how many, are perpetrated by military interventionist forces. Still, in the aftermath of the Kosovo conflict, independent human rights organizations like Amnesty International and Human Rights Watch produced reasonably extensive reports detailing key IHL violations by NATO forces and U.S. troops in particular.

NATO's International Humanitarian Law Violations in Kosovo

Given these extensive reports, it is evident that there was in fact a significant gap between IHL and the conduct of NATO forces in Kosovo on a number of occasions. In *Collateral Damage or Unlawful Killing?*

Violations of the Laws of War by NATO during Operation Allied Force, Amnesty International has produced a comprehensive analysis of what it considers to be the major IHL violations committed by NATO forces during their operations in Kosovo. Specifically, Amnesty has examined in detail nine incidents in which NATO forces violated IHL. These nine incidents all involve bombings of civilians, public places where civilians congregate, civilian buildings, or civilian property, all of which constitute prohibited targets. These nine incidents involved the bombing of the following targets: the Grdelica railroad bridge on April 12, 1999 (while a passenger train was crossing it); a convoy of ethnic Albanians near Djakovica on April 14, 1999; Serbian state television and radio stations on April 23, 1999; a civilian bus and ambulance in Luzane on May 1, 1999; a market and hospital in Nis on May 7, 1999; the Chinese Embassy in Belgrade on May 8, 1999; a group of ethnic Albanians at Korisa on May 13, 1999; the Varvarin bridge on May 30, 1999; and finally the sustained air attack on Surdulica on May 31, 1999.[29] Overall, Amnesty International has concluded that "civilian deaths could have been significantly reduced if NATO forces had fully adhered to the laws of war."[30] Specifically, Amnesty found fault with NATO's efforts to distinguish between civilian and military targets, and with its means and methods of attack. Amnesty noted that in many instances, including the April 23, 1999, attack on Serbian state television and radio studios, NATO launched direct attacks on civilian objects, expressly violating article 52 (I) of the 1977 Additional Protocol I to the Geneva Convention of 1949. Indeed, the requirement, detailed in NATO's own Rules of Engagement, that military planes fly above 15,000 feet made full adherence to the requirements of international humanitarian law impossible.[31] At this altitude, it is almost impossible to launch bombs or missiles with pinpoint precision. Thus, the risk that the intended target will be missed and that civilian properties and lives will be harmed is greatly increased.

The principal findings of Human Rights Watch (HRW), another human rights nongovernmental organization (NGO), are very similar to those provided by Amnesty. After thoroughly investigating the conflict, HRW concluded that there had been 90 separate incidents in which NATO targeted civilians, and that approximately 500 civilians (Kosovar or Serb) had perished as a result of NATO's actions.[32] Like Amnesty, HRW investigated the nine major NATO incidents involving civilian casualties, using the Geneva Conventions of 1949 and also the 1980 Weapons Convention as a basis for their legal analysis.[33] HRW found

considerable fault with NATO's inability to distinguish between civilian and military targets, and with NATO forces' general means and methods of warfare (including indiscriminate air bombing prohibited by the 1980 Weapons Convention). Specifically, HRW criticized NATO for conducting air attacks with cluster bombs in populated areas, attacking nonmilitary targets, insufficiently warning civilians of impending attacks, and failing to identify whether civilians were nearby when targeting military objectives.[34]

Not surprisingly NATO consistently failed to report the violations identified by Amnesty and HRW, and was frequently reluctant to acknowledge its involvement in these incidents when questioned about them. Indeed, according to Amnesty, NATO may have had a policy of deliberately withholding relevant information about these incidents. In *Collateral Damage or Unlawful Killing?* Amnesty quoted an unnamed NATO general asserting that NATO often knew the "precise causes and consequences" of their errors, "[b]ut in order to quiet public opinion we would say that we were conducting an inquiry, that there were several possible explanations. We would only reveal the truth ... when it no longer interested anyone."[35] This pattern of initially denying responsibility, claiming that there were multiple possible explanations, and that an investigation was being conducted, and then accepting responsibility later when the public's (and the media's) interest had moved on is reflected in both the Luzane and Nis incidents.

In the Luzane bridge bombing incident, a NATO bomb hit a civilian commuter bus on a bridge near Luzane on May 1, 1999.[36] NATO initially claimed that the bridge had not been a NATO target and that they were "mystified as to what could have happened."[37] The NATO spokesperson went on to claim that NATO was checking into the matter but had "found nothing to confirm" reports that the Luzane bridge had been hit by NATO bombs.[38] In a single paragraph in a general daily news update from Kosovo, CNN later reported that NATO had admitted to bombing the bridge.[39] The next week when NATO cluster bombs were dropped on a busy marketplace and civilian hospital in Nis, a similar pattern occurred. When asked about the incident during a daily press briefing, a NATO spokesperson acknowledged that he had seen reports on the incident, but that he could not "comment more on that [incident] because I don't want to be speculative." He went on to note that NATO was "checking ... like always."[40] Again, NATO later acknowledged that they dropped cluster bombs in the civilian neighborhood.

However, this lack of self-reporting only reinforces the conclusion that there was a significant lack of respect for IHL in NATO's conduct in Kosovo, especially since there is ample evidence of NATO's violations of IHL thanks to the work of independent human rights NGOs. Yet, although the nine major incidents reported by both Amnesty and HRW are not obscure cases (many of them have been noted by the media or have given rise to subsequent diplomatic tensions), there was a consistent lack of in-depth media investigation of such incidents by Western media outlets. Thus, to draw conclusions regarding the ability and/or willingness of the media to report on violations of IHL by so-called humanitarian troops, we first turn to a general analysis of the media's coverage of Kosovo and in particular NATO's violations of IHL, and then we move on to a more detailed examination of the media's representations of the violations which occurred in two of the incidents in Luzane and Nis.

Media Coverage in Kosovo

The NATO bombing campaign in Kosovo was the subject of numerous media reports in the United States and throughout the world. The volume of reports, and the amount of time and money expended by the media, soared during the weeks leading up to and immediately following NATO's decision to intervene. However, coverage remained notably dense throughout the entire three months of the campaign. Between March 1999 and June 1999, some 3,000 journalists and related media representatives covered the conflict as it unfolded.[41] There were reports on everything, from the initial atrocities committed by Serbian forces and the beginning of NATO's bombing, to the plight of individual Kosovar Albanian refugees fleeing from the region.

Issues Receiving Media Attention

Although there was a great deal of coverage of the Kosovo conflict, much of the media's reporting centered around a few common, repeating themes. In his analysis of the issues portrayed by the Western media in Kosovo, Richard Vincent notes the presence of four main themes that captured journalistic attention: Serbs as terrorists; Serbs as evil; Milosevic as a dictator; and Kosovar refugees as fearful victims of Milosevic and the Serbs.[42] In our review of media stories between September 1, 1999, and June 30, 1999, we found numerous instances where these themes

were highlighted. For example, on CNN alone Milosevic was referred to as a dictator approximately 43 times during this period. Also during this time period, Kosovar refugees were presented as "fearful" approximately 225 times on CNN. The refugees were portrayed as "struggling" to flee "Serb violence" as they were driven from their homes by "fear and intimidation."[43] Serbs in general, and Milosevic in particular, were also often portrayed as unreasonable, uncompromising, and "defiant."[44]

After intervention took place, the substance of the media coverage changed substantially, although the issues reported remained just as palatable and familiar to Western audiences as those they replaced.[45] With the start of the bombing campaign the pictures of suffering refugees plagued by Serbian forces dwindled. In their place was extensive footage of the advanced military technology possessed by NATO, and particularly the U.S. forces. As Daya Kishan Thussu puts it, "[a]s in the 1991 Gulf crisis, the 'virtual' war gave a showcase to the makers of the latest high-tech weaponry, helping to justify the $280 billion defense budget of the United States."[46] This coverage of the 'virtual war' included everything from discussions of how many "U.S. B-52 bombers" and "Apache ground-attack helicopters" had been or should be deployed, to graphic images of missiles streaking through the "big orange glow" that was the night sky over Belgrade.[47] The deployment of "precision" cruise missiles was also a favorite topic, with the term "cruise missile" garnering 275 mentions on CNN alone between the beginning of the intervention in March and the end of the intervention in June.

While these recurrent themes may refer to actual situations and sentiments that were part of the conflict, it is also obvious that they evoke images, preconceived notions, and clichés that easily related to what the media's mostly Western audiences expected to see out of Kosovo. Right or wrong, accurate or fanciful, depicting Serbs as terrorists and Milosevic as a monster, for example, was more likely to "sell" in the West that had already been familiarized with these images since the war in Bosnia. No real effort was made by the media to explain why the Serbs were "evil" or "terrorists," or why Milosevic was a "dictator" (not even the term "war criminal" was used as frequently as "dictator" during this time). The media made a limited effort before the intervention to provide some form of investigative reporting of the "crimes" committed by Milosevic and his forces. But, for the most part, Western media assumed that images spoke for themselves. Journalists functioned as agents of the global humanitarian spectacle. They supplied their audiences with gut-wrenching, sensationalistic images and stories that had

immediate appeal. They provided their audiences with issues they could easily make sense of and which had readily apparent solutions. That Milosevic was an evil "dictator" evoked familiar, manageable feelings for Western audiences, and was accompanied by the clear solution of Western intervention.

Issues Not Receiving Media Attention

However, while this "Star Wars-meets-Top Gun" media coverage was taking place, the issues that were not presented said as much (if not more) about the media's mediation of the conflict. The result of the focus on these obviously spectacular legal and political themes was to exclude other concepts, issues, and questions that took place at the same time and were just as crucial (if not more) to the reality of the conflict. Among these ignored themes were the peace negotiations in Rambouillet, the alleged massacre at Racak that served as a major justification for NATO's intervention, the Kosovo Liberation Army (KLA) and its own criminal activities and human rights violations, and, of course, the war crimes committed by NATO forces.[48]

For example, CNN's reporting of the above-mentioned nine violations ranged widely, from as many as 212 stories on one of the incidents to none at all on many of the others. Not surprisingly, it was the May 8, 1999, bombing of the Chinese Embassy in Belgrade that drew the most attention, with 212 separate news stories on CNN alone. By contrast, the May 30, 1999, bombing of the Varvarin bridge, which killed and wounded more than twice as many civilians as the embassy incident, was not reported by CNN at all. Likewise, the bombing of the Luzane bridge and of the market and hospital at Nis, which together killed more than 16 times as many civilians as the embassy bombing, also received very sparse coverage.

The Nature of Media Representations of NATO's Humanitarian Law Violations

This almost systematic underreporting of NATO's "unlawful" acts in Kosovo by the media does not mean that the IHL violations identified by Amnesty International and Human Rights Watch received no press coverage. As indicated above, some of these actions did draw media attention. However, coverage of NATO's blatant lack of respect for IHL was consistent with the media's function as a creator of spectacle

rather than as an investigative reporter. When the media did report these incidents they were framed simplistically as unfortunate, but unavoidable, accidents. The media consistently failed to engage in independent investigative reporting and instead uncritically accepted NATO's explanations of the incidents as accidents which occurred in the process of pursuing legitimate targets. There was no discussion of broader underlying issues of IHL, no probing of the legitimacy of questionable targets, or of the often indiscriminate means and methods used to strike them. In addition, whenever details of these incidents were given, the focus was on the construction of spectacles. Flashy, gut-wrenching images of destruction and suffering prevailed over discussions of the violations of IHL that led to civilian destruction. Finally, not only the scope but also the duration of coverage of these incidents was very limited. There would be an initial report, and then the media would quickly move on to the next story.

The media's simplistic framing of NATO's violations of IHL persisted from the initial Grdelica railroad case to the Surdulica incident. Incidents involving NATO's damage of civilian persons and property were almost without exception portrayed as cases of unfortunate but unavoidable "collateral damage," often due to technical errors.[49] These incidents were portrayed as regrettable but nonetheless acceptable and justified in the context of an intervention against Serbian "evil" and Milosevic's "reign of terror." For example, a *New York Times* article addressing the April 12, 1999, Grdelica railroad bridge bombing opens with the following statement: "As NATO ratchets up its air campaign over Yugoslavia, relentlessly bombing Serbian armored forces in the field, the *inevitable* is happening: civilians are dying, some at the hands of the alliance."[50] Another *New York Times* article concerning the May 31, 1999, bombing at Surdulica begins by recounting NATO's justification for the "collateral damage." It also praises NATO's rapid acknowledgment of the incident, and goes on to emphasize the continued plight of the Kosovar Albanians and the need for continued NATO action against Serbian forces.[51] By contrast, a May 19, 1999 article, again in the *New York Times*, on the activities of Serbian troops makes extensive reference to the concept of "war crimes," opening with the statement that "NATO is examining new clues to try to determine whether Yugoslav forces are digging up mass graves and reburying the bodies to hide evidence of *war crimes*."[52] This oversimplification had the effect of obscuring the underlying issues of humanitarianism and human rights. Because the media viewed the incidents as unfortunate technical errors

from the beginning, and framed their representations accordingly, they neglected to ask critical questions, such as whether NATO's targets, means, and methods of warfare were legitimate (Was a bridge on which civilian buses commonly traveled a legitimate target at 1:00 p.m.? Was an airfield in close proximity to civilian housing a legitimate target? Even if it was, were cluster bombs an appropriate method by which to strike the target?).

In addition to presenting oversimplified representations of NATO's IHL violations, ignoring the importance of these violations for the respect of humanitarianism and human rights law in general, most media representations also directly mirrored NATO's official rhetoric regarding the justification for these incidents. The frequency and severity of NATO's violations, such as the repeated targeting of hospitals, factories, power sources, and news outlets, actually led many human rights activists to label these actions war crimes. But these activists' arguments were almost never mentioned by the Western media.[53] Media references to terms such as International Humanitarian Law, war crime, and human rights violation during the Kosovo conflict were strictly reserved for stories concerning Serb actions. In general, the media made no attempt to inspect or analyze NATO's actions with regard to NATO troops' respect of IHL, whereas they put Serb actions under close scrutiny.

As some have mentioned, it was at times difficult for the media to know what was happening as NATO and the U.S. government did all they could to control the press. As had happened some eight years prior to this conflict in the Gulf War,[54] many areas were declared off limits to the media, and journalists often had to rely on daily NATO press secretaries' briefings. Former journalist Philip Seib recalls that NATO would provide "a daily briefing that was televised live to the world on CNN and other cable and satellite networks."[55] At the same time though, having such a massive presence in the region, networks like CNN or the BBC could have interviewed local populations, dispatched reporters days or even weeks after an event had occurred to gather more information about a possible incident, or simply tried to resist more forcefully the attempts by NATO at "controlling" media coverage of the military's actions. But it was only on rare occasions that the media sought to go beyond what they had been given access to, as they were content to capture a few images and news stories on a daily basis, and then broadcast them back to their headquarters in Atlanta, New York, Los Angeles, London, or Paris. Instead, the "spin doctors" dispatched in the

region by the Clinton administration were left to run the show as journalists for the most part appeared to be content with the idea of reproducing NATO stories that often "included the phrase 'it cannot be independently confirmed'."[56] In addition, in the noted examples, it was not just a matter of letting an image do the talking since print journalists (who allegedly have the ability to provide a bit more substance to their stories than television crews) were also involved in this lack of critical investigative reporting. Consequently, NATO's "mistakes" were not only often not reported, but even when they were, NATO's justifications for the errors were eagerly accepted by the media.[57]

But NATO's explanations for the violations were brief, and the majority of the coverage the media devoted to NATO's IHL violations (generally not portrayed as such) was itself filled by spectacular images and stories. The focus was never on the fact that NATO may have violated IHL. Rather, the focus was on the result of the violation: the civilian devastation that it left behind. Reports of the incidents were saturated with detailed descriptions of "pieces of human flesh," "the living and ... dead scattered around," homes reduced to "rubble."[58] Journalists themselves referred to the horrifically sensationalistic scenes they reconstructed for their audiences as "spectacles of civilian suffering."[59]

Finally, in addition to being consistently sparse, oversimplified, sensationalistic, and repetitive of NATO's own explanations of the violations without question, media coverage of NATO's lack of respect for IHL was invariably short-lived. The media would make an initial report of the violation, emphasizing that there was still "considerable uncertainty," or that NATO "continues to investigate," but would then move on to the next story in their quest for spectacle and real-time reporting. For example, NATO's bombing of the Radio-Televison Serbia station on April 23, 1999, was initially reported by CNN later that day.[60] The bombing was briefly referred to in a story on another topic on April 25, 1999, but never mentioned again after that.[61] Likewise, NATO's bombing of Surdulica on May 31, 1999, was reported by CNN later that day, but was completely dropped after that, never receiving another mention on the network. This in itself seriously undermined the media's ability to engage in any sort of investigative reporting, as journalists in their quest for real-time reporting were moving on to the next story before all of the information was even available on any particular violation.

These characteristics—simplistic framing, uncritical acceptance of NATO's explanations, narrow focus on the spectacular aspects of the violations, brief coverage—were present throughout all of the media's coverage of NATO's violations. Despite this fact, we have chosen to highlight two specific cases to detail the presence of these characteristics and how they impeded the media's ability to serve as a reporter and mediator during humanitarian interventions. In the following subsections, we examine the media coverage of NATO's bombing of a civilian bus at Luzane and of a market and hospital in Nis. By focusing on two such cases, we are able to perform a more precise and careful analysis of media coverage, looking also for similarities and differences in the way the violations were represented by a number of media outlets.

Luzane

At approximately 1:00 p.m. on May 1, 1999, a NATO missile hit a civilian commuter bus known as the Nis Express on a bridge just outside of Luzane.[62] The missile split the bus in half, and half of the bus fell into the gorge below while the other half remained on the bridge engulfed in flames.[63] An estimated 40 passengers perished in the incident.[64] Amnesty International considers the Luzane case to be one of the nine major incidents in which NATO forces violated IHL by failing to take adequate precautionary measures, as required by Protocol I Additional to the Geneva Conventions of 1949, to spare civilians. In particular, Amnesty has expressed concern that NATO forces chose to strike a bridge that was routinely used by civilian traffic in the middle of the day when traffic was heaviest.[65]

The Luzane incident, like many of NATO's IHL violations in the course of this military operation, was sparsely reported by Western media. CNN reported the incident briefly on May 1,[66] and then mentioned it even more briefly the following day, devoting only six sentences to the incident in the midst of an unrelated story.[67] A glance at major U.S. national newspapers confirms the CNN finding. The *New York Times* also reported the incident on May 2. It earned a brief story on page fifteen,[68] and a four-sentence mention in a story on Jesse Jackson's visit to the region on page fourteen.[69] The *Chicago Tribune* and the *Washington Post* both failed to report the incident directly, and yet both did manage to mention it once in the midst of other stories.[70] Meanwhile, both the *Wall Street Journal* and the *Los Angeles Times* failed to run any report of the incident.

Still, the nature of the coverage that the incident received was at least as important for determining the media's role in reporting NATO's IHL violations as the overall lack of coverage of the incident. The Western and mostly U.S. media consistently viewed the Luzane incident in a simplistic and misleading fashion. The May 1 CNN report, aired before NATO acknowledged that they hit the bus, warned that this incident might be "another one of these periodic, tragic accidents caused by NATO bombing."[71] The next day CNN confirmed that NATO "accidentally" hit the bus because the pilot fired the missile before the bus entered the bridge.[72] The *Chicago Tribune* echoed CNN's tone, noting that NATO accidentally hit the bus when it drove onto the "military target" of the bridge after the pilot had fired.[73]

By framing the incident as an unfortunate but unavoidable accident, the media failed to address any of the underlying IHL problems at hand. Not one of these reports addressed the issue of whether the bridge was a legitimate "military" target in the first place. None of them asked whether NATO had taken any precautionary measures to warn civilians of the impending strike. NATO never alleged that it was targeting anything (for example, an oncoming military convoy) other than the bridge that would have necessitated a surprise attack in broad daylight when it was busiest with civilian traffic. There was no shortage of information that hinted at these questions though. Indeed, the *New York Times* report noted that the attack took place at 1:00 p.m., that the Nis Express bus crossed the bridge traveling south every day, and that an eyewitness to the incident said that there were no military objects in the area. Yet the report failed to raise even one of the aforementioned questions, instead concentrating on the spectacle of the "smoldering wreckage," "stench of burned flesh," and "the bodies of the deceased strewn about."

In addition, the media displayed an eagerness to accept and convey NATO's explanation of the Luzane incident at face value. All of the reports carefully recited NATO's explanation of what had happened: the bus drove onto the bridge after the pilot fired the missile.[74] While it is perfectly understandable that a report on the incident would include NATO's explanation of what happened, only reporting NATO's explanation without any independent probing or questioning raises serious doubts about the media's ability to report with fairness on humanitarian law violations. This is particularly true in a case such as this one, where NATO's official explanation for the incident leaves open so many obvious questions. Did the pilot look to see if there was any civilian

traffic about to cross the bridge before he fired? Did NATO look into the volume of civilian traffic likely to be near the bridge at mid-day before deciding to strike? As Amnesty put it, NATO's explanation of the incident suggests that "pilots have their eyes fixed on the target and if anything civilian gets in the way, that is not their concern."[75]

Finally, in addition to being oversimplified and uncritically reporting NATO's official rhetoric, media coverage of the Luzane incident was short lived. The initial report of the incident was made by CNN on May 1. The other reports/mentions of the incident in the *New York Times*, *Chicago Tribune*, and other U.S. national newspapers appeared the following day. However, after that, the issue was simply dropped. This is not hard to understand, given the media's oversimplification of the incident and eager reporting of NATO's explanation. There really was not much more for them to say about it afterwards. Yet if even one of the aforementioned questions had been asked, or if any independent investigation had taken place, the Luzane incident would have occupied so much more than the handful of mentions and two days of reporting it received.

Nis

Around mid-day on May 7, 1999, NATO cluster bombs were dropped in two residential areas in the town of Nis, one near a market, and the other near a hospital.[76] The cluster bombs exploded, damaging the hospital, killing 15 civilians and wounding many more.[77] NATO claimed that the cluster bombs had been intended for the Nis airfield, where a number of Serbian aircraft, support vehicles, and air defense systems were located, but that the bombs had accidentally missed their target. Amnesty International also considers this incident to be one of the nine major cases in which NATO violated Protocol I Additional of the Geneva Conventions. Similarly to the Luzane case, Amnesty has expressed significant concern that the attack took place during the middle of the day when civilians were likely to be out on the streets, and that the attack was directed against a target in such close proximity to a civilian area.[78] In addition, Amnesty has criticized NATO for their means of attack in this case, specifically their use of cluster bombs which scatter bomblets and shrapnel and are widely considered inappropriate for use in areas where civilian "collateral damage" is likely to occur.[79]

As with Luzane, reports on the Nis incident were few. The *New York Times*[80] and the *Washington Post*[81] each ran a brief report on the

incident. CNN failed to run even one report on Nis, only mentioning it briefly in the context of a general update on the conflict in the Balkans.[82] The incident also earned a second mention in the *New York Times* in the context of the bombing of the Chinese Embassy, which occurred one day after the Nis incident.[83]

Regardless of the amount of coverage a particular media outlet devoted to the Nis incident, Western and mostly U.S. media uniformly viewed and portrayed the incident simplistically as an accident, error, or malfunction, the cause of which was unclear. For example, the *New York Times* reported that NATO had "mistakenly" bombed the hospital and marketplace, and that in the "errant bombing" "at least one bomb fell short of its target, for reasons that remained unclear."[84] There was no questioning of why a cluster bomb would be used on a target so close to a civilian area. And not one report inquired why it was necessary to strike the airfield in the middle of the day when civilians would be most vulnerable. Instead the media representations focused on the construction of spectacles, painting a picture, and often including graphic photos, of chaos and destruction. They spoke of "dismembered bodies" laying about,[85] "corpses lay[ing] on congealed blood,"[86] and people weeping in front of "devastated" homes[87] "pockmarked by shrapnel."[88]

The more complex, less flashy implications of the incident for humanitarianism, IHL norms, and human rights went unspoken. Instead, the media eagerly repeated NATO's explanation for the incident and moved on to focus on the spectacle of the scene of destruction. On May 8, the *Washington Post* conveyed NATO's admonition that it was "highly probable that a weapon went astray and hit civilian buildings," but that there was "no intent to harm civilians," and that the intended target had been the Nis airfield.[89] The article then proceeded to discuss the "dead pedestrians" and "shattered windows" at the scene, but made sure to close the article by again reasserting NATO's admonition that there was "'no intent to harm civilians' in [the] attack."[90] Likewise, while a *New York Times* article included only two sentences on the Nis incident, it made sure to note that "NATO said the bombs missed their target."[91]

Yet another *New York Times* article reported that "at least one bomb fell short of its target," and went on to note that "to counter what many officials here consider disproportionate attention to NATO's *mistakes*, the Pentagon today provided a compilation of reports of atrocities attributed to Mr. Milosevic's campaign of 'ethnic cleansing'."[92] In one sentence, this particular media presentation managed to uncritically

convey NATO's explanation for its most recent IHL violation, portray NATO in a positive light by contrasting its insignificant "mistakes" to Milosevic's crimes, *and* reinforce the idea that labels such as "ethnic cleansing" and "war crimes" were strictly reserved for the initial violator of human rights in Kosovo and not for the so-called humanitarian agents. In fact, shifting attention away from NATO's "mistakes" to the atrocities committed by Milosevic seemed to be a common theme in the media representations of the Nis incident. CNN also concluded its brief coverage of Nis by claiming that the incident constituted "more civilian destruction, which the Yugoslav authorities are now using as their latest weapon in their propaganda war against the West."[93]

Finally, regardless of the content of the media coverage of Nis, reporting of the incident was short lived, just as the Luzane incident and many others. The aforementioned handful of reports all occurred on May 7 and May 8. After these two days, there was not a single follow-up report on what had happened in Nis, despite several reports on May 8 claiming that it was still "unclear"[94] what had happened and that it was "probable" but not confirmed that a bomb went astray.[95] While some of this lack of follow-up may be attributed to the fact that a NATO missile struck the Chinese Embassy on May 8, leading the media to shift coverage to that incident, this fact raises more questions than it answers. Of the two incidents, Nis involved greater loss of life and more "collateral damage" (15 dead and an estimated 70 injured, many buildings and cars destroyed) and, arguably, involved graver breaches of IHL. Both incidents involved ostensibly blameworthy errors (allegedly running bombing missions based on an outdated map, dropping a bomb in a market instead of an airfield). Still, the Nis incident included the purposeful use of improper weapons (cluster bombs near a civilian area) at a time of day which maximized the likelihood of harm to civilians.

The Media in Kosovo: Some Conclusions

To put it mildly, investigative reporting and watchdog journalism were not at their finest in Kosovo. While NATO forces violated IHL on at least nine occasions, directly resulting in the death of 500 civilians, the media failed to even mention many of these incidents, let alone engage in any type of meaningful, independent reporting. As the Luzane and Nis incidents demonstrate, the media saw NATO's overt disrespect for IHL not as blatant violations, but rather as accidents or unfortunate but necessary "collateral damage" in a humanitarian war against

"violent Serbs" and their "dictator" Milosevic. Because NATO's violations were framed in this simplistic way, the media never reached critical underlying questions about NATO's conduct and its implications for IHL, and were thus unable to function as humanitarian mediators. This inability was further exacerbated by the media's reliance on official NATO reports as their primary source of information in their quest for real time reporting. This overreliance on NATO's own reports frequently led the Western media to stop reporting on a potential violation incident, and encouraged them instead to move on in search of the next spectacle before complete information about the incident was even available. Thus, rather than acting as humanitarian mediators, "the media replicated, often uncritically, the line of Western political leaders that this was a 'humanitarian intervention' on behalf of the Kosovo Albanians, and they marginalized dissent and debate about the legal and indeed wider moral implications about an enlarged NATO's new, post–Cold War role."[96]

CONCLUSION: MEDIA COVERAGE, WAR, AND HUMANITARIANISM

As the many humanitarian interventions in internal conflicts throughout the past decade have shown, the international community regards atrocities committed during war time as serious offenses, worthy of the expenditure of billions of dollars and the mobilization of troops in the name of justice, democracy, and the rule of law. However, as human rights NGOs such as Amnesty International and Human Rights Watch have clearly documented, the commission of IHL violations by humanitarian forces during such interventions is also a serious problem. In Kosovo alone, such violations resulted in the death of at least 500 civilians and the destruction of civilian hospitals, homes, and other property. This problem is aggravated by the fact that humanitarian forces often feel that they are exonerated from a duty to adhere to traditional IHL requirements by virtue of their asserted role as humanitarian agents. Since the conduct of these interventionist forces may at times exacerbate the lack of respect for IHL, there indeed exists a space of normative incompatibility between humanitarian law and military humanitarian interventions. As the intervening forces and their governments—the usual international watchdogs of human rights—are unlikely to report their own IHL violations publicly, this humanitarian gap remains to be filled.

Our question here has been whether the Western media can fill this gap by playing the role of humanitarian mediator by reporting on the lack of respect for IHL by so-called humanitarian forces in the context of military interventions. Given their significant role in the mediation and representation, and indeed in the public understanding, of modern wars (particularly humanitarian wars), the media have the ability to fill this gap. How actors in a conflict conduct themselves, and what opinions those viewing the conflict from afar come to develop are questions that are increasingly dependent upon the media's mediation of facts, events, and issues. As an example of the increased significance of the media's role in armed conflict, Philip Taylor points to NATO's strategic decision to target Radio Television Serbia's building as an indication of the growing significance of the media's active role in modern conflict.[97] Similarly, and in a manner reminiscent of what the U.S. military command did in the Gulf War,[98] many have observed that, when it comes to situating the Kosovo humanitarian intervention in a larger perspective, "history will remember that Shea [NATO's spokesperson in Kosovo] won the communications battle in a war fought largely through the media."[99]

However, while the media may have the potential to occupy the space of normative incompatibility given their position as mediators of modern wars, there seems to be a somewhat new but troubling tradition of war reporting that casts doubt on their ability/willingness to fulfill this role. In this new tradition, as already noted by scholars like Seaton and Edelman, the media tend to reduce political issues to simplistic, binary constructions that are more easily digested by the general public.[100] The recent war against terrorism and the fabrication by the Bush administration of an "Axis of Evil" theory adds more fuel to this media strategy and, as was seen in Afghanistan in 2001 and Iraq in 2003, justifies it. In Kosovo, the media simplistically divided the parties to the conflict, NATO and the Federal Republic of Yugoslavia (FRY), into one-dimensional categories. Presented as such, the game show of humanitarian interventionism in Kosovo was more easily followed by Western viewers. Media caricaturing added to the texture of this war spectacle as the FRY was consistently portrayed as the evil aggressor while NATO and U.S. forces were depicted as the positive, compassionate humanitarian saviors.[101] More significantly, once these ready-made categories had been fabricated out of the tangled web of events, facts, actors, and issues that actually made up the conflict, the Western media (in our case, U.S. media) generally refused to challenge or go beyond their own superficial representations.

The consequence of this media fiction of humanitarian engagement was that the post-intervention actions of NATO were also placed beyond the realm of media criticism. Because the motives behind the intervention were deemed to be inherently good, the media did not feel that NATO's conduct ever needed to be questioned. Rather, media representations framed NATO's often questionable conduct (including the nine incidents identified by Amnesty and HRW as violations of IHL) simplistically as accidents or unavoidable collateral damage. Consistent with their view of NATO's conduct as beyond reproach—but inconsistent with concepts of investigative journalism and democratic media—the media uncritically reproduced NATO's official explanations of these incidents. Instead of focusing on the implications of NATO's conduct for IHL, the media centered their attention on the spectacular images generated by NATO's conduct—the charred bodies of the victims, hospitals reduced to rubble, and grieving survivors—usually with the admonition that Milosevic was ultimately responsible for this unavoidable damage. Indeed, in their quest for real time reporting, journalists often moved on to the next spectacular image before all of the information about a particular NATO violation was available. As a result of the media's unwillingness to fill the humanitarian gap, NATO was given free reign to act as it pleased, something that is not conducive to promoting respect for existing norms of IHL, and that clearly goes against the so-called principle of responsible and investigative media.

We started this study by asking the question: Can the media play the role of humanitarian mediator by reporting on the lack of respect for IHL by so-called humanitarian forces in the context of military interventions? Our preliminary answer to this question is that they cannot. As long as the media remain unwilling to place the conduct of those who intervene with ostensibly good intentions within the realm of criticism, or to go beyond the readily accessible accounts of conflict broadcast by media emissaries, or to produce their own detailed, meaningful investigation of this conduct, there is little hope that they can fill the gap between military interventionism and the respect for humanitarian norms. Because the media are seemingly comfortable with the current model based on oversimplification, caricaturing, sensationalism, and sentimentalist spectacularization of events, actors, and issues—often presenting two sides only, one side as unquestionably positive, and the other as blatantly negative—they will go on to target (at a most superficial, almost gratuitous level) the party that has been negatively identified (the "evil doer"). They will also remain unable to change the

policies, beliefs, and ideologies of those they have positively identified (the so-called good guys), even when these policies have been shown not to work or to cause harm. Thus the media are caught in a loop inside which they keep reproducing the identities and policies that they themselves have constructed. While today's media may gain more viewership and produce more entertainment value out of all this, they are severely curtailing their "power of information" and their capacity to function as humanitarian mediators.

NOTES

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1. This certainly was the case with the U.S.-led Operation Restore Hope designed to support United Nations humanitarian efforts in Somalia from November 1992 to early 1994. The operation had been initiated by departing President George Bush Sr., who wanted to leave his imprint on U.S. foreign policy before leaving the White House. It was continued throughout 1993 by President Clinton who thought that the success of U.S. humanitarian troops in Somalia, showcased by U.S. media, would bring him the kind of popularity ratings that had been those of his predecessor immediately after the victory in the Gulf War in 1991. And the operation in Somalia was ended abruptly by Clinton himself at the end of 1993 and early 1994 when images from Somalia started to show U.S. troops ambushed and tortured in Mogadishu. For more on the many political objectives behind Operation Restore Hope in Somalia, see John L. Hirsch and Robert B. Oakley, *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (Washington, D.C.: United States Institute of Peace Press, 1995), and also François Debrix, *Re-Envisioning Peacekeeping: The United Nations and the Mobilization of Ideology* (Minneapolis: University of Minnesota Press, 1999), 97–134.

2. On the violations of humanitarian law and outright war crimes committed by U.S. interventionist forces in Afghanistan and Iraq, see the following articles published by Human Rights Watch: "Afghanistan: U.S. Military Should Investigate Civilian Deaths," HRW Documents on Afghanistan, December 13, 2003, available online at <www.hrw.org/press/2003/12/afghanistan121303.htm>; and "U.S.: Hundreds of Civilian Deaths in Iraq Were Preventable," HRW Documents on Iraq, December 12, 2003, available online at <www.hrw.org/press/2003/12/us-iraq-press.htm>. Human Rights Watch also recently released a more

in-depth study on human rights violations and lack of respect for IHL by U.S. troops in the war in Iraq in spring 2003. See Human Rights Watch, *Off Target: The Conduct of the War and Civilian Casualties in Iraq* (New York: Human Rights Watch, 2003).

3. In Afghanistan, for example, U.S. troops rounded up Taliban fighters and, in complete disregard for the Geneva conventions stipulations with respect to prisoners of war, placed them in sealed shipping containers where many eventually died. On this incident, see Kate Connolly and Rory McCarthy, "New Film Accuses U.S. of War Crimes," *The Guardian*, June 13, 2002, available at *The Guardian Unlimited* online edition: <www.guardian.co.uk/afghanistan/story/0,1284,736324,00.html>. Of course, one of the main reasons why such a degrading and inhumane treatment was justified by the U.S. military command (who initially denied the incident) was that the Bush administration had refused (and still does) to consider Taliban fighters enemy combatants and instead pegged them as terrorists (in effect placing them outside the scope of the Geneva conventions). For more on the Bush administration's position vis-à-vis the Taliban and the issue of prisoners of war, see Jeremy Rabkin, "After Guantanamo: The War over the Geneva Convention," *The National Interest* 68 (Summer 2002): 15–26. Another case in point is to be found in the more recent U.S.-led war in Iraq. In this conflict, only a few weeks after the United States had openly blamed the Iraqi regime for violating the laws of war by using Middle Eastern media networks to publicly display and humiliate U.S. prisoners of war, U.S. troops were found to actively encourage Iraqi looters to destroy and pillage public places like universities, churches, and museums in the fallen cities of Nasiriya and Baghdad, an attitude which is in open violation of the rule of humanitarian law that requires occupying forces to protect such sites as much as possible. See on this issue Jonathan Duffy, "U.S. Troops 'Encouraged' Iraqi Looters," *BBC News Online*, May 6, 2003, available at <news.bbc.co.uk/1/low/world/middle_east/300393.stm>.

4. The four 1949 Geneva Conventions are: Convention I for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949, 1950); Convention II for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949, 1950); Convention III Relative to the Treatment of Prisoners of War (1949, 1950); Convention IV Relative to the Treatment of Civilian Persons in Time of War (1949, 1950). These four conventions were supplemented by two protocols in 1977. These Protocols are: Protocol I Additional to the Geneva Conventions of August 12, 1949, and Relating to the Protection of Victims of International Armed Conflicts (1977, 1978); and Protocol II Additional the Geneva Conventions of August 12, 1949, and Relations to the Protection of Victims of

Non-International Armed Conflicts (1977, 1978). The dates placed between parentheses indicate the year of adoption and the year of entry into force of the treaty. The 1949 Geneva Conventions are reprinted in Roberts and Guelff, *Documents on the Law of War*, third edition (New York: Oxford University Press, 2000), 195–369. The two protocols are also in Roberts and Guelff, *Documents on the Law of War*, 419–512.

5. This was the case with the 1968 massacre in My Lai during the Vietnam War where dozens of non-combatants were killed by a U.S. infantry division under the direct command of First Lieutenant William Calley, Jr. Calley was eventually tried by court martial of the U.S. military, found guilty, and sentenced to life. Calley was later released on parole. While much publicity was granted to the Calley case, it was a far cry from a recognition of guilt on the part of the U.S. military and the U.S. government. In fact, by laying all the blame on Calley, the U.S. government managed to exonerate itself from much wrongdoing. As international legal scholar Kriangsak Kittichaisaree notes, the My Lai case is more to be seen as "a travesty of justice." See Kriangsak Kittichaisaree, *International Criminal Law* (Oxford: Oxford University Press, 2001), 41.

6. On this point, see Debrix, *Re-Envisioning Peacekeeping*, 97–134.

7. Lee Edwards, *Mediapolitik: How the Mass Media Have Transformed World Politics* (Washington, D.C.: Catholic University of America Press, 2001), 7–8.

8. Ibid., 11.

9. Edmund Lambeth, *Committed Journalism: An Ethic for the Profession* (Bloomington, IN: Indiana University Press, 1992).

10. See James Curran, "Rethinking Media and Democracy," in *Mass Media and Society*, eds. James Curran and Michael Gurevitch (London: Arnold, 2000), 120–54. See also on this topic Thomas Patterson, "Political Roles for the Journalist," in *The Politics of News: The News of Politics*, eds. Doris Graber, Denis McQuail, and Pippa Norris (Washington, D.C.: Congressional Quarterly Press, 1998), 17–32.

11. Curran, "Rethinking Media and Democracy," 121.

12. W. Lance Bennett, *News: The Politics of Illusion*, 4th Edition (New York: Longman, 2001), 195–96.

13. It is on those grounds that U.S. cable news network MSNBC fired one of its top correspondents, Peter Arnett, during the U.S. military offensive in Iraq in March–April 2003. See, for example, David Usborne, "The Iraq Conflict: NBC Sacks Veteran War Reporter over Iraqi TV Interview," *The Independent*, April 1, 2003, 6. Another U.S. news network, Fox News, also removed one of its leading reporters, Geraldo Rivera, from Iraq for revealing his exact location and

that of the U.S. troops with whom he was embedded. On the Rivera case, see David Bauder, "Rivera Dismisses Iraq Ejection Reports," *Associated Press News Service*, April 1, 2003, no page given.

14. See Patterson, "Political Roles for the Journalist," 17–32.

15. See David Paletz, "The Media and Public Policy," in *The Politics of News: The News of Politics*, eds. Doris Graber, Denis McQuail, and Pippa Norris (Washington, DC: Congressional Quarterly Press), 220. See also Barbara Pfetsch, "Government News Management," in *The Politics of News*, ibid., 70–93.

16. See Paletz, "The Media and Public Policy," 221.

17. Ibid., 60.

18. Ibid., 60.

19. See Rony Brauman, *Devant le Mal, Rwanda: Un Génocide en Direct* [Facing Evil, Rwanda: A Genocide Live], (Paris: Arléa, 1994); and Debrix, *Re-Envisioning Peacekeeping*.

20. Murray Edelman, *Constructing the Political Spectacle* (Chicago: University of Chicago Press, 1988), 1.

21. Edelman, *Constructing the Political Spectacle*, 7.

22. Debrix, *Re-Envisioning Peacekeeping*, 97–134.

23. Michael Ignatieff, "The Stories We Tell: Television and Humanitarian Aid," in *Hard Choices: Moral Dilemmas in Humanitarian Intervention*, ed. Jonathan Moore (Lanham, MD: Rowman and Littlefield, 1998), 298.

24. Brauman, *Devant le Mal, Rwanda*, 80–3.

25. See Daya Kishan Thussu, "Legitimizing 'Humanitarian Intervention'? CNN, NATO, and the Kosovo Crisis," *European Journal of Communication* 15, 3 (2000): 349; and Richard Vincent, "A Narrative Analysis of U.S. Press Coverage of Slobodan Milosevic and the Serbs in Kosovo," *European Journal of Communication* 15, 3 (2000): 326.

26. In the rest of this study, we mostly look at the attitude of U.S. media networks and U.S. national newspapers since their archives are more readily available to us and to most scholars interested in this topic. While it is no doubt a stretch to equate U.S. media with all Western media, we nonetheless believe that the attitude of U.S. television news networks and print journalists in humanitarian conflicts is representative of most Western media's behaviors. Since the early 1990s, CNN in particular has been considered by many to be a pioneer in the mode of information reporting that is found in the West today. The notion of the "CNN effect" is indicative of such a view. Thus we have chosen to emphasize CNN's reports in our study. We have also complemented those reports with an examination of stories produced by major domestic and international U.S.-based newspapers like the *New York Times*, the *Washington Post*, the *Los Angeles Times*, and the *Chicago Tribune*. To repeat, our study is mostly

interested in presenting some important preliminary findings regarding the ability and/or willingness of the Western media to serve as humanitarian mediators in the context of military humanitarian interventions. We believe, however, that this kind of study could be supplemented by a comparative media analysis, on Kosovo or in other contexts, that could introduce the role of other non-U.S. Western media and perhaps non-Western media as well.

27. See Marie-Janine Calic, "Kosovo in the Twentieth Century: A Historical Account," in *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, eds. Albrecht Schnabel and Ramesh Thakur (New York: United Nations University Press, 2000), 19–30.

28. See the various reports by nongovernmental organizations Human Rights Watch and Amnesty International in particular. These are discussed in detail later on in this section.

29. See Amnesty International, *Collateral Damage or Unlawful Killing? Violations of the Laws of War by NATO during Operation Allied Force* (New York: Amnesty International, 2000), available at <www.amnesty.org>.

30. Ibid., 22.

31. Ibid., 22–5.

32. Human Rights Watch, "Civilian Deaths in the NATO Air Campaign: A Summary" (Human Rights Watch, 2000), available at <www.hrw.org/reports/2000/nato/Natbm200.htm>, 1.

33. We are referring here to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (hereafter referred to as the Weapons Convention). This convention specifically limits the means of warfare that may be legally employed by combatants. Although it is quite extensive, this convention severely restricts and often prohibits the following general means of warfare: weapons that deposit non-detectable fragments, mines, booby-trap devices, incendiary weapons, and blinding lasers. The 1980 Weapons Convention also affirms the general principle that weapons that are "indiscriminate" or can cause "excessive" suffering are unlawful. The Weapons Convention is particularly useful since the United States has not yet ratified the 1977 Additional Protocols of the Geneva Conventions, but it has ratified the 1980 treaty (only in 1995 though). For the purpose of our analysis, we take the 1949 Geneva Conventions and the 1980 Weapons Convention to be all the more pertinent since the case of Kosovo we examine here involves mostly U.S. forces in the context of the NATO-led humanitarian intervention. For the text of the 1980 Weapons Convention, see 1980 UN Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed

to be Excessively Injurious or To Have Indiscriminate Effects (1980, 1983), reprinted in Roberts and Guelff (2000), 515–60.

34. Ibid., 3.

35. Amnesty International, *Collateral Damage or Unlawful Killing? Violations of the Laws of War by NATO during Operation Allied Force* (New York: Amnesty International, 2000), available at <www.amnesty.org>, 26–7.

36. Ibid., 54.

37. Brian Nelson, Alessio Vinci, David Ensor, "Pentagon Skeptical in Commuter Bus Bombing," *CNN*, May 1, 1999, no page given.

38. Ibid.

39. Donna Kelley, Brent Sadler, "Air-Raid Sirens Sound Again After Brief Bombing Pause in Belgrade," *CNN*, May 2, 1999, no page given.

40. Daryn Kagan, "NATO Briefing," *CNN*, May 7, 1999, no page given.

41. Philip Taylor, "Introduction," *European Journal of Communication* 15, 3 (2000): 294.

42. Vincent, "A Narrative Analysis of U.S. Press Coverage," 326–30.

43. Gene Randall, Matthew Chance, "Kosovar Refugees Struggle Towards Safety," *CNN*, March 14, 1999, no page given; and Judy Woodruff, Matthew Chance, "Macedonia Serving as Haven to Kosovar-Albanians Fleeing Serb Violence," *CNN*, March 22, 1999, no page given.

44. See for example Frank Sesno, Christiane Amanpour, Wolf Blitzer, Jamie McIntyre, "The Kosovo Crisis: Holbrooke Sees Bleakest Moment of Last Four Years; Clinton Tries to Rally Congressional Support," *CNN*, March 23, 1999 (claiming that "the Serbs ... were maintaining a very defiant public stance"), no page given; and Jim Clancy, Alessio Vinci, Jim Bittermann, Richard Roth, Bill Hemmer, Carl Rochelle, Richard Blystone, "Strike Against Yugoslavia: Another Burst of Refugees Streaming Out of Kosovo; Serbia Maintains Defiance in the Face of More NATO Attacks," *CNN*, April 18, 1999, no page given.

45. Thussu, "Legitimizing 'Humanitarian Intervention'?," 351–3.

46. Ibid., 352.

47. Brian Nelson, Brent Sadler, David Ensor, Martin Savidge, Christiane Amanpour, Alessio Vinci, Ben Wedeman, Jane Arraf, Mike Boettcher, John King, "Strike Against Yugoslavia: Attack on Belgrade," *CNN*, April 3, 1999, no page given.

48. Ibid., 331–7.

49. Thussu, "Legitimizing 'Humanitarian Intervention'?," 353.

50. Eric Schmitt, "Price of Civilian Deaths: NATO Debit, Serb Asset," *New York Times*, April 15, 1999, 13; our emphasis.

51. Craig Whitney, "Crisis in the Balkans: Deadly Error," *New York Times*, April 29, 1999, 15.

52. Eric Schmitt, "Allies Check Satellite Pictures for Evidence of War Crimes," *New York Times*, May 19, 1999, 11.

53. See Thussu, "Legitimizing 'Humanitarian Intervention'?," 353.

54. See Warren Strobel, *Late-Breaking Foreign Policy: The News Media's Influence on Peace Operations* (Washington, D.C.: United States Institute of Peace Press, 1997); and Fred Haliday, "Manipulation and Limits: Media Coverage of the Gulf War," in *The Media of Conflict: War Reporting and Representations of Ethnic Violence*, eds. Tim Allen and Jean Seaton (New York: Zed Books, 1999), 127–46.

55. Phillip Seib, *The Global Journalist: News and Conscience in a World of Conflict* (Lanham, MD: Rowman and Littlefield, 2002), 95.

56. Sherry Ricchiardi, "Searching for Truth in the Balkans," *American Journalism Review* (June 1999), 24; also quoted in Seib, *The Global Journalist*, 24.

57. Vincent, "A Narrative Analysis of U.S. Press Coverage," 337.

58. Bernard Shaw, Brent Sadler, Jim Clancy, Jamie McIntyre, Mike Bottcher, "Strike Against Yugoslavia: Serbia Accuses NATO of Bombing Civilian Convoy," *CNN*, April 14, 1999, no page given.

59. Ibid.

60. Deborah Marchini, Jim Hill, "Strike Against Yugoslavia: NATO Strikes Serb Television Station," *CNN*, April 23, 1999, no page given.

61. Donna Kelley, Martin Savidge, Charles Zewe, Anne Mcdermott, Jonathan Aiken, Paul Caron, Rhonda Rowland, Steve Salvatore, Ralph Begleiter, John King, Alessio Vinci, Bill Hemmer, Richard Blystone, "Columbine High School Shooting: Residents of Littleton Begin Spiritual and Physical Healing Process; Strike Against Yugoslavia: NATO Meeting Ends With Resolution to Block Oil Shipments Into Yugoslavia," *CNN*, April 25, 1999, no page given.

62. Amnesty International, *Collateral Damage or Unlawful Killing?*, 54.

63. Ibid., 54.

64. Ibid., 54.

65. Ibid., 55.

66. Brian Nelson, Alessio Vinci, David Ensor, "Pentagon Skeptical in Commuter Bus Bombing," *CNN*, May 1, 1999, no page given.

67. Donna Kelley, Brent Sadler, "Air-Raid Sirens Sound Again After Brief Bombing Pause in Belgrade," *CNN*, May 2, 1999, no page given.

68. Carlotta Gall, "Serbs Say Allied Missile Killed 34 On a Bus," *New York Times*, May 2, 1999, 15.

69. Steven Lee Myers, "NATO Says G.I. Releases Won't Alter the Air War," *New York Times*, May 2, 1999, 14.

70. See Daniel Williams, "Serbs Release POWs to Jackson; U.S. Confirms Downing of F-16; Pilot Rescued," *Washington Post*, May 2, 1999, 1; and Flynn

McRoberts, "Milosovic Releases 3 POWs; GIs Leave with Jackson for Croatia; Civil Rights Leader Says Serb Chief's Gesture 'Should Not be Ignored'," *Chicago Tribune*, May 2, 1999, C1.

71. Brian Nelson, Alessio Vinci, David Ensor, "Pentagon Skeptical in Commuter Bus Bombing," *CNN*, May 1, 1999, no page given.

72. Donna Kelley, Brent Sadler, "Air-Raid Sirens Sound Again After Brief Bombing Pause in Belgrade," *CNN*, May 2, 1999, no page given.

73. Flynn McRoberts, "Milosovic Releases 3 POWs; GIs Leave with Jackson for Croatia; Civil Rights Leader Says Serb Chief's Gesture 'Should Not be Ignored'," *Chicago Tribune*, May 2, 1999, C1.

74. See Kelley, "Air-Raid Sirens Sound Again After Brief Bombing Pause in Belgrade;" Gall, "Serbs Say Allied Missile Killed 34 On a Bus;" Myers, "NATO Says GI Releases Won't Alter the Air War;" and McRoberts, "Milosovic Releases 3 POWs; GIs Leave with Jackson for Croatia; Civil Rights Leader Says Serb Chief's Gesture 'Should Not be Ignored'."

75. Amnesty International, *Collateral Damage or Unlawful Killing? Violations of the Laws of War by NATO during Operation Allied Force, 55*.

76. Ibid., 56.

77. Ibid., 56–8.

78. Ibid., 57–8. While the Nis airfield was not actually very near to the market and hospital that were damaged in the incident, it is very close to a number of residential buildings that were actually damaged (resulting in three civilian casualties) during another attack on the airfield.

79. Ibid., 56–7.

80. "Serbs Say 15 Are Killed At Hospital And Market," *New York Times*, May 8, 1999, 7.

81. Daniel Williams, "Civilians Perish as NATO Cluster Bombs Hit Nis Neighborhood," *Washington Post*, May 8, 1999, A16.

82. Jeanne Meserve, Brent Sadler, Steve Harrigan, "Strike Against Yugoslavia: Western Reporters Visit Devastated Nis; Fragile Russian Politics May Hinder Peace Efforts," *CNN*, May 7, 1999, no page given.

83. Steven Lee Myers, "NATO Raid Hits Chinese Embassy; Beijing Cites 'Barbarian Act'; Allies Admit Striking Hospital," *New York Times*, May 8, 1999, 1.

84. Ibid.

85. Ibid.

86. Williams, "Civilians Perish as NATO Cluster Bombs Hit Nis Neighborhood."

87. "Serbs Say 15 Are Killed At Hospital And Market."

88. Williams, "Civilians Perish as NATO Cluster Bombs Hit Nis Neighborhood."

89. Ibid.

90. Ibid.

91. "Kosovo Update," *New York Times*, May 8, 1999, 6.

92. Myers, "NATO Raid Hits Chinese Embassy; Bejing Cites 'Barbarian Act'; Allies Admit Striking Hospital."

93. Meserve, "Strike Against Yugoslavia: Western Reporters Visit Devastated Nis; Fragile Russian Politics May Hinder Peace Efforts."

94. Ibid.

95. "Serbs Say 15 Are Killed At Hospital And Market"; and Williams, "Civilians Perish as NATO Cluster Bombs Hit Nis Neighborhood."

96. Taylor, "Introduction," 293–4.

97. Ibid., 295.

98. See Haliday, "Manipulation and Limits: Media Coverage of the Gulf War," 127–46.

99. Thussu, "Legitimizing 'Humanitarian Intervention'?," 349.

100. See Stig Nohrstedt, Sophia Kaitazi-Whitlock, Rune Ottosen, and Kristina Riegert, "From the Persian Gulf to Kosovo: War Journalism and Propaganda," *European Journal of Communication* 15, 3 (2000): 384.

101. Ibid., 384–5.