

# EU Agenda Setting in Kosovo: A Constructivist Read

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The EU's relationship to Kosovo is based on a post-conflict agenda, from which the development of democracy is prioritised. Yet, the EU's mission agenda in Kosovo is incoherent and there is a clear gap between what the EU's discourse propagates and what it actually implements (in terms of funding and financial allocation). This work explains the EU's agenda in Kosovo between 2005 and 2010 by looking at differences between the Union's textual mandate and the actions it has undertaken. Constructivism argues that such disparity has its own drawbacks in terms of self-perception and the self-identity of the EU. The work employs a framing methodology to operationalise the EU's discourse on its agenda towards Kosovo, revealing the rationale behind the EU's mission.

*Keywords: Agenda setting, EU, Kosovo, constructivism, post-conflict agenda, Balkans*

## Introduction

Since the cessation of hostilities between Kosovar Albanians and regular and paramilitary Serb forces, the EU has engaged in a wide assortment of programmes in the province-cum-state. The EU's Kosovo agenda includes post-conflict reconstruction, conflict resolution, state and institution building, human rights promotion and protection, enforcing the rule of law and democracy building. Maintaining such a broad agenda has, consequently, produced a certain fluidity in terms of priority setting; the timing, internal developments in Kosovo and dynamics within the EU itself, determine what is focused on in terms

of financial support and political energies.

Still, the EU's policy towards Kosovo's independence remains, theoretically, neutral since there has not been recognition 'en bloc'.<sup>1</sup> This reveals that the EU has no contractual relations with Kosovo as an independent country while it legally refers to Kosovo as defined by UNSC Resolution 1244.<sup>2</sup> Yet, statistically, the EU is the largest donor to Kosovo while the European Union Rule of Law Mission in Kosovo (EULEX, deployed in 2009) is the most robust EU mission to date, with more than 2000 active police officers and judges deployed for a population of less than 2 million.

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With the term, "EU mission," I refer to what is classically attributed only to EULEX. Ontologically, "EU mission" encompasses the entire set of EU structures and institutions present in Kosovo namely: the European Union Office in Kosovo, European Agency for Reconstruction (EAR) and EUSR and EULEX. Epistemologically though, EULEX is not included in the framing and analysis, since its mission statement is clear and its activities are inherently directed to rule of law.

This work analyses EU actions by evaluating EU funding to Kosovo throughout the 2005-2010 period. It employs framing of the EU's documents, of the ECLO and the EUSR respectively. Evidencing the incoherence between the EU's action and the EU's discourse, the work sets forward a constructivist analysis of the agenda of the EU as an external actor and seeks to determine what such incoherence says about the EU the EU mission to Kosovo.

## Conceptual Framework

### *Framing*

According to Abolafia, framing is a fundamentally political act; it represents a boundary, a schema of interpretation. Alternative frames may have significantly different policy consequences. As a result, framing is not haphazard. The statistics, reported events, and predictions that are at the narrative core of frames do not arrive in "raw form" at policy meetings.<sup>3</sup> Frames are therefore vulnerable to tampering and they are reinterpreted to fit changing situations.<sup>4</sup>

Of the 131 documents collected from ECLO and EUSR, I follow Swaffield's approach of first, mapping ideas, concepts and relationships of the terms used in EU documents on Kosovo.<sup>5</sup> Second, I looked for common patterns among these "categories" to search for what in-

terpretivist scholars refer to as “common frames of reference.” Finally, I identify and summarise the distinctive features of each common frame, to analyse the discourse of the EU mission and its implications on the EU agenda for Kosovo.

CEJISS  
1/2013

### *Agenda Setting*

There is a wide range of literature in “agenda” and “agenda-setting” studies. I will first present a solid definition of the terms, then focus on types of agendas and, third, the manner in which they materialise. Finally, I conceptualise the indications of agenda-setting.

Over the past two decades, scholars have approached the study of agenda-setting from a number of different perspectives. For instance, Kingdon examines agenda setting at the state level, defining the agenda as ‘a list of subjects or problems to which government officials and people outside of government closely associated with those officials, are paying some serious attention to at any given time.’<sup>6</sup> In contrast, Schattschneider, focuses on the way conflicts within (democratic) government processes are exploited or suppressed. For him, together with Baumgartner and Jones,<sup>7</sup> agenda-setting involves establishing priorities within a competitive, democratic system.<sup>8</sup> In terms of typology, Puentes suggests that there are two types of agendas; systemic (macro agendas) which includes the widest range of potential issues that might be considered for action by the government and that might be placed on the public agenda—and institutional (micro agendas) based on issues already under consideration of decision makers, legislatures or courts.<sup>9</sup> For Kingdon, different drivers thrust issues onto an agenda including (*intern alia*), an event or crisis, information/evidence from evaluations and existing programmes revealing that a situation requires attention; values, beliefs or motivations’, collective action of interest groups, protests, lobby, social movements, the media and political changes, etc.

The aforementioned inform on the notion of agenda on more organisational levels. In this work however, agenda is analysed based on the internal dynamics of the EU mission’s agenda in Kosovo where the EU is both an actor and a factor, which raises the importance of the EU agenda locally. Alternatively, since the EU is the largest donor per capita in Kosovo, the EU’s agenda is also important for the “EU in Brussels;” for decision-makers and public opinion. In this context, agenda consists of discourse, action, timing and financial resources.

Structurally, agenda is not merely a particular priority—the rule of law or state building—it represents a sequence of priorities. It is a multi-layered concept including a list of priorities, investment, sequences and timing. Indeed, the timing of a priority in this context defines its importance.

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Figure 1.  
EU Agenda  
in Kosovo

Comparing both dimensions of this agenda, this work deploys constructivism to explain how the inconsistencies between speech act priorities reflect on the character of the EU’s Kosovo mission.

*Inconsistency*

Defining “policy coherence” and “consistency” is difficult; there is no accepted universal definition of this subject. Consider a modest sampling of some of the leading authors in the literature. Gebhard suggests that ‘despite its over-use in the literature and in political debate, the notion of coherence is among the most frequently misinterpreted and misused concepts in EU foreign policy.’ Alternatively, Nuttall argues that coherence ‘may well have a broader signification’ than consistency. Similarly, Hoebink states that ‘coherence is synonymous with consistency.’ Krenzler and Schneider similarly define consistency ‘as coordinated, coherent behaviour (...)’.<sup>10</sup> It is important to note that, most often, authors use different terms (incoherence, inconsistency, ambiguity, discrepancy), as synonyms.

A large part of the literature looks at inconsistencies within the Common Foreign and Security Policy CFSP; since a key feature of the new European identity is based on “coherence” between the Member States. The Single European Act (SEA) emphasised the responsibility of the EU to speak with one voice and to act with consistency and soli-

clarity. The Maastricht Treaty—with the creation of the CFSP and the position of the High Representative—aimed to address some of the EU's coherence problems in its external affairs.<sup>11</sup>

The EU still struggles with problems of consistency and there remains doubt over its abilities to be coherent. Sjørusen and Nuttall note that such problems may be categorised as either vertical or horizontal: vertical implies that the foreign and security policies of individual Member States are out-of-sync with EU policies; horizontal is linked to the EU's involvement in various external activities that are part of different pillars.<sup>12</sup> In a slight deviation from Nuttall and Sjørusen, I refer to differences between the EU's discourse and actions. In practical terms, incoherence refers to the inner dynamics of the EU's mission agenda in Kosovo; derived when comparing the EU's allocation of funds and their implementation, and its discourse of how it sees itself. Coherence between action and discourse would indicate that they both work to maximise the utility of the agenda. As discussed below, incoherence reveals problems of agenda setting and ambiguities over the role of the EU in Kosovo.

Such internal incoherence may be explained in various ways. First, actors often have unclear goals, a point illustrated by Zaharidis who explains that because of time constraints and ambiguities decisions are made, and may be facilitated, by opacity.<sup>13</sup> Sharkansky on the other hand, maintains that the vagueness of objectives is a good way of coping with complex and conflicting political demands. For example, during the Yugoslav wars in the early 1990s, few national governments, with the exceptions of Germany and Greece, actually had a strong opinion about what to do. Second, according to Richardson when it comes to EU policies, jurisdictional boundaries are blurred, particularly in areas such as trade and foreign policy; where the Council, the Commission, and the Parliament share responsibilities. The result is turf battles and interagency conflict, making the process highly unstable<sup>14</sup>.

## Constructivism

To better understand the EU and its internal incoherence, constructivism is deployed. Yet, there is an unfolding debate about what constructivism exactly is, though its importance in the study of IR and foreign policy has increased because it touches upon (what used to be) neglected dimensions such as culture, identity and language in the study of IR,

after all, as Hynek and Teti argue, ‘constructivism provides the identity variable.’

The confusion over the definition of constructivism is both in the meta-theory structure as well as in the inside constructivist ontological debate. On one hand, for positivists, constructivism is one facet of sociological theories which explains culture and for many post-structuralists, constructivism is a general rubric in which many unrelated issues fit.

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On the other hand, different constructivists give different explanations, definitions and typologies on constructivism. One, key definition, is promoted by Ruggie who explains three types of constructivism: neo-classical constructivism—language oriented but committed to social sciences, with its main authors like Onuf, Kratochwil, Adler, Finnemore (etc); post-modernist constructivism—which rejects the idea of social sciences (with main authors like Nietzsche, Foucault, Derrida) and is anti-foundationalists, denying that discourses have a reality behind them; naturalistic constructivism—using Bhaskar’s scientific realism to defend ‘deep realism’ which might legitimise ‘scientific approaches.’<sup>15</sup>

Owing to this schizophrenic typology discourse on constructivism, this work seeks a reconciliation among three representative constructivist scholars, Wendt, Onuf and Kratochwil. By reconciliation I refer to the creation of a symbiosis of the three strands of constructivism which are not necessarily linked to one another. Yet, they address concepts by explaining the context and the processes mentioned in the work. This symbiosis provides an analytical definition of constructivism with Wendt’s constructivism focused on identity; Kratochwil’s constructivism focused on norms; and Onuf’s constructivism focused on rules. Overall, constructivism in this work is treated not solely as a theoretical pursuit *strictu sensu*; it is a way of thinking, observing and analysing the social reality.

Wendt, Kratochwil and Onuf represent different branches of constructivist thought which, from time to time, tend to be colliding with one another on core ontological issues (re: the primacy of structure). Despite differences, “thick” or “thin,” “critical” or “conventional,” “liberal” or “realist,” constructivists of all tendencies share at least two core premises. First, the focus on social facts as parts of the world that are treated as if they were real by social agents.<sup>16</sup> Second, the paradigmatic question of a constructivist work: how are social facts socially constructed and how do they affect politics? Similarly, Wendt, Onuf

and Kratochwil, retain the constructed “reality” as a reference point. Wendt talks about reality of international politics, Kratochwil focuses on everyday reality while Onuf’s work is informed by reality as raw material—its ontological and conceptual foundations. In her renowned post structuralist critique of Wendt, Onuf and Kratochwil, Zehfuss contends that in contradiction with the assumption that the world is socially constructed, many constructivists claim a reality as a starting point, thus partaking in the ‘politics of reality’ naming them as acts of essentialisation (essentialisation of reality, identity, intersubjectivity, etc). In Zehfuss’ words, it is clear that observation is interpretation: ‘social reality is a web of intersubjective meanings, and meanings cannot be studied in any “objective” way.’<sup>17</sup>

Wendt has tried to bridge a gap between the realist liberal and rationalist-reflectivist debates drawn from structurationist and symbolic interactionist sociology, on behalf of the liberal claim that international institutions can transform state identities and interests.<sup>18</sup> Accordingly, constructivism might contribute significantly and thereby perhaps itself be enriched with liberal insights about learning and cognition which it has neglected. Wendt argues that actors acquire identities, ‘relatively stable, role specific understandings and expectations about self—by participating in such collective meanings. Identities are inherently rational: Identity, with its appropriate attachments of psychological reality, is always identity within a specific, socially constructed world.’<sup>19</sup>

Onuf’s rule-oriented constructivism on the other hand, is more of a way of studying social relations as systems of concepts and propositions. It remains—as much as possible—on the level of ontology. Independently, it offers no specific theory on the study of IR or foreign policy. It helps make sense of what is learnt in studying IR by sorting material into categories: agents, structures, institutions, type of rules.<sup>20</sup> For Onuf (and constructivists of similar dispositions), language has performative capacities. In other words speaking is doing. As communication is social act, so is knowledge. This is the bridge that constructivists offer between ontology and epistemology.

In his explanation on constructivism, Kratochwil argues that ‘the emergence of a moral point of view can advance us towards a solution.’<sup>21</sup> For him, norms provide the ‘basis of a reasoning process in which some violations of the rules are classified as excusable, whilst others are not.’ Whether an action can obtain support depends on the definition of the situation, on what it is seen as an instance of. Therefore, he con-

tinues, the justification given for a particular course of action provides an important indication for its appraisal.<sup>22</sup> When it comes to politics, a general point in constructivism is that interests and derived policies are shaped within a particular framework of meaning and are not exogenously given.<sup>23</sup>

Building on the symbiosis of such three layered constructivism, the EU can be seen as an entity on its way to forming and shaping its collective identity which is socially and institutionally created. It sees itself operating based on certain norms and rules (such as democracy, human rights and the rule of law) and tries to establish this paradigm through its discourse of putting these values at the forefront. According to Larsen, what the EU performs outside of the EU, displays the EU's constructed role as an international actor, the values it is based on: the 'EU's staunch discourse on values and norms for rule of law and democracy building mirror the same principles and values the EU was built upon at its very foundation—values which it wants to see being transposed outside of its borders.'<sup>24</sup>

Speaking on the relationship between discourse and identity, another well-known constructivist, Aggestem, argues that the conception of one's identity leads to the conception of the roles too. He explains how cultural norms and values are translated into verbal statements about expected foreign policy behaviour adding that foreign policy is essentially interconnected with the identity.

## Defining Action

As explained, action denotes the materialisation of the EU's mission; the allocation of funds and material implementation of financial resources in different sectors. In order to analyse the logic of EU funding, a periodisation (in political terms) of funds is necessary, which is before and after the declaration of independence, (2005-2008) and (2008-2010). Prior to embarking on such an analysis, it is essential to provide an overview of EU activities in the pre-2005 period to better understand the trajectory of the EU's philosophy in engaging with Kosovo.

### *EU Funding, 1999-2007*

In the aftermath of Operation Allied Force (1999), the EU was under UNMIK Pillar IV—EAR38—which ran reconstruction and economic development projects in Kosovo. The “Economic and Social Devel-



opment” component included enterprise development (privatisation), rural economy and vocational training. Moravcsik and Baldwin explain that the EU’s activism at that time cannot be explained within a purely rationalist theoretical framework.<sup>25</sup> A core explanation for this was the pressure to respond quickly to the crisis and set the region to normalisation. The following table gives an overview of EU funding (1999-2007).

Sector	Amount in million €
Democratic Stabilisation	44
Minority rights and returns	33
Civil society and media	11
Good governance and institution building	176
Justice, police and border management	45
Public administration reform	131
Economic and Social development	695
Economic strategy and enterprise development	94
Rural economy	68
Energy	401
Environment	65
Vocational training	16
Transport	52
TOTAL	915

Table 2.  
EU funds as  
allocated per  
sector during  
1999-2007,  
Personal  
Elaboration<sup>26</sup>

This information indicates that the EU’s investment for economic reconstruction and development is almost five times higher in comparison to other criteria falling under rule of law or democracy building. Kosovo is the poorest country in Europe with an unemployment rate of between 40%-49%.<sup>27</sup> Energy on the other hand, remains a pertinent problem for Kosovo due to insufficient production and mismanagement.

### *IPA Funding, Post-2007*

In 2007, Kosovo became eligible for the IPA mechanism with €100 million per year in funding was given to fulfil the European Integration agenda; that is, political requirements, socio-economic requirements and European standards. Below, the analysis of IPA funds (2007-2010)

is presented to see how they were allocated, prioritised and implemented.<sup>28</sup>

Year	Amount in million
2007	68.3
2008	184.7
2009	106.1
2010	70.0
TOTAL	429.1

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Table 3.  
IPA Funds  
Allocated for  
Kosovo  
(2007-2010)

In 2007, IPA projects implemented in Kosovo were primarily political in nature with the main sources allocated to build Kosovo’s institutional capacities, strengthening the rule of law, facilitate returnees and cultural heritage, local governance and decentralisation.<sup>29</sup> Also, projects on ‘developing an economic environment for all Kosovo’s communities,’ reconstruction of roads and bridges were implemented. In 2008, the year with the greatest budget from the IPA for Kosovo, projects on strengthening the rule of law, rehabilitation of cultural heritage, support for Agency for European Integration, support for media and civil society, and preparation for agricultural and rural development policy were the main projects implemented. Similarly, 2009’s projects were also implemented along political lines, namely in support for the rule of law, human resources, cultural heritage, returnees (etc). Friis and Murphy explain that the EU’s self-understanding as an organisation which has peace and democracy as its defining values was critical too in determining the policy choices made.<sup>30</sup> “Crisis management and stability” is the paradigmatic concept within which the EU mission in Kosovo has been operated.

## Defining Discourse

Framing is used to explain the EU’s discourse in Kosovo, the logic behind the language used and its implications in the political context. The EU has embarked on a crisis management mission for which issues of “stability” and “security” represent the paradigmatic framework of the discourse. Before proceeding, it is important to explain what security and stability mean for the EU and how is that translated in the context of Kosovo.

First, security for the Western Balkans (in general) and Kosovo (in

particular) is largely seen under the crisis management policy of the EU.<sup>31</sup> In the correspondence of reports between the UNSC and EULEX (2008-2009) on the situation in Kosovo, security and stability (interchangeably used) are used to describe the “calm situation” and non-ethnically driven frictions between local Serbs and Albanians.<sup>32</sup> From a broader paradigm of the EU’s concept of dealing with a post conflict society, the issue of rule of law—customs, judiciary and the police—are vital pillars of state and societal security.

The correspondence and newsletters of the EU Liaison Office to Kosovo (ECLo) and speeches of the EUSR in Kosovo between 2005-2010 have been reviewed for analysis. What is traced in these texts are: 1) to what extent numerically the terms “economic development” and “rule of law” were mentioned. The higher the number of one category mentioned indicates the importance the EU attaches rhetorically; 2) what is the context and the framing of these two categories?

What was revealed is that while the EU, financially, invests six times more to “Economic and Social Development,” the discourse (numerically speaking), is three to four times more stressed for rule of law and a multi-ethnic society.

Table 2.  
Discourse  
Analysis  
from ECLo  
newsletters  
and EUSR  
speeches.

Year	Democ- racy	Rule of law	Economic Development	Decentralisa- tion	Minorities
2010	27	53	41	8	41
2009	8	46	29	7	36
2008 <sup>33</sup>	11	32	40	4	46
2007	1	5	4		2
2006	5	10	6	6	
2005	7	7	12	3	7
TOTAL	59	153	132	28	132

For framing, terms related to “economic development” (economic prosperity, economic recovery) are mostly mentioned towards the end of a text/speech. These terms are usually mentioned not as the main variable in a sentence, rather they serve as an adjacent to other variables such as ‘the strengthening of rule of law will certainly improve the stability and will provide grounds for economic development.’

Further, the mentioning of the term “economic development” is

rarely a figure speech or an analysis as with the “rule of law” or “minorities.” “Economic development,” when mentioned, is most often used to indicate a concrete/practical project invested in by the EU. It is interesting to note that in the majority of such cases the epicentre of the speech is not at the financed project for economic development as such; it is explained as setting forward the rationale of multi-ethnicity and reconciliation. One of the catch phrases most often found is “developing economy for all communities.” This practice is not solely used with the “economic development” criteria though. Projects on rural development, short film documentary, Dokufest, or the funding for the Jazz and Blues festival are framed in a way that these developments will help to bring all communities together.

Constructivist scholars argue that political ideas and perceptions are assumed to be part of the cognitive structures that give meaning to the material world.<sup>34</sup> The key elements mentioned denoting these documents—thus the three cognitive structures of the EU mission in Kosovo are 1) minorities; 2) the rule of law; and 3) reconciliation. Having these three frames in the broader paradigm of security and stability for the country and therefore, stability for the region, there is a reassertion of the EU’s role conception of a mechanism strengthening this norm. Wendt argues that the process of EU integration is leading towards a “cognitive” security system in which states identify positively with one another so that the security of each is perceived responsibility of all.

## Evaluation

Viewing the EU as an external actor, Holsti proposes looking at role theory through which he explores the link between social context and foreign policy. First, Holsti distinguishes between role expectation; what the EU is expected or predicted to deliver. Here the focus is on the receiving subject, the local reality in Kosovo. Taken to the post-conflict setting, evidence of EU action—focused on economic recovery and development—finds ground for delivering the threshold for further stages of development in a war torn setting.

Second, Holsti argues on role conception, which is the normative expectation on which the EU is seen to operate and function. The role conception has, as its focus, the EU itself and the way the EU sees what it is bound to. The EU’s discourse sets forward the idea of a mechanism whose role is to bring order in terms of the rule of law, democracy promotion and post-conflict reconciliation. The assertion of the

EU's discourse as a watchdog of the rule of law and democracy discourse—shadowing the vast material investment in other areas such as economic development—is an indication of what the EU wants to be perceived and seen on the ground.

Third, in exploring the link between social context and foreign policy, Holsti talks on the role performance which he defines as action. As explained, action is understood as the concrete materialisation of the EU's attention and funds, which is the focus on economic development and reconstruction.<sup>35</sup>

It is important to note that the fluidity of the term “action” can be looked at also as a rhetoric/discourse/’action voice.’ It is equally important to distinguish whether action or discourse matters for the EU more. If sticking with Onuf’s argumentation on language and discourse according to which ‘speaking is doing,’ the EU in Kosovo is materialising what Holsti denotes the ‘role conception’ of a rule of law and democracy actor. However, what Onuf falls short of explaining, is if ‘speaking is doing’ what would ‘actual action’ indicate for the EU as an external actor!?

According to Jorgensen, the deployment and the politics of the CFSP have produced a significant ontological dimension for the EU as an external actor. The problems with the vertical and horizontal inconsistency in terms of the CFSP have had the identity question of “who we are.” Looking at the EU mission in Kosovo, it can be argued that the identity issue is uncertain both ontologically and epistemologically. From a constructivist perspective, Diez agreed that the political discourse on normative power is an essential dimension of the EU’s strategy to assert its power on the international scene. For him, this strategy leads to a specific identity building process defining both the EU’s self and its relations with “others.”<sup>36</sup>

From this perspective, Larsen argues that discourse is a constitutive element of social life, since reality always needs to be discursively interpreted to be meaningful. If there is a search for an “underlying reality” beneath competing discourses, it rather has to be located within discourse itself: more “sedimented” discourses,<sup>37</sup> or “governing statements,”<sup>38</sup> may accommodate the clash of competing discursive formations at a lower level of abstraction.<sup>39</sup> This philosophical constructivist position, then, amounts to a political theory of discourses as slowly, yet constantly, shifting structures that sustain common knowledge claims, world views, institutions and values in a society.

However, Larsen warns that the reduction of most aspects of social

reality and politics to discourse may stretch the notion too far. Consequently, employing the compromise of Schmidt gives more insights on the context. According to Schmidt, the variant of political discourse analysis is hesitant about overarching effects of discourses taken in isolation, or sceptical that politics is ‘ideas all the way down.’<sup>40</sup> This assumes that discourses have some impact in terms of framing perception, legitimising actions and, most importantly, mediating processes of change, but that his impact is highly dependent on structural context. Discourse is, therefore, only to be thought of as a theoretical addition, in particular to other “institutionalisms” in political science.<sup>41</sup>

## Conclusion

EU funding for economic development versus the rule of law throughout (1999-2007) sit at a ratio of 695:220. This is remarkable evidence not to have been “felt,” “perceived” or “acknowledged” and, as such, proclaimed as an investment for the development concept the EU has for Kosovo. At the popular [mass] level, the EU has not made enough “publicity” of its involvement in economic development. As a result, the EU is often criticised for not “doing enough” to support economic alleviation. Alternatively, similar to its practice at the popular [mass] level, the EU is “reluctant” to reveal (not publicise) its role and support on economic achievements not only for discourse analysis but also in more targeted settings such as interviews and public debates. At best, the discourse would pinpoint examples of economic support for human rights projects, minority issues and returnees and reintegration; lending much to the political agenda of these projects.

It can be argued that, by implication (of the context), the EU mission is more focused on rule of law and democracy building because in the lens of the EU’s foreign policy, the rule of law and democracy building come before economic development in the context of Kosovo. The norms (Kratochwil) and rules (Onuf)—based on which of the EU functions—attribute the latter with a strong commitment to rule of law and democratic principles. In addition, the speech acts and the EU discourse not only cements this attribution but from time to time, it tends to overshadow its investment and support in other areas which are not part of the package of rules and norms the EU sees itself acting upon. This “dislodgment of target” can be looked at as shuttle movements in search of an established identity as an international actor.

Constructivism lends significant weight to social or subjective forc-

es not just to “objective” or material. In this respect, constructivist theoreticians, while focusing on the features already elaborated, give a rather marginalised depiction of the role of “law” in pursuing a valid analysis in foreign policy. They pose questions, what is the normative constitution in new political regimes? What is the rule of law in societies undergoing massive political changes? The argument for not taking the role of “law” into account, according to constructivists, is that in most transition countries justice and rule of law are unsettled; they are in the making. Even in cases where the “making of” is complete, there is a large gap between the law as written and as perceived. Consequently, what matters in establishing the rule of law is legal culture, not abstract universal ideas of justice.

The first awkward constructivist component related to the EU’s mission in Kosovo is the idea of presence and being as power. According to Derrida’s argument on the valorisation of power, the valorisation of the real over the represented power is a feature of Western thought which understands being as presence. If, for simplification reasons, the EU would be set in the Western thought, it seems that the valorisation of the represented power over the real one appears more important for the EU mission in Kosovo. Yet, Derrida also implies that portrayal of something as real and indeed the assertion of knowledge about what reality is have immense political power.

The second pitfall is the risk of entrapment in spoken word. Pettman argues that as talking species we prioritise speech, ‘but in doing so we tend to neglect what else is going on. We neglect the silent languages that are revealing of context and milieu.’<sup>42</sup> Therefore, failing to understand the speech we hear in its own political cultural terms, which may well be very different from our own.

The discourse-action inconsistency evidenced with EU’s perceived and actual role indicates the trajectory of identity formation of the EU as an international actor and the searching for positioning. According to Wendt, what matters is whether and how far social identities involve and identification with the fate of the other. Politics is inextricably linked to what it is to be, that is interpreting oneself and one’s surroundings.

When reflecting on the ethical dimension of EU external affairs, an obvious approach would be to analyse the EU’s rhetoric and self-image as an ‘ethical power’ and to contrast it with the EU’s concrete actions and real capabilities. Identifying a serious gap between the rhetoric and action, ambition and implementation, expectation and capabil-

ity, would shed light on the EU's conceptual agenda for its mission in Kosovo. According to Mayer, messages sent by the EU are filtered by genuine and/or deliberate and self-interested 'hearing problems.' By this incoherence, not only does the EU send unclear messages, non-Europeans are often reluctant to listen. Additionally, issues are "lost in translation" and sometimes players twist the message to suit their own interests.

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## Notes

- 1 22/27 EU countries recognise Kosovo's independence; Spain, Greece, Romania, Cyprus and Slovakia do not.
- 2 Adopted 10 June 1999, UNSC Resolution 1244 authorised an international civil and military presence in Kosovo and established the United Nations Interim Administration Mission in Kosovo, UNMIK.
- 3 William A. Gamson, *Talking Politics*, 67.
- 4 Erving Goffman, quoted in *Ibid*, p. 67.
- 5 Simon Swaffield (1998), 'Contextual Meanings in Policy Discourse: A Case Study of Language Use Concerning Resource Policy in the New Zealand High Country,' *Policy Sciences*, 3:31, pp. 199-224.
- 6 J. W. Kingdon (1995), *Agendas, Alternatives, and Public Policies*, 2nd edition, NY: HarperCollins.
- 7 Cobb and Elder (1983); Nelson (1984); Stone (1997).
- 8 Kingdon (1995).
- 9 Cristina Puentes (2007), 'Policy Analysis and Decision Making,' Paper presented at Bridgetown, Barbados, 15-17 October 2007.
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- 12 Helene Sjurson (2004), 'Contemporary European Foreign Policy,' in Knud Erik Jorgensen (ed) (2004), *European Foreign Policy: Conceptualising the Domain*, pp. 32-56.
- 13 Nikolaidis Zaharidis (2007), 'Ambiguity and Choice in European Public Policy,' Paper presented at the biannual meeting of the European Union Studies Association, Montreal, Canada, 17-19 May 2007.
- 14 Jeremy Richardson (2007), 'Not a Bad Pillar of Democracy After All?' pp. 272-279.



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