Chapter 2 Assessing Normative Power in Peacebuilding: A Theoretical Framework



2.1 The EU's Path to Becoming a Peacebuilding Actor

The EC—the EU's predecessor—was already evolving as a security actor during the Cold War, mainly with its structural policies aimed at cooperation with developing nations. These policies were introduced as an instrument of long-term peacebuilding in line with the ideological background that economically stable societies are less like to descend into armed conflict (van de Walle 2004). However, despite several attempts to develop supranational security policies—the European Defence Community (EDC) in the 1950s, the Fouchet Plan in 1960—the member states pursued security actions and arrangements separately, not together. Accordingly, security was kept off the common political agenda until the late 1960s when European political cooperation produced a few modest success stories (Gross and Juncos 2011).

Nevertheless, when the period of bipolar confrontation following the Union of Soviet Socialist Republics' (USSR, Soviet Union) dissolution had come to an end, the EC/EU had to face a series of security challenges, with the main ones being in its immediate vicinity (e.g. wars in former SFRY; conflicts in the Middle East; instability in North Africa). The idea the EU could have a stake in building peace around the world emerged as a visible objective of the Union's European Security and Defence Policy (ESDP) and the Common Foreign and Security Policy (CFSP) (Stewart 2006, 12). Therefore, over the last 20 years the EU has transformed from being a product of peace only to a major international security actor that seeks to influence security contexts beyond its borders (Gross and Juncos 2011, 3).

This chapter has three parts. First, it explores the development of peacebuilding as a theoretical concept and considers the conceptualisation of peacebuilding as understood by the EU. Second, the chapter examines the elaboration and formation of the EU's policies and approaches to peacebuilding, in particular which events and motivations impacted EU member states in the process of forming the CFSP and ESDP, or nowadays the CSDP. Finally, the chapter outlines the concept of

normative power, which is a key theoretical foundation of the book. It does so by exploring the term 'normative power Europe' coined by Manners (2002) and delving further into this theoretical concept.

2.1.1 Conceptualising Peacebuilding

The nature of conflicts in the post-Cold War period is unlike the previous bipolar confrontation of the two major geopolitical blocs. The continued increasing trend of intra-state conflicts after the end of the Cold War and, importantly, the recognition that even intra-state conflicts are to be understood as threats to international peace and security led to international actors' greater ambitions to intervene and prevent violence, therefore accelerating interest in conflict prevention techniques (Stewart 2006, 27–28). In addition, the outcomes of conflicts and the expanded 'scope of peace' in conflict-affected societies attracted ever more attention of actors in the international arena. Other aspects of security (economic, societal, psychological, political, ecological etc.) received more attention from both scholars and policymakers (Buzan 1991; Grizold 1998).

The central idea behind such perceptions is that "while conflict is normal, violent conflict within and between societies arises from and is sustained by unfortunate attitudes and defective social arrangements" (Morgan 2006). The idea underlying those attitudes and arrangements is not necessarily to be taken as a given, but can be mitigated and corrected. The pioneer of the term "peacebuilding" was Johan Galtung (1976, 297). He similarly argued this can be achieved if peacebuilding actors find structures "that remove causes of wars and offer alternatives to war in situations where wars might occur". Brown (1996) further developed the argument about the underlying causes (structural, political, economic/social and cultural/perceptual) and catalytic factors or proximate causes of conflict (internal and external mass-level factors and external and internal elite-level factors)—addressing them should be the goal of peacebuilding.

The question of when a peacebuilding intervention—comprising the application of several instruments—should begin is vital for scholars in the field. Although usually connected with a post-conflict setting and hence used in the aftermath of a conflict, former United Nations Secretary-General (UNSG) Boutros Boutros-Ghali defined the UN's peacebuilding activities as *preventive* and *post-conflict* in a way that similar or even the same peacebuilding strategies can be applied in different stages of a conflict. In other words, peacebuilding was no longer limited to post-conflict settings but was newly conceptualised to mean a set of similar or the same institutional, economic and social activities introduced to help stabilise a given society (Gross and Juncos 2011).

Peacebuilding is therefore essentially long-term conflict prevention and entails the activities of structural conflict prevention in a conflict-prone setting, pre- or post-conflict. Thus, while the different phases of the conflict circle might require different mechanisms and approaches, they cannot be kept separate as a conflict can move back and forth between stages of the conflict cycle (Duke and Courtier 2009, 4). In other words, a conflict can again escalate and turn violent even though at first sight it seemed the conflict was phasing out.

Over time, different visions, notions and conceptualisations of peacebuilding have evolved. Call (2015, 2–3) notes that initially attention was dedicated to the international monitoring of peace agreements and capacities for their effective implementation. Later on, the focus expanded to reform, monitoring and advising with regard to "political, human rights, electoral, disarmament and demobilisation, humanitarian assistance and policing tasks" (ibid.). Based on analyses of case studies and cross-country comparisons, researchers have tried to identify what exactly is in the basket of activities international actors should be using to be successful peacebuilding actors in a post-conflict society. All this led to the development of theories on peacebuilding (Lambourne and Herro 2008).

Stedman and Rothchild (1996) identify four conditions ("sorts of security") upon which successful peacebuilding relies: military, political, cultural and economic security. Schwarz (2005) argues that peacebuilding actors should address security, welfare and representation in a post-conflict society. Samuels (2006) focuses on constitution-building as a precondition for transforming governance, which should be the basis for peacebuilding. Paris (2004) outlines the failures of liberal peacebuilding through the democratisation and marketisation processes. Call (2015, 3) peacebuilding move suggests that actors should awav from international-footprint peacebuilding" since some of these early notions of the concept proved to be "short-sighted, overly optimistic, insufficiently nuanced and unrepresentative of global perspectives". Reychler (2004) connects sustainable peace with the notion of peacebuilding and refers to the absence of physical violence, elimination of discrimination, high levels of legitimacy and the ability to constructively transform a conflict.

Some peacebuilding failures in the 1990s were followed by criticism of the liberal design of peacebuilding; the so-called top-down approach in peacebuilding that chiefly emerged early on in the theory's development could no longer satisfactorily explain the complexity of the current developments in post-conflict areas (Leonardsson and Rudd 2015; Qehaja 2017). Critics argued that research attention should be refocused to move away from big and influential international actors to, for example, 'ordinary people'. Authors like Pickering (2007); Mac Ginty (2010) and Paffenholz (2010) wanted to know how these 'ordinary people' build the micro-foundations of peace and to examine their role as peacebuilding actors in these processes.

The discussion within this approach has two central dimensions of the 'local turn in peacebuilding'. The first refers to the local in peacebuilding as a way of enhancing effectiveness. It emphasises local ownership and local capacity-building, as well as local governance models as pillars of peacebuilding (Menkhaus 2006; Bland 2007; Klem and Frerks 2008; Hayman 2010; Siegle and O'Mahony 2010; Björkdahl and Gusic 2013). The second dimension orients to the local as a means of emancipating the 'voices from below' and argues for the inclusion of local agency

in peacebuilding analyses (Lundy and McGovern 2008; Autesserre 2010; Paffenholz 2010; Mac Ginty 2010; Richmond 2013; Qehaja 2017).

Some ideas have proven valuable in the long term. This led several international actors to ensure their institutional development regarding peacebuilding also incorporated these ideas by encompassing 'traditional knowledge', built on the experiences of international organisations in the field, states' interests, bureaucratic tendencies, and resource limitations (Call 2015, 3). These 'good practices' are multi-faceted and include a commitment to establishing military, legal, political, economic, social, cultural and psychosocial conditions in a post-conflict society able to promote a culture of peace. They seem to be transformative in terms of changing the relations into sustainable partnerships. Thus, some authors (Lederach 2000; Pugh 2000; Stover and Weinstein 2004; Barnes 2006) contend that such actions should be contextual, meaning they take particular cultural and conflict contexts into account and that local civil society's participation and representation in the peacebuilding processes is vital. Hence, in theory the current prevailing view is there is a need for 'a transdisciplinary mind-set' that encompasses lessons and insights from many perspectives (multidimensionality and inter-disciplinarity) and creates a more contextual, inclusive and holistic peacebuilding theory, with practical applicability (Lambourne and Herro 2008).

However, as Barnett et al. (2007, 53) point out, the problem of the concept's multidimensionality is that while all peacebuilding actors might support the idea of building peace, "they will operate with considerable differences of interpretation regarding the meaning and practice of peacebuilding", since they will all adopt a meaning, activities and policies of peacebuilding that is consistent with their interests, worldviews and mandates. This may suggest that all international peacebuilding cooperation is inherently political and that different peacebuilding actors will act according to various strategies for achieving durable peace in a given post-conflict society that are not necessarily solely based on 'best practices' arising from experience. This indicates peacebuilding could ultimately be a political accomplishment that "might be settled by bureaucratic and political power" (Barnett et al. 2007, 54). Moreover, the lack of a clear definition of the concept or accompanying strategy could produce an outcome which "can be challenged by efficiency, coordination and sustainability issues" (Duke and Courtier 2009, 4).

2.1.2 The EU's Understanding of Peacebuilding

Growing interest in the conceptualisation of peacebuilding in 'EU terms' emerged in European studies alongside the EU's institutional and policy development (Gross and Juncos 2011, 3). As Natorski (2011, 2) argues, this was not part of any preconceived general policy. The approach of the EU to peacebuilding instead emerged in response to events in the international community and general international discussions on peacebuilding. Later on, the EU adopted a mixed set of

white papers, strategic documents and guidelines that were gradually translated and incorporated into its activities.

Gross and Juncos (2011) note that even EU officials have no clear picture of what peacebuilding actually entails. Further, the various EU institutions (agencies, directorates, EU delegations in foreign countries etc.) do not always agree on understanding of the term. In the Commission's vocabulary, peacebuilding is an instrument for preventing conflict. The latter generally refers to both long-term and short-term measures, including not only rapid preventive reactions to conflicts on the verge of erupting, but also preventing further escalation of current conflicts, including post-conflict stabilisation. As an activity covering all stages occurring before and after the start of conflict, it may be applied to all phases of a conflict, including in peace (ibid.).

Yet the Council uses different wording. In its perspective, peacebuilding forms part of crisis management and thus includes state-building, confidence-building and monitoring activities during the post-conflict stabilisation phase. There is hence a real possibility of the Commission and the Council's instruments overlapping each other in the post-conflict stabilisation phase. Nonetheless, in practice developments have gradually blurred the distinction between the definitions within the EU framework (ibid.).

The current EU approach to peacebuilding therefore entails numerous strategies, practices and instruments. The EU toolbox includes the CSDP missions which serve as a more operational face of peacebuilding as opposed to the structural side (development cooperation, humanitarian aid, improvement of trade policies and other areas in the Commission's domain). These are the 'Council's prerogative' and include both civilian peacebuilding (civilian crisis management) and military crisis management (military operations).

In the context of CSDP missions, the EU also relies on the instruments of disarmament, demobilisation, post-conflict monitoring and security sector reform. the expanded toolbox in the missions includes "tackling trans-regional and cross-border threats such as terrorism, illegal immigration, trafficking of drugs and arms, human trafficking, piracy, security aspects of climate change and governance of natural resources in the conflict" (Natorski 2011, 2).

In addition, the EU often introduces peacebuilding instruments not normally associated with peacebuilding, like state governance reforms (reconstruction of state institutions and economic reforms) and reforms of the judiciary (EUNPACK 2016).

¹The Directorate-General for International Cooperation and Development (DG DEVCO) is responsible for creating EU development policy on post-conflict countries and managing external aid to cover specific needs of a country during a transitional post-conflict period. Through external aid, DG DEVCO also formulates policies focused on reducing poverty, sustainable economic, social and environmental development, promoting democracy, the rule of law, good governance and human rights (EUNPACK 2016, 18).

²The terminology is unclear in the EU documents; although it is only in recent years that peacebuilding has been effectively mentioned in the documents, these instruments qualify as peacebuilding according to our aforementioned definitions.

It is also noted that "/O/n the strategic level there has been a shift from a focus on the concept of deep democracy—political reform, elections, institution building, anti-corruption, independent judiciary and support to civil society as promoted by the EU High Representative (EUHR) Catherine Ashton—towards a more pragmatic approach focusing on stabilisation and support of state-building, with less emphasis on the democratic elements of governance, as set in the EU's Global Strategy launched in June 2016 and promoted by the EUHR Frederica Mogherini" (EUNPACK 2016, 17).

Another tool available to the EU is preventive diplomacy. The EU has been partaking in negotiations on several peace agreements or ceasefires (such as in the Indonesian province of Aceh and South Sudan) and various kinds of reconciliation processes (such as the dialogue between the governments of Serbia and Kosovo). Hence, mediation instruments form part of the EU's pre- and post-conflict response. This is managed by the bodies tasked with preventing conflict or post-conflict response, such as the EU Special Representative (EUSR) that works as a negotiator of peace agreements and ceasefires on the EU's behalf and tries to contribute to the overall stability of an affected region. Examples here include the Horn of Africa, Kosovo, Bosnia and Herzegovina, Georgia, Afghanistan (European Union External Action 2016).

2.2 The EU's Development as a Security Actor

2.2.1 From Conceiving the 'Peace Project' Onwards

If we look at the actual practice of peacebuilding and conflict prevention (implementation), we immediately become aware that in its essence the European integration is a massive peacebuilding and conflict prevention project built on the ashes of the World War II. When the six founding European countries (Belgium, Netherlands, Italy, Luxembourg, West Germany and France) signed the Treaty Establishing the European Coal and Steel Community in 1951 and so established the EC, this marked the start of European integration efforts. This process per se reflects the goal of peacebuilding as the EC was established to make another war in Europe unlikely (Gross and Juncos 2011, 3).

The EC's origins and early and consistent commitment to matters of peace historically characterise the EU's responses in the field of security. At the time, the peacebuilding dimension of the EC rested on the premises of economic integration, supported by political reasoning. This directly corresponds with attempts by the Copenhagen School of security studies to expand the concept of security from military to other domains (Buzan 1991). However, the motivations to effectively combine security and economic objectives have been consistent and kept pace with the geographical expansion of the EU. Over the years, they have evolved into

institutional structures, norms, rules and standards aimed at promoting action in the security field (Kirchner 2006, 951).

The idea of the EDC seen in the Pleven Plan³ proposed in the 1950s was the first attempt to form a pan-European defence force. It was meant to provide an alternative to North Atlantic Treaty Organization (NATO) membership for European countries. Yet the EU decided to remain a 'civilian power' (Kirchner 2006, 951–2). This was due to two 'French' objections: first, the French Parliament refused to ratify the documents required for its creation and, second, then French President Charles De Gaulle was opposed any kind of further supranational integration and insisted that the security of countries in the EC remain in the hands of NATO and the Western EU (WEU) (Stewart 2006, 44).

In the 1950s and 1960s, the member states therefore tried to give the internal market a foreign policy aspect, but failed. However, in the late 1960s the French political environment saw a big change. In 1969, the then President Charles De Gaulle resigned. His successor, President Georges Jean Raymond Pompidou, saw a return to support for the supranational political ideas; thus, further integration of the European continent was again a viable option for the Community. This idea is also reflected in the Luxemburg Report, which led to the establishment of European Political Cooperation (EPC) in 1970. This helped enhance regular intra-governmental contacts and improve dialogue among foreign ministries of EC member states (Zupančič 2016, 17–18).

In the early 1970s, this foreign policy cooperation among the member states started to attract world attention: the Community began to develop an international voice, formed through quiet, long-term preventive diplomacy. However, the Community's economic and political activities that had provided for the security dimension in its external relations also gained a treaty basis in the Single European Act of 1986.⁵ Conflict prevention in non-military ways therefore fell within the scope of the treaty and soon became one of the EC's vital activities, representing a small yet important step towards a common approach to its external relations. Nevertheless, as emphasised, the explicit strategy for preventing armed conflict still rested on the "export of the virtuous circle of political and economic stability to its closest neighbours" (Zupančič 2016, 19).

³René Pleven was the French Prime Minister between July 1950—March 1951 and August 1951—January 1952. The plan was proposed in October 1950 by Pleven and drafted mainly by Jean Monnet. The EDC was to include West Germany, France, Italy, Belgium, the Netherlands and Luxemburg (Guillen 1993, 131).

⁴The Luxemburg or Davignon Report (1970) was drafted subsequently after the summit in The Hague in 1969, in which EC heads of states instructed their ministers to "study the best way of achieving progress in the matter of political unification, within the context of enlargement" (Communiqué of the meeting of Heads of State or Government of the Member States at The Hague, 1969). The report created informal governmental consultation mechanisms (Ginsberg 1989).

⁵Single European Act (1986). Amending the Treaty Establishing the European Economic Community of 1957, signed on 17 February, entered into force 1 July 1987.

The EU's approach to conflict prevention in this period was thus expressed in a range of policies containing either direct or indirect mandates (Kirchner 2006, 954). The EC took advantage of this on several occasions, aiming to secure peace in countries were aspiring to join the union (for example in Greece in 1982, or Spain and Portugal in 1986). In the accession process for Central and Eastern Europe (CEE), the European Commission used a 'carrot and stick approach' to decrease tensions in interstate disputes. Two cases of the EC's activities to prevent conflict help understand its preventive approach to interstate tensions that might otherwise have turned into a serious interstate conflict.

The first case is the dispute between Hungary and then Czechoslovakia over construction of the Gabcikovo-Nagymaros hydroelectric project on the Danube in the late 1980s. For some time, the EC remained an observer of the conflict and had offered that its ministers of environment technically assess the project. It was only in the 1990s when the EC duly recognised that the dispute is of a political and not a technical nature, thereby changing its initial perspective, admitting the conflict was a sensitive and tricky problem that was political in nature. As a result, the EC became involved as a mediator (Fürst 2003), although its success here was mixed. Although the conflict never became violent, which might otherwise have happened "had the countries not felt the decisive diplomatic pressure 'from Europe'" (Zupančič 2016, 19), no long-term solutions could be found. The compromise agreement brokered in 1993 was not observed by Slovakia and the case was submitted to the International Court of Justice.

The second example may be described as the successful conflict resolution by the EC is the case of Estonia in which the Russian-speaking minority 'found itself' living after the Soviet Union's dissolution and Estonia's declaration of independence. The international community strongly pressured Estonia to resolve the status of the Russian-speaking minority. The Estonian government was pressured by the EU to provide equal citizenship rights for the Russian-speaking minority, the same as those enjoyed by ethnic Estonians (Kronenberger and Wouters 2004). The EC's approach was efficient since it was non-asymmetric in character (an influential supranational power backed by the strongest EU countries *versus* a feeble country that had just stepped out on the path of independence).

The lesson drawn from these cases is that the EC's first attempts in the area of conflict prevention activities were explicitly structural in character, meaning they involved a wider perspective and greater scope of targets and actions in the longer

⁶This is a largest barrage project on the Danube, initiated by the two socialist countries under the Budapest Treaty of 1977. It was aimed at preventing floods, improving the Danube's navigability and producing clean electricity (emission-free water power seemed to be the right opportunity for the production of energy in the high air pollution region of northern Hungary and Czechoslovakia). However, due to economic hardship, Hungary tried to abandon the project in 1981 and two years later the two countries agreed to slow down the works. In 1989 Hungary completely abandoned the works due to public pressure and waves of protests. As a result, Czechoslovakia decided to implement part of the scenario, as well as river diversion, extracting 90% of the water from the riverbed. Consequently, water levels dropped 2 m, triggering an international conflict (Fürst 2003, 2–3).

term, as opposed to operational conflict prevention, which "aims at giving an immediate answer to an imminent crisis" (Melander and Pigache 2007, 13). This structural approach focused on the mechanisms then available to the EC, such as targeted trade policies and conditionality of development aid. Several African, Caribbean and Pacific states benefited from this structural approach (ibid.).

Though these activities, the EC learned that if it wants to play a role in conflict prevention, for example as a mediator, it needs to have credible sources of power (political, economic, military, normative etc.) that can be levered to mitigate a dispute (Zupančič 2016, 20–22). However, the EU gave no systematic emphasis to multi-faceted conflict prevention that would include operational (direct) conflict prevention. The reason for this is that the Cold War environment had disabled (or at least caused the reluctance of) 'other' international actors to interfere in the sphere of influence of either superpower, the USA or the USSR. Another reason is the EC was preoccupied with its own horizontal and vertical development and had no ambitions or capability to become an international security actor.

2.2.2 The Post-Cold War Period

The end of the Cold War and the new geopolitical context created new challenges for the European continent, especially in terms of security. A series of events and occurrences led to this: the international community was destabilised after the so-called Eastern bloc fell apart, the SFRY broke up, bringing violent conflicts (in Croatia, Bosnia and Herzegovina, and Macedonia during 1992–1995, and then in Kosovo in 1998–1999), devastating conflicts were still underway in the Middle East and Asia while, importantly, there was a lack of appropriate structures and mechanisms for dealing with conflict prevention and conflict resolution at the regional and international level.

The EC soon became aware of these changes and started to adopt measures to address the new challenges. Its political and security structures had to adapt to the new-look environment in which the security paradigm had changed. A few solutions and ways forward were proposed by scholars who called for newly emerging aspects of security to be included in understanding of the security paradigm; besides military security, namely the core of Cold-War understanding of security, economic, political, societal, psychological and ecological security appeared on the agenda as vital concepts pertaining to security (Buzan 1991).

Since the EC was at that time internally relatively safe, member states turned their ambitions to the idea of institution developing into a credible actor in international relations, or even 'a force for good' (Manners 2002). The UNSG also acknowledged the importance of conflict prevention and stated that it must become a new norm of international relations. Hence, the focus shifted from the previous focus on national security to a 'culture of prevention', which became a buzzword in international organisations (Zupančič 2015)—all of a sudden, several institutions wanted conflict prevention to be one of their main *raison d'êtres*. The EC also

captured the *zeitgeist*. Apart from the EC's influence in the European periphery, there was a mismatch between its internal political relevance and ability to act politically in the outside world. As Mark Eyskens, the Belgian Foreign Minister, stated in 1991 "Europe is an economic giant, a political dwarf and a military worm" (quoted in Eckhard 2016, 88). In an effort to redress this situation, the EC elaborated its own concept of conflict prevention, which became perceived as not merely preventing imminent crises but as an approach that should lead to long-term and sustainable peace. The EC started to follow an integrative approach to its policies based on the better integration and inter-agency coordination of the existing foreign, security and defence policies (ibid.).

The ambition for the European project to further move into the realm of security and contribute to maintaining world peace also found a basis in the Treaty on the EU (Maastricht Treaty signed in 1992 and entering into force in 1993). This document is treated as a milestone in the European integration process. In essence, the Treaty brought EPC Cooperation into the institutional framework of the (newly named) EU. The renamed CFSP was now included in one of the three pillars of the EU's structure. Unlike EPC, the scope of the reformed institution was more comprehensive and also covered the objective to preserve peace and strengthen international security.

According to the Treaty, the CSFP was meant to help ensure the EU's more active external efforts in creating a more favourable international environment that enabled it to improve its capacity in anticipating the outbreak of crises and tackle problems at their roots. The regions of focus were prioritised in the Treaty: CEE, the Commonwealth of Independent States, the Balkans, the Mediterranean, and the Middle East. With respect to the new situations in CEE after the Cold War, the encouragement of the prevention and settlement of conflicts was noted as an objective, although in the context of the Organization for Security and Cooperation in Europe (OSCE).

Yet there is no direct reference to the term conflict prevention in the Treaty, even though the issues identified were clearly relevant for conflict prevention (Wouters and Naert 2004, 4–5). The WEU was seen as particularly important to the Union back then, before the Treaty of Amsterdam was introduced and the ESDP along with it. In its Petersberg Declaration (1992), the WEU declared its willingness to support the conflict-prevention activities of the Conference on Security and Cooperation in Europe and the UN on a case-by-case basis. With this, the EU acquired the possibility to request support for conflict-prevention activities from the WEU, bringing defence implications. Although not so many conflict-prevention measures appear to hold direct implications for defence issues, it provided strong support for the EC/EU's path towards launching the ESDP in the late 1990s (Wouters and Naert 2004, 6).

As mentioned, one region identified as an EU priority was the Balkans, but it soon became clear the EU was then incapable of dealing with a crisis on its doorstep (the violent dissolution of the SFRY). Therefore, it became necessary for the EU to further develop its capabilities, allowing it to try to prevent conflict before

it happens. Some early attempts at creating a more systematic approach were put in place (Wouters and Naert 2004, 24–25).

The war in Kosovo between the armed forces of the Federal Republic of Yugoslavia (FRY) and the Kosovo Liberation Army (KLA), in the years of 1998–1999 ravaging in the EU's immediate vicinity coupled with the EU's impotence to intervene triggered increased efforts in the field of conflict prevention that coincided with the ESDP's development. The ESDP was a policy with a strict intergovernmental character, established by the European Council Declaration on Strengthening the Common European Policy on Security and Defence, as annexed to the conclusions of the Cologne European Council of 1999 (ibid.).

The stalemate ended in 2001 when the EU Programme for the Prevention of Violent Conflicts was adopted by the European Council in Gothenburg. This strategic document set conflict prevention as one of the objectives of the Union's external relations (Council of the EU 2001). Also in 2001, the Commission issued a Communication on Conflict Prevention that reaffirmed development cooperation is one of the instruments available to the EU to address the root causes of conflicts, in line with the theory of conflict prevention (Rummel 2004, 14).

A series of concrete actions followed these political commitments. In 2001, the Rapid Reaction Mechanism (RRM) was established. As Zupančič (2016, 24) notes: "this was also an attempt of the EU to address various criticism of being too reactive and less proactive as a conflict prevention actor in global affairs". This mechanism enabled the EU to respond more rapidly to urgent situations. It also offered a reasonable degree of autonomy to the Commission, albeit limited by the member states. The RRM's role was to take over operations lasting up to six months. It had an annual budget of some EUR 30 million. Around 50 projects in 25 countries were streamlined through the mechanism, but it struggled due to several constraints. Lavallée (2012), for example, mentions the RRM's inability to ensure the coordination of activities that fell between a short-term crisis response and long-term development assistance.

Therefore, the EU was both "a pioneer of and a latecomer in conflict prevention" (Rummel 2004, 1). This means that the EU as such is an ambitious project, aimed at establishing peace on the continent through cooperation among European nations. But at the same time the evolution of its conflict-prevention activities lagged behind other EU policies in the fields of trade, monetary integration, environment, law etc. The fact the EU was a leading actor in certain other dimensions made its weak record in managing conflicts and establishing peaceful zones outside its borders seems all the more astounding (ibid.). Thus, it is not surprising that policies such as the CFSP made their way up the priority list of EU member states by way of a remedy to the abovementioned shortcomings.

⁷For example, the European Parliament planned to establish the EU Analysis Centre for Active Crisis Prevention. However, the attempt failed. A policy planning and early warning unit was set up by the Council of the EU, tasked with providing assessment and early warning of situations that would have implications for the EU's foreign and security policy. The Commission also funded a Conflict Prevention Network in 1997 (Wouters and Naert 2004, 24).

With the RRM in place, the EU soon adopted the European Security Strategy, acknowledging the debate on the external threats facing the EU and committing itself to using the instruments developed to prevent armed conflicts (European Security Strategy 2003). New threats, such as terrorism, weapons of mass destruction, organised crime or state failure were identified and linked to the 'traditional' problems of regional conflicts. The Strategy also paid great attention to the notion of development, naming security as a precondition for it. Multilateral diplomacy was advocated as a means to work together with other actors engaged in conflict prevention. Importantly, the need to assist failing and failed states and a regional approach to peacebuilding were clearly emphasised (Zupančič 2016, 24).

In 2007, the Commission reorganised its assistance and cooperation programmes and proposed the Instrument for Stability. This instrument was a substantial improvement over the RRM. The EU obtained better control over the budget, the limitation of the provisions concerning the definition of short and long-term conflict prevention was improved, and projects became more flexible in duration. With this, the EU's comprehensive approach to conflict prevention, as well as to peace-building, was reinforced (Zupančič 2016, 25).

2.2.3 After the Treaty of Lisbon

The next institutional change regarding the EU's conflict prevention came with the Treaty of Lisbon in 2009. The legacy of the WEU was incorporated in the Treaty as part of the so-called Petersberg tasks. Further, the policy of conflict prevention became an integral part of the CSDP and thereby contextualised with permanent structural cooperation. Importantly, the Lisbon Treaty clearly outlined the structures responsible for implementing conflict prevention in practice: the President of the European Council together with the EUHR for CFSP became chiefly responsible for it.

Established to assist the EUHR, the EEAS is significant in conflict prevention for the connectivity it establishes between the different bodies dealing with conflict prevention in the Commission and the Secretariat of the Council. Another benefit of the EEAS is that it is staffed with experts from all member states. As Duke mentioned in 2001 (quoted in Zupančič 2016, 26), "increased the synergies among the EU's external instruments, moving further towards a strongly integrated approach in crisis response and conflict prevention". Moreover, the two competitive departments of the Council and the Commission, the Situation Centre and the Crisis Room, were included in the EEAS to increase its coherence. From a practical viewpoint, this is an important improvement in terms of the operability of the structures for conflict prevention: daily contacts among stakeholders became more frequent and coordinated since they were physically present in the same building (Lavallée 2012).

In the last few years, the EU has been affected and challenged more than ever by geopolitical changes, conflicts, insecurity and instability often due to or exacerbated

⁸The Lisbon Treaty, signed 13 December 2007 in Lisbon, in force since 1 December 2009.

by the lack of effective and accountable security systems (European Commission 2017). The growing potential for individuals to create large security threats and transnational criminality has further complicated the EU security landscape (European Commission 2015). Especially the ongoing crises in its vicinity, "from the conflict in Ukraine, to the rise of Islamic State and the refugee situation in the Global South, have made the improvement of external response capacities a top priority" (EUNPACK 2016). Hence, the European Agenda on Security 2015 emphasises that external conflict and insecurity, especially when originating in the EU's immediate neighbourhood, sometimes associated with radicalisation and violent extremism, also affect the EU's internal security. In addition, the new Global Strategy offers a new way to foster the EU's peacebuilding capabilities through an integrated approach (EU Global Strategy 2016, 9).

2.2.4 Future Challenges to EU Conflict Prevention and Peacebuilding

Ensuring a sufficiently capable EU is a precondition for it to operate as a security actor—the EU must first guarantee its own security and second be able to assist or take the lead role in stabilisation processes around the world. Ever since the Lisbon Treaty, the EU has been improving its internal coordination and focusing its efforts on restructuring its approach. The current challenges faced by the EU are likely to continue in the future, but the member states' defence budgets have been severely cut in the last few years. This hampers the EU's ability to develop, deploy and sustain its military capabilities. The need for the EU's external actions to become more effective, visible and to increase their impact was recognised and emphasised at a meeting of heads of states. The European Council firmly committed itself further the development of a "credible and effective CSDP" and make "the efficiency and effectiveness of the EU Comprehensive Approach, including as it applies to EU crisis management" a priority (European Council 2013).

The EU's transformation as an international actor able to influence conflicts abroad through its military, especially its civilian, presence represents a new kind of power in international politics (Diez and Manners 2007). The EU itself has dealt with difficulties in conceptualising its 'identity' throughout these developments. The construction of its identity holds important implications: on one hand, it is a precondition for other actors to agree with the norms promoted by the EU and, on the other, it defines the relationship between the EU and the image of 'others' (ibid.). ¹⁰

⁹The European Agenda on Security, Commission's Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2015

¹⁰In this way, the EU as a normative power "constructs a particular self of the EU (and it is perhaps the only form of identity the diverse set of actors within the EU can agree on), while it attempts to change others though the spread of particular norms" (Diez and Manners 2007).

It remains an unsettled question of what type of power the EU is endowed with. Almost half a century ago, Duchêne (1973, 43) called it "civilian power". Hedley Bull's (1982) criticism of the concept followed, together with and Hill's (1990) inquiry into whether the EC is a political or civilian power. With the hasty and ambitious development of the CFSP, Manners (2002) introduced "Normative Power Europe" into the academic debate. The concept moved from theory to policy discussions when 'adopted' as part of the official discourse by EU actors themselves. This is not surprising since normative power is not so intrusive in character and as such is more acceptable for constructing the EU's identity in international politics. Further, it is also more likely to find acceptance among the member states, than more intrusive or interventionist comprehensions of power projection. Diez and Pace (2007, 2) note that "the EU actors see themselves (and the EU as a whole) as a 'force for good' in conflict situations, and indeed in world politics generally speaking". The EU is therefore not only discussed, but also perceives itself, as a normative power (Forsberg 2011, 1186).

2.3 The EU's Struggle for Normative Power in Post-Conflict Societies

By analysing the state-of-art in the field of normative power from 2002 on, when the concept was introduced to the theory of International Relations (IR), the overarching goal of this chapter is to develop the argument that the EU uses the instruments of peacebuilding—construed as meaning what it considers appropriate or inappropriate action—as a way of building its image as a normative actor.

2.3.1 Power in International Relations

In the field of IR, power has long been considered the main concept of realism. Morgenthau (1960, 5) stated it is a human desire to dominate, think and act in line with our interests, which are defined as 'power', whereas power is the ultimate goal of all states. Since then, the concept of power has been used to make theoretical sense of state behaviour in international politics. Weber defined power as the ability

¹¹Hill (1990) argued the EC could not be a civilian power since it can use coercive instruments.

¹²Diez and Pace (2007) note the concept of self-representation as a normative power and a 'force for good' is especially common in the Commission and the Parliament, but also not a stranger to the Council. The Commission is defending the principle more forcefully than others as a guardian of the integration and associations processes (that can be part of the broader peacebuilding politico-strategic objective). Moreover, Forsberg (2011) mentions the key EU representatives, such as Commission President Barroso, have endorsed the concept of 'normative power Europe'.

to have one's will prevail (within a social relationship) despite resistance or opposition (Weber 1976, 28).

It does not matter what this opportunity (to prevail) is based on; Dahl similarly defines power as "A getting B to do something B would otherwise not do" (Berenskoetter 2007). Yet, there is a second dimension of power which lies in the 'non-decision', the ability to prevent a certain decision from taking place. For example, this second dimension can be considered while analysing security problems in institutions, such as agenda-setting: political leaders of states discuss, define and decide on security problems and seek appropriate responses to them (ibid.).

The third dimension of power is the power to shape normality. This is still a developing concept in IR, which has gained the attention of scholars with Nye's (1990) suggestion that 'soft power' underpinned the USA's successful leadership in the post-Cold War period. The third dimension is an analysis of the influence of culture, language, ideas, identities, norms, values etc.—'soft' and 'normative' power terminology thereby entered the IR vocabulary (Berenskoetter 2007). It soon became the key vehicle for explaining the influence of Germany, Japan, EC or Association of Southeast Asian Nations countries and institutions with the presumed contributions to the 'global good' (Zupančič and Hribernik 2013). Any debate on normative power cannot overlook Manners' definition (2002) of normative power, namely "an ability to shape conceptions of 'normal' in international relations" (Manners 2002).

Most definitions of power tend to distinguish different types of power: economic power, military power, soft power, hard power, smart power, power over opinion etc. Although this distinction of power-types mainly serves analytical purposes, this way of comprehending power may unintentionally blur one of the core assumptions made in this paper: that the understanding of a normative power agency cannot be separated from the question of what normative power agents means for projecting normative power (spreading norms in the international community).

2.3.2 Understanding Normative Power: What Is It (not)?

How does normative power differ from other types or comprehensions of power? If it is relatively easy to describe what hard power is (coerciveness or force to influence the behaviour and actions of another actor), one may rightly argue that the distinction between normative power and soft power is unclear. At a basic level, the latter is defined as the ability to attract others so that they start wanting what you want. In other words, it is the ability to obtain what you want through attraction rather than coercion or payment. Soft power, as acknowledged in Nye's later works, should be understood as an empirical (positive/descriptive) more than a theoretical

¹³See, for example: Carr (1962); Nye (1990); Manners (2002).

concept (Nye 2004; Rothman 2011). Based on this definition, soft power is a foreign policy tool while normative power is an explicitly theoretical concept requiring an understanding of social diffusion and normative practices (Diez and Mannes 2007).

We follow the logic proposed by Diez and Manners (ibid.). They argue that soft, civilian and normative power are all closely related because a civilian power actor, relying on soft power, advocates and practises particular kinds of norms—above all, the use of civilian means to achieve their policy goals. Therefore, civilian power can be perceived as a specific form of normative power. From the above theoretical insights, we may conclude that normative power does not imply a logic of exclusiveness. On the contrary, it can sit alongside other forms and sources of power (military, economic, cultural etc.) since certain actors in international relations realise that building up their normative power capacities can complement other forms of their power, including military, if used in the pursuit of normative goals, thereby positively impacting their image in international relations.

Another question concerning normative power is whose norms and which particular ones matter: which international actor has the power to advocate and spread norms around the globe, and thus to persuade other countries to adopt the advocated norms (or at least to ensure 'target countries' adopt them). Norm-spreading has a stronger impact if it is encouraged by an influential international actor (Zupančič and Hribernik 2013). At that point, one might wonder if the norm itself, without being supported by instruments of hard power, can succeed. ¹⁴ Björkdahl (2007) adds to understanding of norms/normative powers by arguing that the construction and promotion of norms is a strategy for setting international normative standards and thereby influencing the world order. Kavalski (2013) elaborated the concept when arguing that normative power is not necessarily about affecting other actors' perceptions, but mostly about framing their responses.

The latter argument is important for the methodology followed by this book since it presupposes that 'a force for good' should also be recognised and accepted as 'a force for good' by others. However, as Tocci (2008)¹⁵ warns, along with other authors, e.g. Sjursen (2006) and Staeger (2016), analysts should be careful not to engage in some imperialistic imposition of norms by judging what is subjectively considered as 'good' on the grounds of presumed universality. Thus, the concept of normative power tends to rest on the assumption there are cosmopolitan norms and values that transcend the particularistic claims of discrete political communities (Zupančič and Hribernik 2013).

Some authors believe the claims that an international actor is 'a normative power actor' contains a hegemonic notion vis-à-vis others because one particular subject of international relations (a country, international organisation, or others) may claim

¹⁴For more insights on whose norms matter, see Acharya, A. (2004). How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism. *International Organization*, 58(2): 239–275.

¹⁵Also see: Abasova, M. (2012). 'Normative Power Europe' in Conflict Transformation: A case study of the Israeli-Palestinian conflict. Linköping: Linköping University.

it knows how to cure the diseases of others, or define what is good and declare that definition shall apply to the world as a whole (Zupančič 2011). This understanding resonates with Janusch (2016) who suggests a way to escape the hidden trap of the supposedly imperialistic conceptualisation of (European) normative power by proposing it instead be scrutinised by the logic underlying its acts rather than looking at it through the lens of the questionable universality of the diffused norms.

Tocci's (2008) distinction between normative and imperial powers is premised on whether their agency is 'others-empowering' or 'self-empowering'. In addition, Manners (2002, 242) defended his original argument, noting that "the EU's normative difference comes from its historical context, hybrid policy and political-legal constitution" and that the main force for its policy comes from transnational and supranational organisations reflecting a combination of norms from civil society and European political elites. In other words, the EU's own normative constitution inclines Europe to act in a normative way.

But how can an international actor make use of its normative power and become 'a force for good'? Several authors have proposed different methodological contributions with the aim to analyse ('measure') normative power. Manners' (2002, 242) original idea was to suggest six ways that norms can be diffused (contagion, informational diffusion, procedural diffusion, transference diffusion, overt diffusion and cultural filters), which are relevant for subsequent attempts to analyse normative power. Some insights also emerge from analytical frameworks preceding Manners' paper for measuring political impact, for example Ginsberg's model (2001). Manners (2008) made a further contribution with his debate on tripartite-framework, which draws on ethics to structure a framework according to which the EU's normative power can be analysed in terms of three categories: principles, action and impact.

Forsberg's contribution (2011) is important from a methodological viewpoint as it introduces the concept of an ideal-type normative power actor, namely one towards which real-life actors can only aspire. ¹⁶ Namely, an actor can never be an absolute normative power, but can only approach it. He comes to this conclusion based on analysis of a five-part definition that seeks to grasp the core of normative power, thereby answering the question of 'what constitutes normative power' or how does an actor become a 'force for good'. His five-part definition requires a normative power to have 'a normative identity', 'behave according to norms', 'use normative means of power', 'pursues normative interests', and 'achieve normative ends'.

¹⁶Also see: Sinkkonen, V. (2013). The Reactions of the European Union and the United States to the January 25th, 2011 Revolution in Egypt: A Comparative Appraisal of Normative Power. MA Thesis. Turku: University of Turku.

2.3.3 Analysing Normative Power in Peacebuilding: A Methodological Framework

Forsberg (2011) uses Manners' argument that the EU is a normative power because it possesses a normative identity. Yet Manners uses this as an objective more than a subjective term; he bases the EU's normative identity on conditions, such as hybrid polity and treaty-based order. Next, he argues it is plausible that the EU sees itself as a representative of normative power and because several other actors in world politics might also perceive it as holding normative power. However, it is not self-evident that a hybrid polity with its own legal order cannot use military force or behave in a non-normative way. Moreover, the EU has already started to construct a military dimension, which has not changed the two factors on which Manners places its foundations for normative power (hybrid polity and treaty-based legal order). In addition, the EU's hybrid character is an outcome of a 'Westphalian brake' through which the member states have been resisting supranational developments—and not a symbol of "post-modern values that are internalized in Europe and the EU being a peace project" (Forsberg 2011, 1192).

The same applies to the concept of peacebuilding which also does not originate in the EU having a treaty-based legal order since it evolved without a legal 'constitutional' basis in the treaties (and was only institutionalised with the Lisbon Treaty). In addition, the hybrid order seen in the division of responsibilities between the EC/the EU and the Council is a consequence of the 'Westphalian brake' rather than a success attributable to the values of peace since the EU had a greater chance to influence positive developments through the creation of the EDC.

Consequently, we will analyse normative identity as a subjective term, therefore the identity constructed by the EU and via its interactions with others, which is in line with Forsberg (2011). EU officials feel obliged to contribute to peace and throughout the years the EU has also institutionally built its image as a security and peacebuilding actor. The EU can therefore also be perceived as a self-proclaimed normative power holder in the area of peacebuilding, following the general popularisation of peacebuilding that started at the end of the Cold War. Due to the image of it being a leading actor in certain dimensions, the EU's weak record in managing conflicts and establishing peaceful zones beyond its borders seems disappointing. Thus, the EU has had to keep pace in this field as well, while not possessing significant military capabilities for this purpose.

Next, a normative power should have normative interests, assuming these interests are not, as Tocci (2008) puts it, "self-empowering" but "others-empowering". Toje (2008) argues the EU's normative interests distinguish this institution from other international actors since it has the will to participate in foreign policy dimensions that are a statement of values (not necessarily means- or ends-oriented). Hence the EU—in its attempts to become a normative actor in peacebuilding—should first establish the normative goals it wants to achieve (for example, the organisation of democratic elections, improvement of the human rights situation

etc.), which should be perceived as a 'force for good' (the interests should be consistent with the peacebuilding goals).

Third, in line with the normative power theory, a normative actor should behave according to the norms it sets. Forsberg (2011) agrees that the EU mostly abides by international law. However, when considering its endorsement of the NATO military campaign against the FRY in 1999, which had no UN Security Council (UNSC) approval, this becomes questionable (without the support of several EU member states, the military campaign would have been very difficult to conduct). Forsberg (ibid.) mentions other examples of the EU breaking international trade rules and placing its treaty-based laws ahead of international humanitarian law. The methodological viewpoint adopted by this monograph is therefore that an actor (the EU) should maintain its presumed normative power character (by acting consistently with the norms and principles) in its peacebuilding strategy.

Fourth, a normative power should use normative means of power, not for example military or economic means. It should realise its existing obligations, persuade by referring to the general rules and practices and to future mutual gains enabled by possible cooperation. It should also live up to previously made (legal) commitments. In our analysis of the EU's peacebuilding activities, we will apply these presuppositions through the lens of the EU's operational and structural activities and instruments. The latter refer to development cooperation, humanitarian aid etc. and are mainly an expression of economic power.

The EU has tried to broaden the security concept from military to other domains (conflict prevention and peacebuilding also rest on the premises of economic integration, political reasoning, the 'carrot and stick approach' and the promise of becoming a member state). Through its operational activities the EU engages in civilian peacebuilding consisting of monitoring, law enforcement training, and enhancing capabilities of the judiciary etc.—with the aim of supporting activities that uphold so-called European practices or values, such as fair elections, an independent rule of law, a strong civil society, or an anti-corruption mentality. Overall, the EU should foster long-term peace in post-conflict societies by using peacebuilding instruments enhanced by the power of normativity, an issue we aim to investigate.

Finally, an actor should achieve normative ends that should also be a 'force for good'. These normative ends have already been shown to be mixed and contested in the EU. Some good examples are provided by Manners (2002), such as the abolition of capital punishment. Moreover, the EU has functioned as a 'force for good' in ecology, or by signing the Kyoto and Paris climate agreements. However, there are still only a few examples of real success stories (Forsberg 2011). Our interpretation of this point with regard to the concept of peacebuilding is the normative end of a peacebuilding actor should be to 'correct' and adapt the attitudes and

¹⁷See, for example, the judgements *Kadi v. Council of the European Union and Commission of the European Communities.* (2008). Court of Justice of the European Union, 3 September *and Hungary vs. Slovak Republic.* 2012. Court of Justice of the European Union, 16 October.

behaviour that led to the violent conflict, including by addressing the underlying causes and creating the means to resolve the conflict without violence by offering successful alternatives to the scenario of war, and also to prevent triggers of the conflict from intensifying.

These points are crucial for understanding the link between the 'normative power argument' and peacebuilding. Presenting a normative actor as a Weberian 'ideal type' means an actor (the EU) could strive to become and thus be perceived a normative actor. Yet to some extent it is also allowed to fail; it can be more or less successful in its endeavours. Therefore, the key problem of interest is the extent to which the EU can be described a normative actor in the peacebuilding field: are the EU's peacebuilding activities and interests in peacebuilding normative in character; is the EU using "others-empowering means" and providing a meaning of them consistent with the EU's worldviews and values? This monograph will focus on one aspect of both normative and peacebuilding theory through the EU's peacebuilding activities in Kosovo—specifically the EULEX Kosovo civilian mission as a peacebuilding instrument. The normativity of the EU's actions will be analysed in three areas of EULEX's engagement: police, customs, and the judiciary.

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