

Deconstructing and Defining EULEX

VJOSA MUSLIU AND SHKËNDIJE GECI

Abstract *Hailed as the greatest European Security and Defence Policy (ESDP) mission to date, the European Rule of Law Mission in Kosovo (EULEX) has been oscillating between fulfilling its mission statement crafted in Brussels, while managing the controversial ethnic expectations of the local population in Kosovo. Because of its imposed “status neutral,” in its three years of deployment in Kosovo, EULEX is considered to have been preoccupied with keeping a low profile, remaining invisible and not taking stances in an otherwise politically unsettled territorial entity amid acute ethnic cleavages. While it is considered as an important example to test the EU’s vertical and horizontal consistencies, EULEX’s ambiguous legal status has had its own implications; how EULEX seeks to maintain its coherence within Kosovo with its headquarters in Brussels. With most of its work dedicated to its Press and Information Office, in articulating and setting forward communication in three different languages and aiming three different (to say the least) audiences, its journey is still that of seeking legitimacy and popular support. This work examines EULEX from a critical perspective.*

Keywords: EULEX, Kosovo, coherence, EU, the Western Balkans

Introduction

This work problematises and deconstructs the EU mission in Kosovo by focusing on its legal, political and identity-related dimensions. Initially sought as a mission with a mandate derived from the EU, due to internal divisions within the EU in relation to Kosovo’s declaration of independence – among Greece, Cyprus, Romania, Slovakia and Spain – EULEX ended up being deployed under UN auspices. Since then the

mission has had its proverbial hands full attempting to understand its legal and political identity while remaining “neutral” regarding Kosovo’s independent status. This ambiguity has led to numerous functional and operational problems with the mission itself that are hampering its legitimacy.

Numerous studies have focused on EULEX’s controversial personality in Kosovo, its differentiated discourse and its legitimacy among the population in Kosovo; two of them, Peters’ article and KCSS report are especially relevant to this article. This research however, brings a Derridian deconstructionist approach to EULEX’s discourse and embedding it to further ESDP studies. In a more meta-theory level, this work sets forward the problematising of EULEX on the poststructuralist account of Derrida to eventually conclude with an explanation as provided by the Regional Security Complex Theory.

A poststructuralist approach will be undertaken to understand and analyse the EU’s rule of law mission in Kosovo, primarily by focusing on its official discourse on the pursuit of deconstruction as conceptualised by Derrida. Focus is paid to the politicisation of language used in specific EULEX texts such as: press releases, official documents and speeches. Additionally, a number of interviews with Kosovo’s elite have been conducted in relation to how EULEX is perceived in the field.

Before deconstructing EULEX’s discourse, it is important to discuss deconstruction per se, its epistemological facets and above all the way it is conceptualised in this work. As many other poststructuralist approaches/methods/techniques, deconstruction is among the most misunderstood, not only because of its non-deterministic, non-static epistemology but also because of the very nature of systematised positivist approaches that it is viewed in opposition to. According to Cilliers, ‘we no longer have to fight against a cruel positivism but at the same time there seems to be a growing resistance against theoretical positions which emphasise the interpretative nature of knowledge.’³ As a result, most of the academic work following interpretivist methods, usually begin with a “defensive” part – explaining how are these approaches in relation to what the positivists call valid – and objective scientific inquiry.

Deconstruction in General

Because deconstruction is a highly personal and intimate intervention, different authors provide different explanations on its epistemological

*Vjosa
Musliu and
Shkëndije
Geci*

foundation as well as methodological characteristics. Derrida once explained that although he had been given numerous occasions to define deconstruction, he still maintains that

deconstruction isn't a theory, a school, methodis, even a discourse, still less a technique that can be appropriated – at bottom – what happens or causes to pass. It remains then to situate, localize, determine what happens with what happens when it happens.²

For Cilliers, deconstruction argues for the irreducibility of meaning; meaning and knowledge cannot be fixed in a representational way, but they are always contingent in the contextual. The context itself isn't transparent but has to be interpreted instead. In his essay 'The Dialectics of Realist Theory and the Eurocentric Problematic of Modern Discourse,' Hostettler explains deconstruction as a disclosure of various kinds of contradictions by giving us discourse and discipline as historical categories and with Derrida developing the technique of writing pointing out the internal contradictions and limits of modern discourse.³

Derrida says that to deconstruct is to reverse hierarchy. For me, in a broad, yet insufficient explanation, deconstruction seeks to ally with the marginal, with the "non-mainstream," with the absent, with the oppressed. It seeks to scrutinise discourse and text to unravel struggles of power and the dynamics of dominance. I agree that it is not an approach/technique/method – it is more of state of mind. Deconstruction turns upside down our Abrahamic conceptualisation of being, living and existing, the phallogocentric discourse and logic of attribution, the politicisation of race, gender, sexuality, democracy, Western imperialism and superiority. By claiming that there's nothing out there, or there's nothing beyond text, it dissolves the static deterministic knowledge – that is unable to see that there is actually "something there."

Deconstruction at Work ... Understanding EULEX

This work commenced from a meta-theoretical discussion of the epistemological paradigm of the mission, and tries to produce a more narrowed analysis of the missions discourse and the particular concepts germane to the context. This section deconstructs discourse gathered from EULEX's main documents throughout 2009-2011 (press releases, speeches, official documents). Particular attention has been given to the press releases in English and its' differences in language as text

and meaning in comparison to the ones in Albanian and Serbian. According to Peters, strategic communication is crucial for the success of civilian and military crisis management operations. He notes that ‘Domestic publics have to be convinced that the operations are worth pursuing, and the publics in the countries where the operations take place have to be persuaded to support the missions’ objectives.’⁴

In naming Europe, Derrida refers to a ‘new figure of Europe,’ or the Europe to come rather than EC⁵; in a similar fashion he talks about democracy as the democracy to come – but one which is never there, never here, never present. This is its essence insofar as it remains: not only it will remain ‘indefinitely perfectible, hence always insufficient and future, but belonging to the time of the promise [...]’⁶ The installation of the EU mission in the Western Balkans in general – and particularly with its peculiar forms of post-modernist sovereignty (or the inversion of sovereignty as David Chandler calls it) in Bosnia and Herzegovina and Kosovo – brought a number of democracy promotion institutions, rule of law structures and human rights mechanisms as materialization of the European integration project. For the past 15 years these structures have been given forward as the only, indubitably sole project for these countries, homogenising this way the choice of discourse and action. According to Derrida, ‘as soon as there’s production, there is fetishism, idealisation, automatisisation, dematerialisation and spectral incorporation. Fetishism has the ability that ideas generated by capitalist relations turns them into something like religion.’ It is important to highlight here that by repeating the democratic standards and rule of law project under the EU’s integration pendulum – “European project,” without clarifying them as concepts – has led to the fetishising of the “European project” for Kosovo. By this logic, deconstruction can, among other things, be read as a rethinking of Western philosophy, or as a rhetoric of textuality and absence.⁸ Phiddian reminds that

Deconstruction becomes a method for discovering the oppressed others beneath phallogocentric discourse. It is used as hermeneutic of suspicion, as an instrument for unpicking the structures and rhetoric of racism, patriarchy, psychological repression, class.⁹

Trying Horizontal Coherence

Much of the literature concerning the EU’s Common Foreign and Security Policy (CFSP) suggests that the EU is still struggling with prob-

blems of consistency, and many scholars remain sceptical about the capability of the EU to ever become a coherent actor. For instance, Sjursen and Nuttall note that the EU, as a global actor, suffers from coherence problems both vertically and horizontally. Problems of vertical coherence may occur when the foreign and security policies of individual member states do not fit together with policies decided at the EU-level. On the other hand, problems of horizontal consistency are linked to the EU's involvement in various external activities that used to belong to the various pillars.¹⁰ The case of EULEX Kosovo is interesting for attempting to foster horizontal coherence and for trying to function amid strong vertical incoherence among some of its member states in relation to the mission. In our case however, it is argued that more for sticking to the traditional implementations of coherence as effectiveness, in the case of EULEX coherence in discourse and mandate would potentially lead to greater legitimacy for the mission.

First, this work will see how EULEX, as a European Security and Defence Policy (ESDP) mission, seeks to build on the coherence of the EU as an external actor in Kosovo with other EU institutions which do not necessarily retain similar mandates. The changes brought about by the Lisbon Treaty sought to enhance the consistency in action/discourse so that the EU can speak with "one voice." According to Peters, the characteristic of EULEX in being the largest civilian mission ever launched under the CSDP has provided a chance for the EU to consolidate its actorness on the international stage, which influences how EU foreign policy is perceived by others.¹¹ This is particularly evidenced in the EULEX's discourse on the so-called 'technical dialogue' between Pristina and Belgrade; one of the most important diplomatic projects of the EU in its policy for the stabilisation of the Western Balkans.

In contrast, the initiation of the dialogue between Pristina and Belgrade has been *defined* as a technical dialogue where both parts would negotiate about technical issues such as regional cooperation, freedom of movement and the rule of law. Such negotiations have been proven to be intrinsically political in their nature due to the political and contested sovereignty between Kosovo and Serbia. Despite claiming its mission to be of a purely *technical* nature, EULEX signals its readiness to be actively involved in traditional political issues. Additionally, EULEX makes frequent statements on the visa liberalisation process, or the dialogue between Pristina and Belgrade mediated by the EU. The dialogue itself is hailed internally (EULEX) as successful while

being measured against European values.¹² The manner the values of dialogue appear in both EULEX's discourse and at the EU in Brussels, gives the impression that more than being appreciated for its intrinsic political and practical significance, the dialogue is important because it carries a European value, and as such brings the region close to where the "hub of values" is situated. Furthermore, terms such as "the EU," "EULEX," and "European" are used interchangeably—as being in full congruence with one another. A note of protest addressed in EULEX's discourse for the 'barricades in Kosovo's north' seems to be an equal concern for "EU's" and/or "European" interests, thus giving the impression that not only there is an indisputable line of coherence and action between EULEX – the EU – and some broader European agenda. Consider the following as an example: '[...] grenades were thrown at EULEX police officers and at the [...] direction of police officers from the European Union and [...] these actions keep the region away from European values.'¹³

*Vjosa
Musliu and
Shkëndije
Geci*

Back to Vertical Inconsistency

Problems of vertical coherence may occur when the foreign and security policies of individual member states do not fit together with policies decided at the EU-level. Before delving into the explanation of the discourse, it is important to understand the ontological (if I may) problems of EULEX in Kosovo, from where its' vertical incoherence derives. While initially planned as an EU rule of law mission whose mandate is derived from the ESDP, arrangements with EULEX's deployment changed at the last minute. With Kosovo's authorities declaring a unilateral declaration of independence on 17 February 2008, tensions rose within the EU as Greece, Cyprus, Spain, Romania and Slovakia announced that they would not accept Kosovo's independence without a new UNSC Resolution. As Papdimitrou explains, without a new UN Resolution, the launch of EULEX faced huge challenges in terms of its precise legal status and policy objectives and noted that the 'key question in this regard was whether EULEX would fall under the UN Resolution 1244 (which preserved Serbia's territorial integrity) and as such, could not be seen to serve the objectives of the Ahtisaari's Plan – the blueprint of Kosovo's declaration of independence.'¹⁴

Due to such internal EU opposition, EULEX climbed under a United Nations' umbrella and adopted "status neutral." This formula was a compromise that would, first, equally appease all member states and

assure their support for EU's greatest ESDP mission to date; second so that no reference would be made towards Kosovo's declaration of independence to prevent to questioning by Serbia and Kosovo's Serbs of EULEX's legitimacy; and finally EULEX positioned itself to neither be in favour of, or opposition to, the declaration of independence with the Albanian majority. In this way, EULEX "downgraded" its self-ascribed presence from an activist position supported by the Ahtisaari Plan (for supervised independence) to a technical mission on the rule of law as "status neutral."¹⁵

According to Papadimitrou, this altered mandate produced mixed results on the EU's actorness in Kosovo. Apart from setting EULEX in a defensive "mode" – where in each circumstance it has to identify its neutral position – later it will be shown that most of its work and energy is spent in maintaining a "status neutral" discourse and the am-ortisation of questions on who the mission really responds to. In their critical discourse analysis of EULEX, the Kosovo Centre for Security Studies (KSCC), argues that due to the diversity of audience, 'double standards' are applied by EULEX which is apparent in their discourse which deploys dual denominations (e.g. Prishtinë/Pristina, Border/Boundary), and even addressing Kosovo institutions according to the UNMIK designation (e.g. PISG); or, in some cases using the full state designations (e.g. Ministry of Justice).¹⁶

Peters (rightly) argues that the EU's communication for EULEX retained three relatively distinct target groups: 1. the EU's publics, 2. Kosovar Albanians and, 3. the Serbian community in Kosovo and Serbia itself. The strategies of communication towards these three groups vary considerably, as their attitudes towards the deployment of EULEX are fundamentally different.¹⁷ This work discuss, below, how these double/triple standards of communication undermine the legitimacy of the mission. Being the most extensive greatest ESDP mission to date, and carrying tremendous responsibility for maintaining or projecting the EU's credibility, EULEX carefully crafts and articulates its discourse towards different publics and audiences. It's Press and Information Office is one of the largest departments in its headquarters in Pristina.

First, it is interesting to see to what extent, and in what way, the EU's discourse is directed to its own publics. Missions like these require the moral, political, financial support and legitimacy from the EU members. In this respect, the inflationary discourse of EULEX promoting

European values, democratic standards and libertarian freedoms to Kosovo (as an entity which is not endowed with the former) seems more of discourse for the EU's domestic political consumption. In its programme reports, annual and quarterly reports, EULEX mentions that Kosovo is plagued by corruption, inefficient rule of law systems and other problems, such as with organised criminal elements. Sausure, for instance, whose ideas have influenced a number of post-positivist discourse theories, argues that languages are systems of differences. He notes that '(n)o word has a meaning in itself, but rather acquires its meaning in relation to and especially in distinction from other words.'¹⁸ This means (he adds) that when I assert that something is red, I am at the same time implicitly asserting that it is not blue, green, white (etc). Therefore, by asserting that '[Kosovo] is plagued by corruption and organised crime,' by implication it is asserted that it is not "democratic" or efficiently governed according to the rule of law. Derrida argues that 'Western imperialism is deeply related to its philosophical thought, which is traditionally based on the ideology of binary opposites such as man vs. woman, spirit vs. matter and nature vs. culture.'¹⁹ At the same time, Kagan argues that the transmission of the "European miracle," vis-à-vis the rest of the world, has become Europe's new mission *civilisatrice*. Europeans have a new mission borne of their own discovery of perpetual peace, which is based on the Western European principles of modernity – democracy, the rule of law and human rights – and ultimately draped as the EU integration miracle for the Western Balkans.²⁰ Following the fall of communism in Eastern Europe and the successive wars during the dissolution of Yugoslavia, Europe (used interchangeably with the European Union) has emerged as the paramount project for the successive states to emerge in the 20th century in the wider region (re: Central and Eastern Europe).

Another critique, by Randazzo's, suggests that a mission's discourse of sovereignty as responsibility is loaded with references to the locals' inability to self-rule as justification for an extensive presence and, basically, external control.²¹ This type of paternalistic responsibility, is not borne from the recognition of having, in certain cases, exacerbated existing conflicts with past colonial endeavours (re: Rwanda, Somalia, etc), but rather from a more arrogant position of authority which dismisses the locals' self-governing abilities as "insufficient" and "problematic." The actual practice of intervention has been characterised by the establishment of norms such as human rights, minority rights

and international order and prosperity.²² The reinforcement of such norms serve the purpose of acting as mere justification for the persistent international presence in, ostensibly, independent states, such as Kosovo.²³

CEJISS
1/2014

Inconsistencies Within

In studies of the ESDP, EU external relations and, to some extent, EU enlargement, there's a constant trajectory of seeking "coherence" for the EU. Especially in EU external relations, coherence has become the problem and the solution of a myriad political, policy and identity problems. There is an implicit/explicit inference that coherence translates into effectiveness. Derrida would say there has been a fetishisation of coherence in evaluating and assessing the EU's performance. On one hand, EULEX and the EU may be regarded as trying to reach horizontal and vertical coherence; the impression is as though EULEX and the EU are in full compliance with one another and, additionally, even policy areas not necessarily related to one another (education, security and human rights policies) are uniformly shared by EULEX and the EU. On the other hand, EULEX is inconsistent with its own coherence in Kosovo while maintaining different communication with different stakeholders.

When discussing the Kosovo Albanian Public, Peters suggests it is the most pronounced communicative challenge for EULEX due to the high expectations that the Kosovar Albanian public holds both for the mission and the EU more generally. Kosovo's elite and public discourse articulated in the media (media monitoring) is critical for what they call EULEX's inefficiency to deal with the problems they have been invited to solve.²⁴ Sentiment within the Kosovo Albanian community lodges in the idea that EULEX will manage to tackle Kosovo's chronic problems (i.e. Northern ethno-nationalist issues and high levels of corruption), meanwhile EULEX seeks to amortise these expectations; reasserting that it's mandate is technical rather than political. Peters observed that the main slogan on EULEX's website is 'supporting local ownership' in order to underline that the Kosovo government bears the main responsibility for the country.²⁵ To date, EULEX has not managed to deploy to Kosovo's northern parts, which are inhabited by ethnic Serbs. Since the end of the conflict in 1999, Kosovo's authorities have not been able to extend national jurisdiction there either.

Yet, the problem is related to the politics of statehood and identity

rather than simply a problem which can be downgraded to locals' expectations on the mission, per se. Due to its still unfinished status in terms of the Westphalian principles of sovereignty, elements pertaining to statehood can easily become a butterfly effect for the Kosovo Albanian target group. This target group is more challenging for EULEX precisely because the former has to be excruciatingly vigilant that its discourse retains "status neutral" of the mission and yet does not jeopardise the "conceptual independent" or "almost fully independent" Kosovo. For instance, regarding the political unsettled disputes, EULEX takes into account the current border issues of Kosovo vis-à-vis its neighbours, and they use both terms "Border" and "Boundary" simultaneously as to include both perspectives, that of Kosovo (striving for territorial sovereignty and insisting on the usage of the term border) and Serbia (which does not consider to be bordering Kosovo, insisting on the terminology of boundary).²⁶ In a similar fashion, EULEX refers to the International Border Management (IBM) concept which explicitly uses Integrated Border Management. However, EULEX has also coined a new profile of Kosovo Police Officers – namely the Kosovo Border Boundary Police (KBBP) which, according to the structure of KP 16 and the Law on Police, is a designation or structure that does not exist.²⁷

Regarding EULEX communication towards Kosovo Serbs and Serbia, the mission sets forward the discourse that while being a Kosovo mission would not eventually result in side-lining them from their future *in* Kosovo. In addition, EULEX works to earn Serb trust that the mission is in their interests by repeatedly stating that 'EULEX works to bring law and order for all people of Kosovo,' that EULEX 'promotes a multi-ethnic Kosovo.' Most programmes, which tend to be technical in nature, are metamorphosed into its discourse for having an "added value" (another widely used, yet unclear term) the multi-ethnic character of Kosovo and are usually read through an ethno-political lens. This ends up producing different effects for the target groups, particularly for those who live in Kosovo. Chandler argues that the EU's promotion of good governance has done little to promote democratic political processes both in Kosovo and Bosnia and, as such, the populations there are seen as the 'bearers of human rights – rather than as "citizens" with rights of political equality.'²⁸ For instance, projects focused on the returnees from the previous conflict rather than promoted for their intrinsic value that the right to return to you own land as a guaranteed

Vjosa
Musliu and
Shkëndije
Geci

human right, are hailed as another standard of a multi-ethnic Kosovo; putting minorities or communities at the epicentre.

Another example is the process of decentralisation which, rather than being promoted as a process of bringing governance closer to citizens by dispersing the decision making mechanisms, the discourse has hailed it because it would 'empower local ethnic communities' to have their own small centres of governance, and that eventually adds further to the creation of a multi-ethnic Kosovo. Over 92% of Kosovo's population are ethnically Albanian, 4% are Serbian and the rest a mixture of Roma, Turks, Gorani and Croats.²⁹ In relation to the EU's legitimacy in Kosovo, this downgrading of human rights into minority rights – which is often translated into the rights of Serbs – has generated counter-currents among (mainly) the Albanian population. First, the inflationary discourse to factorise the idea of multi-ethnicity in a rather homogenous demographic state, for the Albanian majority, turns it into a politically motivated agenda. For this reason, decentralisation was singled out as being among the most misunderstood processes by Kosovo's public precisely because the EU identified it as a project to give rights to minorities and empower Kosovo's multi-ethnic figure rather than as an efficient mechanism of governance that is beneficial to all the citizens, irrespective of their ethnic origin. Second, while most of this discourse – as well as projects – are related to the Kosovo Serbs due to the conflict paradigm, other minorities have been marginalised.

When it comes to EULEX's communication to Serbia, and to a lesser extent to Kosovo Serbs, Buzan and Waever's Regional Security Complex Theory (RSCT) offers some explanation. The former is a novel approach for analysing how EULEX, as an EU mechanism within a state, can affect or play a role in the security dynamics within a security region. RSCT has the ability to expand and incorporate non-traditional discourses into the structural debate. Theoretically, it deals with regional security in an inclusive approach that involves a number of international relations theories such as constructivism and neorealism. Buzan employs constructivism in the sense that certain security situation is not taken for granted but where each factor is thoroughly analysed while maintaining a neorealist approach in its anarchic views. RSCT maintains that 'most threats travel more easily over short distances than over long ones,' therefore security interdependence is normally patterned into regionally based clusters.³⁰ According to Bu-

zan and Wæver, penetration occurs when a state outside a RSC associates with a state inside the RSC, in this RSC's are linked together, but remain exclusive. In this analysis, EULEX represents an external actor penetrating a state (Kosovo) and dictating, or contributing to, the security dynamics of the region. Buzan and Wæver argue that for the Balkan development, external actors were crucial. They claim that 'power differentials in combination with geography allow external actors to shape the developments in the area. This defines the Balkans as potentially a part of the EU-Europe RSC.'

As indicated, in the northern part of Kosovo EULEX has not deployed as a result of its ambivalent mandate and the general incoherence of the EFSP. This failure may be attributed to the UN's mismanagement under UNMIK. Nevertheless, the situation in northern Kosovo remains a cause for security concern unless the existing parallel structures are dismantled and rule of law institutions begin to function under the mentoring and support of EULEX, as in other parts of Kosovo. The role of EULEX, therefore, is crucial in the northern part of Kosovo in order to eliminate organised criminality, political and legal vacuums and establish a functioning rule of law institution. Any other scenario, such as partitioning this part of Kosovo – which could provoke the redefinition of borders given the ethnic composition of neighbouring states – would produce tremendous consequences for the security dynamics of the region. According to RSC theory, security interdependence is more intense among the states inside a certain RSC than with states outside of it. Buzan claims that security is a 'relational phenomenon;' in order to understand national security properly, the surrounding pattern of security interdependence should be understood in the first place.³¹ Two important factors are the enmity and amity among units. These include established relationships between states (over time and relating to certain issues), ranging from resolving border disputes, to political ideology and the establishment of long-term historical bonds (in this contextual political and historic realm, analysis on the relations between Kosovo and Serbia, Kosovo and Albania and Kosovo and Macedonia).³²

The European perspective offers both a strategic objective and an incentive for transformation and is motivated by EU considerations of regional and international stabilisation. There are a number of opportunities derived from the EULEX mission: it supports Kosovo on its path to greater European integration in the rule of law area, it sup-

ports the visa liberalisation process, it supports the Pristina-Belgrade dialogue (facilitated by Brussels), it continues to concentrate on the fight against corruption and works closely with its local counterparts to achieve sustainability and EU best practices in Kosovo. EULEX prioritises the establishment of the rule of law in the north. By this token, the successful implementation of the mandate of EULEX, as a key mechanism of EU, can affect positive changes in the security dynamics of the region.

Instead of a Conclusion

Notwithstanding its legal and political constraints, EULEX's presence in Kosovo is defined by inaction and avoidance. Selecting to remain neutral in an otherwise politically and ethnically tense environment, EULEX is, most of the time, situated not to act or take sides but rather to stick to its job description—that is working on enhancing the rule of law. In relation to this, Zaki Laïdi argues that power 'is conceived and experienced less and less as a process of taking over responsibilities, and more as a game of avoidance.'³³ This is also the basis of Chandler's criticism as he notes that all state-building efforts of today are characterised by a lack of a clear political goal or vision, which leads to the rejection of the responsibilities that the use of power would normally entail.³⁴ However, stretching to reach the high expectations of Kosovo Albanians, EULEX works closely with what are established as Republics' of Kosovo institutions (government, Customs, Ministry of Justice) coping, this way, with the Kosovo Albanian's "satisfaction" (i.e. legitimacy). On the other hand, the politicising of technical and political policies into the realms of ethnic minority rights and the maintenance of a multi-ethnic society, EULEX keeps its neutrality and seeks legitimacy from Kosovo Serbs as well. While it will be presumptuous to conclude that EULEX's unitary communication with all its relevant publics would ultimately make the mission more effective, at this stage of the mission, giving single, unambiguous and unequivocal messages could be a stepping stone to increase its legitimacy.

Notes

- 1 Paul Cilliers (2005), 'Complexity, Deconstruction and Relativism,' *Theory, Culture and Society*, 22:5, p. 7.

- 2 Jacques Derrida (1992), 'Force of Law: The Mystical Foundation of Authority,' in M. Rosenfeld and DG Carlson D. Cornell (eds) (1992), *Deconstruction and the Possibility of Justice*, New York: Routledge, p. 31.
- 3 Nick Hostettler (2004), 'The Dialectics of Realist Theory and the Eurocentric Problematic of Modern Discourse,' in John Michael Roberts and Jonathan Joseph (eds) (2004), *Realism, Discourse and Deconstruction*, London: Routledge, p. 192.
- 4 Severin Peters (2010), 'Strategic Communication for Crisis Management Operations of International Organisations: ISAF Afghanistan and Eulex Kosovo,' *EU Diplomacy Papers*.
- 5 Jacques Derrida (2003), 'Deconstructing Terrorism,' in Giovanna Borradori (ed) (2003), *Philosophy in a Time of Terror*, Chicago UP, p. 177.
- 6 Ibid, p. 177.
- 7 When talking about the state formation in the Western Balkans, Chandler argues that rather than representing a collective political expression of Bosnian interests – expressing self-government and autonomy – Westphalian sovereignty in the terminology of state-builders. The Bosnian state plays a central role in the transmission of EU policy priorities in their most intricate detail. The state here is an inversion of the sovereign state. The Bosnian state is an expression of an externally-driven agenda. This way, Chandler argues, Kosovo and Bosnia are phantom states (a simulacra); but definitely not fictional creations.
- 8 Robert Phiddian (1997), 'Are Parody and Deconstruction Secretly the Same Thing?' *New Literary History*, no.4, p. 680.
- 9 Ibid, p. 684.
- 10 Helene Sjurgen (2006), 'The EU as a "Normative" Power: How Can this Be?' *Journal of European Public Policy*, no. 13, p. 142.
- 11 Peters (2010).
- 12 EULEX Press Release, September 2011.
- 13 EULEX Press Release, April 2009; The Kosovo Centre for Security Studies, *Critical Discourse Analysis (De)Constructing Eulex Discourse*, Pristina: Kosovo (hereafter KCSS, 2012).
- 14 Dimistris Papdimitriou and Petar Petrov (2012), 'Whose Rule, Whose Law? Contested Statehood, External Leverage and the European Union's Rule of Law Mission in Kosovo,' *The Journal of Common Market Studies*, no. 5, p. 57.
- 15 Ibid, p. 57.
- 16 KCSS, 2012.
- 17 Peters (2010).
- 18 Jacques Derrida (1973), *Speech and Phenomena: And Other Essays*, Northwestern UP, pp. 46-47.
- 19 Ibid, pp. 46-47.
- 20 Robert Kagan (2004), *Paradise and Power: America and Europe in a New World Order*, Knopf Doubleday Publishing Group.
- 21 Elisa Randazzo (2010), 'Kosovo: Independence or Empty Sovereignty?' *The Western Balkans Policy Review*, 1:1, p. 36.

Vjosa
Musliu and
Shkëndije
Geci

- 22 Stephan Krasner (1999), *Organized Hypocrisy*, Princeton UP, p. 63.
- 23 Randazzo (2010), p. 41.
- 24 Astrit Salihu (2012), 'Interview,' conducted by Vjosa Musliu at the Faculty of Philosophy, University of Pristina, 27 November 2012; Hajrullah Ceku (2012), 'Interview,' conducted by Vjosa Musliu, Pristina, 27 November 2012; Kadriu Genc (2012), 'Interview,' conducted by Vjosa Musliu, Pristina, 16 November 2012; Avdi Smajljaj, 'Interview,' conducted by Vjosa Musliu, at the Ministry of Trade and Industry, Pristina, 19 November 2012.
- 25 Peters (2010).
- 26 EULEX Programme Report, 2011, p. 10.
- 27 KCSS, 2012.
- 28 David Chandler (2007), 'The EU's Promotion of Democracy in the Balkans: The Power of Simulation and the Simulation of Power,' in David Chandler (ed) (2007), *British International Studies Association, 'Baudrillard and IR' Panel*, Cambridge University.
- 29 The Gorani are Muslim-Slavs living in central and north-east Serbia and Kosovo.
- 30 Barry Buzan and Ole Waever (2003), *Regions and Powers: The Structure of International Security*, Cambridge UP.
- 31 Ibid.
- 32 Ibid.
- 33 Zaki Laiidi (2008), *EU Foreign Policy in a Globalized World: Normative Power and Social Policies*, London: Routledge.
- 34 David Chandler (2010), 'The EU and Southeastern Europe: The Rise of Post-Liberal Governance,' *Third World Quarterly*, 31:1.