

UNIVERZA V LJUBLJANI
FAKULTETA ZA DRUŽBENE VEDE

Florian Qehaja

Razvoj varnostnega sektorja in problem lokalnega lastništva na
Kosovu

Security Sector Development and the Problem
of Local Ownership: the Case of Kosovo

Doktorska disertacija

Ljubljana, 2015

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Florian Qehaja



IZJAVA O AVTORSTVU doktorske disertacije

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Summary

Security Sector Development and the Problem of Local Ownership: the Case of Kosovo

Local ownership is one of the most common policy buzzwords applied in post-conflict settings by both international practitioners and local actors. In summarising the existing definition, local ownership connotes the extent to which local constituencies and elected representatives of the target country exercise ownership over the processes of development and state-building. While the international community has increasingly applied local ownership as a tool to define their scope of involvement and relations with the locals, it is difficult to deconstruct which locals this concept referred to and if it includes indigenous communities alongside local elites. As a consequence, there is a discrepancy between the policy prominence towards local ownership and its underdeveloped definition.

The thesis has made a step forward by developing the concept of local ownership, moving it from a policy level towards an academic level through the application of the empirical case of Kosovo. In doing so, three perspectives have been applied: the first perspective is theoretical and examines local ownership on the basis of state-building theory and the concept of Security Sector Reform (SSR); the second perspective deconstructs existing knowledge on local ownership; and the third perspective is empirical, considering the case of Kosovo due to its relevance in the dilemma of local ownership.

Local ownership is juxtaposed with SSR because the concept, albeit on a policy level, has derived from SSR. Nevertheless, limiting the concept to SSR is insufficient for its scientific analysis in lieu of other relevant theories such as state-building theory. Hence, this research has given priority to state-building theory by testing local ownership in the framework of norms such as trust and legitimacy. In particular, local ownership has been examined in the context of legality, with self-determination providing one of the most appropriate principles. The thesis has contextualised local ownership within the framework of relations between the international community and local actors in Kosovo by defining this relation in an international-local nexus. The research was therefore unable to examine the role of actors in the process of security sector development separately. These complex relations represent a weakness that hamper the application of local ownership. The overarching component was the contextualisation of "high politics" and its implications in the applicability and respectability of local ownership.

The research has found that the international community was obsessive over its responsibility in security – better framed into an exaggerated stability – by having

this one of its core tool. This compromised the involvement of locals in the state-building process to the extent that alienates the population and local professionals. The thesis has used concrete empirical examples explaining the extent of international interference in the security sector of Kosovo. Initially, the empirical part of the thesis explains contextually the key elements marking the intervention of the international community at the expense of local ownership. This has been extensively present during the period of the international administration of Kosovo, from 1999 to 2008. The next chapter identifies the strained relationship between the international community and local actors over a number of decisions in the post-independence period. Here, particular reference has been made towards the creation of armed forces and the level of distrust identified through both qualitative and quantitative measurements. The analysis has gone further into depth by examining three specific cases that challenge local ownership in Kosovo: the process of the drafting of the security strategy; the "top-down" development of councils for community safety; and the over-prioritisation of inter-ethnic incidents.

The overall findings of the thesis show well-intended – though poorly defined – principles of local ownership at the policy level, which have been challenged as a result of externally driven models and an obsessive and exaggerated stability paradigm in Kosovo. In particular, the actions of the international community were not in congruence with the local context, causing dependency and vulnerability among locals, therefore resulting in a complex cooperation between the international community and local actors. The findings have also challenged the existing system of international intervention in post-conflict settings, which only refers to the role of locals without considering broader inclusion and local culture. Indeed, these complexities can be found all across the cornerstone of the contemporary state, the security sector. The case of Kosovo has proved to be highly relevant in examining the extent of international involvement. The excessive role of the international community, which offers no clear exit strategy, has led to the rejection of externally driven policies by local constituencies, finding no applicability in the context of Kosovo. This level of involvement by the international community has detached security policy from local reality, leading to fragmentation and limited sustainability.

Key words: local ownership, security sector, Kosovo, state-building, SSR

Povzetek

Razvoj varnostnega sektorja in problem lokalnega lastništva na Kosovu

Lokalno lastništvo je eden od najpogostejših političnih izrazov, ki jih v pokonfliktnih okoljih uporabljajo tako mednarodni kot lokalni akterji. Če povzamemo obstoječo definicijo, lokalno lastništvo odraža to, v kolikšnem obsegu so predstavniki lokalne skupnosti oziroma izvoljene oblasti v ciljni državi prisotni kot "lastniki" v procesih razvoja in izgradnje države. Mednarodna skupnost pojem lokalnega lastništva uporablja vedno bolj kot orodje, da opredeli svojo vpletenost in odnose z lokalnim prebivalstvom, pri čemer je težko ugotoviti, kaj natančno lokalno prebivalstvo obsega oziroma ali poleg elit vključuje tudi predstavnike skupnosti. Posledično prihaja do neskladnosti med politično pomembnostjo pojma lokalnega lastništva in njegovo premalo razvito definicijo.

Ta disertacija predstavlja korak naprej v razvoju pojma lokalnega lastništva, tako da ga prestavi s politične na akademsko raven ob pomoči empiričnega primera Kosova. Pri tem sloni na treh vidikih. Prvi je teoretični in preuči lokalno lastništvo na podlagi teorije izgradnje države in reforme varnostnega sektorja (RVS). Drugi razčleni obstoječe znanje o lokalnem lastništvu. Tretji je empirični in razloži primer Kosova, kjer je zagata glede lokalnega lastništva precej izrazita.

Lokalno lastništvo je tesno povezano z RVS, saj pojem na ravni politik izhaja prav iz RVS. Vseeno ni dovolj, če pojem znanstveno analiziramo samo v sklopu RVS in zanemarimo druge bistvene teorije, kot je teorija izgradnje države. Ta raziskava zato slednjo teorijo upošteva pri preizkusu lokalnega lastništva v okviru norm, kot sta zaupanje in legitimnost. Posebno pozornost nameni lokalnemu lastništvu v kontekstu zakonitosti, pri čemer je eno od najustreznejših načel samoodločanje. Lokalno lastništvo umesti v kontekst odnosov med mednarodno skupnostjo in lokalnimi akterji na Kosovu, tako da ta odnos opredeli v smislu povezave med mednarodnim in lokalnim. Vloge akterjev v procesu razvoja varnostnega sektorja zato ne more obravnavati ločeno. Ti zapleteni odnosi pomenijo slabost, ki ovira uveljavitev lokalnega lastništva. Bistven sestavni del disertacije je v kontekst umestiti "visoko politiko" ter njen vpliv na uporabnost in ugled lokalnega lastništva.

Ta raziskava ugotavlja, da je mednarodna skupnost obsedena s svojo odgovornostjo pri zagotavljanju varnosti, da pretirava s stabilnostjo in da to obsedenost uporablja kot orodje. To škodi vključevanju lokalnega prebivalstva v proces izgradnje države do te mere, da se domačini in lokalni strokovnjaki počutijo odtujene. Disertacija s pomočjo jasnih empiričnih primerov razloži, kakšen je obseg mednarodne vpletenosti v varnostnem sektorju na Kosovu. Empirični del najprej vsebinsko povzame ključne elemente, ki razkrivajo posredovanje mednarodne skupnosti na

račun lokalnega lastništva. To je bilo še posebej očitno v obdobju mednarodne uprave na Kosovu med letoma 1999 in 2008. Naslednje poglavje opredeli napete odnose med mednarodno skupnostjo in lokalnimi akterji glede številnih odločitev v poosamosvojitvenem obdobju. Posebej izstopata oblikovanje oboroženih sil in raven nezaupanja, ki jo potrdi tako kvalitativno kot kvantitativno merjenje. Analiza gre še globlje in preuči tri značilne primere omejevanja lokalnega lastništva na Kosovu: postopek priprave varnostne strategije, razvoj svetov za lokalno varnost "od zgoraj navzdol" in pretirano poudarjanje medetničnih incidentov.

Splošne ugotovitve disertacije razkrivajo dobronamerna, a slabo opredeljena načela lokalnega lastništva na ravni politik, ki jih na Kosovu omejujejo modeli, vodeni od zunaj, in paradigma, obsedena s pretirano stabilnostjo. Dejanja mednarodne skupnosti niso upoštevala lokalnega konteksta, kar je povzročilo odvisnost in ranljivost domačinov ter zapletlo sodelovanje med mednarodnimi in lokalnimi akterji. Sklepi so kritični tudi do obstoječega sistema mednarodnega posredovanja v pokonfliktnih okoljih, ki nima posluha za široko vključenost domačinov in za lokalno kulturo. Tovrstne težave so prisotne v celotnem varnostnem sektorju, ki predstavlja enega od temeljev sodobne države. Izkazalo se je, da primer Kosova zelo dobro prikaže obseg mednarodne vpletenosti. Prevelika vloga mednarodne skupnosti, ki nima jasne izhodne strategije, je vodila k temu, da so lokalne skupnosti zavrnile politike, vodene od zunaj, saj v njih niso prepoznale uporabne vrednosti. Velika vpletenost mednarodne skupnosti je varnostno politiko odmaknila od lokalne stvarnosti ter povzročila razdrobljenost in omejeno trajnost.

Ključni izrazi: lokalno lastništvo, varnostni sektor, Kosovo, izgradnja države, reforma varnostnega sektorja

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List of Abbreviations

ASK	Agency of Statistics of Kosovo
BiH	Bosnia and Herzegovina
CSAT	Community Safety Action Teams
DAC	Development Assistance Committee
DCAF	Geneva Centre for Democratic Control of Armed Forces
DDR	Demobilisation, Disarmament and Reintegration
DFID	UK Department for International Aid
EPLO	European Peacebuilding Liaison Office
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
EUPT	European Union Planning Team
GDP	Gross Domestic Production
HRW	Human Rights Watch
ICG	International Crisis Group
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
ICO	International Civilian Office
IMF	Internationally Monetary Fund
ISSR	Internal Security Sector Review
KAF	Kosovo Armed Forces
KCSS	Kosovar Centre for Security Studies
KFOR	International Military Presence in Kosovo
KIPRED	Kosovar Institute for Policy Research and Development
KLA	Kosovo Liberation Army
KP	Kosovo Police
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service

KSC	Kosovo Security Council
KSF	Kosovo Security Force
KTV	Koha Vision
LPSC	Local Public Safety Committee
MCSC	Municipal Community Safety Councils
MFA	Ministry of Foreign Affairs
MKSF	Ministry of Kosovo Security Force
MMA	Monitoring, Mentoring and Advising
MoIA	Ministry of Internal Affairs
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisations
NUPI	Norwegian Institute for International Affairs
NSS	National Security Strategy
OECD	Organisation for Economic Cooperation and Development
OHR	Office of High Representative
OSCE	Organisation for Security and Cooperation in Europe
PEMI	Potentially Ethnically Motivated Crimes
SRSG	Special Representative of Secretary General
SSR	Security Sector Reform
SSSR	Strategic Security Sector Review
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNMIK	United Nations Mission in Kosovo
UNSC	United Nations Security Council
USA	United States of America
WB	World Bank

CHAPTER I

1. INTRODUCTION

1.1 Problem Definition

Since the end of the conflict in 1999, Kosovo became formally administered by the international community¹ under the auspices of the United Nations Mission in Kosovo (UNMIK) and the international military presence (KFOR). The authority of these missions has been embedded in international law under the United Nations Security Council (UNSC) Resolution 1244 (UN 1999). In addition to these two missions, there was “an army of international workers” within Governmental and non-governmental organisations, united in the goal of the reconstruction and development of Kosovo. While the power of the international community was understandably robust in the immediate post-conflict period, there was a trajectory which marked the shift in the influence and mandate of the international missions. Towards some sectors, however, this shift was not always carried out coherently and with consideration for new circumstances.

This new momentum was in place by the time Kosovo declared its independence on the 17th of February, 2008. Kosovo’s statehood - as an internationally supported project - was quickly recognised by some international powers. Nevertheless, Kosovo’s consolidation of statehood faced severe challenges which complicated the state-building process: especially when compared to other former Yugoslav countries that had passed the secession process (Weller 2009; Surroi 2014). These challenges were externally driven, defined by the competing stakes in Kosovo found

¹The thesis will refer to the notion of the “international community” because it implies a political international entity. It includes international missions on the ground, international donor community and influential international individuals. Hence, the notion of international community implies most thoroughly the wide range of international actors in the settings where the research is focused.

across the international community. Consequently, from the international relations perspective, the formation of Kosovar statehood was hampered by external political difficulties. These problems included Russia's veto threat in the UNSC, and the role of Serbia as "an elephant in the room" through the refusal to recognise the independence of Kosovo. This situation added complexity to the role and presence of the international community, who consequently, and as Richard Caplan rightly identifies, lacked a clear exit strategy, justifying their presence on the ground of "high politics" (Caplan 2012, 4). In other words, "high politics" implied that the external political challenges facing Kosovo held justification over elements of the state-building process.

The primary dilemma for the international community concerned the security sector. This sector carries high significance, retaining the coercive power and pillars of statehood (Weber 1958; Buzan 1991; Fukuyama 2004). As a consequence, the ownership over the design, management and control of the security sector represented a question mark for Kosovo in the post-independence period. There were no major differences identified between the post-conflict and post-independence periods in the discourse and the mandate of the international mission's vis-à-vis the security sector. The discourse, for example, placed repeated emphasis on political and regional dilemmas – such as the reaction of Serbia – ahead of domestic politics and demands. In fact, the former appeared to prevail over the latter (Surroi 2014). A former senior official of the international community in Kosovo cynically suggested that if the Minister of Foreign Affairs in Serbia stated that the "sky will fall in Kosovo" then the reaction of the international community would be based upon this statement (Harris 2014).

As a result, the political ambiguity and excessive interference of the international community has been observed on all levels of security sector development. The reference to purely security or defence related matters was both diminished and

considered as the exclusive authority of the international community. In explaining this phenomenon, a political activist from Prishtina stated that “the international rule imposed a discourse stripped of words like ‘defence’ and even ‘protection’, where only security remains because army turned into police, and rule of law recalled by rulers of law, de-linked from the ideas of justice” (Kurti 2011, 92).

Consequently, these policies led towards the reaction of local constituencies and actors (See Chapter III), to the extent that locally driven policy frameworks for the introduction of the armed forces prevailed later than the externally imposed security force model (See Chapter V). Furthermore, the international community claimed the need to artificially maintain stability and security, despite this reflecting an obsessive exaggerated stability which manifested a lack of trust between the international community and locals (See Chapter V). Even in a post-independent Kosovo, bottom-up domestic demands were consistently overshadowed by the standardised top-down approaches of the international missions (See Chapter V and Chapter VI). Such interference in security sector development has detached security policy from the local reality, ensuring its fragmentation and limited sustainability. This is reflected, for example, by the approach of the externally imposed National Security Strategy (NSS), where the artificial dominance of inter-ethnic policies and “top-down” community safety marks the most concerning, although not the only case in the process of security sector development in Kosovo (See Chapter VI).

The subordinate position of domestic demands beneath the externally imposed agenda ensured unequal cooperation (Reich 2006; Hansen 2008; Richmond 2012) between the international community and local government and constituencies. This consequence is not only identified in academic circles (Ginty 2007; Paris and Sisk 2009; Richmond 2012) but was approved by the interviewees during data collection. Alternatively, and in a broader sense, the lack of involvement of local constituencies, in the form of Government or civil society representatives, manifests one of the key

prerogatives for ensuring local ownership. If the initial intentions of the international mission were based on achieving positive ends, results can only be ensured if local constituencies actively participate in and lead the processes of development. This has not been the case in Kosovo.

The thesis does not endorse any radical idea which intends to challenge the foundations of the presence of the international community in Kosovo. From the strategic point of view, the international presence managed to stop the war and helped transition a post-authoritarian and post-conflict society into a free market and democratic society. In this way, Kosovo could turn its aspirations towards joining its geographical and cultural family – Europe. Furthermore, this thesis positively portrays the Kosovar public perception towards the role of the international community: the majority of Kosovars (61.9%) consider the role of the international community as important, especially in the immediate post-conflict period (See Chapter V). What the thesis challenges, however, is the “tactical actions” of the international community, which feed the strategies behind the many pillars of state-building, especially the security sector. In other words, the extent to which the locals are involved in the processes of development is crucial for the creation and maintenance of good strategy.

Of course, it would be naive to assume ownership in the immediate post-conflict period in which very limited capacities are available in tackling basic post-conflict public order tasks. This point reflects an argument which is endorsed throughout the thesis. Ownership however, can be justified after local participants gain the required level of experience. On the other hand, one cannot say that life in Kosovo started in 1999 – previous experiences, including those driven by the elite throughout the 1970’s and 1980’s must also be considered (Surroi 2014). Combined, the previous experiences of the Kosovars and, most importantly, nine years of international administration in Kosovo (1999-2008) were followed by an increase in maturity,

contributing to increasing calls for a locally owned security sector. While the need for some involvement by international community is justified, this international presence cannot everlastingly replace local capacities (Donais 2012b). The international community can only replace local capacities provisionally, until witnessing the potential for increased local maturity which Kosovars have shown from the outset of statehood.

Indeed, the externally driven challenges to statehood reflected only an element of the problems. The initial stage of state-building has been also hampered as a result of domestic factors such as: weak economic development, difficulties in enforcing the rule of law, corruption and organised crime created by the local political elite (Surroi 2014). All of these problems reflect big puzzles which impacts equally on state-building. Each issue indicates the complexities of the state-building processes in Kosovo. Nevertheless, the intention of the thesis is to focus solely on one direction of the state-building process, the actions of the international community. This refers directly to the primary field of research – local ownership.

The concept of local ownership has been critically examined and commented on throughout this thesis. Local ownership is one of the most frequent policy buzzwords applied in post-conflict settings by both international practitioners and local actors. In summarising the existing definition, local ownership connotes the extent to which local constituencies and elected representatives of the target country exercise the right to ownership in the processes of development and state-building (Donais 2009). The prevailing assumption of local ownership has argued in favour of "having the local actors in the first place and leading reform processes...as well as it giving a primary role to the inclusion of civil society in the design of policies and development" (Donais 2012, 12). A wider definition refers to the legal and political right of local actors to retain the final authority to independently decide on the state-building processes in a given territory or region. Legally, it is the right of the citizens

in a given territory or country to choose their form of governance, also understood as the right to self-determination. Furthermore it connotes political arguments, in which it justifies the need for a local “say” in the externally driven processes, also embedding the key norms favouring the right of people deriving from legitimacy. Overall, local ownership is not only a right but it also serves as a pivotal concept and a framework granting local constituencies the authority to lead and own the processes of security sector development.

Nevertheless, the existing definitions have been narrowly presented at the policy and advocacy level. Local ownership should not only represent a policy framework but it can also be utilised as a tool which serves cooperation between the international community- be it UN mandated missions or the donor community - on one hand, and local actors - be it government representatives and civil society, on the other. Consequently, one cannot examine local ownership solely from the policy perspective: instead the academic level provides flexibility to deconstruct local ownership from different perspectives including the theoretical and empirical (See Section 1.5).

1.2 Research Questions

The thesis answers research questions as designed at the outset of the project, particularly during pilot researching. The overarching question which has been applied throughout the thesis was: *What does local ownership mean?* This question connoted the foundations upon which I was expected to deconstruct the existing knowledge of local ownership: how does it stand in the policy and academic framework and, most importantly, whether existing knowledge is viable to the targeted countries. While the central question is aimed at digging into the conceptual underpinning, it also served the empirical efforts of the thesis.

The central question is followed by sub-questions which appeared to have helped the research endeavours. The first sub-question is: *How have the external actors performed during the process of security sector development in Kosovo?* This sub-question served examination of the international communities' performance in Kosovo in the context of local ownership and SSR. Furthermore, the sub-question did not only serve the explanation of context (See Chapter III) but performed as a principal guiding measure for all of other empirical chapters. The next sub-question: *To what extent the SSR process considered the local context?* explores in-depth the research angle of local ownership as well as the sustainability of the international community support towards SSR in Kosovo. Of course, the idea was to observe and analyse some concrete cases and explain the complexities of the international community vis-à-vis the security sector in Kosovo.

Additional questions have also been applied during the data collection process, based on the existing experiences of other authors in alternative post-conflict settings. Nevertheless, the existing guidelines and inquiries of most international organisations are target and policy oriented, ensuring none of them could holistically support my research angle. I have applied some of the questions that were present at “Drivers of Change in the Security Sector” as provided by Laurie Nathan under the auspices of the United Kingdom Department for International Development (Nathan 2006). The guidelines are considered to contain comprehensive indicators to analyse this matter and hence I have come up with the conclusion that the most relevant were to be tested in the case of Kosovo.

Nathan's guidelines were applied solely in line with research objectives and also in compliance with the research questions. The research questions and the guidelines of the “Drivers of Change in the Security Sector” were integrated into a questionnaire applied during face-to-face interviews with stakeholders. Some of these questions

were built into a research survey: for instance, in order to define the extent of “Donors and other external actors pursuing political agendas and interests” (Nathan 2006, 42). I have also used this framework to design questions directed at interviewees during face-to-face interviews. Similar questions have been designed in the survey in order to measure public perception.

1.3 Research Goals

The thesis relies on research goals which were designed at the early stages of the research project. These goals helped to frame the vision of the research and, most importantly, the originality of the thesis. The goals are designed in a manner so as to be fully in line with the hypothesis as well as the research questions. The goals are:

Goal 1 - To present and define local ownership within the framework of the State-Building theory and Security Sector Reform concept;

Variable: Local Ownership

This goal covers the main angle of the research - *local ownership*. The thesis successfully deconstructed local ownership by elaborating the concept in the context of State-Building theory and Security Sector Reform. Here, I have depicted the most relevant norms which helped to further examine local ownership. The legality was a dimension enriching the analysis because local ownership has also been deconstructed through a legal perspective – *self-determination* – strengthening research arguments. Here, I have applied my legal background in which I believe the congruence between self-determination and local ownership proved to be a further conceptual contribution in the field. Furthermore, in light of the local ownership variable, I have also deconstructed two norms: legitimacy and trust.

Goal 2 - To identify the extent of international community involvement in the security sector in Kosovo;

Variables: *International community involvement*
 Local context of international involvement
 Civil society inclusion

By *international community involvement* I mean all of the international actors in Kosovo that had influence, or were directly involved in the process of design, control and management of the security sector. Here I have included the international community mandated on the basis of the UNSC Resolutions, such as: the International Military Presence (KFOR), European Union Rule of Law Mission in Kosovo (EULEX), individual member states representatives, donor community and international consultancies. Although the primary focus of my thesis is the immediate post-independence period (2008-2013), I have also made a reference to the United Nations Mission in Kosovo (UNMIK) which governed with Kosovo in the period of pre-independence. I thought it of crucial importance to bring some examples into context in order to identify the causes of the challenges during the researched period.

By *local context* I mean the country-specific circumstances vis-à-vis externally led support. Here, there are a wide variety of factors which argue in favour of considering the local circumstances and culture when designing a security sector nexus. The liberal peacebuilding process - wherein the international community finds its core- needs to keep in mind the political, societal and security circumstances in Kosovo in order to ensure sustainability by the time the international community withdraws entirely.

By *civil society inclusion* I mean broader constituencies of locals, in this case Kosovars. The international-local nexus has not been viewed only through the perspective of

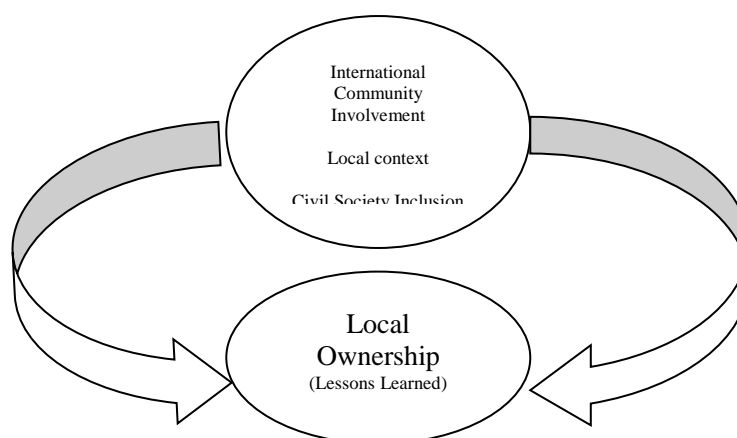
cooperating with governmental actors. Elite capture (Hansen 2008) proved to be a problem in the case of Kosovo, because the entire representative body of civil society has been rarely involved. It appeared that the international community preferred to cooperate more with the "stronger" part of the society; especially those who retained the potential to destabilise the situation. Also, civil society was viewed from a Western perspective, ensuring that Non-Governmental Organisations (NGO) were viewed as the most genuine representatives of civil society, which in the context of Kosovo was not always the case.

Goal 3: Sharing key lessons from the local ownership in Kosovo.

Variables: Lessons learned

By *lessons learned* I mean sharing of the thesis findings for the purpose of other prospective research endeavours in the field. The intention is to structure key findings and share the experiences with other relevant case studies. In that way, in addition to the contribution at the scientific level, the thesis is expected to serve the efforts of the policy-makers in avoiding the challenges and weaknesses of the international community in other settings in the world.

Figure 1.1: Association of variables with the research goals



1.4 Hypothesis

The general explanation of hypothesis presents *well intended – though poorly defined - principles of local ownership at the policy level which have been challenged as a result of externally-driven models and an obsessive exaggerated stability paradigm in Kosovo. In particular, the actions of the international community were not in congruence with the local context, caused dependency and vulnerability among the locals, resulting therefore in complex cooperation between international community and local actors.*

The hypothesis is verified through a number of findings brought and examined across the thesis. All of these findings managed to explain sufficiently and, I believe convincingly, the complexities of the international community' involvement vis-à-vis the principles of local ownership. In fact, the research managed to test the pre-designed hypothesis as defined in the efforts for completing the research proposal:

Security sector development in Kosovo reflects incongruity between the role of the international community and the local context because the fundamental principles of local ownership were not respected.

The verification shows that the models of the international community in the process of security sector development appeared out of line with the local context and circumstances because the involvement of local authorities and citizens in the process of design was limited. This, as will be shown throughout the thesis, will have implications in the overall sustainability of the security sector.

1.5 Relevance and originality of the research

The relevance and originality of the thesis can be depicted across diverse means of examination in which local ownership is viewed beyond a policy and technical framework. While the contribution by others considered local ownership mainly around technical dimensions, it is right to say that the concept appears to be unexplored outside the policy level (Martin and Wilson 2008). As a result, I have found that the existing contribution has made only limited steps towards developing an understanding and explanation of local ownership that it is capable of convincing the relevant policy actors of the applicability and utility of the term in all post-conflict settings.

This research has made a significant step on bringing the evolving concept of local ownership from the policy level onto an academic level. In doing so, I have applied a number of perspectives. The first perspective is theoretical, where local ownership has been examined on the basis of two theoretical foundations: State-building Theory and the concept of Security Sector Reform; the second perspective implies the deconstruction of the existing knowledge on local ownership. The third perspective considered the empirical dimension of the case of Kosovo, bearing in mind that it represents one of the most relevant post-conflict and post-independence cases concerning the dilemma of local ownership.

Consequently, these three dimensions contribute significantly in defining local ownership, holding the potential to influence the modification of international policy making use of evidence learned from empirical case study. This contribution is provided further in the final chapter (See Chapter VI) and conclusions in which the lessons learned are expected to be considered in future interventions by the international community across the world. Furthermore, the arguments sufficiently aided the deconstruction of the main dilemma of local ownership, ensuring this

thesis makes an important and original contribution to limited knowledge in the field.

While the thesis makes a contribution to security studies it also makes a contribution towards the academic discipline of development studies. There is recognition of the linkage between security and development through what is termed the security-development nexus (Graben and Fitz-Gerald 2013). The development component was largely present in the case of Kosovo by making the security sector more of a development process ahead of a reform process, built up from scratch with the strong support and influence of the international community (Qehaja and Vrajolli 2011). Hence it was crucial to have "developmenters" in the process of security sector development as oppose to other reforming countries which require "reformers" (Edmunds 2002; Brzoska 2006).

Additionally, this research was not solely focused on examining local ownership across the dimension of the relationship between international stakeholders and government actors: it also considered the involvement of civil society in policy making to satisfy notions of an inclusive security sector. This additional focus, through the inclusion of an analysis of civil society, serves as an added value to the originality of the thesis. It is based on the assumption that the pertinent beneficiaries are the citizens of the country and not only the practitioners (Martin and Wilson 2008) or the political actors on the ground. Thus, aside from state ownership, vis-à-vis the role of the international community, this research also evaluates the role of the civil society actors in the development of the security sector. The fact that a survey (See Section 1.6.e) has been conducted in which the people's perception has been measured marked another indicator explaining the extent of citizen's involvement (See Chapter IV).

The contribution provided by other scholars in the field has been ad hoc and rarely academic oriented. These studies applied a technical focus by examining in isolation donor policies and security sector reform in specific case studies. Hence, the cases which have been developed to date belong to those countries which already have full international recognition as states and their relationships with the international community have been conducted under different political circumstances. For example, Nathan has explained local ownership in the SSR processes in South Africa (Nathan 2007); MacGinty provided a contribution in deconstructing the concept in the case of Lebanon (MacGinty 2007); Albrecht and Jackson contributed on the case of Sierra Leone (Albrecht and Jackson 2014); Lemay-Hebert focused predominantly on the case of East Timor (Lemay-Hebert 2011; Lemay-Hebert 2012). Furthermore, Richmond and Donais have contributed extensively in deconstructing the relations between international and local actors based on the liberal peace-building theory and following the examples of some case studies (Richmond, 2009; Richmond 2012; Donais 2012a). However, all of these contributions were solely focused on one dimension of local ownership: it either implied assessing the role of the donor community (Nathan 2007) or it was aimed at deconstructing the relations between international community and local actors across political, societal and anthropological frameworks (Donais 2009; Richmond 2012).

Indeed, I have managed to entirely deconstruct the concept of local ownership and apply all of its complexities to the study of Kosovo. Along a completely deconstructed local ownership concept, the case of Kosovo appears to be sufficiently challenging and complex in order to test local ownership. It provides specific empirical relevance which is different from the existing knowledge reflected by other cases. As a result, in addition to the general contribution to the science, the thesis will fill a neglected niche in a hitherto limited library concerning the issues of the security sector in Kosovo. At this stage, there are some sources related to the security sector in Kosovo, but there is an absence of a single research project that

elaborates in detail the true process of building security institutions. For example, the United Nations Development Programme (UNDP) in Kosovo has produced some quantitative research reports that measure the level of public trust toward the security sector (See UNDP 2011; UNDP 2012), based on stratified samples which predominantly showed the level of trust felt in relation to the security institutions in Kosovo. There are some reports provided by the International Crisis Group (ICG) analysing the security situation in general and focusing on the northern part of Kosovo (See ICG 2007; ICG 2008; ICG 2012; ICG 2013). In addition to these, there are a few articles written by local experts and academics for the purpose of assessing the performance of security institutions and the security situation in general (See R. Qehaja 2004; Gashi and Hidri 2008; Skendaj 2014) but covering only very specific and predominantly policy oriented issues. There are also some publications launched in international journals by international academics and practitioners which, despite many in number, only few afford specificity to security issues in Kosovo (See Chomsky 2002; Pettifer 2003; Welch 2006; Weller 2009; Lemay-Hebert 2012). Consequently, the thesis is expected to serve the variety of gaps to the existing knowledge on local ownership in the security sector as well as a limited corpus of knowledge on the sector in Kosovo.

1.6 Used methods

I have applied a multi-strategy research (Bryman 2001, 443) by diversifying data collection methods. The research relied on a wide variety of methods for data collection, aiming to ensure both a high level of accuracy, and allowing for a detailed study. The methodology comprised a mixture of qualitative research as well as a quantitative measurement; with the former implying a greater methodological field. Despite stylistic differences, combining both has been found to be complementary (Neuman 2006, 181). I have collected the data throughout the period from January 2014 until January 2015. I have, of course, used the existing research track and my

existing professional network in order to easily access data and relevant stakeholders. The intention of the thesis was to collect the data for the period from 2008 until 2013.

I have experienced different challenges during data collection. First, during face-to-face interviews some interviewees were reluctant to share some of their relevant experiences by being rather “diplomatic” in their statements. This was particularly the case with those who requested anonymity. Secondly, it was difficult to identify Kosovar academics to be interviewed on the topic. There is limited number of academics having knowledge on local ownership and liberal peacebuilding, with an even smaller number of academics is on the security field. This challenged the scientific examination of local ownership beyond the policy perspective. Thirdly, the processing of quantative data was particularly challenging to me because it required technical knowledge in using the SPSS and applying the cross-tabulation for some of the questions. My knowledge was facilitated by the assistance of my colleagues. Four, I had difficulties in systematising the responses of the respondents from open-ended questions because people have used different expressions for similar opinions. These factors ensured the need for a great deal of analysis and interpretation.

Below I explain each of the methods and experiences I had during the process.

a.) Interviews – I have conducted 21 face-to-face interviews with the relevant stakeholders. I have also had two email interviews. The interviews were based on the semi-structured method and where therefore flexible, which allowed questions to be brought up during discussions (Kvale 1998; Grix 2010). I had a number of generic questions designed on the basis of the research questions however, depending on the actor, I formulated different questions in order to find out the specific problems of each particular variable or case. For example, there were specific questions posed on the cases of drafting the national security strategy and the inter-

ethnic dilemma (See Chapter VI). I have managed to conduct interviews with government representatives at all levels including the Minister of Internal Affairs, and the Minister of Kosovo Security Force. I also interviewed relevant stakeholders such as: analysts, former police and military officials, academics and representatives of civil society organisations. In this way, I created space to all constituencies to provide their own opinion. I have also interviewed the representatives of the international community in Prishtina and Brussels. Each of the interviews lasted from 90 - 120 minutes.

While conducting the interviews, I have brought specific attention to methodological ethics (Gregory 2000; Bryman 2001; Grix 2010). The key informants have been treated in accordance with ethics; whereby, upon the request, their name has not been revealed, and instead, only the date and place of the conducted interview, or receipt of response, was provided. This was the case especially with six interviewees - governmental or international community representatives - that appeared to be critical on the topic while retaining still functions in a related institution. In some cases, I have quoted the stakeholders based on the informal conversation however I did not mention them specifically in order to ensure respect the ethics.²

b.) Survey on citizen's perceptions – represents a typical public perception measurement in the social sciences (Leeuw et al 2008). I have relied on the annual survey conducted by the Kosovar Centre for Security Studies (KCSS) which is entitled "Kosovo Security Barometer" (KCSS 2014). Bearing in mind that I am part of the organisation, I have used the resources of the survey in its fourth edition which took place from the 11th -22nd of October 2014. For this purpose, I received permission from the KCSS Council to include 8 relevant questions - in addition to other generic questions of the organisations. My questions have been solely used for the purpose

² The data, including the names of interviewees, have been revealed in front of the doctoral committee during the Second Doctoral Seminar which took place on the 22nd of October, 2015..

of this thesis. There were 7 questions in the form of Likert scales, and one which was a more open ended question.³ Prior to launching the survey, I have personally conducted a pilot study with some of the respondents in order to assess the suitability of the questions, which proved successful. With the exception of two questions, the remainder were scientifically oriented; which required more understanding and an advanced knowledge from the respondents regardless of their academic background or origin. Nonetheless, I have been positively surprised with the response of the citizens, especially in the open-ended question – all of which supported my research endeavours.

I have interpreted the general data by examining the citizen's perception on particular issues. In order to do so, I had to measure public perception based on the background of the respondents in order to depict the differences in opinion. For example, I have made particular interpretation of ethnic, gender and youth perceptions as a way of identifying opinions of different parts of society. I thought this was important because, normally, people create different perception or opinions. Furthermore, I have applied cross-tabulation with regards to the key questions of the survey. The intention was to depict the difference in perception among two related issues. For example, I have cross-tabulated the people's distrust towards international missions with their views on the capacity of the Kosovo security institutions to assume full responsibility (See Chapter IV).

As for the management and details of the survey, a national sample has been drawn that is representative of the Kosovo population from 18 years, including 1101 households. This sample was based upon telephone area codes. The ethnic breakdown of the interviewed respondents reflected the ethnic composition of the population in accordance to the 2012 Kosovo Census Report (ASK 2013). The random sampling was applied, using the 'nearest birthday method', ensuring a

³ See Annex I which includes the questions that has been posed in the survey.

stratified approach and therefore creating an equal probability of citizens of Kosovo being chosen for the interview. This technique appeared to be successful with the previous editions of the survey because the margin of error did not exceed 3% (KCSS 2014). As a result, I have strong reason to trust the previous experience and efficiency of the research team. Regarding the data management, the data has been included and maintained in the SPSS Software following the generic rules of harmonising survey data (Granda et al 2010). The project involved up to 30 field researchers in the project. The team interviewed the respondents through an integrated questionnaire which included a total of 8 questions that constitute this thesis. In order to understand public perception I have attended some of face-to-face interviews. I had the chance of joining the team in the municipalities of Prishtina, Ferizaj and Gracanica.

I also organised a **focus group with field researchers** to receive more insight on people's perception. I invited 11 field researchers representing the regions that they cover during the survey. Here I have received qualitative feedback of the citizen's perceptions on the questions I have posed. As a result, I managed to deconstruct the real public perception that helped significantly in the interpretation of data. It was highly interesting to hear the opinion of citizens on the role of the international community vis-à-vis the security sector in Kosovo.

c.) Content and Textual Analyses – represents a generic desk research method in the social sciences (Titscher 2006). I have relied on a wide variety of national and international topical sources, including: reports launched in the envisaged period from various institutions - especially papers commissioned by civil society organisations - and, in particular, relevant legislation and policy papers. In the theoretical part, I have exhausted the most relevant articles and opinion-pieces provided by key and non-key academics in the field of liberal peacebuilding, local ownership, security sector reform and state-building. Besides that, the journalistic

reports on key issues relating to the topic served the empirical part of research endeavours, as those enriched some arguments in favour of local ownership.

d.) Participatory and non-participatory observation (monitoring) - I did not follow directly the rules of the participatory or non-participatory observation as defined by the principles of this method. The participatory observation offers the possibility to a researcher of being a complete insider (Creswell 1998, 125), which was exactly the case with me being part of key policy processes in Kosovo and abroad, on the basis of which, I assert the right to elaborate arguments upon these insightful experiences. Hence, I deem it necessary to define this method of data collection and analysis through a particular method because of my experience gained during direct and indirect involvement, which was crucial to the thesis. Furthermore, this observation served substantially the research endeavours in some parts of the thesis. In addition, I have relied on my previous participation in working groups which reviewed legislation and provided policy drafting.

e.) Focus Group – I have invited a group of 8 relevant experts to discuss the main findings of the thesis. Some of those have been interviewed for the purpose of the thesis. A focus group was the most appropriate mean in which to gather the interviewees. Here I have used the generic techniques of focus groups: I have indicated the findings of my thesis and asked the response of experts through interactive debate (Grix 2010). I have also shared with the focus group members the findings of the survey. The focus group took place on the 15th of January, 2015.

1.7 Structure of the thesis

The structure of the thesis is broken into six chapters: the first chapter is the introduction, which includes sections on argumentation and methodology; the second chapter is solely focused on theoretical and conceptual framework; chapter's

three to six covers the empirical part of the thesis and finally chapter seven recapitulates the key findings and lessons learned. Conclusions are provided at the end of the thesis.

Chapter one provides an introduction as well as the explanation of the methodology. It summarises the problem definition and key findings of the research. Each section particularly tested the research goal, research questions and hypothesis. Due to the extensive methodology, I have provided a particular section explaining the data collection and the experiences I had during the process.

Chapter two serves as the conceptual framework of the thesis. It is focused on deconstructing the conceptual underpinning of local ownership by bringing the concept from a policy towards an academic level. The outset of this chapter defines local ownership as a term. Before discussing local ownership in an academic context, a particular section was devoted towards deconstructing the term on the basis of existing policy knowledge. The legality and legitimacy made up the two aspects for which local ownership was initially deconstructed, marking the two areas as an entry point to the original discussion over local ownership. As for theory, the first theoretical foundation considered state-building theory, and in which local ownership was elaborated within the framework of the liberal peacebuilding and trust dilemma. The second dimension was Security Sector Reform, from which local ownership has derived. This chapter also collected the existing critiques of local ownership.

Chapter three marks the outset of the discussion over the empirical dimension, but from a contextual perspective. Here, there are historic references to some key developments in which the primary focus was on the post-conflict period. The chapter was divided into two periods of the international administration of Kosovo: the period from 1999-2004 and the period from 2004-2008. Here, I have focused on

the role of the international community throughout these periods as well as the key political and social processes. Some important features of this part served the efforts in the empirical section, with a focus on the period from 2008-2013.

Chapter four gets into the research angle, in which the general relationship in the international-local nexus has been discussed. Here, I have deconstructed the overall role of the international community in the process of Security Sector Reform by focusing on the overarching dilemma of obsessive exaggerated stability. The chapter reflects on a number of empirical cases explaining the uneven relationship between international and local actors, namely in the processes of security and defence. The qualitative analysis has been combined with the quantitative data. The final part of this chapter interprets the perception of the citizen's through number of variations.

Chapter five explains local ownership against the backdrop of three cases which fostered the argumentation: the first case is on the interference of the international community in the process of design of the national security strategy, the second case provided the example of the conundrum of community safety mechanisms, whereas the third case reflects upon the overemphasised dilemma of inter-ethnic conflict. These cases demonstrate crucial empirical findings in the context of cooperation between the international community and local actors.

Chapter six serves as a summarising chapter of the thesis, which is enunciated in the form of lessons learned. Here my intention was to synthesise the implications of my empirical study for other regions. These implications would target the international community and major donor governments who intend to be involved in the process of security sector development in the future. The implications are however not meant solely for the policy framework but also to enrich the existing definition, albeit in a limited manner, of local ownership.

Conclusions recapitulate the overall findings of the research project.

CHAPTER II

2. THEORETICAL FRAMEWORK

“...the world of international community is that of an architect who is conversant with the formulae of structural engineering but who is ignorant of...the standards of taste with reference to which architecture is said to be beautiful or ugly.” (Bain 2006, 526)

The theoretical chapter represents the cornerstone of the thesis. It serves the conceptual and theoretical efforts, which are tailored and applied towards the empirical chapters. This chapter provides the main theoretical intervention through the deconstruction of local ownership. The first part of the chapter focuses on the concept of local ownership, starting from a linguistic definition before deepening into a more general definition. Furthermore, this analysis reflects the evolution of local ownership on the policy level by highlighting the prominence of local ownership on the conceptual and academic level. The first intervention marks the examination of the notions of “ownership” and “locals.” Following this, local ownership is strengthened through a legal understanding which relies upon the existing principle of self-determination and the norms in which legitimacy takes a particular space.

The second part of the chapter explores existing theoretical knowledge on state-building. This section explores a set of paradigms that tailor the state-building effort towards the local ownership concept. Here, the prominence is weighted towards the liberal peacebuilding theory in the context of state-building, in which the dilemmas are revealed through local ownership. The relationship between locals and international community is deconstructed into state-building norms, such as trust. The final part of the chapter offers the third conceptual pillar of the thesis –Security

Sector Reform (SSR), from which the local ownership dilemma derives. The existing theoretical framework is complemented with the additional concept of *security sector development*, which serves further the empirical efforts provided in the final parts of the thesis.

2.1 Foundations and definition of local ownership

The fundamentals of ownership, as a term, originate mainly from legal sources. According to legal dictionaries, ownership is a legal right in which the owner exercises ultimate control and the right to property (Dictionary 2013). From a legal point of view, there is a difference between “the right to own” and “the right to possess.” While the right to possess implies the right to use the given property, it does not, however, make the “possessor” the legal owner. Thus, the possessor may enjoy the benefits of inhabiting the property, whereas the owner enjoys the legal title over the property and the benefits of the property with free disposition over what is owned (Bendix and Stanley 2008). This clear distinction between possession and ownership can be observed in the categories of Roman Law, which are latterly applied in Continental Law. Similarly, this is the case with the Anglo-Saxon model, which recognizes the “legal relation between a person and an object” (Britannica 2014).

Exploring ownership through its origins in legal vocabulary provides important foundational knowledge that will help an inquiry into local ownership and the primary focus of the thesis. This is best emphasised by the definition of “ownership” in the English language, which principally connotes a legal dimension. Moreover, and similarly, this is the case when literally translated into most local languages. For example, when translating local ownership into the Albanian language it refers to “*pronësia lokale*”, or into the Serbian language it refers to “*lokalno vlasništvo*.” Both

terms “*proněsia*” and “*vlasništvo*” offer a legal interpretation. Understanding the legal dimension of local ownership is not the primary aim of the thesis, however, and as will be further argued, local ownership connotes some legal and normative features.

Unlike a well-defined notion of ownership in the legal dictionaries, local ownership is not coherently defined in the dictionary. It is constituted from two words, both creating a particular meaning. According to the web-dictionary, local ownership “is a way of community involvement in which local residents can own shares and have benefits from local developments” (Glossary 2014). This is a scarce definition which provides the reader with only a basic idea of local ownership.

The primary aim of the thesis is to examine *local ownership* as a principle applied in the international relations, security and development studies. Although, the concept appears to be present in policy documents, it has derived from a written and verbal discourse which targeted the developing countries subject to international donor support, namely in post-conflict and post-authoritarian settings. It also targets countries which were subject to the deployment of international military or civilian administrations on the basis of Chapter VII of the Charter of the United Nations (UN 1948). The immediate meaning of local ownership (in these contexts) suggests that the reform of security policies and institutions must be designed, managed and implemented by domestic actors rather than external actors (Nathan 2008). Furthermore, the primary intention of local ownership was to define the role of the international community in all of these settings, especially when communicating and cooperating with local counterparts. In other words, the critical dilemma (over local ownership) consisted of the relationship between the international community (be it an international, civilian, and/or military presence, donor community or other) and local actors (understood as the recipients). This relationship reflects the core of the local ownership concept, which could be framed into an international-local nexus.

As a result, the thesis will examine this cooperation on the basis of this understanding.

In order to further deconstruct the contemporary concept of local ownership, the identification of primary agents is of crucial importance. In fact, there are two principle agents of local ownership: the international-local nexus and the post-conflict/independence countries. Firstly, local ownership examines the relationship between international actors and local actors in a post-conflict or post-independence setting. The international actors include a wide range of stakeholders, who operate on behalf of the “internationals”; meaning the international missions, donor agencies, international governmental and non-governmental actors, and overseas state or non-state actors. The broader set of international actors could be framed into the notion of an *international community*. On the other hand, local actors imply all of the actors constituted by the representatives of the targeted country such as the state institutions, non-governmental organisations and citizens. This holistic definition of local actors could thus be simply referred to as the *locals*.⁴ Secondly, local ownership has a specific target, and it is rather examinable in post-conflict or post-independence countries. There are a number of countries where local ownership can be examined as the relations between international community and locals, such as: Afghanistan, Ethiopia, Guatemala, Liberia, Sierra Leone, East Timor, Bosnia and Herzegovina, Kosovo, Palestine, South Africa, Nepal, Libya, etc. After the end of the Cold War, these countries passed through some form of transition, and have faced problems of international recognition or internal conflict. Although the format of the international presence and intervention across these cases are different; in practice, as will be explained later, the approach towards these countries does not differ significantly.

⁴ For more on this please see the section on Security Sector Reform (Chapter II)

Nevertheless, “from definitional and operational perspectives (the local ownership) remains both elastic and elusive” (Richmond 2012, 354). There are however, rare cases when the concept has received examination in academic circles. As a result, the contribution provided to date by scholars has been inconclusive. The existing academic attempts have been unable to provide a concise meaning of local ownership. Oliver Richmond, for example, tries to simplify the definition as the “...relations between external and internal actors over the political, legal, social, developmental and security institution being imported or locally built and grounded” (Richmond 2012, 359). On the other hand, and similarly to Richmond – although with more concision - Timothy Donais defines local ownership as a “...process the extent to which local actors exercise control or influence over the initiation, design and implementation of a reform process” (Donais 2009, 118). The “extent” to which the international actors are involved constitutes the justification in examining local ownership. This is because local ownership is not a fixed object; one cannot measure international community involvement in terms of “yes” and “no”. Neither could the relationship between international community and locals be measured according to fixed categories. Thus, local ownership should be examined on the basis of the performance of the international community in post-conflict and post-independent countries and through its relationship with the local community.

With a scarce academic definition of local ownership, the central question raised in this thesis is: what do we really mean by local ownership? While the question is framed in a simple way, it is not expected to provide a simple answer. Hence, it requires a more systematic examination in the context of post-conflict and/or post-independent countries. A wider definition will be extracted from the upcoming sections, however the immediate framework of local ownership implies a definition in which the local actors (in a broader sense) retain the final authority to decide on independently the state-building processes in a given territory or region. It is a right which connotes legal, political and moral arguments. Legally, it is the right of the

citizens in a given territory or country to decide on their form of governance, also understood as the right to self-determination. Furthermore it connotes political arguments, in which it justifies the need of a local “say” in the externally driven processes, and it also embeds the key norms favouring the right of people deriving from legitimacy. The definition of local ownership is further deconstructed in the following sections.

2.2 Local ownership in the policy discourse

It is now clear that local ownership ultimately derived from the written and verbal discourse of the international community. It is part of the generic corpus of vocabulary applied by international organisations in post-conflict and post-independence settings. Local ownership was present alongside many other buzzwords, including: “stability”, “democracy”, “peacebuilding”, “peacemaking”, “reconciliation”. Words synonymous to local ownership have also become part of the international organisation discourse: the United Nations (UN), for example, tends to apply the term of “national ownership”, while the Organisations for Economic Cooperation and Development (OECD) applies the term of “country ownership” or “domestic ownership.” Despite a diverse set of buzzwords, none of those sufficiently explained the extent of “local” and “ownership”.

Local ownership became more frequently mentioned by the end of 90’s. It developed to form an indispensable part of policy documents at the outset of XXI century and has retained this position ever since. It is important to map and evaluate the extent to which local ownership has been prioritised by international organisations for a number of reasons: firstly, international organisations are the primary actors in the international-local nexus; second, one needs to examine how the international organisations frame local ownership within the policy framework in order to have

an accurate overview and; third, mapping will help the thesis identify which organisations embraced the concept of local ownership in order to critically evaluate its application on the ground, especially in the case of Kosovo.

It is difficult to identify which international organisation first used the notion of 'local ownership'. There might be early documents highlighting the need for a broader local involvement and the right of "beneficiaries". Although, one of the first documents mentioning local ownership is a paper produced and launched by the World Bank (WB) in 1995, titled "Strengthening the effectiveness of aid: Lessons for donors", which assessed the overall performance of international development aid in the immediate post-Cold War period. The document made explicit the need for fostering local ownership within international aid (WB 1995). The WB openly invited the donor governments and the wider donor community, to respect the domestic constituencies and address (locals) constraints (Richmond 2012, 366). Another financial institution – the International Monetary Fund (IMF) - also considered the principle of local ownership. Compared to the WB, however, local ownership at the IMF is ensured only once the recipient country respects the conditions of the IMF – also known as "conditionality". Thus, the IMF only recognises local ownership (the involvement of local populations) if there is a wide acceptance of its conditionality (Khan and Sharma 2001). Nevertheless, none of the initial documents of the IMF were primarily aimed at upholding local ownership.

Lately, the concept has become more gradually incorporated into the policy frameworks of the individual governmental donor agencies. The United Kingdom, for example, embraced local ownership in 1997, declaring its commitment to local ownership in a UK Department for International Aid (DFID) document on reducing world poverty and development aid (DFID 1997). It calls upon diplomatic efforts and development programmes to ensure an international response "on the basis of

national ownership” (DFID 1997, 53). This step was also followed by other governmental agencies with a strong influence and presence in all of those settings.

In fact, it was late 1990’s and the outset of 2000’s when local ownership was widely positioned into the goals and objectives of international organisations. This was particularly the case with the OECD – an organisation whose goal is to promote policies that will improve the economic and social wellbeing of people around the world (OECD 2014). The OECD, amongst a wide range of issues, also advises the donor governments on how to better distribute development aid in post-conflict settings. For this purpose, in 1996, the first declaration was made that addressed the issue of local ownership in the development community. Later on, in 2005 the “Paris Declaration of Aid Effectiveness” openly invited the donor countries to help strengthen their capacity to exercise their mandate while respecting local ownership (OECD 2006). Local ownership became a principle element of the OECD DAC Report for Security Sector Reform and Governance. The report is not a binding document, but it strongly recommends actors to change their approach and consider primarily the local context and expertise in the SSR processes. The OECD DAC Report critically evaluates the role of the international agencies in post-conflict countries and highlights the comparative advantage of the countries that had a local inclusion in their SSR processes (OECD 2007).

While international economic organisations (such as: IMF, WB and OECD) aimed to address local ownership within the donor community, it was equally important (if not more important) that the concept of local ownership became embraced by other international organisations operating in post-conflict or post-independence settings. There is certainly a wide variety of international organisations mandated to govern or provide support. A wide interpretation of the UN Charter defines these organisations as collective security organisations such as: UN, EU, African Union, or collective self-defence organisations such as NATO (Simma 1999).

The United Nations (UN) started to apply local ownership as part of its developing paradigm of the “Responsibility to Protect”, which was launched in a special report in 2001. The UN generally refers to this paradigm as the world’s responsibility to ensure that human rights are not systematically violated by state or non-state actors. To this end, the report provides options to the role of the international community in post-conflict environments, which shall fully respect the rights of the local population (UN 2001). The objectives of the “Responsibility to Protect” became further embedded into two other important UN documents such as: the UN High Level Panel and the UN Agenda for Peace. Local ownership gradually became part of the generic discourse of top UN officials. Former UN General Secretary Kofi Annan, for example, repeatedly referred to the need for local ownership and “participatory governance”. Similarly, Lackard Brahimi, a senior UN official, highlighted the need for international organisations to respect local ownership to the greatest extent. Brahimi suggests that local ownership does not aim at shifting the constellation from foreign concerns into primacy of local concerns but he strongly calls (the international community) for the avoidance of arrogance, showing humility and genuine respect for the local population (Brahimi 2007).

Nevertheless, the UN definition and respect for local ownership is subject to criticism. Richmond believes that the UN connects local ownership with national ownership in a relatively ambiguous way, and expresses a particular problem with the definition of “national ownership”. He states that “the UN definition (of national ownership) attempts to transcend elite and national understandings of ownership, and is limited by its bureaucratic culture of engaging with those very elites via state-centricity: and because the most marginal members of society, by identity, race or class, are not the focus of local ownership” (Richmond 2012, 366). The definition positions the UN into those international organisations which intentionally bypass

the holistic meaning of local ownership in the territories administered or influenced by the UN.

On the other hand, the European Union (EU) has a range of policy documents which regulate its role as an "emerging global power." For this purpose, the EU Security Strategy, while committing the EU to perform its power with a single voice, does not refer to the relationship vis-à-vis "recipients" or local actors on the ground. The document provides a clear objective in which the "EU will think globally and act locally" (EU 2003, 6) while not deconstructing how it "acts locally." Additionally, the European Parliament has adopted a resolution on the development perspective of the EU. Here, the resolution explicitly refers to local ownership as "essentially important in long term stability" (EU 2008). The EU views integration as a local standardisation with external norms, harmonisation, and local transformation according to a regional play that has already been long established (Richmond 2012). This approach implies the adoption of values which derive from the Western hemisphere. The problem is whether the EU considers local values, including those not necessarily tailored to Western values, in its performance on the ground. This approach can be evaluated through number of instruments applied by the EU, such as: missions, bilateral relations with the given countries and development aid.⁵

The North Atlantic Treaty Organisation (NATO) appears not to embed local ownership into its strategic documents. Its new strategic concept recognises the role of the local authorities in fighting terrorism and when facing other security challenges. Nonetheless, the document does not refer to cooperation with local actors (NATO 2010). NATO's 2020 document provided a comprehensive framework of the organisations new strategic vision in the countries and territories where it maintains a presence. While there is a reference to locals, the document does not recognise the concept of local ownership, whereas it only refers to the local

⁵ For more on the relations between Kosovo and EU, see the empirical findings in Chapter IV and V

authorities, understood as the government (NATO 2010). As a result, it does not recognise the concept of locals in the wider sense. Compared to the EU, the role of NATO can be evaluated against its missions on the ground (if any) and through political relations with these countries. Truly, NATO does not provide a development aid component with the exception of its assistance to countries in the reform and upgrade of armed forces.⁶

Overall, the existing reference to local ownership by the international organisations should be viewed with scepticism. An elaborate suggestion has been made that the reference to locals and their participation is being applied by donors and international organisations mainly in order to ensure funding streams and good relationships with donor governments (Richmond 2012). Here, it appears that the frequent reference to “locals” was sufficiently convincing in international circles that it did not require further elaboration. Most importantly, there is incongruence between the written reference towards local ownership and its practical application in the post-conflict settings.

2.3 Who are the locals?

Inclusiveness is one of the primary elements of SSR. In order to deconstruct local ownership further, one needs to extract the main features of what constitutes ‘local’. From a general point of view, the locals are meant to be the representatives of post-conflict or post-independent countries and the beneficiaries of the support of the international community in an SSR or similar process. In terms of local governance, the term can be misleading – it also connotes the representatives of a community in a respective region or municipality. From the general perspective, the term would make a principle division between “us - internationals” and “them - locals”. As a

⁶ For more on the relations between Kosovo and NATO, see the empirical findings in Chapter IV and V

consequence, in order to avoid misunderstanding and the division of internationals from the locals, some authors went further by saying that there is no local in a globalised and networked world (Mac Ginty and Richmond 2013). However, I shall accept the term of local as it is served, and as it is explored in order to study the relationship between the international community and locals whilst refraining from any prejudices as a result of its narrow (mis)interpretation.

Robert Mac Ginty and Oliver Richmond have researched in depth the notion of the local in the context of an international-local nexus. According to them, “local” connotes a range of locally based agents present within a conflict and post-conflict environment, some of which are aimed at identifying and creating the necessary processes for peace, perhaps with or without international community help, and framed in a way in which legitimacy in local and international terms converges” (Mac Ginty and Richmond 2013, 769). They elaborated further by stating that “given the complexity and diverse inclusion of agents in the given contexts local has an elastic meaning” (Mac Ginty and Richmond 2013, 770). The “diverse inclusion of agents” reflects a holistic understanding of the local, which needs to be examined. Indeed, the inclusion of all actors from different ranges of communities constitutes a legitimate representation. Each case constitutes its own context, however, and in most countries, locals imply a number of actors. For instance, *state actors* – understood as elites from all dimensions of the public sector such as: Government, Assembly, Municipalities, Presidency, State Agencies and Political Parties; *civil society* -, understood as the non-governmental organisations, village leaders, tribal leaders, media, academia and citizens. Also, the diaspora (if large) represents an important dimension of the wider constituencies of the locals (Mobekk 2010).

The scope of the local can be further broadened depending on the country or region, nonetheless the mapping here reflects the typical magnitude of the “locals” in most settings. However, this diverse scope cannot be compared to other post-conflict

situations after the Second World War. For example, post-war Germany was a highly successful transition, and cannot be applied to the existing or previous war-torn territories (Donais 2012), because Germany is a Western state, in contrast to Kosovo where the international administration reflects a non-Western state. Western civil society is observed in contrast to other regions such as the East. The Western countries define the civil society principally on the basis of non-governmental organisations, associations and citizens, while, for example, in Afghanistan the key component of civil society are tribal or village leaders. This led towards the construction of an artificial notion of civil society which has not promoted the vast volume of communities in post-conflict and post-independent settings (Richmond 2009). Richmond cynically argues that the tendency to undertake cultural projects hence - "fostering the mushrooming of the NGOs" - shall be likely defined into the "romanticisation of the local" (Richmond 2009, 152). Romanticisation here represents an end-project of the international "interveners" willing to transform the behaviours of the individuals in the targeted societies to the extent that they comply entirely with the suggestions and instructions of the international community. Similarly, Fukuyama believes that externally born civil society (in a state-building process) "can degenerate into rent-seeking interest groups whose goal is not greater accountability but an increase in the scope of government subsidies" (Fukuyama 2004, 41). As a consequence, tendencies to observe civil society solely through the perspective of NGO's can be misleading and reflects poor consideration for context.

Accordingly, a problem remains over who constitutes the locals in each of the post-conflict settings. In addition to a departure from civil society driven solely by NGO's, there is also a need to depart from the elite driven perception towards locals. This is a second problem which can be depicted in the international-local nexus. Truly, ownership driven solely by elites cannot ultimately represent local ownership for a number of reasons. First, it cannot be sufficiently legitimised in countries where the democracy is in its infancy or facing problems. The tendency to view, for

example, elections equally in these countries when compared to developed countries is problematic, due to the need for a significant period of democratic practise in order for an electoral tradition to emerge. Second, it does not represent holistically the views of entire communities and representatives. This argument is present in cases containing a weak electoral system, where the participatory democracy can strengthen legitimacy with respect to conducting a democratic project for the benefit of the society. Third, it cannot directly represent the interest of marginalised and minority communities.

Following the examples of the international community, where its communication with locals is greater at the top level, elite capture was a notion framing the behaviour of international actors' attempting to interact only with the top levels of the government (Hansen 2008). The international donor community often preferred those local elites who have a specific set of Western credentials, such as a English-language proficiency, and use of donor vernaculars such as "markets," "reform" and "civil society" (Narten 2009; Caparini 2010). In this way, the international community tend "to work with actors already accustomed to the interaction with expatriates, who most often belong to the well educated elite" (Hellmüller 2012, 239). Usually, national elite groups and government officials play an important role in "importing and implementing foreign development strategies" especially in cases where it serves their own interests (Everett 1997, 139).

On the other hand, when intending to achieve major political consent, the international donors tend to be selective with their elite capture. In some of the post-conflict contexts, for example, there was a tendency to talk only with the elite representing the war-wing, because they were supposed to retain their coercive power and hence potentially detriment security and stability. For the sake of end goals and as outlined in initial mandates, the international community agreed with selected parts of the elites by "ticking the box" in achieving certain goals.

Some authors persistently argue in favour of elite driven cooperation, bearing in mind the practices in the West in which the state-building process is elite driven. However, the state-building process in the West reflected more Westphalian state-building, which is largely different with contemporary state-building. The globalised world requires a broader inclusion of actors in all processes. Furthermore, the process of state-building shall be used to a greater extent in ensuring a more legitimate process, which includes a broader constituency of representatives of the communities. Additionally, the momentum of the immediate state-building process is highly important, because the main principles of legitimacy need to be rooted from the outset.

Donais attempted to deconstruct the patterns of the international community into those who tend to view locals solely through the perspective of elites – framed into a “minimalist approach” - and those that considered a broader constituency with the wide inclusion of civil society – known as the “maximalist approach” (Donais 2008, 8). The problem is that there are more agents of international community willing to apply a minimalist approach simply because it is easier. It also “ticks the box” of involving the locals as part of a frequent discourse on local ownership. There were cases when the representatives of the international community admitted deliberate ignorance of broader constituencies of locals since it takes a lot more effort and time (Wilén and Chapaux 2011).

There are however, only a few considering a maximalist, albeit selective, approach. Most worryingly, in daily work, the international community tends to ‘subjectify’ local populations into static categories such as: victims, combatants, beneficiaries – labels which are reflective of a one-dimensional view (Mac Ginty 2011). There is a tendency to involve civil society representatives from internationally born non-governmental organisations. The grass root civil society and pressure groups from

rural areas are rarely invited. The international community retain the power of funding, which keeps alive NGO activities and therefore fulfil the needs of outsiders more adequately (Reich 2006; Mobekk 2010).

According to Martin and Wilson, “the locals who matter are the citizens of the country, not the practitioners running a reform project” (Martin and Wilson 2008, 83). However, it shall be argued that citizens are a rather heterogynous entity and it is technically difficult to include them. Also, some groups or citizens may not express particular interest to actively participate or “have a say.” The international community should involve all genuine representatives of civil society, talking on behalf of particular communities and their respective citizens. Neither elite ownership nor citizens’ ownership shall prevail singularly without merging both approaches, the top-down and bottom-up. As Roland Paris pointed out “State-building is not limited to a ‘top down’ or solely to ‘bottom up’ approach (Paris and Sisk 2007, 15).

2.4 Legality, legitimacy and local ownership

When translating into local languages, ownership does not appear to possess only a legal meaning. It also connotes a normative dimension in the international-local nexus which is essential for the local ownership concept. There are two fields of academic observation which contribute further to the conceptual deconstruction of the local ownership: the legal underpinning applied through the concept of self-determination, and the normative underpinning which is applied mainly through the international norm of legitimacy. While there is a difference between legality and legitimacy, both are equally essential elements which need to be examined separately whilst complementing one another.

2.4.1 Self-determination

The legal correlation of local ownership with international law is only briefly touched upon by authors, leaving an additional gap in the corpus of limited explored local ownership. Political and developmental scientists, however, were not expected to provide a contribution in the legal dimension, bearing in mind that it requires a legal interpretation of the principles and norms. The competent scholars - international lawyers - appeared not to have explored the legal interpretation of local ownership. Understandably, while the absence of legal interpretation of local ownership would not necessarily undermine the importance of local ownership it would further strengthen the existing framework, advocating for a more equal relationship in the international-local nexus.

The primary legal principle underpinning the foundations of local ownership is the principle of *self-determination*. This principle refers to the right of people in deciding their own political and economic fate without imposition or interference from outside. Its principal idea is political: it refers to the right of people to self-determination in complex settings. The foundations of self-determination are embedded in the United Nations Charter. The Article 1.2 of the UN Charter is explicit when stating that "...friendly relations among nations shall be based on respect for the principle of the equal right and self-determination of peoples..." (UN, Art 1.2).⁷ The principle of self-determination is reinforced in Article 55 of the UN Charter. Initially, self-determination was applied to an essential legal principle in solving the disputes over colonial territories. It invited the colonial countries to respect the right of the peoples (in these territories) to decide freely their own faith. This led towards the adoption of the UN Security Council Resolutions 1514 and

⁷ Without entering into further details of its foundations, the self-determination was present in the political discourse in early XX century arguing the right of nations to secession from then empires. The self-Self-determination for the first time was explicitly mentioned in the famous Fourteen Points of US President, Woodrow Wilson (1918) who aimed at supporting the right of the small nations to self-determination.

1654, which called upon the granting of independence to colonial countries and peoples; stimulating de-colonisation (UN 1960; UN 1961). Self-determination lately became embedded in the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights (UN 1976; UN 1976) as an individual right. Both covenants are embraced by the domestic legislation of democratic countries.

Furthermore, the self-determination principle can be found in the decisions of the International Court of Justice (ICJ). It reinforces the principle in a number of cases in favour of it, therefore concluding the right of people to decide and govern with their own society. In the Advisory Opinion (1971) on South Africa's presence in Namibia, the opinion referred to the right to self-determination of the Namibians which, at the time, were found to be impeded by the illegal presence of South Africa (ICJ 1970). The right to self-determination is further enshrined into two other advisory opinions of the ICJ: one on Western Sahara (1975), particularly referring to "the principle of self-determination through the free and genuine expression of the will of the people" (ICJ 1975) and the other on East Timor (1995), granting the right to East Timorians to self-determination (ICJ 1995). In 2001, the principle became one of the primary elements of the doctrine of the "responsibility to protect", which argued in favour of international intervention in cases featuring tremendous violations against human rights in a given country or territory (ICISS 2001). The principle is also present in a number of other policy documents of international organisations and donor governments.

However, when examining the existing legal documents and the customary law, the principle of self-determination was interpreted as the right of peoples to decide their own political faith, including their independence from external rule. This could be condensed into international self-determination. In the context of the local ownership concept, self-determination shall be interpreted more widely. This

certainly connotes the right of people to decide freely what benefits their interests most. As Ralph Wilde said, “people have a right to be free from foreign control by virtue of their right to autonomy” (Wilde 2012, 261). This is rather defined as an internal self-determination (Daniel 2008; Weller 2009). Internal self-determination could be brought into the local ownership concept as a right of people to decide on their own for their developmental and state-building processes. Internal self-determination considers cases within post-conflict or post-independence settings, where the international community exercises an excessive mandate to the extent that it administers a territory or country. Marc Weller deconstructs the meaning of self-determination from an individual right, towards a right that is invoked by members of certain groups and populations, in which they have a right to decide and govern within a given territory (Weller 2009).

In fact, there are strong arguments explaining the congruence between the concept of local ownership and the principle of self-determination. A wider interpretation of the self-determination concept brings together similar components of self-determination and local ownership such as: the right of locals and the cooperation with external countries and/or the international community. These are the principle agents of both concepts. The issue is that local ownership is not explicitly mentioned in any legal documents, whilst self-determination is. Nonetheless, local ownership is derived as part of the new framework of international community involvement, whereas self-determination is embedded in the UN Charter due to the international experience with colonialism. For this purpose, Richmond proposes that the congruence between local ownership and self-determination was intentionally not explored by the international community, and only partially by academics, because self-determination echoes a past colonial era (Richmond 2012). Therefore, part of the international community with a colonial past tries to avoid this repetition. Furthermore, self-determination was avoided intentionally by the international community in order to dismiss the potential debates over the discrepancies between

legal principles. For example, self-determination is embedded within the UN charter, and its real actions on the ground are, in most of the cases, avoiding the implementation of this basic principle.

Along with strong legal foundations, self-determination implies, among other things, a moral and legal component whereby the international community shall not exceed the limits of external support and intervention. Both local ownership and self-determination could be rightly defined as an established moral power, which reflects a wide variety of elements supporting the right of local actors to determine their own faith (Shinoda 2008). The determination of people's faith is rooted in the principle of self-determination. Thus, there is a bifurcation of local ownership and self-determination principles. This makes the latest up to a level of a doctrine – otherwise defined as “the doctrine of local ownership” (Shinoda 2008, 95).

Self-determination, similar to local ownership, argues for the respect of the locals and their legal rights. Laurie Nathan indicated that international administrators and donors often justify the absence of local ownership on the grounds that domestic actors lack legitimacy or capacity (Nathan 2008). In order to explain the normative dimension of self-determination, Wilde provided examples during the break-up of colonialism in which, in albeit a limited capacity, the right to self-determination was converted into the right to self-administration (Wilde 2012). Thus, self-determination is deconstructed into an authority (government), which shall be driven and managed by the locals. This constrains the policies of an international administration, which needs to accept the authority of self-government (Zaum 2006).

In the cases of contemporary state-building, self-administration can be easily challenged by the physical presence and virtual influence of the international community, in the form of donor involvement or international missions. As previously justified, and consistent throughout this chapter, the traditional means of

state-building can no longer be assumed. As a result, the right to self-determination and local ownership in governance should be considered as highly complex. Hence the complexities of contemporary self-determination are difficult to depict through the principles of local ownership.

Yet, the international community can argue against local ownership when considering that self-determination requires maturity among the local population. While Wilde has pointed out that locals not being “ready” does not represent a sufficient argument against their right to self-determination (Wilde 2012, 261), the provisional suspension of self-determination and local ownership is necessary prior to the achievement of maturity. This includes cases where locals are provisionally incapable of exercising authority, prior to a later date when locals are granted their full rights. However, exercising a normative right to self-determination can be postponed only in the case that there are clear goals by the international community termed as ‘an exit strategy’ (Caplan 2012, 4). Exit strategies are policy orientations of the international community described as the “phasing out” from the post-conflict and post-independence settings. This policy envisions self-sustaining state institutions “that can survive the withdrawal of outside intervention” (Fukuyama 2004, 136). These may not be related to the legal dimension but could consider the respect for self-determination in light of the change of circumstances. These policy orientations - suspending the right to self-determination and local ownership requires awareness to not use justifications in favour of the postponement of the international presence and intervention. However, such policy can go wrong, as suggested by Richard Caplan, because it may alienate the domestic population (Caplan 2012). This reinforces the lack of legitimacy, and has consequences for the legal basis on which these administrations are mandated.

Alternatively, there are counter-arguments which do not support the congruence between self-determination and local ownership. The first argument refers to the

context of the foundation of the self-determination principle. According to Matthew Saul, the fact that the law of self-determination was constructed on the basis of giving the right to people to choose their faith, free of colonial influence, signals a different context from the international community involvement in post-conflict settings (Saul 2011). According to Saul, most of the international administrations have a strong legal basis deriving from Chapter VII of the UN Charter, where authority is vested to them. Yet, Saul offers only a narrow interpretation of the self-determination principle and lacks an exploration into the meaning of local ownership. Local ownership calls upon the legitimate right of people “to have a say” in post-conflict settings, albeit on the legally constituted grounds of the international administrations.

2.4.2 Legitimacy

Unlike self-determination as a strong legal basis for local ownership, *legitimacy* is a strong norm which is meant to be present when there is popular acceptance for an authority, chosen by the people. In democracies with experienced value based institutions, the conventional measurement of legitimacy is provided from the perspective of elections where the winners create majority rule in a country. Thus, a majority representing and ruling a particular country is considered to be the primary element of legitimacy in a democratic environment. This is considered to be a pluralistic perspective. Nevertheless, in countries with a highly influential role and presence for the international community, legitimacy cannot be measured from the perspective of elections. This is because the international community is not elected by the citizens, but is either approached as the result of a mandate provided by the international collective security organisation – namely the UN (Chapter VII) – or there is a particular invitation sent by the government to the international community to provide support. In these circumstances, while there are legal grounds for the presence of international actors, a dilemma however exists over the

extent to which the international community is considered legitimate by the citizens in the targeted country. The crisis of legitimacy for the international community has moral implications, as it is expected to be 'good' while it is instituted for the sake of 'good ends' (Bain 2006).

A wide number of authors have contributed to the academic debate on legitimacy. Nevertheless, the legitimacy we aim at examining here is narrow and complex, since it focuses on post-conflict or post-independence settings. According to Dominik Zaum, while the legitimacy of governments is rooted in democracy, "the international community (in the post-conflict settings) deny both to the people over whom they govern" (Zaum 2006, 456). Zaum reports that legitimacy is a crucial element in post-conflict countries, in which the people shall have a say and be respected. Although he considers that authority is vested in the international community in an acceptable legal form, such authority cannot be absolute and must be held accountable (Zaum 2006). A tendency for absolute authority in some perspectives has provoked the reaction of academics and independent actors over the role of the international community. Indeed, it is difficult to measure absolute authority in the social sciences, however, authors criticising this type of authority have had to research cases on the ground to provide empirical data. Some of the most recent case study examinations include: Bosnia and Herzegovina, Lebanon, East Timor, South Africa and others. Hence, the latter data on the case of Kosovo will further supplement this argument.

Furthermore, legitimacy in the post-conflict or post-independence setting can be examined through the (excessive) use of powers of international community on one hand and the ability of locals to countenance these arguments, on the other hand. Indeed, the latter is rather important because if an opposing argument can be generated, then that legitimacy is in crisis. William Bain particularly examines what he defines as, "the authority to resist" (Bain 2006, 537). The "authority to resist" can

be easily seen at the instance when locals (both in the maximalist and minimalist perspective) are in the position to say “no” to particular actions taken by international community. This is relevant especially if those actions are not congruently aligned with the popular will of the majority of citizens and the interest of that society. “No” to the international presence is more complicated than, for example “no” to the government. In normal democracies, “No” to the government can be converted into a failure of the ruling parties to win elections and establish a ruling party. While on other hand, the international community cannot be challenged in a “democratic” way because they are not representatives of the people. The ability to resist is also viewed as the weakest point of local representation in a post-conflict setting. Dominik Zaum points out that “the idea of (international community) struggles in search of a sound footing in so far as it depends on a discourse of ability that in some way or another implies the inferiority of the people it is meant to help” (Bain 2009, 154). As a result, the unnecessary use of authority is applied only through the legal authority vested in the international actors while the legitimate authority is questionable in cases when decisions and the actions are in contradiction with the interests of society.

Indeed, before the existence of “authority to resist”, there needs to be local authority. In the international relations, local authority cannot be naturally created: it is rather a gradual social construction (Lincoln 1995; Bain 2009). Even after track of nominal existence of authority, its applicability can be successful only “when being able to impose effective obligations” (Hopgood 2009, 232). It is right to say that the authority of the locals implies not only normative but also material elements such as credibility and legitimacy. With the weak positioning of the emerging states, it is difficult to expect that local authority is sufficiently present and accepted in order to produce resistance towards the international authority. The authority is further weakened if there are endemic problems of governance among the locals, mostly referring to corruption and organised crime (DiLellio 2009).

The consequences of the (illegitimate) actions of the international community vis-à-vis insufficient local authority require a special form of accountability of the international community. The law on international organisations has generally established that international organisations shall act under the conditions of international law, as well as the domestic laws of the states they operate in, and under their own internal regulations. Herein there is an accountability which arches towards its legitimacy. To refer again to the following analogy, while an elected government is held accountable to the Parliament, independent agencies and civil society, a conundrum exists whereby it is unclear as to whom the international community is held accountable. Practically, this is exactly the case with Kosovo, when during the international administration of the UN; there was no accountability to local oversight bodies such as the Ombudsperson. Similarly, and in the post-independence period - the EULEX - in order to avoid the authority of the Ombudsperson over its staff, created a specific panel for Human Rights constituted by EULEX judges (Muharremi et al 2010). As a result, Richmond's conclusion on the connection between local ownership and the international accountability is correct. The less local authority and ownership there is, the greater the need for international accountability (Richmond 2012).

The contested legitimacy of the international administration can be partially replaced with some form of consent by the people and delegation. Consent generally presents a powerful source and tool for introducing political obligations, and therefore political authority (Zaum 2006). It can be provided in a number of forms, although the crucial element in measuring the credibility of the international community is through the extent of public support which they receive. This consent, however, should be provided holistically. In some cases, whenever consent has been invoked as a source of authority for the international administration, it has been the

consent of the state rather than the consent of state citizens (Zaum 2006). This factor deepens further the legitimacy crisis facing international missions.

2.5 Critiques of the local ownership

The limited literature on local ownership includes a number of authors who disagree on the fundamental principles of local ownership, and pose competing criticisms towards the way in which the concept is justified. While the sources challenging the importance of local ownership are limited, these assessments are sufficient for critically evaluating the existing contribution of local ownership. The persistence of international debates on the definition of local ownership will ensure that numerous actors will have the space to provide a definition that matches their particular understanding and context. As a consequence, the most significant, true and meaningful definition of local ownership lies in the different perceptions of stakeholders.

The existing arguments on local ownership are both theoretically and practically problematic. Martin and Wilson have critically approached the concept as defined in policy and academic sources. Here, two main problems with the existing definition of local ownership are recognised; firstly, the concept does not clearly answer the question of who constitutes a local, and secondly, it focuses on the ownership of the process of reform, not on the ownership over the delivery of security (Martin and Wilson 2008). Certainly, the scope of local involvement remains disputed in the view of contributors. As explained above, the locals are not viewed holistically and, to some extent, are deliberately bypassed. As for the second argument, the reform processes explains exactly that the concept derives from the policy level and therefore from the international development community. As a result, the concept is mainly present in policy documents keeping its relevance artificially on the

normative level (Ambro 2006). In current terms, local ownership does not depart beyond the normative discourse on the importance of local ownership in development and policy circles. So it is rightly argued that local ownership is incoherently justified and cannot conceptually prevail due to its lack of observability and changing targets (Narten 2009). Further, the concept of local ownership does not explain whether it aims to advocate the involvement of locals over the design of a particular process or if it promotes only the implementation phase (Hellmüller 2012). This argument rightly identified the prevalence of a technical contribution towards the concept rather than the academic development of it.

One of the main challenges of the concept is extracted from the underpinnings of local ownership. While one of the principal agents of the concept is meant to be the locals (meaning the beneficiaries and civil society in a holistic sense), the concept was solely driven by the international development community. Ironically it is those who, by bringing this concept into the discourse in order to remove the “unequal relationship” in the international-local nexus, that do not respect its conceptual implementation in practice. To remind us of the Richmond and Fukuyama argument, it appears that the intention (of the international community) was to bring the concept into discourse in order to convince donor governments on how not to implement the concept in practice. Hannah Reich defined this as a “patron-client relationship” (Reich 2006, 22), meaning that the discourse over the concept was more focused on convincing donor governments over what products the donors (patrons) would provide to the locals (clients). For the purpose of further deconstruction, local ownership, for example, does argue for the involvement of locals and advocate a bottom up approach, whereas the concept is implemented by external actors and donors through a top-down approach. As a consequence, the concept remains in the margins of the “logframe” and inside a category of generic buzzwords applied by the donor community. This has made the contribution of the concept contradictory (Bendix and Stanley 2003). Currently, local ownership represents participation rather

than local possession, autonomy, legitimacy or consent, partly because of international and local inequalities (Reich 2006; Richmond 2012). This criticism underpins the lack of contribution by the beneficiaries (locals) to the concept. Without the inclusion of the beneficiary agents in the development of the concept, local ownership will remain unexplored and render development unsustainable.

Another integral argument concerns the timing for when local ownership shall be assumed. Some authors identify a divide between the immediate post-conflict period and a later period when maturity is more justified. Indeed, it is unrealistic to expect the broader inclusion of the locals during the immediate post-conflict period. This is a core reason for why this thesis focuses its examination on a post-independence Kosovo, including over 10 years of international presence. Annika Hansen, for example, while advocating for a more equal relationship in the international-local nexus, insists that the involvement of a broader civil society in an immediate post-conflict period is unrealistic. She argues that the weak practice and limited political space for social activism may be detrimental to the post-conflict efforts of reconstruction (Hansen 2008). It is also rightly argued that local ownership is more complex in some contexts than in others, and especially difficult to apply in the context of war and in the immediate aftermath of war (Joseph 2007, Nathan 2008). For example, in some settings it is difficult for the international community to identify what elites truly represent the needs and interests of locals. As a result, it is mistaken to position all of the post-conflict and post-independence settings into one “package”. Similarly, local ownership is criticised as targeted countries are assumed to represent cases of weak capacity and a lack of expertise, making ownership very difficult (Mobekk 2010).

Legal arguments have also attempted to challenge the local ownership concept. These narrowly interpret the legal scope of the international community, which in most cases are mandated by the United Nations. According to this critique, the

deployment of the international community and its support under the auspices of the “maintenance of peace and stability”, suggests that peace and security shall prevail in any call for local ownership. It further argues that some situations favour a broader international opinion, and are less concerned about self-determination and local ownership (Saul 2011). According to Mathew Saul, international administration reflects the “solidarist vision” of international society, and is rooted upon the provision of support to the weakest. This shall not be overshadowed by the pluralistic concept (Saul 2011, 174), which advocates for the traditional “say in” of the locals on decisions which can be framed into local ownership.

2.6 State-building theory

State-building theory represents one of the most important theoretical frameworks in political sciences and international relations. State-building theory emerged in the 17th Century through the “Peace of Westphalia”, where communities in Western Europe recognised each other’s borders and sovereignty. With reference to conventional state-building, contemporary academic jargon continues to follow notions of the “Westphalian state”.

Max Weber is a pioneer in contributing to the classical state-building theory. His central argument is that the “state is made of human community that successfully claims the monopoly of the use of force in a given territory” (Weber 1958, 95). There are four elements that are widely referred to in order to define a state in a conventional manner: people, territory, government and sovereignty. Such classical theory has defined the state-building process from a Western perspective and experience in the nation-building process. Similarly, the concept of the state was heavily present during the 20th Century, particularly during the Cold War. In this Cold War context, Barry Buzan has highlighted that the state consists of individuals

bound together in a collective political unit (Buzan 1991). This point goes further, as “the physical base of the state comprises its population and territory, including all of the natural resources and man-made wealth contained within its borders” (Buzan 1991, 90). The modern state in Europe requires vast armies mandated to exercise sovereign authority over its own territory (Fukuyama 2004).

The end of the Cold War saw the onset of a new “cycle” of state-building after the break-up of Communism, stimulating the creation of new states. This emergence of new states contributed further to the evolution of state-building theory, marking a departure from the conventional towards the non-conventional. The nature of state-building changed drastically while, most notably, new states emerged outside of Western Europe in Eastern and South Eastern Europe, as well as other regions of the world. The Westphalian arguments for state-building remained in the conceptual dimension, although in essence not entirely excluded. Francis Fukuyama, for example, the prominent contributor of state-building theory still shares the idea that state-building (in XXI century) requires the Weberian monopoly of legitimate violence over a defined territory. He went further to argue that states keep the means of coercion under control through structures such as the military and police, (Fukuyama 2005) while adding that, “the essence of stateness is, in other words, enforcement: the ultimate ability to send someone with a uniform and a gun to force people to comply with the state’s law” (Fukuyama 2004, 7).

Nevertheless the nature of state-building has changed, especially in countries with a significant presence or role of the international community. Consequently, what we are examining is state-building in the framework of peacebuilding and the extent of influence held by the international community in the core of the stateness – the security sector. The “extent” of international involvement needs to be viewed in the context of what can be defined as an "unequal relationship" (Reich 2006; Hansen 2008). This unequal relationship is found between the international community, in

the capacity of an administrator or supporter, and the locals; through their role as a "beneficiary" in an emerging state (Hansen 2008, 40). The "unequal relationship" is supported by a number of arguments which highlight: the dependency of these countries on foreign aid, difficult political circumstances and limited-to-inexistent rule of law. To remind the legitimacy dilemma, the unequal cooperation is found also on the insufficient authority of the locals (Bain 2009; Hopgood 2009). The "unequal relationship" in a state-building process is also seen from the sociological and anthropological perspective, where it is considered correct to assume the core of this relationship is constructed of an "us" and "them" mentality - with "us" meaning the stronger and "them" meaning the weaker. Some authors go further by defining this unequal cooperation as a "patron-client relationship" (Reich 2006, 4; Richmond 2012, 354). While the division between 'East' and 'West' has become obsolete, the dichotomy between "us" and "them" has remained. Edward Said extends this argument when stating that the 'us' and 'them' dichotomy is accompanied with xenophobic connotations, in which the culture of 'us' is superior to the culture of 'them' (Said 1994). Said maintains this radical position when considering the approach of great powers towards smaller and weaker states. His thoughts on the cultural and anthropological relationship between the westerners on the one hand, and the easterners, on the other hand, however, require a more particular consideration.

Indeed, there is interplay between state-building theory and anthropology in the context of local ownership. According to Ferguson, one of the main differences between anthropologists and international relations scholars is that the latter tend to use the nation-state "as a fundamental analytical frame", whereas anthropologists propose the idea that the nation-state represents one form of social organisation among many (Fergusson 2009, 182). This emphasis on the nation-state is directly connected to assumptions about how particular countries ought to be organised. In turn, such assumptions may in fact prevent scholars from understanding a particular

issue in its own framework and from intervening pertinently in a given situation. Thus, state-builders appear to approach a particular issue 'from the top', whereas anthropologists start 'from below', through engagement with people on the ground rather than with institutions or political elites. Moreover, anthropologists tend to focus on the particular context, and understand how specific local cases are embedded in a wider global context. Most importantly, the discipline considers the dynamic interplay between the two spheres so that they are analysed as a whole. For the cooperation between 'internationals' and 'locals', this means that we must focus on how different actors are brought into social relations with each other (Fergusson 2009), and examine their interaction within a broader dynamic network of power relations. To understand the latter, scholars must look beyond the 'ethnographically visible' (Farmer 2004, 307).

In fact, from both state-building and anthropological perspective, it has been argued that the international-local nexus reflects a deep inequality, defined by the subordinate position of locals in a state-building process. Hence, Hansen was right in pointing out that "the normative agenda of international post-conflict engagement may be at odds with the desire to allow local authorities and population to decide their own faith" (Hansen 2008, 40). Yet, there is a discrepancy between the power of the people and their assumption of ownership and the power of external actors. States and communities subject to major international support are dependent on external support. They are either weak in justifying their legitimate demands or cannot countenance international support due to weak political or economic circumstances. Thus, this state of affairs is analogical to the "asymmetric relations" of international and local actors (Reich 2006, 14). The relationship has embedded the strict division between the North and South, where the representatives of the latter represent certain values and with well-established democracies granting them a comparative advantage. For this purpose, David Chandler reminds us of the unequal relationship between, what he calls, Western states as authority, and non-

Western states as beneficiary. Within this definition, moreover, Chandler considers the label of “Non-western states” as more acceptable. For example, in the cases of Kosovo as well as Bosnia and Herzegovina - both contexts are seen as outside of the West, but not outside of Europe. Chandler further argues that the Non-western states are in a position that makes it difficult to resist the international presence and external support for institutional reforms and capacity building (Chandler 2013).

As a result, state-building theory can be examined through a well-developed understanding of liberal peace-building. This liberal peace-building reflects a more nuanced form of state-building, in which the international community has invested in making peace either through its presence as a peace-keeping mission or through more robust forms of donor support in post-conflict countries. Again, the trust dilemma remains pertinent, and examines the international-local nexus in post-independence settings. The two will be observed separately in the following section.

2.6.1 Liberal Peacebuilding

Local ownership is discussed widely in the framework of liberal peacebuilding in newly emerging states. It has made up an indispensable part of statehood since the end of the Cold War. Liberal peacebuilding derived from the liberal peace, which promotes the idea that certain societies and states are more peaceful, both in their domestic affairs and in their international relations (Newman et al 2009). Classical and contemporary liberal peace theorists believe that democratic and liberal countries rarely wage wars against each other (Paris 2006). In order to prevent the misuse of power for personal and individual interests that may compromise peace and freedom, Classical liberals argue in favour of limitations on Government powers (Paris 2006). Liberal peacebuilding has a primary preoccupation with peace and wellbeing, and argues that it retains a successful record in ending violence in post-conflict and post-independence settings (Selby 2013).

Furthermore, liberal peacebuilding prioritises the individual over other forms of social organisation and places particular weight on the market as the engine of social change and guarantor against conflict (MacGinty 2007). It also considers state-building as a crucial policy for the world community, based on the shared belief that emerging states or existing weak states provide a source of global instability (Fukuyama 2004). As a result, the scope for discussing local ownership under liberal peacebuilding is broad, also incorporating elements of theory on democracy and democratisation in general. The broader aspects of the liberal peace are, however, not the focus of this thesis. This thesis aims to depict and examine liberal peacebuilding solely within the latitude of local ownership, and its immediate periphery. While the reader might be confused with the range of sources on liberal peace theory, those that focus on peacebuilding and the role of the international community mark a particular relevance for the local ownership concept. Its relevance does not rely on its related focus but, more importantly, it connotes the generic and standardised approach of the international community.

While the intentions of liberal peacebuilding are widely applauded, there are a number of critiques within its approach in the post-conflict and post-independent context. The critiques predominantly target the implication of the liberal peacebuilding framework on the principles of local ownership. In fact, the existing liberal peacebuilding framework marks a basic contradiction with the local ownership principle. Mac Ginty, for example, views the liberal peace as a dominant form of peacebuilding which reflects the practical and ideological interests of the global north (Mac Ginty 2010) due to the limited influence of non-westerners in its concept and substance. He states that the “liberal peace is the software that drives the hardware of many international organisations, states and international non-governmental organisations” (MacGinty 2010, 396). Thus, the liberal peace represents a standardised framework for the international community in which all

societies, including post-conflict societies, regardless of whether they belong to non-western countries, shall embrace liberal and neo-liberal values. In this context, it is interesting to note that the main international organisations involved - namely the UN, NATO, IMF and the World Bank – are strongly committed to market democracy. Structural adjustment programmes based on Western ideologies continue to play “the most prominent roles in peacebuilding” (Paris 1997, 62). Paris, moreover, has stated that these attempts reflect the long-standing intention of the major powers for the “Westernisation of the periphery” (Paris 2002, 651).

When arguing for the liberal peace as a crucial tool of the international community Mac Ginty has pointed out that the liberal peace is “the only deal in town” (Mac Ginty, 2010, 399), meaning that none of the interventions and support to date have reflected alternative models in accordance with different settings. The international community often argues that this standardised approach represents the expression of an “accumulated” scientific knowledge and the best practices of the West (De Coning 2013). However, what about other forms? Or approaches that combine both liberal peace principles with the local context? There is no space for such ideas in what Mac Ginty has rightly emphasised as standardised peacekeeping missions. One may agree with the argument that the liberal peace might be the best “deal in town” for the moment, but we should not necessarily agree that the liberal peace should be ultimately embraced. It has to be gradually implemented and, most importantly, it must consider local contexts and values. In immediate post-conflict settings, and in the case where some elements of the liberal peace would contradict local values and culture, the latter should be prioritised. This is additionally important as local ownership reflects the right to “have a say” by the targeted people before external values are brought in. In lieu of local flavour, liberal peacebuilding will become what Richmond illustrated as “Old wine in new bottles” (Richmond 2009b, 330).

For this purpose, the validity of the liberal peace and state-building has been questioned by critics who increasingly argue that this standardised approach reflects solely the normative preferences of the international community ahead of those of affected societies, whose values and traditions are marginalised in the process (Mayall and De Oliveira 2011). Despite arguments that liberal peacebuilding is intrinsically peace-promoting (Mac Ginty 2010) however, as argued beforehand, there is a contradiction between promoting peace and the illiberal means which the international community usually applies (Mac Ginty and Richmond 2013). When promoting liberalism and liberal peacebuilding, and where international community should abide by the principles of equality, internationals have in fact proven to perform the opposite, denying the upholding of legitimacy and people's rights. Liberalism includes a range of norms and principles which, in practice, have not been applied. For this purpose, Richmond points out that the international community "tend to block choice and flexibility according to their institutional prescriptions by operating in an unaccountable manner without acknowledging the limitations of their own prescriptions in different contexts" (Richmond 2012, 355). Similarly, Mac Ginty added that the end goal of liberal peacebuilding means to combine coercive elements with more gentle, persuasive incentives during the state-building process (Mac Ginty 2010). Hence, the liberal peace is occasionally described as "liberal interventionism" or "liberal internationalism" (Mac Ginty 2010, 393), in which European intervention "in the periphery, is present as long as it is directed primarily to secure the safety and progress of the civilization of the world, and not the special interests of the interfering nation" (Paris 2002, 651).

Interventions by the international community are well deconstructed by Fukuyama, who thinks that reforms or development programmes reflect a standardised approach by international community, in which "a team from Washington or Brussels is airdropped into a developing country, first conducting a 'needs assessment,' and then dictating to locals the process required to help themselves

(Fukuyama 2005, 85). Edward Said, in his critical approach towards the major powers, cynically illustrated the approach of Western intellectuals in which the explanation of how other parts of the world shall be changed are performed from “a boat in Thames River” (Said 1994). This approach contributes towards the institutionalisation of a weak state, which (during its development or reform process) holds little relationship with their society and, as a result, is lacking in legitimate authority (Chandler 2013). Chandler has illustrated this as the momentum when the “host country” books a meeting room, but the “guests” that come along bring with them readily made policy frameworks (Chandler 2013).

Arguably, the input and support of the citizens and the local population should never be undermined. The international community usually consists of technocrats, but lacks experts in the country in which they work (Donais 2012). As a result, locals can provide their own prescription of what causes conflict and recommendations for policy (MacGinty and Richmond 2013). In fact, the local context and explanation on the management and mediation of conflict are crucial for sustainable development. Undoubtedly, local knowledge of the context shall be seen as a resource and not as an obstacle (Lederach 1998).

For this purpose, Oliver Richmond argues that liberal peacebuilding is the manifestation of a “contemporary state-building of a liberal and neo-liberal (international) character, which instrumentally exploits, co-opts and rejects local culture” (Richmond 2009a, 159). Richmond has rightly stated that peacebuilding in post-conflict societies should be community based or follow a bottom-up approach, however, and as shown in the most cases, has been implemented via a top-down approach. This unequal relationship between international community and locals ultimately leads towards an open contestation of (domestic) culture and “otherness” (Richmond 2009a). The efforts to apply liberal or neo-liberal peacebuilding in the state-building process aims to rapidly direct society into an open market and neo-

liberal framework, while disregarding the recent past, be it authoritarian or involving conflict. Roland Paris defined this as “liberalisation before institutionalisation” (Paris 2004, 179).

Indeed, the position of Roland Paris against externally driven liberalisation is far more critical. Paris believes that the contemporary practice of peacebuilding is a modern rendering of “the mission civilisatrice” — a concept dating to the colonial-era belief which explains the “duty” of European powers to ‘civilise’ non-western societies (Paris 2002, 638). The “mission civilisatrice” he added connotes a moral responsibility to ‘civilise’ the indigenous societies that they were colonising (Paris 2002). To this end, the tendency to “westernise” non-western societies implies unintended consequences for the development of the targeted societies. While the idea is to support, for example, the SSR process, the international project usually ends up being a cultural project (Richmond 2009a). The process turns into a holistic enterprise, which has the primary target of the security institutions, but the end goal aims to transmit the overarching concept of liberalisation or neo-liberalisation. This is widely viewed as “modernisation in a hurry”, with the clear objective of aiming to rapidly transform a post-conflict or post-independence country on complete liberal-democratic lines (Donais 2012, 23). Fukuyama’s phrase in 2004 of “getting to Denmark” absolutely explains the patterns of international peacebuilding and the donor community (Fukuyama 2004, 29), which ironically echo the tendency of “international interventionists” to quickly transform undeveloped countries into developed ones— commensurate to the living standard and democratisation in Scandinavia. Similarly though, and from the practitioner’s point of view, the standardised way of transmitting Western models shall be either diminished or mixed with other local or regional models (Ashdown 2011).

The existing standardised approach by the international community has been framed into a linear model, conveyed to all post-conflict settings. This made the set

of state-building processes, seen as largely technical and narrowly understood, into an extensive scope for exporting democracy and good governance (Chandler 2013). The linear approaches were intended for communicating only with the elites because, as found in post conflict settings, these elites may block the development and reform process. From the international community's point of view this was a rational idea, because it rendered the completion of objectives easier. The problem is that the international community never considered these societies holistically. As a result, in order to preserve the principles of local ownership, there is a need to shift from a linear towards a non-linear approach that will best represent the interests of the targeted societies. This is important as a non-linear approach will aim to work on a societal level, addressing the transformation of societal process and understanding the social formation of democracy and peace, representing a move away from the ignorance of those who have advocated a linear approach (Chandler 2013).

The SSR process in developing countries brings with it the significant presence of the international community. There are very few differences between the methods in which SSR was implemented in Kosovo, as it was in Bosnia and Herzegovina. It represents a "package" which includes a specific interpretation of good governance and liberalism. The problem is that this "package" is not adjusted to the local context, causing tremendous problems for institutional design. This state of affairs is defined into what some refer to as the "one-size fits all" paradox in SSR (Jackson 2011, Oosterveld and Galand 2012). Mac Ginty considered this standardisation by drawing a parallel with the IKEA enterprise – "a flat pack peace made from standardized components" (Mac Ginty 2008, 145). Likewise, Schmeidl considered this process as "McDonalised" (Schmeidl 2009), providing another illustration of a standardised approach. This standardised approach to SSR and peace building implies some elements of control, with international actors serving as guardians in a form of "command and control" where the international community manage both factors.

Indeed, the tendency to transform external interventions from a “security intervention” into a “cultural intervention” challenged strong cultural arguments that concern morality. Clearly, the international community tends to promote values implying morality despite performing in an opposing manner. William Bain points out that all humans know how to conduct themselves as family members or citizens (Bain 2006). Suggestions made by the international community can be construed as awkward, for example, the NATO presence of KFOR in Kosovo - with a clear security and military mandate - provides a wide range of outreach programs to citizens explaining the appropriate way for ethnic communities to interact (Libourel 2013). This behaviour, intentional or unintentional, ignores the past which reflected a multi-ethnic society, albeit marked with some challenging periods. Bain went further in arguing that this type of attitude by the international community in fact corrupts society into “them” and “us”. He added that “they (internationals) corrupt them (locals) in denying their humanity as thinking...and they (locals) corrupts ‘us’ (internationals) in denying the will upon which recognition of our own humanity depends” (Bain 2006, 538).

Similarly, Roger Mac Ginty thinks that the process of constant transculturation is leading non-western societies into what he calls “hybridity” (Mac Ginty 2010). Hybridity means that there is an imposed collaboration that leads towards cultural changes in non-western settings. Richmond reinforces this concept further by stating that “...the hybridized form of liberal authoritarian states that has emerged is indicative of an uneasy confrontation and relationship between the agents of the liberal peace, and often, the agents of the conflict itself” (Richmond 2009b, 326). Exponents of the theory of change in the context of a western driven liberal peacebuilding process increasingly call to prioritise the models that consider primarily the specifics of the local context (De Coning 2013).

Hughes and Pupavac take a more radical stand by arguing that the discourses behind international interventions are constructed deliberately in order to legitimise an indefinite international presence. Particularly since the period of decolonisation, internationals have doubted the capacity of postcolonial states and populations for self-government (Hughes and Pupavac 2005). 'Pathologising' discourses are often used to de-legitimate local politics, in order to justify international trusteeship or supervision. The Yugoslav wars, for example, were often framed by discourses on inherent ethnic hatred, which placed the responsibility for conflicts on the local populations themselves rather than on political elites (Hughes and Pupavac 2005).

2.6.2 Trust

Trust is another norm that is equally important in state-building theory. It aims to address the trust dilemma in international relations and hence in the international-local nexus. It is right to say that trust is deeply rooted in an "unequal relationship" between internationals and locals which can be easily defined as a "distrust dilemma" (Hansen 2008, 45). This dilemma underpins the relationship between nations and states as well daily relationships between human beings. It is not an ontologically fixed notion where one cannot achieve the desired level of trust in terms of "yes, there is a trust" and "no, there is no trust". It is a trajectory that develops gradually.

In the post-conflict and post-independence settings, trust is extensively elaborated by political scientists and sociologists. This has contributed towards the development of studies on the international-local nexus more generally and on local ownership in particular. William Bain made a distinctive contribution in deconstructing the trust dilemma. He argued that the international administration failed in making a distinction between two elements of human relationship: contract and trust (Bain 2006). He further reinforced his argument that the internationals and

locals should consider their relationship in the form of contracting parties involving a shared benefit, an exchange of promises, recognition of equality and mutual obligation with respect to the development of society. This does not imply the distribution of benefits to which internationals are not expected to aim. His arguments are rooted in Roman Law, which demands a contractual relationship in case there is a tendency to seek partnership (Bain 2006).

The problem with the logic of a contractual relationship is that it is deemed to make the contracting party (provider) a patron. As a consequence, the patron has the capacity to decide on the extent of trust granted towards the beneficiary. This contractual relationship can be easily revoked or suspended on the grounds of trust. The reigns of the power patron can be easily misused, not only to force locals to follow certain instruction, but also to foster an experimental learning process for the benefit of the patron. For this purpose, Bain applies further cynicism when naming the international community as “the Prince” who is not bound by the laws to condemn its absolute power (Bain 2009, 151). Moreover, the “international community and other related engagements will always be susceptible to the imperial critique so long as its proponents lack the confidence to set the discourse of ability against this objection in a way that openly and assuredly announces the manifest superiority of the ends they are meant to achieve” (Bain 2009, 151).

Richmond reinforces the argument that there needs to be some sort of contractual relationship between providers (internationals) and recipients (locals), based on the provision of necessary or desirable objects or frameworks specifically on the part of the recipient (Richmond 2012). He thinks that contractual relationship is aimed at diminishing the existing “unequal relationship.” Other authors generally agree that the more that the locals are involved and respected, the greater the level of trust. John Paul Lederach expressed a problem with the development of the international-nexus and the trust dilemma. With an extensive practical and academic expertise

during the 80's and 90's, he is perhaps considered among the first to raise the dilemma of local involvement in post-conflict settings. Lederach thinks that the international community sees people as resources as well as recipients (Lederach 1998). Citizen based peace-making must be seen as instrumental and integral, not peripheral (Lederach 1998). The hypothesis of Lederach contributes towards the fostering the trust and legitimacy towards the international community among the local population. In fact, the tendency of the international community to see locals as a problem rather than as a solution (Donais 2009) reflects a paternalistic approach, which brings trust into the question.

The trust dilemma brings to the fore a metaphor involving parents, teenagers and motor vehicles, in which teenagers cannot be trusted with the car keys until their parents have taught them to drive responsibly (Mayall and Soares De Oliveira 2011; Donais, 2012a; Donais 2012b). Yet, it is important to examine the international-local cooperation analogically to the parent-child dilemma. The context of the example considered is important here. In cases when the example is drawn on the basis of the incapability of the locals to take over the tasks, the example would be relevant if there is a clear exist strategy (provided below). If the example involves mature internationals and immature locals then this may prove problematic, because it deeply embeds an “unequal relationship” and the “distrust dilemma” into the international-local nexus.

The sense of distrust towards post-independent settings derives from the assumption that stronger states are deeply problematic. As a result, these states and societies should not determine the course of their own borders (Chandler 2006). Hence Chandler went further by stating that “weak states are no worse than strong states – while weak states cannot exercise adequate authority over the domestic arena, strong states exercise too much authority and tend to marginalise other voices from civil society” (Chandler 2006, 30). This could be easily interpreted as an effort

by the international community to share only the parts of its values that are convenient to its interest, not necessarily to the interest of the locals.

2.7 Security Sector Reform

Security Sector Reform (SSR) represents one of the conceptual dimensions of the theoretical framework. As will be elaborated in this section, SSR connotes two underpinnings that are essential to the research viewpoint: firstly, local ownership derived as part of the SSR framework and secondly, the focus of the thesis is on the security sector. However, while the contribution to SSR and local ownership is predominantly present on the policy level, this section aims to depict a policy contribution and bring the discussion onto the academic level. The SSR contribution will be deconstructed on two levels: the relationship between the international community and locals during the SSR process, and the development of a security sector in environments requiring newly established security institutions.

SSR emerged by the end of the Cold War, with the primary aim of preventing conflict and reconstructing the security apparatus in post-conflict and post-authoritarian settings. There are a number of synonyms which have similar meaning to SSR, such as Security Sector Reconstruction and/or Security Sector Transformation. The principles of SSR emerged from western-based organisations and states, which primarily intended to contribute towards the overall democratisation of society, with the main focus on institutions that retain coercive powers such as the armed forces, police and intelligence services. While SSR connotes a technical term, it is, however, a political process that requires the involvement of international, state and non-state actors (OECD 2008).

It is difficult to depict the exact origin of the discourse on SSR: the statement of policy actors in the United Kingdom (UK) are among the first. The UK secretary of state for International Development, Clare Short, for the first time revealed that security policy was to be developed and formulated in collaboration with the Foreign and Commonwealth Office (FCO) and the Ministry of Defence (MOD) (Short 1998). This was the first time that security institutions and security policies were viewed through a broader perspective. The statement also implied a consideration for the citizen's "say in", which called for a deeper public participation in the development of security policies (Caparini 2010).

The SSR agenda was consolidated through its full endorsement by the OECD, which stated the need for donor governments to provide their support in reforming the security sector in post-conflict and post-authoritarian countries (OECD 2007). The report served largely as a guide for practitioners and the donor governments when providing support to developing countries. From here, SSR became increasingly endorsed by all of the international organisations. In 2008, the UN for the first time referred to the notion of SSR, in which it explicitly stated that "security sector reform is an essential element of any stabilisation and reconstruction process in post-conflict environments" (UN 2008). As such, the concept became formally accepted by all international organisations that express an interest in the stabilisation and post-conflict investments.

While the contribution to date could not define SSR within a particular theory, different components exist that make SSR conceptually sustainable. This link with sustainability is present in theory. For example, state-building theory suggests that SSR is designed to confer one of the basic elements of the Weberian state – "a monopoly over the use of coercive force" (Sedra 2010, 16). SSR is tailored with security studies, meaning its core aims for stabilisation in post-conflict countries (Williams 2008). SSR has also integrated components from democratisation theory,

in which the overarching idea of SSR underpins the democratisation of part of the public sector. Whilst in development studies SSR embeds a development component in which a number of external actors align to provide a focused support in post-conflict and post-authoritarian settings.

According to Brzoska, the primary aim of SSR is to initiate changes to governing security institutions, particularly with respect to ‘soft issues’, such as democratic civilian oversight and the monitoring of human rights (Brzoska 2006). In this way, security institutions will turn from an autocratic towards a democratic form of governance, in which a legitimate civilian representatives exercise governance and oversight. The primary intention of SSR is to focus on the institutions that preserve coercive means such as: armed forces, police, intelligence, border guards and similar however, there is a broader intention of the SSR concept. It is aimed at democratising security institutions in a wider sense, and not to be restricted only to the armed forces. Hence, the notion of a “holistic” security sector is widely referred to when examining SSR, in which all actors are subject to reform, including the executive, monitoring and law-making bodies. A holistic approach to the security sector connotes, in addition to the police, military, intelligence, civil emergency services, the inclusion of oversight institutions such as the parliament, independent oversight bodies and civil society. The “whole-of-government” label can be found in a number of sources that explain synonymously the notion of inclusive security sector (OECD 2007; Albrecht et al 2010). In fact, holistic approach implies inclusion beyond “whole-of-government” because, along the requirements for the institutional involvement of all governmental actors – in addition to security actors – it calls upon non-governmental actors to be part of the processes.

In fact, and in light of holistic meaning, the institutions that are bound to exercise oversight over the security sector are crucial in the wide corpus of the SSR concept. In his contribution to SSR, for example, Sedra stated that “the professionalism and

effectiveness of the security sector is not just measured by the capacity of the security forces, but how well they are managed, monitored and held accountable” (Sedra 2010, 16). Paul Jackson backed up this argument by considering the matter inside a more narrow definition of the security sector. For Jackson “the narrow definition focuses on the uniformed services and their oversight, specifically those services authorised to use force incorporating the military and usually (but not always) the police” (Jackson 2011, 1811). Alternatively, the broader approach to SSR incorporates non-uniformed service and the entire justice system (Jackson 2011). Nevertheless, Jackson has not made reference to other essential bodies in the security sector, especially those that have a mandate to oversee and control. Winkler provides a sound explanation on the matter by dividing the security sector (and hence the SSR process) into vertical and horizontal lines: the vertical line implies that all actors, starting from the president/prime minister (depending on the political system) followed by ministers/agencies and up to the executive, should be included in a security sector definition. The horizontal line implies that in addition, the actors holding a mandate to oversee the performance of the security institutions such as the parliament, independent agencies, civil society and academia should be included (Winkler 2002).

A holistic explanation of the security sector, however, only represents one dimension of SSR. The concept highlights a wide range of elements that are crucial for the development of SSR. To emphasise this, it is worth considering the definition offered by Timothy Edmunds. According to Edmunds there are 5 core elements in SSR: democratisation, good governance, economic development, professionalisation and conflict prevention (Edmunds 2002, 11). Firstly, SSR is viewed in the context of the overall democratisation of the society as part of the post-conflict process and the shift from an authoritarian/communist system into democratic and neo-liberal system. This dimension evaluates the “whole-of-government” reform, in which the security sector makes up only one portion of the greater public sector reform. This

implies holistic understanding of SSR, beyond the government involvement. Secondly, it connotes that SSR must involve the good governance principles which aim to ensure a transparent and accountable public sector that is responsible towards citizens. The security sector makes no exception in embracing these good governance (Klopfer et al 2012) criteria, albeit a sector which is mandated to use coercive means and preserve classified information. Thirdly, SSR is linked to economic development and hence, the overall potential of the given country to reform its security sector. The sector should be sustainable in parallel with the financial and economic resources of a country, in which the investments into the security sector shall not compromise the well-being and functioning of other important sectors (OECD 2008). Fourth, the SSR process, most narrowly, aims at the modernisation of security institutions in line with new security challenges, in which they are capable of maximising their resources in tackling the wide range of security challenges which goes far beyond classical military threats (Buzan et al 1997). Fifth, SSR is an attribute to conflict prevention in post-conflict countries or territories. In fact, the core of SSR is primarily aimed at ensuring the safety and security of individuals (Bendix and Stanley 2008) and the pacification of post-conflict countries (Law 2006) that is, in the case of South East Europe, achieved through the regional security cooperation in the format of a security community (Prezelj 2013). By improving the delivery of security services to society, a reformed security sector serves a “positive and conducive environment for development processes and activities” (Schnabel and Farr 2012) in which it can be used as an asset, not an obstacle, to peace and security (Schnabel and Born 2011).

In fact, SSR advocates for security institutions primarily serve individuals in society, and then the state. SSR’s main goal is freedom from fear, and therefore considering the security of individuals is a primary goal of the concept. The security of individuals, above all, marks an intended correlation between the SSR concept and the human security concept, which initially derived in the policy discourse of

international organisations (UNDP 1994). This shift was in line with the new nature of security challenges in which the risks and threats became increasingly complex (Mitrevska et 2009). As a result, human security aims at bringing the interest and security of the individual before the state, therefore challenging the narrow concept of national security which primarily aimed at serving the security of the state (UNDP 1994). Similar to human security, SSR aims to influence social dynamics, in which universal norms and values are respected. Indeed, an SSR process without a clear vision for preserving the security of the individuals can be considered as only a symbolic investment, and as Oosterveld and Galand stated “the courts will remain just buildings, judges will remain bureaucrats and constitutions are just pieces of paper” (Oosterveld and Galand 2012, 194). This may end up being the case if SSR was carried out solely by bureaucrats from the international community who primarily hold technical concerns (Jackson 2011). This particularly brings into perspective the dilemma of who owns and leads the SSR process, to which particular attention is required.

Alongside the dichotomy of SSR-human security, there is also a strong correlation between SSR and community safety. The SSR intention to target individuals as a primary security concern is strongly related to the community based approach, because their needs and concerns are expected to be considered. This can be ensured through participation and consultation of the community and bring more success to the SSR process. According to the practices from which community safety derived, “community safety means preventing, reducing or containing the social, environmental and intimidatory factors which affect people's right to live without fear of crime and which impact upon their quality of life” (Council 2014). Truly, a common trait of successful SSR initiatives is the encouragement of community-based safety which is closely related to local ownership. In addition to a scholarly contribution, the congruence between local ownership and community safety has been depicted in policy circles including the OECD, which stated that “the core

values for SSR are to be people-centred, locally owned and based on democratic norms and internationally accepted human rights principles and on the rule of law” (OECD 2006). Security concerns on a community level are different from the needs of the national state and external actors, it is vital that the SSR considers those needs and concerns (Caparini 2010).

2.8 SSR and Local Ownership: How these two concepts match?

Above I have critically outlined the main conceptual elements of SSR and the academic and policy contributions from a number of authors and organisations. The discussions on SSR, be it on the policy or academic level, refer to the main elements of SSR, however the main angle of the SSR enterprise concerns the dilemma of who leads and owns the process. In other words, the main challenges concerning the contribution of SSR to date have to do with the arguments surrounding the extent to which the SSR concept respect’s local ownership. The extent to which local ownership is endorsed and developed is crucial for research scope, while simultaneously one needs reminding that the concept derived as a result of the SSR process. To recall, the security sector implied an extensive external role in the reform/development of the security sector while its meaning spilled over into different sectors.

Truly, the SSR enterprise is challenged in the way how it is served, managed and controlled by the external actors, in most of the post-conflict or post-authoritarian settings which marked an externally driven SSR. Evidently, the consequences are present due to a "top down" SSR approach, with its architecture designed and implemented by "outsiders". The immediate concern is a tendency of the international community, as Donais states, of “making their security institutions

look more like our security institutions” (Donais 2008, 7). This implies the paternalistic approach of external actors, in which context is not respected. Donais reinforced this argument by suggesting that SSR partially represents a “social engineering in which international community teaches domestic counterparts how to construct and manage a Western-style security sector” (Donais 2008, 7).

This argument correlates with the contribution of state-building theorists, in which they criticise the overall approach of the international community in imposing western driven models on an emerging state (Paris 2002; Bain 2006; Richmond 2009b; Mac Ginty 2010). The most complex part of this concerns the external imposition towards the security sector, which may be intentional or unintentional. An intentional case refers to state-building practice where a particular donor country or international community desires control over the coercive power of a state by being fully aware that these actions are against the interest of indigenous communities and the state. On the other hand, the SSR appears to be unintentional by some donor actors which still aimed to “transplant” its practices without having the intention to harm the interest of the locals, be it governmental representatives of civil society.

As a result, externally driven SSR is further challenged by contradictions over the interpretation of what constitutes a local “say-in”. Brzoska has pointed out that “SSR will only last if it is based on a growing sense of control by domestic decision-makers and civil society or society groups” (Brzoska 2006, 11). Nathan reinforces this problem through a recommendation to donor governments that they should not undertake SSR in partner countries, but should instead be focused on supporting the local actors willing to undertake SSR (Nathan 2008). Nathan rightly highlights the successful case of South Africa during the 1990’s which proves the effective inclusion of locals in the SSR process in the post-apartheid period (Nathan 2007). He asserts that externally driven SSR reflects a mixture of arrogance, naivety and superiority in which the lack of respect for the locals is obvious (Nathan 2008).

Nathan's dilemma also depicts a tendency of the international agenda to prevail due to their application of pressure. While this agenda precedes the interests of the actors, it is essential to align the interests of 'locals' and 'internationals' to the greatest extent possible (Bain 2006; Nathan 2008). On the contrary, it is unlikely that SSR will be successful if it does not consider the historical, political and social environment which requires locally focused, context-specific strategies for reform (Edmunds 2002). Few have gone far enough to exert that an externally driven SSR process represents a "neo-colonial" tool (Richmond 2012, 355), and considering the international communities' "overtly external and coercive nature" (Chandler, 2006, 29).

The dilemmas of the international community's approach towards SSR can be reduced only through a clear strategy where locals can lead the process. It has been proven in a number of post-conflict settings that an SSR process which aims to quickly fix and introduce the main SSR principles is likely to fail (Paris and Sisk 2009). It has been also argued that international capacity cannot replace local capacities everlastingly (Donais 2012b). As a result, building national capacities to manage and oversee security represents a major step forwards in terms of ensuring local ownership. Through less external dependency, the sustainability of local institutions can be ensured. In fact, the dependency dilemma is well-known in post-conflict settings. The longer the international community stays the more likely it is that dependency of the local institutions will develop (Wilén and Chapaux 2011). Here, a link can be drawn between the dependency dilemma in the SSR process and the lack of an exit strategy by the international community.

2.9 SSR and Development

The debate over SSR has primarily included the cases in which the existing security sector - be it in a post-conflict or post-authoritarian context - is subject to a reform process. In post-conflict countries, one shall have in mind that security institutions - such as the armed forces - have different development histories. Usually, the parties involved in conflict went through a cycle of transition in what has been known as the process of Demobilisation, Disarmament and Reintegration (DDR). DDR intends to demobilise former combatants, creating space for the integration of former combatants into civilian life (Dudouet et al 2012). The conclusion of the DDR process would create suitable conditions to start the process of reform (Bryden 2012). In post-authoritarian countries, the SSR enterprise has intended to reform the armed forces away the previous mindset and system of either a communist prerogative or an autocratic nature. Here, SSR is more likely to be "regime-initiated" whereas, comparing SSR within post-conflict countries, the state itself has "greater capacity both to envision and to manage longer-term reform processes" (Donais 2009, 124).

There are a few cases in which the narrow interpretation of SSR does not represent the circumstances on the ground. Hence, it is rightly suggested that SSR is differentiated as a function and meaning in developing, transitional or developed settings (Law 2006). In particular, the question is posed over the countries in which there were no security institutions, or the overall security sector was supposed to be built from scratch. Nonetheless, both the post-conflict and post-authoritarian prerogatives are present. How would one define these settings? The existing debate usually made a reference to SSR when referring to countries which had no security institutions or, for some reasons, these countries appeared to deliberately make a clear departure from any institutional correlation with the past - be it conflict based

or authoritarian. These cases rather imply formative contexts. From the conceptual point of view, the study case of this thesis – Kosovo's case - has formative prerogatives. It shows that, for example, there was no direct link between the former socialist security institutions of former Yugoslavia and the post-conflict efforts for institution building (Qehaja and Vrajolli 2011). These cases could be rightly defined into *security sector development* meaning that the security sector was initially developed (from scratch) before it was reformed. There was scarce reference to these contexts, while *security sector development* was not explicitly mentioned in the existing contribution of SSR. The most approximate reference to *security sector development* is provided by Bryden and Hanggi, in which *security sector development* "implied the legacy of armed conflict, including the dissolution of military formations and their integration into new security structures and/or civilian life, in addition to the clearance of landmines and unexploded bombs or missiles" (Bryden and Hanggi 2004, 14). However, the contribution could not sufficiently deconstruct SSR in the environments where the entire infrastructure developed from a basic level. This development also includes human resources and infrastructure. As a result, the proper definition of *security sector development* could have been extracted from the Kosovo lessons and brought into the academic discussion (Qehaja and Vrajolli 2012).

In fact, there are number of arguments supporting a definition of *security sector development* which do not depart from the main principles of SSR. The primary difference between SSR and *security sector development* concerns the specific environments and the emphasis placed on a development rather than a reform dimension. In a broader sense, this definition truly embraces the characteristics of what some authors frame - "the developmentalisation of security" (Schnabel and Farr 2012). Truly, the congruence between security and development derives mainly from European academics, which have surmised that there is a security-development nexus (Fitz-Gerald 2012). As a result, one needs to divide the reconstruction of the security sector (Brzoska 2006) and the development of security

sector. The developmentisation of the security sector is far more complex, while it embeds also other prerogatives - beyond democratisation. Edmunds correctly states that reform needs "reformers" (Edmunds 2002, 11). Alternatively, development requires "developmenters." Illustratively, this can be explained through the "chicken-and-egg" congruence (Brzoska 2006, 5).

Furthermore, *security sector development* requires the need to embed the principles of SSR at the very outset which could, in principle, reflect an easier task. Although, the problem appears to be with the extent in which the cycle of development recognises local context. It is a requirement that the interaction between the security situation and development outcomes, and between externally driven performance and local culture, shall be carefully tailored (Schnabel 2012). The development process of security sector echoes Caplan's dilemma of an exit strategy, which criticises the ability of the state-building processes used for the intention of preserving the international community and influence for as long as possible (Caplan 2012).

The development of security institutions from scratch should carefully reflect the interest and benefits of the local population and the Government. It is of vital importance that the emergence of security institutions echoes the expression of national will, and is not something imposed by outsiders, in which the security sector would be demand-driven within the context of the local socio-economic environment (Brzoska 2006). The international community attempts to convince the locals on "what is right for them" (Mobekk 2010, 231) is not a sustainable solution. Sustainability could be better achieved if there is assurance for a needs-based approach that is locally initiated (Oosterveld and Galand 2012).

The security-development nexus however, has been subject to criticism by some authors. Everett criticises the tendency of international community is to focus on developmental discourses not only because they obscure global power relations, but

also because such studies tend to portray locals as powerless (Everett 1997). She argues that the increasing focus on international institutions has moved analyses away from local people and their role in development projects, precisely because official discourses portray locals as underdeveloped and voiceless. In fact, she argues, such studies tend to underestimate the agency of locals, and how their resistance to international projects can shape the outcome of particular undertakings. Thus, by analysing development as a discourse that is imposed on locals, “critics have presented a one-sided view of power and hegemony” (Everett 1997, 140) and underestimated the agency of local actors. While local agency and, to recall, local authority, is without doubt an important aspect of development projects, different situations, such as those of post-conflict states, might not leave as much space for the voice of locals. In addition, Everett shows that the relationship between ‘internationals’ and ‘locals’ can be broken down further to consider hierarchies within the two categories.

CHAPTER III

3. CONTEXT OF SECURITY SECTOR DEVELOPMENT IN KOSOVO

“The overarching definition of the UNMIK administration of Kosovo concluded that UNMIK is about Kosovo, not for Kosovo.” (Interview with N.Rashiti 2014)

This chapter provides an overview of security sector development in Kosovo. It serves as an entry point to the empirical component of this thesis by leading the transition from theoretical into empirical analysis. The context analysis supports the research endeavours in deconstructing the key historic features with respect to security sector development in general and in particular the interface within the international-local nexus. Furthermore, this chapter brings the main aspects of the thesis into relevance by providing key security, political and social underpinnings. In order to systematically touch upon the key processes however, the thesis will apply a periodic framework in which the overall socio-political and security transformations are explained.

The periodic cycle will be split into two: the period from 1999 until 2004 and the period from 2004 until 2008. In this way, the context analysis serves as a back drop to the research endeavour in examining the international-local nexus at the later stage. The context will not elaborate upon the pre-1999 period bearing in mind that the research angle – on local ownership - is focused on observing the relationship between international community and locals in post-conflict and post-independence settings. However, in the first part of the chapter I intend to provide principal

historical elements solely for the purpose of maintaining the accessibility of the chapter to audiences lacking this fundamental contextual information.⁸

3.1 Key political and security features

At the end of the Cold War, major political and societal shifts occurred in Eastern European countries. In Yugoslavia, the devastating transition from socialist and authoritarian systems into pluralistic political system manifested itself an inter-ethnic war and conflict (David and Vejvoda 1996; Mazower 2000; Jovic 2008). Making the transition much more painful compared to the other parts of the former socialist bloc. As a result, democratic government became subject to post-conflict transformation in addition to the post-authoritarian and post-socialist transitions that took place in other parts of the bloc.

The violent breakup of Yugoslavia started and concluded with Kosovo. The repressive measures led by the president of the (then) Federal Republic of Yugoslavia, Slobodan Milosevic, towards the Albanian majority population in Kosovo under the ethno-nationalist banner created a new precedent in this part of Europe. The turning point was the abrogation of Kosovo's autonomy in 1989. Kosovar autonomy within Yugoslavia started to be implemented during the late 1960's and was consolidated with Kosovo's (along with Vojvodina's) almost equal rights with the six republics of Yugoslavia in the Yugoslav Constitution of 1974 (See ICJ Cases, 2009). As a consequence, the period between 1989 and 1998 saw a vast array of serious human rights violations, repression, expulsion and systematic ethnic cleansing. In this period, the state employees from the Albanian community were removed systematically from their job position; all Albanian language media was

⁸Nevertheless, for further information about the context of Kosovo since pre-historic periods, I would strongly recommend: Noel Malcom (1999) "Kosovo – A Short History"

banned; there was daily repression towards the Albanian majority encompassing all forms of violence and in this period huge number of injuries and killings were registered by international organisations (Pllana 2013). Under the leadership of Ibrahim Rugova, the peaceful Albanian movement managed to keep alive a parallel system in education and health without any intention to violently counteract the Milosevic regime. However, a new dynamic was created when the war in Bosnia and Croatia formally ended following the Dayton Peace Agreement in 1995 - an agreement which in principle brought peace to Croatia and Bosnia, without effectively considering the increasing repression and casualties in Kosovo. As a result, the sentiment among the Albanians gradually transformed from peaceful resistance into violent confrontation, with the creation of predominantly guerrilla forces, under the name of the Kosovo Liberation Army (KLA) (Pettifer 2014). The fight between the KLA and Yugoslav military, para-military and police forces on one hand, and the civilian casualties on the other hand, alarmed the international community which increasingly called for a peaceful solution.

In early 1999 the international community organised negotiations between Kosovar Albanian representatives and Serbian government representatives which were held in Rambouillet, France. The agreement aimed at ending the spread of conflict, building on the lessons learned from Bosnia and Herzegovina in which the international community was fragmented, acted poorly and at a very late stage. Furthermore, the agreement was designed in a manner which would provide substantial autonomy to Kosovo, in which the legal status of the territory would be preserved, an international peacekeeping mission would be present and a referendum on a potential change of status in the following three years would be made possible (Rambouillet 1999).

This agreement, not satisfying both parties entirely, was signed exclusively by the Kosovar Albanian representatives, with the Serbian representatives rejecting the

terms offered. With ongoing military operations in Kosovo and ethnic cleansing on the ground, the international community united under a single voice which led to the decision to launch air-strikes against the Federal Republic of Yugoslavia. Consequently, the NATO led air-strikes took place in a 78 day operation starting therefore on the 24th of March 1999 (NATO 1999). Notwithstanding debates over the legality of decision to launch the air-strikes in some political and academic circles – due to the lack of consent by the United Nations Security Council members (Simm 1999) – the decision has been considered as a turning point in the global order in which the massive violation of human rights should no longer be considered as an internal matter of a sovereign state (Cassese 1999). The air strikes became quickly justified under the paradigm of the responsibility to protect (ICISS 2001).

The end of the war was marked by the surrender of Serbian forces signed through a technical-military agreement in Kumanovo, known as the “Kumanovo Agreement.” The Agreement had been signed between NATO and the Federal Republic of Yugoslavia. It foresaw the withdrawal of the Yugoslav Army, Police and other security mechanisms from the territory of Kosovo (NATO 1999). This agreement equally served as a base for diplomatic efforts within the UN to introduce a new resolution in the United Nations Security Council (UNSC) - the Resolution 1244. The primary success of the resolution was ending conflict and the violent break-up cycle in Yugoslavia. The resolution explicitly called for the immediate withdrawal of the military and para-military forces of the Milosevic regime as well as the demilitarisation of the Albanian led military movement known as the Kosovo Liberation Army (KLA) (UN 1999). These fundamental steps were quickly implemented in the early months of the post-conflict period which successfully started to nurture peace and stability in this part of the Balkans.

3.2 Absence of local ownership and the authority of reserved powers (1999-2004)

In addition to the primary aim of achieving peace and security, the UNSC Resolution 1244 served as the foundation for the deployment of international civilian and military missions in Kosovo under the umbrella of the UN (UN 1999). It also foresaw the deployment of an international military presence under the NATO umbrella. The United Nations Mission in Kosovo (UNMIK) and the NATO force in Kosovo (KFOR) had the primary task of introducing law and order in the fragile post-conflict context of Kosovo. The Resolution made it explicit that the primary governmental authority over the civilian and military components of the international presence was the Special Representative of the Secretary General (SRSG). Also, SRSG was the principal authority for ensuring the implementation of the UN resolution with respect to reconstruction work and institution building.

The SRSG retained unconditional powers of governance vis-à-vis the emerging local institutions in general and particularly over the security institutions. The terminology applied by the SRSG was “reserved powers”: this implied a non-negotiable dimension with local representatives. The UN therefore, had been tasked with a very complex mandate over territorial governance. Its structures were divided into four pillars: Pillar I: Humanitarian Assistance, led by the Office of the United Nations High Commissioner for Refugees (This pillar was renamed in 2000 into Justice and Security); Pillar II: Civil Administration, under the United Nations; Pillar III: Democratization and Institution Building, led by the Organization for Security and Co-operation in Europe (OSCE), and Pillar IV: Reconstruction and Economic Development, managed by the European Union (EU) (UNMIK n.d.).

Since 2000 the UNMIK Pillar I was mandated to strengthen the control and governance of the emerging local security institutions. Indeed, the concentration of powers towards the international presence made Kosovo a unique case in the framework of the international administration of territories. The international community was mandated to have exclusive powers in governing and controlling the local security institutions without consulting the local representatives. In fact, if one considers the agreement, the process of deciding on Resolution 1244 did not follow any consultation of local constituencies – excluding the representatives of the majority community in Kosovo. Also, the UN Resolution 1244 refers to the military-technical agreement reached in Kumanovo which also did not involve a consultative mechanism with the Albanian majority representatives. As a consequence, UNMIK was deployed after the diplomatic agreement between NATO, Russia and the former Yugoslavia which excluded the participation of indigenous constituencies.

After war, the specific political capabilities and “reserved powers” for the international community are reflective of a unique institution building process in the security sector. This led towards the establishment of all security institutions from scratch (Qehaja and Vrajolli 2011). Hence, in comparison to the other former Yugoslav units, Kosovo’s case was exceptional in that there was no direct link between the former socialist security institutions and the post-conflict efforts for institution building. For example, the police, protection and security structures were all newly formed in the immediate post-conflict period. Also, the fact that the period from 1989 until 1999 marked the delineation of the local security institutions from the Albanian community, the coherent continuation of the security structures and institutional practices from the pre-war period, transmitted into the post-war period, is a criteria that cannot be maintained (Vrajolli 2014). Furthermore, an overwhelming argument concerning the lack of institutional memory is the repression applied by the former Yugoslav institutions under the direct responsibility and command of the Milosevic regime.

As a result, the only correlation with the war or with the socialist period is found exclusively amongst the individuals who joined the new security institutions but served in either the former Yugoslav forces or the KLA. Indeed, new institutions do not necessarily bring a new mindset to organisational culture (Bekaj and Qehaja 2015), and despite the correlation between the former organisational culture and the post-conflict scenario, this was an individual rather than systemic basis. Nevertheless, all individuals have had to undertake basic training and comply with the internationally endorsed methodology on an equal basis, despite the fact that some of them were granted higher ranks either in the socialist period or during the wartime period (Ibishi 2014).

If one considers the matter in a conceptual perspective, the Kosovo case has more criteria of *security sector development* rather than SSR. While SSR foundations could be found during the process of building up the institutions, there was however a clear link between developmental and security components. This is clearly in line with the conceptual definition of the security-development nexus (Edmunds 2002). As a result, *security sector development* implies a formative context rather than a reform context in which a different type of approach would have been required. To recall the conceptual underpinning, the development process requires “developers” just as a reform process requires “reformers” (Edmunds 2002, 11; Brzoska 2006, 5). Consequently, *security sector development* with an executive role played by the international community implies more of an influence in the process of design rather than in a context where a purely SSR process is undertaken. This argument was valid so long as the overall process of design, management and control was conducted by the international presence.

If we come back to the Kosovar context, there are number of security institutions that have been developed from scratch. The post-war period marked the establishment

of: the Kosovo Police Service (KPS) - which was mandated to conduct basic tasks in the field of public order and safety - the Kosovo Protection Corps (KPC) - which was introduced as the result of the demilitarisation of the Kosovo Liberation Army (KLA) and mandated to exercise solely civil protection tasks, and the civil emergency service structures which were especially formed in the level of municipalities. However, two other components of the security sector (in a narrow perspective) were not introduced: defence and intelligence. Those remained under the sole responsibility of the SRSG. In fact, any attempt to develop them implied the building of mandated state institutions, which could potentially require coercive measures (R.Qehaja 2004).

Consequently, from 1999 until 2004 the role of local actors in the security sector was almost inconceivable, with UNMIK authorities unwilling to gradually transfer responsibilities in this field. If we borrow Caplan's dilemma over the need to properly design an "exit strategy" for international missions (Caplan 2012, 4), the approach of UNMIK during the first 5 years resembles a pertinent case. For example, UNMIK appeared reluctant to transfer the responsibilities to the locals due to a rigid interpretation of Resolution 1244 and the authority of the international community. UNMIK expressed an interest to retain the status quo while not making any concrete steps in devising an exit strategy in the security sector.

Different arguments have been made when considering the rigidity of the transfer of responsibility to Kosovar authorities. The first echelon targeted politically related arguments which identified the unsettled political position of Kosovo. According to these arguments Kosovo was under international administration, and thus one could not initiate the transfer of responsibilities in a sector which constitutes institutions with coercive powers, and create the backbone of a state as defined by the traditional (Westphalian) concept of state. Here, arguments were reinforced by the reluctance of some countries that expressed open opposition vis-à-vis the potential statehood of

Kosovo (Harris 2014). The second echelon considered more the societal relationship in the local-international nexus. The arguments here concern the reluctance of the international community to transfer responsibilities to locals due to a lack of trust (R.Qehaja 2004; Selimi 2014; Marmullaku 2014). The argument is claimed to be supported by reference to historical context, in which the granting of more power to Kosovars may be detrimental to the security and stability of a fragile Western Balkan region (Selimi 2014). The third echelon is dominated by SSR related arguments in which lack of capacity amongst the local authorities and population caused a dilemma over the timing of the transfer of responsibilities. These arguments dovetail with development concepts raised in the institution building literature, which manifest that bottom up approaches are immature, without the required human resources and with a limited technical capacity to form an independent local security sector.

In a set of post-conflict countries, for example, internationals have been deployed to replace local administrations because “locals were not considered to fulfil their task appropriately” (Wilde 2008, 18). Yet, the scale that is used to judge the locals is also one created by international community, and as rightly defined on the conceptual level, is often based on western perspectives and standards. In East Timor for example “the original reason for UN administration had nothing to do with conflict; rather, it concerned the perceived inability of the East Timorese, in the short term, to govern themselves if Indonesia withdrew.” (Wilde 2008, 18). Considering Kosovo, the case was similar: while UNMIK was presented as a response to an administrative void, the primary aim of the UN administration was actually to assure shift in the governance (Wilde 2008). As a consequence, although the withdrawal of Serbian and Yugoslav officials created the need for new administrators, their withdrawal was part of the plan that was created to make way for UNMIK (Wilde 2008). Thus, if we deconstruct further Wilde’s analysis and its conceptual underpinning when applied an exit strategy, international strategy seems much more calculating, with their own

interests at the forefront rather than those of the locals. Consequently, local officials appear to have little power and agency, particularly in cases such as Kosovo. Truly, Kosovo was subject to the more specific prerogatives of a powerful international administration beneath the banner of the “reserved powers”. The fact that powers were concentrated towards one person – the SRSG – exposed the way in which democratic oversight and control of the security institutions could not be introduced. The SRSG ensured that the emerging governmental bodies of Kosovo had no executive or oversight responsibilities regarding the security and justice sector due to the “reserved powers” of UNMIK (R.Qehaja 2004; Rashiti 2014). Also the first legislature of the Assembly of Kosovo in 2002 did not introduce any oversight committee or discussion vis-à-vis the security sector due to obstruction by SRSG “reserved powers”. As a result, a real contradiction in the security-development nexus became evident as the arguments for introducing SSR principles at the outset of *security sector development* were seriously contested, at least with respect to parliamentary oversight.

In a social perspective, the UNMIK mission contributed to what some authors have rightly defined as a “disparity between local and international ways of life” (Lemay-Hebert 2011). Differences in payment of local and international staff, as well as the accommodation of UN officials in floating hotels created the perception of a privileged elite world that controlled the process of nation-building whilst excluding local actors. Lemay-Hébert (Lemay-Hebert 2011) has described the presence of UNMIK as ‘symbolic violence’ which constructed the critique on the basis of Pierre Bourdieu’s definition of powerful forms of cultural and social domination taking place within every-day life. Although “symbolic violence” may sound a strong conceptual criticism in the context of Kosovo the argument prevails during the process of post-conflict reconstruction, bearing in mind that the power dynamics of international intervention have created “us” which usually represents the stronger

international, and “them” representing weaker locals. A number of examples taken from the post-independence period reiterate this point.

3.3 Complex support and implications for security sector development

The role of international donors in post-conflict Kosovo has been crucial for the economy. Kosovo's economy has been based upon three pillars: a very limited production-based economy made up of mostly small enterprises, the remittances of the Kosovo Diaspora living in Western countries, and international community support through a set of development aid programmes. The latter is the most relevant in the context of security sector development because it was the key focus, along with other sectors, of international community support. Indeed, even with a constant decrease in aid, Kosovo remained among a few countries in the world to receive the most development aid per capita due to the vast array of donors. The problem with this external economic reliance is due to the fact that many financial contributions do not reach the country due to complex political reasons and widespread corruption. Together with remittances from the diaspora, the “development aid from international and bilateral fund donors accounts on average for 50% of the country’s Gross Domestic Production (GDP)” (ASK 2012). Development projects, and the cooperation between international community and locals, have changed considerably between 1999 and the present. Initially, Western governments were much more focused on the vast number of refugees that were fleeing Kosovo, or that were expelled from the country, while relief organisations focused on delivering humanitarian aid such as food, clothing and shelter for victims, ahead of focusing on the political situation in Kosovo (Luxembourg 2014).

From a contextual perspective, the presence of international donors and actors can have been considered as beneficiary for maintaining and stabilising, at least provisionally, the economy in Kosovo. One needs however, to critically assess the extent to which foreign aid has exercised influence over the development of the security sector in Kosovo. The collaboration between international community and locals was initially a one-sided process which took the form of direct intervention by Western governments and organisations, rather than a form of cooperation. As such, development projects and actual cooperation appear to start at a later stage, and once national institutions had gained sufficient capacity. Nonetheless, a vast number of projects carried out by international actors such as the EU, NATO and major countries appear to be designed mostly by international community (Focus Group 2015).

Furthermore, the challenges with regards to foreign intervention can be deconstructed in line with the MacGinty theory of the "standardised approach of the international community in a peacekeeping mission" (MacGinty 2010, 399). In Kosovo, the situation was further complicated by the interests of the particular representatives of the international community, which seemed to reveal - as Nathan also rightly points out – an intention centred on an externally driven agenda, be it of individuals, foreign states or international organisations.

The Kosovo Police Service (KPS) represents an example that highlights externally imposed models in the context of development aid. To illustrate, the KPS was led by an international police commissioner with the policing techniques and methodology transformed according to the change of commissioner, and which occurred on an annual basis (Rashiti 2014). The complexity of this situation was exacerbated by cases where the policing techniques of the KPS in one region largely differed to another. In the process of capacity building, experts from different countries presented their own domestic techniques which were often in complete discord with

one another (Rashiti 2014; Harris 2014). The frequent modification of policing techniques had implications on the behaviour of Kosovo police officers to the extent that they could not express dissatisfaction towards a particular internationally driven policing technique. For example, police officers in the Mitrovica region held a preference towards British policing techniques, reacting negatively towards French policing techniques, simply because they found the British technique friendlier (Rashiti 2014). The discordance of police techniques in this period raised some other dilemmas over the context in which police techniques were applied. In the immediate post-conflict period, with a high murder rate of over 240 per year (See Chapter V), and a vast number of other crimes, a more efficient and responsive police force was of crucial importance.

As part of the idea of keeping the local authorities “as disarmed as possible”, senior international officers proposed a model of policing in which Kosovo police shall not possess a short weapon while on patrol. The argument was based on the assumption that possession of weapons in a post-conflict environment “triggers violence”. The suggestion was based on the Danish model in which police officers do not possess weapons while patrolling (Marmullaku 2014; Ibishi 2014). However, such a suggestion is in complete contradiction with the institutional set-up and the application of techniques in accordance with local circumstances. It is a failure to introduce a security sector through a standardised peacekeeping approach, and strongly correlates to Fukuyama’s pessimistic dilemma of “getting to Denmark” in which he explained the tendency of the international community to rapidly attempt to westernise non-western societies (Fukuyama 2004, 29).

In an immediate post-conflict environment, an ill prepared and nascent police force held a heavy burden. During the months when this “Danish model” had been introduced, the effectiveness of police officers was scant. A former police officer of the KPS explained a scenario in which, in lieu of weapons and other coercive means,

the only successful way of catching a criminal would be through mediation. According to the officer, in certain cases a criminal could be caught “as a result of the reputation I had among the population as a former senior police officer and commander during the war” (Ibishi 2014). This was because a coercive means for bringing a perpetrator to authorities simply did not exist until 2001. This example demonstrates sufficiently the failure of the international community to impose external models without consideration for local circumstances. The models imposed upon the KPS were discordant to such an extent that the dissatisfaction of senior UN officials was later revealed on the matter. A UN report in 2004 stated that “capacity-building (of the KPS) have tended to be sporadic, uncoordinated and of limited duration, carried out by a number of actors” and that “under such circumstances the impact will necessarily be limited” (UN Kosovo 2005, 15).

The failure of UNMIK to introduce its approach in line with local context as well as an overall weakness in setting the agenda for an “exit strategy” were seriously challenged by the eruption of the violent rioting that took place in Kosovo in March 2004. The rioting started when local media repeatedly announced headline news that three Albanian children were attacked by Serb villagers in the northern part of Kosovo (Hoxha 2014). The all-encompassing media report triggered major unrest all over Kosovo in which radical groups agitated and encouraged violence and dissatisfaction towards the international community, including the Serbian minority community. According to sources, around thirty riots broke out across Kosovo involving more than 50,000 violent demonstrators (HRW 2004). These riots resulted in the deaths of 19 civilians - 11 Albanians and 8 Serbs. The events for the first time highlight the need for steps forward in terms of transferring the responsibilities in the security field from the international community towards local security institutions. Due to discordant police techniques imposed by the preferences of individual international actors, and the lack of willingness to sufficiently strengthen the local police force, the March 2004 riots marked a twofold failure of the

international community: it did not consider the need for local capacity building in a coherent and context-based manner, and signalled the failure of crisis management despite a large presence of international led police forces on the ground.

Overall during this period, few examples show the willingness of the international community to change its methodology. As a result, the limited attempts of the international community to involve the locals were viewed through a 'ticking the box' perspective. This was because the international community communicated solely with elites ahead of wide ranging local representatives. If we remember the conceptual underpinning of Hansen (Hansen 2008) and the empirical dilemmas of Narten (Narten 2009), the elitist focus was a particular problem and manifested in an unequal relationship between the Kosovar and international communities. This externally led approach attempted to superficially (though selectively) incorporate local elites, consequently marginalising the majority of the population. This approach produced state driven elites, remaining hollow because of the negative implications on legitimacy beyond UN rule (Jackson 2011). Furthermore this approach was "independent of the will of the people it rules" (Bain 2006, 533).

In particular, this problem was emphasised by the moral capture of the elite, which targeted its strongest constituents, namely powerful politicians who were affiliated with the conflict, to form a 'KLA elite'. These developments were intentional and concerned with the primary dilemma regarding the preservation of stability. Talking to war affiliated elites ahead of a deal with other parts of the local community ensures that a concession can be made without posing uncertain threats to stability and security (Vrajolli 2014). This dilemma is strongly related to what could be defined as a paradigm of exaggerated stability – a concept which is explored in the next chapters.

3.4 Turning point: outset of the handover of responsibilities (2004-2008)

The end of the violence in 2004 stimulated a new momentum in the reconfiguration of the UNMIK mandate. This was accompanied by more specific demands openly calling for more local control in the security sector. This process was arranged through a gradual handover of responsibilities to the local authorities. This transfer of responsibilities could only occur after a thorough analysis of the capabilities of international and local institutions and the recommendations for their improvement. In 2005, the UNMIK administration launched the process of Internal Security Sector Review (ISSR). The ISSR reviewed the performance of the security institutions and recommended several next steps presumably to support an “exit strategy.” The ISSR recommendations were based on a wide ranging assessment conducted with representatives from all communities in Kosovo. Despite this, the initiative still represented an externally led process. The ISSR finally confirmed the need for more local ownership in the security sector, serving as an important fact which justified and accentuated the pressure to change the rigid position of UNMIK officials (UNDP 2006).

The recommendations of the ISSR resulted in the first shift in the transfer of responsibilities. In 2005 the UNMIK Department for Civil Security transferred to the Ministry of Public Services, linking the civil emergency services with the local powers on the municipal level. Also, in 2006, UNMIK allowed the establishment of the Ministry of Internal Affairs (MoIA) and the Ministry of Justice (MoJ) of Kosovo, which were to be governed and managed by Kosovars. These were the first steps, although only partial, towards the local takeover of security sector responsibility. Changes in the role for the SRSG started the transfer of some “reserved powers” in the sphere of policing and justice, while reducing UNMIK’s bureaucracy (Narten 2009, 266). Moreover, there was an important shift in terms of oversight: the Kosovo

Assembly had established a Parliamentary Committee on Security exercising oversight over the civil emergency services, whereas oversight over the police force and KPC remained solely under the responsibility of SRSG (Qehaja and Vrajolli 2011).

The unrest of 2004, as explained above, served as a driving political and diplomatic force for an accelerated solution to a final political settlement for the status of Kosovo. While the ISSR touched upon the institutional dimension of the security sector, the political process was a “top-down” approach in which the international community would find the means to depart from the political deadlock towards a final status settlement. The political process aimed at first measuring the extent to which the Kosovo authorities, albeit with limited mandate, managed to implement the key preconditions for what the United Nations (UN) has termed as “Standards before Status” (UN 2003). As a result, in 2005 the assessment report of UN special envoy, Mr. Kai Aide concluded that, “while standards implemented in Kosovo have been uneven, the time has come to move to the next phase of the political process” (UN 2005). This report opened the door for the negotiation of the final status of Kosovo which took place in Vienna between the Kosovar and Serbian delegations in the period from 2007-2008. The negotiations were facilitated by a special UN envoy for Kosovo, Marti Ahtisaari. While the dialogue between the two delegations was focused on the political level with particular discussion over some key issues such as: decentralisation, cultural heritage and the return of refugees, this new political dynamic also served towards efforts in proposing and designing new security sector architecture. The new security sector would be managed, governed and controlled by locals.

In 2007, lacking a joint solution and with all negotiating possibilities exhausted, the UN envoy came up with a proposal which suggested granting supervised independence to Kosovo. This opened the door for a final status which implied a

sovereign and independent Republic of Kosovo (UN 2007). This proposal also included a chapter dedicated to the security sector (UN 2007, 49).

With the declaration of independence of Kosovo in 2008, the proposal regarding the security sector became embedded in the Constitution of the Republic of Kosovo (Constitution 2008). According to the Constitution, “the Republic of Kosovo has authority over law enforcement, security, justice, public safety, intelligence, civil emergency response, and border control within its territory” (Constitution 2008, Art: 125).

The declaration of Kosovo’s independence created a new political period in which Kosovar’s would assume almost full responsibility over the main pillar of the state – the security sector. However, the increasing takeover of responsibility in this sector did not diminish the role of the international community which, in 2008, remained robust. The establishment of the International Civilian Office (ICO), in the capacity of ‘watchdog’ for the implementation of the provisional Ahtisaari settlement, held the authority to intervene in case of changes or discrepancies in the development of the security sector. In addition to ICO, there were two other missions that continued to play crucial role in overseeing the development of local institutions such as: the EU mission of EULEX and the NATO mission of KFOR.

The post-independence period involved the deployment of EULEX, widely considered to be the EU’s largest civilian crisis management operation. This mission aimed to Monitor, Mentor, and Advise (MMA) the police, judiciary, and customs, and is aimed primarily towards achieving European standards and EU integration (EU 2008). During the period from 2008-2012, EULEX has retained a few executive powers with respect to organised crime and war crimes for use in exceptional circumstances. As well as providing assistance, it has been intended to evaluate the systems and structures currently in place and identify areas which require future

development and reform. In this regard, EULEX's initial task has been to help combat the related problems of corruption and organised crime.

KFOR, on the other hand, continued its mandate as envisaged from its inception. Its presence decreased drastically (from 50.000 in 1999 into 8000 in 2008) with its main focus in the northern part of the country. During this period, KFOR started the process of its handover of responsibilities towards the KP with respect to border safeguarding. An additional task it received covered the process of the creation of the Kosovo Security Force (KSF) by retaining key responsibilities in overseeing the institution.

CHAPTER IV

4. SECURITY SECTOR UNDER THE AUSPICES OF INTERNATIONAL COMMUNITY

“In my opinion, we (international community) have achieved almost nothing...Despite many years of intensive training...police officers are more interested in doing radar speed checks than in fighting crime. Nabbing speeding motorists doesn't require any movement; you just sit comfortably in your heated police car” – former EULEX Officer (Der Spiegel 2012).

This chapter presents and analyses the core qualitative and quantitative findings of the thesis. The findings are organised and grouped around principal dilemmas underlining local ownership in the case of Kosovo. These findings rely on a set of data collection means including: interviews, participatory observation, content analysis and quantitative measurement. Alongside the general dilemmas concerning dependency and distrust, significant reference will be given to notions of obsessive and exaggerated stability, and its implications for local ownership. The second part of the chapter provides an interpretation of the public perception on the international-local nexus and local ownership in general.

4.1 Overarching dilemmas

The empirical findings show a complex relationship between international community and local actors in the security sector development of post-independence Kosovo. It is not a coincidence that complex relations are evidenced in the security sector: Kosovo does not make an exception in arguing that the security sector is one of the most important pillars of statehood. As stated by key theorists, the armed forces remain the coercive means of the state (Weber 1958; Buzan 1991). While the

first steps of state-building logically may require international community support, its involvement however can be controversial especially if there is evidence of excessive and uncontested interference. In Kosovo sufficient evidence can prove this case: the actions of the international community have seriously challenged local ownership. In fact, the excessive interference of the international community does not only appear to be a problem during the UNMIK administration (See Chapter III) but also presents a continuing obstacle in the immediate post-independence period.

It is true that the provisions for declaring statehood in Kosovo have been based on the provisional supervision of statehood, mainly through the International Civilian Office (ICO) but also through EULEX and KFOR (Constitution 2008). However, as the findings will show below, the supervisory role was either misused or misinterpreted due to excessive interference and, to some extent, the imposition of externally driven models. This has led not only to the breach of right to self-determination but also to the core principles of local ownership. Indeed, the right of local constituencies to have a primary role in the governance of a state and territory is embedded in international legislative provisions. The first document which recognised this right was the United Nations Charter (UN 1948), followed by a number of legally binding UN resolutions (UN 1960; UN 1961) and cases ruled by the International Court of Justice (ICJ 1971; ICJ 1975; ICJ 1995). Truly, these legal documents connote the right of indigenous people - "to be free from foreign control by virtue of their right to autonomy" (Wilde 2012, 261). The autonomy here is not only political but rather an internal matter in which people and their representatives, regardless of political constellations, hold the right to "have a say" in the state-building process. From a legal perspective, this is defined as internal self-determination (Thürer and Burri 2008; Weller 2008).

Furthermore, the theoretical framework has defined internal self-determination as the right of people to decide upon their own development and state-building

processes. This is particularly the case in post-conflict or post-independence settings, where the international community exercises an excessive mandate in administering a territory or country. To recall, Marc Weller deconstructs the meaning of self-determination from an individual right, to a right of members of certain groups and populations, in which they can claim governance within a given territory (Weller 2008). This definition offers an explanation of the right invoked in political and social arguments.

In the Kosovar context, the right to self-determination and local ownership does not only derive from international legal documents as listed above, but is also found within other legal and political documents (see below). These documents sufficiently justify the rights of Kosovars to have a primary role in the decision-making process. First, the provisions of Kosovo's Status Settlement envisaged a primary role for Kosovars in the process of state-building, albeit a provisional and supervised independence (UN 2007). Second, the individual decisions of the sovereign states to recognise the independence of Kosovo connote reference to the right of Kosovo and local constituencies in deciding the state-building processes.⁹ Third, the opinion of the International Court of Justice (ICJ) endorsing the political status of Kosovo is identified by stating that the right to internal self-determination “belongs to self-governing and non-self-governing territories”, and that “a great many new States have come into existence as a result of the exercise of this right” (ICJ 2010). Four, the resolution of the European Parliament - to which Kosovo is advised to respect – stated that the “local ownership of the peace-building process is essential to ensure long-term stability” (EU 2008, Art. 31). It is also true that these legal documents endorsed a supervised independence in the period of five years. The extent to which this supervision is exercised and, most importantly, how this supervision was

⁹ For more information see the recognition letters of the states that has recognized the independence of Kosovo. As of December 2015, Kosovo has been recognized by 108 UN members.

exercised represents the angle observed by the thesis through the empirical examples that follow.

The first problem of international missions was the lack of an exit strategy. None of the missions in Kosovo appeared to have an exit strategy which signalled a tentative withdrawal and date for locals to assume full responsibility for state processes. According to a Kosovar stakeholder “there is no measuring tool on the basis of which the international missions should withdraw...rather the withdrawal was done on the basis of political decisions” (Fushtica 2014). In post-independent Kosovo, only the ICO withdrew in 2012 as it concluded that the period of supervised independence had ended, also representing the political willingness of ICO sponsors (Official Gazette 2012). This was not the case with EULEX, the OSCE, KFOR and a vast number of international organisations who held no exit strategy. The lack of policy orientations is tailored to Caplan’s conceptual contribution in justifying the exit strategies of international missions (Caplan 2012). The lack of exit strategies, and in policy jargon a “phasing out”, appeared to be one of the main problems for international missions in all settings. As a consequence, a lack of clear policy orientations – such as the case with Kosovo – can further postpone the right to self-determination and local ownership (Caplan 2012). In this case it not only postponed but also suspended local ownership (Vrajolli 2014).

The second problem created by the international community concerns a lack of consideration for context, with Kosovo portrayed in a standardised way as similar to other post-conflict and post-independent settings. This situation is created through a linear perception of post-conflict context, irrespective of region. It was rather paradoxical to hear the international community drawing parallels between Kosovo and Afghanistan (Kurti 2011; Fushtica 2014) instead of, for example, a more logical comparison of post-conflict cataclysms between Bosnia and Herzegovina and Kosovo with reference to a similar context and joint past. While this criticism

towards wrongly drawn analogies between Kosovo and other regions in no means implies a negative perception towards other regions, it is important to differentiate between the contexts and cultures of targeted countries. In addition to context, the security situation and the level of economic development have an important impact. The standardised actions of international community offer only a ready and sample made idea that is provided throughout all post-conflict settings. In 2010, for example, I have personally experienced working with a group of international consultants who aimed to identify the areas to support in the rule of law. The deployment of international experts has been followed by strict security instructions, congruent with those applied by organisations in Afghanistan (Part. Observation 2010). The team was certainly aware that the security situation in Kosovo was far more favourable than in Afghanistan, however the logic of “generic and logframe” preparation became internalised in daily work: as reflected by Mac Ginty and the idea of IKEA-isation (Ginty 2011).

A third problem refers to the implanting of externally based models in the Kosovo security sector. Some of the actions taken by the international community have occurred under the banner of “Western Best Practice”. Furthermore, these practices have artificially bound Kosovo officials with the paradigm of conditionality. This conditionality refers to the requirements a country needs to meet in order to progress into EU, NATO and other international organisations, a requirement Kosovo aspires to reach. As a consequence, the frequent reference to “Western Best Practices” has artificially justified the interference of the international community in the security sector. When considering, for example, policing models across Western countries, it can be said that there is no single policing model applied in Europe. Truly, Western models of security governance are highly varied, each of them a product of historical and constitutional developments (Donais 2012a). The Scandinavian model of rule of law may present the best theoretical approach for a Scandinavian context: but this context is distinctly different from Kosovo and the

Western Balkans (Blease and Qehaja 2013). Consequently, references made to the universal standardisation of policing practice in Kosovo are easily challenged.

The problem is complicated further by the incongruence found between the banner of “Western Best Practice” and local needs (Blease and Qehaja 2013), and when still used as the means to measure Kosovo’s conditionality for international progression. Evidently, “Western Best Practices” were not only “advised” but also “enforced”, with at least one international involved, if not leading the process of legal and policy drafting (Selimi 2014). This situation gave international experts the space to embed practices from their home country. On occasion, an intervention was used to justify the further involvement of additional international experts, through advisory and consulting roles. These developments have occurred at the expense of Kosovo’s international conditionality (Selimi 2014; Fushtica 2014; Vrajolli 2014). Furthermore, references made to “Western Best Practices” have not only had negative implications for police techniques, but have had consequences in the technical management of the police, exemplified by the provision of a number of unnecessary vehicles that have damaged fleet management (Marmullaku 2014).

The fourth problem concerns the form of international expertise. Although overseas experts may have expertise in their home country, they do not automatically hold expertise in the beneficiary country. This problem was only found in the processes of policy drafting but also in the executive mandate on the international community. For example, the involvement of international experts in dealing with the most sensitive cases of crime is considered problematic because internationals could not have more “operational knowledge than the locals” (Harris 2014; Selimi 2014; Marmullaku 2014). International experts cannot be expected to bring results in an area such as heavy crime without knowledge of local culture and language, and when staying in the country for a maximum of only 6 to 12 months (Harris 2014). This point does not question the need for the scope and presence of EULEX police

officers from 2008-2012, nor does it consider that they were not needed (Harris 2014). Rather, it identifies that EULEX officers were not placed effectively as there were no tasks that required such a high number. Hence, the situation reflects only a sufficient commodity for international missions.

The fifth problem concerned the justification around the development support granted to Kosovo. Evidently, Kosovo has received more development aid per capita when compared to other countries in the region (See Chapter III). However, most of the funds were dedicated to technical assistance, ensuring that other than the benefits of receiving advice and support in the production of laws and policy (which is up for contestation), the majority of funding was effectively returned to the EU and other countries. In fact, large funding in technical assistance made the country an attractive market for consultancy from European and US based companies and individuals (Hoxha 2014). Through donor logic, the technical expertise and sufficient funds for development aid have been used as a tool to challenge local ownership, encouraging international ownership over state processes. Understandably, this was the case in early post-conflict period in which the budget of Kosovo was filled and topped-up by foreign aid. As a result, the finances appeared to be used as a tool to promote certain policies of major international powers and some development agencies (Selimi 2014). In his explanation about the challenges of Internal Security Sector Review (ISSR), Antony Welch, the coordinator of the process in 2005, stated that the funding could be easily secured to ensure an efficient ISSR process (Welch 2014). Meanwhile, during the ISSR process, and as Kosovo was moving towards the conclusion of final status talks and independence, some donors withdrew funds from the ISSR as they did not endorse the outcome of Kosovo's status (Welch 2014). This is an example which shows the excessive influence of the international community up to a level of compromising the state-building process through the withdrawal of funds.

Justifying the excessive international influence on the grounds of development aid is counterproductive and challenges local ownership. This is particularly the case when development aid is only supplementing or supporting existing resources. As of 2002, for example, Kosovo security institutions such as the police were financed by the Kosovo taxpayers. Paradoxically, from 2002 until early 2009 there was the constant presence of an international police commissioner who managed the institution and funded by the Kosovo budget (Rashiti 2014). Therefore, any arguments justifying an excessive interference, is weakened while the core of the budget is supported by local taxpayers. In other words, even if one endorses the donor logic of external funding vis-à-vis limited local ownership, it cannot be applied in the case of Kosovo. Truly, as long as the finances of the international community are lower and solely devoted for technical assistance, the higher the ability to challenge international authority (EPLO 2014).

4.1.1 Dependency Dilemma

The sixth problem reflects the largest consequence of the five other problems listed above: echoing the dependency of local actors on the international community. Hence, the deconstruction of the phenomenon of dependency requires specific focus as it is reflected throughout the empirical examples of the thesis.

In fact, the results show that dependency is a product of the long presence and excessive role of the international community which created a certain commodity among the local actors that “the internationals will do the work and they (internationals) are the final managers” (Focus Group 2015). It is true that this dependency can have long-term implications in the way that the Kosovars build the state: some conclude that the consequences are already evident, in the first years of statehood (Surroi 2014). One cannot however conclude that this dependency is solely

a product of international action: rather, it echoes a clear vision and lack of understanding by some of the local elites during the international administration of Kosovo (Selimi 2014; Marmullaku 2014; Fushtica 2014).

In particular, this dependency is deconstructed through the perceptions of particular professions. Profession here is referred throughout the research: be it police officers, KSF officers or similar. According to the interviewee, “there was more preoccupation by the Kosovo senior police officers in reporting to the EULEX rather than tackling with the ordinary challenges to security and safety” (Marmullaku 2014). The sense of having international community as the principle and the only managers created major difficulties in the consistency of this institution. On the other hand, for example, in the Ministry of Internal Affairs (MoIA), the excessive role of the international community during the international administration resulted (in the post-independent Kosovo) in a perception of inferiority of locals towards international community (Marmullaku 2014). As a result, the MoIA as a policy-making body had difficulties in designing and coordinating policies alone because “the seeds planted wrongly, will grow up wrongly” (Fushtica 2014).

Most worryingly, the excessive level of dependency towards the international community appears to have been misused. This culture has been cultivated throughout the UNMIK administration and already embedded in the post-independence period (Selimi 2014; Rashiti 2014). The misuse of dependency could be observed against the “brave behaviours” of some individuals from the international community who did not dare to challenge any decision of the local police officers. As a result, there were cases in which, for example, an international police officer, regardless of lower police rank, could not refrain from ordering his local counterpart. In western countries lower ranking officers are unable to order higher ranking officers because they have to obey the hierarchy (Selimi 2014).

Of course, these examples represent only one part of the justification pertaining dependency. Qualitative evidence confirms this dependency across the professions of the security sector. In the second part of this chapter, dependency is also observed on the level of citizen perceptions. The lack of “phasing-out” of the international community and its excessive role has led towards a general dependency amongst locals, especially when talking about the most respected international missions such as that of KFOR.

On the other hand, dependency should not be considered solely as a cause of the actions of the international community. It is certainly a weakness for locals, for governmental representatives or indigenous communities. It was the locals that were not expressing the willingness to assume more ownership. The behaviour of local professionals can be mirrored to the definition of William Bain regarding a “lack of the authority to resist” (Bain 2006, 537). Having the “authority to resist” is best observed when locals are in a position to say “no” to international actions. As a consequence, the authority to resist is strongly correlated to dependency: with the authority to resist lacking due to the creation of dependency.

In one ironic attempt to define this level of dependency, a Kosovar opinion-maker stated that “it is disappointing to see the sense of being small, irrelevant and powerless...the mentality of servile rules with the Kosovars” (Surroi 2012). In fact, Edward Said has made an in-depth observation on rulers and servility. The long term and deep-rooted nature of this perception has contributed to the idea that ‘westerners’ are culturally, economically and politically stronger than the locals (Said 1994). In the case of Kosovo it is of course difficult to test whether cultural supremacy is a product of dependency, however, from the research elements of certain forms of servility and excessive loyalty can be highlighted.

4.2 Unequal cooperation and the trust dilemma

There is a sound conceptual foundation explaining the "distrust dilemma." The dilemma is largely examined under the framework of an "unequal relationship" between the international community and local representatives (Hansen 2008, 45). Both the distrust dilemma and the unequal relationship determine the extent of partnership between international, governmental and non-governmental actors. The unequal partnership and distrust dilemma are embedded in the liberal peacebuilding literature and state-building theory in which most actors critically approach the role of major countries towards emerging and developing states (Fukuyama 2004; Chandler 2006; Richmond 2009; Mac Ginty 2011; Wilde 2012). Both conceptual underpinnings, beyond general critique in the axis of "Western countries trying to patronise Eastern countries", thoroughly define the causes of distrust and unequal partnership in the international-local nexus.

Indeed, the issue of distrust represents one of the main dilemmas in the process of state-building in Kosovo and, in particular, in the development of the security sector. Trust dilemma, however, was not one sided, and represented a lack of trust from locals towards internationals alongside a lack of trust from internationals towards locals (Rexhepi 2014). It is important to depict the public distrust as it explains the limited extent to which citizens have endorsed the authority of the international community. To enforce this argument, Lederach is correct to state that the international community see people as resources rather than recipients (Lederach 1998), ensuring the importance of viewing public trust through a resource perspective.

4.2.1 Locals not trusting internationals

An explanation of the distrust dilemma is best defined by the Minister of Internal Affairs of Kosovo in his description on the relationship with the EULEX: “Not that we do not trust them (EULEX and KFOR)...most of its members have positive attitude towards the developments in Kosovo. The problem is with some individuals from particular states having an agenda which is not always friendly with the state-building agenda of Kosovo. Hence, we (MoIA) express reserves in sharing some intelligence with the international missions” (Rexhepi 2014). The Minister adds that this position occurred due to the leakage of intelligence, which in particular operations were highly detrimental to the outcome (Rexhepi 2014). For example, in 2014, a raid for arresting suspected terrorists completely surprised the international presence in Kosovo after have heard of the operation only through the media. The reason behind the decision to stop information sharing with the international community was to keep the operation as confidential as possible, under strict rules of classified operation, in order to ensure the successful completion of police action (Rexhepi 2014). In fact, a trajectory maintaining trust can only be increased in light of positive cooperative experiences in the international-local nexus. Arguably, it is difficult to draw experiences in light of a continuous distrust dilemma. The problem with trust in the context of an international-local nexus emerges in lieu of a proper exit strategy by international missions. A long term international presence, in particular a mission that contains an attitude non responsive to change, will alienate the domestic population and government officials (Caplan 2012).

The research has identified a number of cases manifesting a lack of trust. It is my intention to explore only a number of cases, but which are sufficient in deconstructing the phenomenon. Generally, when deconstructing genuine causes of distrust, one discovers two main reasons that explain the dilemma from the perspective of Kosovar policy-makers: the first is a lack of trust towards particular

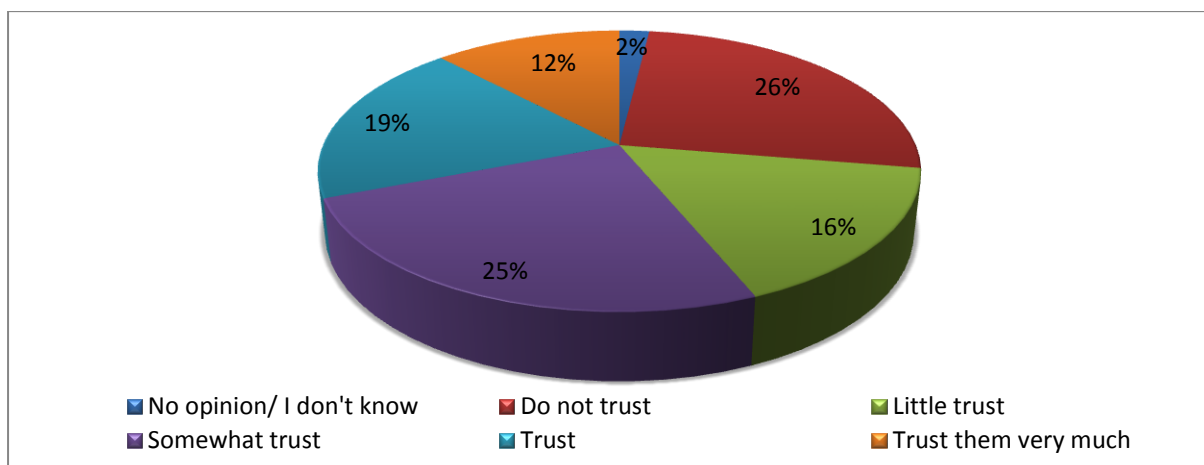
international employees retaining a sentiment against the interests of Kosovo; second is the lack of trust as a result of state origin, including individuals coming from states with a track record of suspicion towards state-building in Kosovo. Also included within this group are individuals belonging to, until the present time, countries that do not recognise the statehood of Kosovo (Selimi 2014).

These explanations are described by experienced Kosovar policy makers, stating that due to the decisions or behaviours of certain individuals, a level of distrust was naturally constructed and later became a norm (Selimi 2014; Focus Group 2015). While subjectivism is justifiable, I argue that the level of distrust was created by default towards the individual's coming from particular states. This argument however, is scientifically unconvincing, because judging another on their national origin is a stereotype rooted in the historic memory of Kosovar citizens, often used as an excuse against cooperation. Truly, such a perception not only stemmed from the representatives of institutions but also ordinary citizens. To illustrate, the perception of the public opinion shows that people's trust towards KFOR is more prominent in the Gjilan region (eastern part of Kosovo) due to the predominant composition of American units supported by an overall high level of trust towards the USA. On the other hand, the public perception towards KFOR was lower in Mitrovica region (northern part of Kosovo), with units consisting mainly of French membership (Focus Group 2014). In this example, there is less trust towards France than towards the USA, driven by historic memories and most recently the participation of French soldiers in facilitating the division of Mitrovica (Hougar 2014).

It is important to deconstruct the trust citizens hold towards international missions, particularly those including EULEX and KFOR. Firstly, and regarding EULEX, trust towards their mission is unsatisfactory. From the graph one can depict that the trust held towards the EU rule of law mission in Kosovo is 21 %, with 25% remaining

neutral and 42% expressing a lack of trust. Additionally, 42% reflect a position that questions the authority and credibility of a mission which has a mandate to monitor and advise as well as perform some executive tasks in the broader field of rule of law. The qualitative interpretation of the data and people's individual reaction towards EULEX interprets the mission as one which does not differ that much from the previous UNMIK (Focus Group 2014), where a number of cases revealed that it holds a position that does not align with public interests. Furthermore, this perception is driven as a result of the overall behaviour of the international missions in Kosovo which have proved unable to undergo a substantial shift in their mandate between the immediate periods of post-conflict (1999-2002) and the post-independence period (2008-2012).

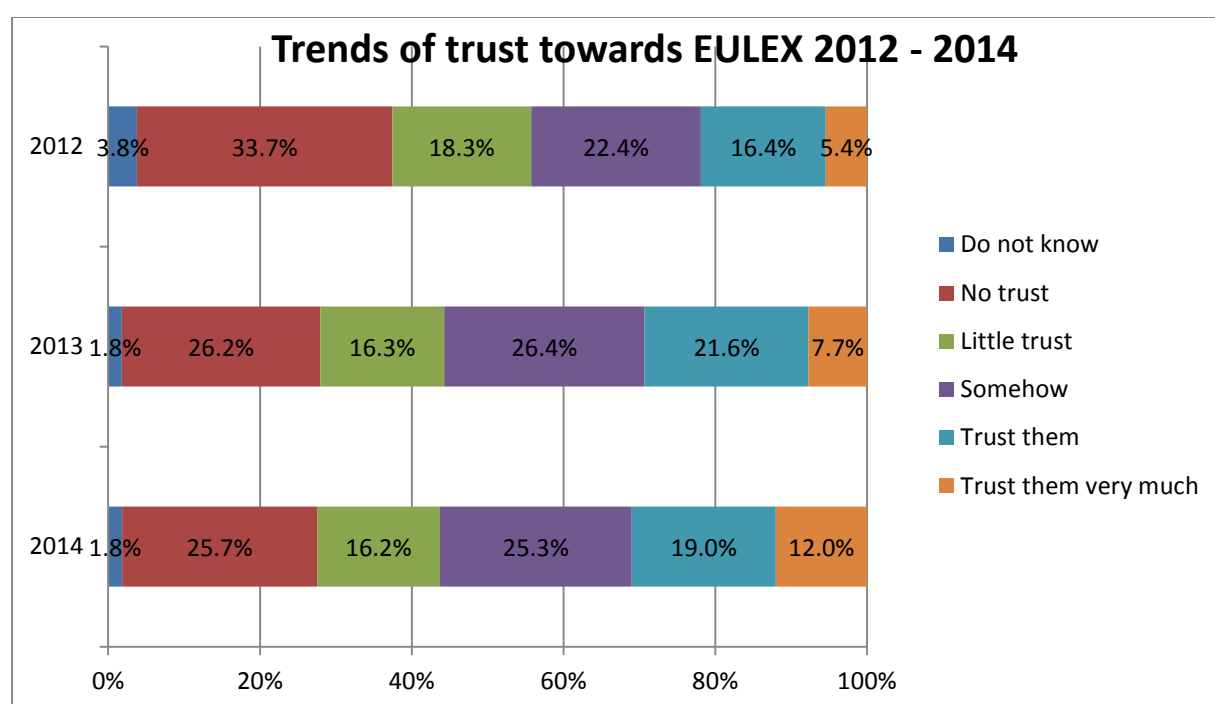
Figure 4.1: To what extent do you trust EULEX? (n=1100)



The perception of the people was in line with the views of interviewees when thinking that a weakness of EULEX was its failure to differentiate properly between its state-building mandate, and the previous mandate of UNMIK which was executive and driven by protectorate logic (Greiçevci 2014; Neziri 2014; Selimi 2014). Furthermore, this perception signalled a public assessment of the performance of EULEX which was below expectations (Focus Group 2014). As a result, this perception has been created on the basis of the behaviour of international missions.

In fact, even in previous years respondent trust towards EULEX was a problem. I have depicted the trust towards EULEX in 2012 and 2013 and drawn a trend on the basis of a survey held in the respective years (KCSS 2012; KCSS 2013). From the graph below it appears that distrust towards the institution prevailed constantly and with more emphasis than in the previous years. The crisis of the legitimacy of EULEX has been constantly ignored at the policy level (Kursani 2013).

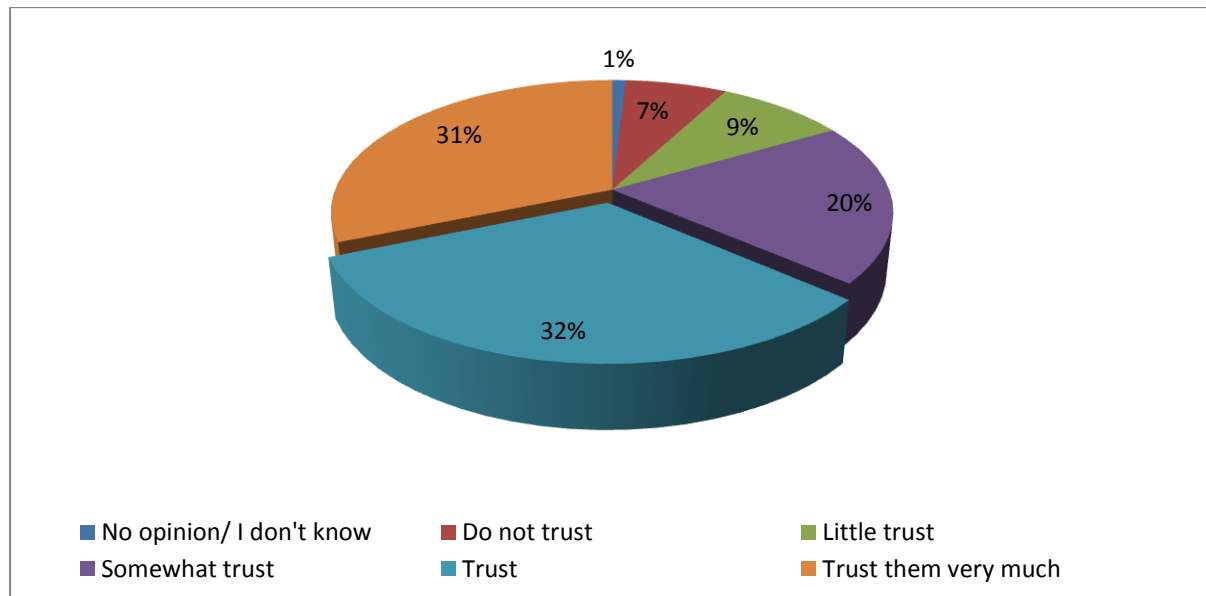
Figure 4.2: Trends of trust towards EULEX 2012-2014 (n=1054)



The situation appears to be different with KFOR, with figures of public trust significantly higher. Up to 63% of respondents trust KFOR, 20% remained neutral while the rest (16%) expressed dissatisfaction. The explanation for this attitude is multidimensional. First, people express an overall satisfaction towards uniformed institutions, as is the case with the KSF and an overall positive perception towards defence institutions in the Western Balkans (see next section). Second, people still tend to see KFOR as a liberator of the country, with trust defined on the basis of the contribution through the humanitarian intervention in 1999 (Focus Group 2014).

Third, KFOR provides a psychological commodity for the people, in lieu of locally based armed forces (Focus Group 2014; Focus Group 2015). Also here, the people's perception correlates with the experience of the interviewees, however some share experiences of distrust on the basis of the cases provided in this thesis.

Figure 4.3: To what extent do you trust KFOR? (n=1100)



4.2.2 International community not trusting locals

There are number of cases highlighting the distrust dilemma of the international community towards locals. Indeed, the distrust towards locals is equally as problematic as local distrust towards the internationals. Both have implications on the overall prevalence of local ownership and international-local nexus. According to the interviewees, the trust was so high that "internationals always employed non-Kosovar citizens for the Albanian translation in the judiciary" (Koci 2014). As a result, they could have been confident of a genuine translation of all documents during the litigation. Similarly, in 2005, the UNMIK Pillar I (Security and Justice) employed Kosovars through an artificial justification of local ownership, however staff members were quickly marginalised as they were banned from having access to

the intranet as it was feared that classified information would leak (Rashiti 2014). It is of course not the intention to draw on the examples of distrust during the UNMIK administration in which number of cases exercised an almost paranoiac distrust towards the locals. Truly, there are number of empirical examples elaborating the extent to which the international community expressed distrust towards the Kosovar institutions in post-independence Kosovo.

In 2011, for example, EULEX special units, under their executive mandate of war crime arrests, organised a raid which aimed to arrest suspected war criminals in the region of Prizren. One of the suspected individuals was the Director of the Regional Kosovo Police Command in Prizren. During 2011 EULEX had a significant presence in all police stations – including Prizren – and it was expected that the raid targeting the director of the second largest regional police command was coordinated with the Kosovo Ministry of Internal Affairs. The problem with this case, according to the Minister of Internal Affairs, was "the spectacular manner of arresting director of Police in front of his colleagues" (Rexhepi 2014). Furthermore, this unilateral EULEX raid, specifically targeting a Director, exposed the international lack of trust towards KP. According to the Minister of Internal Affairs, this assessment was wrong, as there should there have been an invitation sent to the Director to go voluntarily, as "he would unavoidably do that" (Rexhepi 2014). Along with distrust, the case implied a situation in which local police members could not carry out the raid organised by their international police colleagues. This situation could easily have ended up in an armed confrontation between EULEX and the KP Special Forces - an incident which was avoided at the last minute due to the intervention of politics and the MoIA (Rexhepi 2014).

There are two other empirical cases reflecting a lack of trust towards the KP. The first case is related to protests in the divided town of Mitrovica. According to the shared responsibilities between local and international security mechanisms, until

2014, the KP represented the first line of reaction, with EULEX representing the second line of reaction, whereas KFOR represents the third line of reaction (Harris 2014). On the basis of this logic and agreement, the KP special units increased their presence on the Mitrovica Bridge in order to control any potential deterioration of the situation as a result of the ongoing albeit peaceful protests on one side. With the situation was under control, the sudden appearance of EULEX Special Forces without prior coordination and consent by the KP triggered a reaction with the Commander of the KP for the Mitrovica Region. The commander has been quoted by the media for arguing with the EULEX Commander of Special Forces by asking him “who has invited you” (Telegrafi 2012). During the conversation between the two commanders, the KP Commander ended his argument by stating that “...your (EULEX) presence only contributed towards tensions because your presence is only triggering the attention and therefore bringing along more people by the bridge” (Telegrafi 2012). Here, distrust is present through the EULEX fear that the KP would not be capable of dealing with the situation, regardless of the prior agreement on who held responsibility at each level. The distrust is also explained against the prevailing dilemma of some of the representatives of EULEX which fear that part of the KP at a senior level may not obey the chain of command, and therefore be unable to prevent the potential violence of their compatriots against the Serbian community (Interviewee A 2014).

The situation was similar in 2013 when there were tensions over a decision by the Kosovo Government to ban the entrance of the controversial Serbian Minister without Portfolio, Alexander Vulin. After the intervention of the international community, Ministers of the Government of Serbia had been provided permission to enter Kosovo; but it was the international community, willing to keep the situation under control which unilaterally started to control the behaviour of the Kosovo Police officers at the border crossing points with Serbia. This was beyond the mandate of EULEX (Telegrafi 2013).

In fact, if we deconstruct the discourse of EULEX at its deployment, the actions reflecting the distrust of EULEX were highly incongruent with the statements of EULEX at the launch of the mission. In 2009, EULEX held a joint press conference with the KP highlighting the upcoming role of the mission and its role in the KP after a joint training session. The relationship between the KP and EULEX was illustrated by a senior EULEX officer in the following manner:

“...the KP was like a football team, trying to win the champion’s league. EULEX was like a coach: it provided a strategy, monitored performance to improve operational and managerial skills. EULEX will help you but only you will score the goals. The idea is you and you alone are on the field” (Harris 2009).

A similar illustration was made five years later (2014) by the EULEX Chief, who stated that:

“EULEX is in the passenger’s seat, not in the driver’s seat” (Meucci 2014).

The two cases falls within the period between the two statements. Ironically, the discourse and principal message of EULEX appeared to heavily contradict the actions of EULEX. In fact, these examples are only those which have been made publicly available, and are amongst a vast array of alternative examples which reiterate the lack of trust on a daily basis (Rexhepi 2014). The message in 2009 of the former senior EULEX officer in charge with mentoring, monitoring and advising the Kosovo Police has been confirmed to contradict the actions of EULEX. This point has been reinforced through an interviewee, stating that while “the EULEX documents has the elements of ‘helping the locals’ you could also find the verbs of ‘taking actions’, meaning the executive powers” (Harris 2014). This point indicates that discordant messages were also communicated to the public.

Distrust between locals and EULEX were not the only problems. Additionally, cases reflect further distrust in the Kosovo-KFOR nexus, although to a lesser extent. To recall the mandate of KFOR in the immediate post-independent Kosovo: its scope was influenced by the new institutional setting along with its traditional mandate of maintaining peace and security as provided by the UN Security Council Resolution 1244. The shift in the mandate was marked with respect to KFOR's new role in standing-up of the Kosovo Security Force (KSF) and its civilian oversight structure (UN 2007). The new conditions created on the ground raised a number of questions on what the KFOR mission should focus on. The "elephant in the room" was the northern part of Kosovo where significant tensions and a number of protests took place, with KFOR being the only operational statutory actor in that area. In light of this development, the Kosovo Government criticised the inaction of KFOR and its "ignorance" towards the deterioration of the security situation by calling for an "update" of KFOR's mission vis-à-vis the new political and societal circumstances in Kosovo (Bota Sot 2012). The response of the KFOR Commander was robust stating that "for KFOR it is important for its bosses in NATO to be satisfied, it is not important what the Kosovo government does and what its people say" (Bota Sot 2012). The statement represents the detachment of the KFOR mission with the realities on the ground and, according to Kosovar analysts; this is not in line with new political and social constellation in Kosovo (R.Qehaja 2013). The unchanged positioning of KFOR with the new developments on the ground has been cynically illustrated by an interviewee who stated that KFOR's rigid approach is constructed due to the concentration of its officers and soldiers only within the perimeter of the barracks (Interviewee B 2014). The idea indicates that the close proximity of KFOR soldiers to the barracks ensures they do not hold an association or maintain contact with local constituencies. This has led towards a detached and rather outdated impression of some of the senior officers of KFOR with the circumstances on the ground.

In fact, the lack of accountability by the international missions appeared to be of high concern for the Kosovar fellows (Selimi 2014) due to excessive immunity and limited oversight held by the representatives of indigenous communities, who could not assess the efficiency and responsiveness of the mission. Hence, the statement of the Commander of KFOR represents the large extent to which the international mission is responsive towards those benefiting from international support.

Furthermore, examples explaining KFOR's distrust dilemma can be depicted in the context of an exaggerated stability paradigm (see next section). The case indicates that the highest level of distrust is marked during 2011, when KFOR was seen as secretly observing the base of the Kosovo Police Special Forces in Mitrovica. The intelligence cell of KFOR received some unconfirmed information that the Kosovo Government may eventually intervene in the northern part of Kosovo in order to restore rule of law (Telegrafi 2012). In this way, it was the intention of KFOR to keep the situation under control so it could eventually stop a KP move into the northern part of Kosovo – a behaviour which shows incongruence with the partnership between the Kosovo Government and KFOR (Rexhepi 2014).

4.3 Exaggerated stability

Kosovo's struggle to assume full sovereignty and to introduce state apparatus has been viewed from a rather complex perspective. The international community over-calculated every institutional development against its potential implications for stability. The security assessment on the implications to stability did not evolve despite a substantial improvement to the situation over these periods (Marmullaku 2014; Rashiti 2014; Neziri 2014). As a consequence, the stability assessment in the post-independence period did not differ in substance with the assessment made in

the post-conflict periods. As a result, the research could not find a major shift in the discourse and assessments of international missions, for example, between the year of 2001 and the year 2013 (Ibishi 2014; Selimi 2014; Greiçevci 2014; Rexhepi 2014).

Indeed, when examining the empirical data behind the role of the international community in most post-conflict settings, stability appears to be one of the key buzzwords. As the overarching interest of the international community is in preserving stability, this focus has frequently led towards unintended consequences for the development processes. Where arguments for stability prevail, the situation usually ends up in a typical trade-off between stability and, for example, development in the field of rule of law. For this reason, Kosovo does not only make a relevant case but in particular it connotes features which emphasise this dilemma. Frustration against the linear approach of the international community has distilled into a concept which resembles “militarized security” (Kurti 2011, 92). The over-satisfaction with the maintenance of peace and stability could be used as a tool to blackmail developments, as manifested by extremist groups throughout this period.

The former Head of UNMIK in 2005 and 2006, Soren Jessen Petersen, admitted that some of the rule of law developments in Kosovo occurred at the last minute in order to stop police action or an investigation on the basis of exaggerated stability “... [some members of international community] expressed their deep concerns over the actions of UNMIK and the Kosovo Police in enforcing rule of law. These actions, according to those, will affect the stability (Petersen 2014).” Petersen added that it was his assessment that stability was at stake as a result of inaction. In other words, the presence of war criminals or organised crime groups represented a major challenge to security and stability without serious actions put in place to bring them to justice.

At all levels political arguments were feeding notions of exaggerated and obsessive stability. If we return to the actions and inaction of EULEX, the primary struggle of this mission was in reaching a consensus among member states due to the obstacles posed mainly by 5 countries that did not recognise the statehood of Kosovo. In fact, it was not possible to overcome the arguments of these states: those have to be considered. The messages were simple and purely political: you have to send more police officers on the ground to ensure that you preserve any escalation regardless if those were in contradiction with the risk and threat assessment (Harris 2014). The exaggerated stability was usually explained on specific terms in which the “A individual from this community can use violence against B individual from other community” hence all of the efforts needs to be made in ensuring that this should not happen (Harris 2014).

In fact, exaggerated stability appears to be not only Kosovo-centric. It is a norm which is applied by the international community in most of the post-conflict settings. To demonstrate over-satisfaction and exaggeration of stability in other settings, a former officer of the Office of High Representative (OHR) in Bosnia and Herzegovina, in his response to the arguments of the Bosnians that “the international community brought nothing but peace in Bosnia and Herzegovina” responded with great confidence that “yes, peace is a big thing so we are delighted in maintaining it” (Interviewee C 2014). There is certainly a huge price of the peace in which the international community invested successfully. In the case of BiH and Kosovo it stopped a bloody war which was causing massacres and catastrophic damages to properties. Nevertheless, the weaknesses in the process of development and state-building should not be justified against the success managed at the outset of the post-conflict period in achieving and safeguarding peace.

There are number of cases explaining the extent to which exaggerated stability interfered. It is important to divide the implications of the exaggerated stability

dilemma within institutional development, highlighting the implications for the security environment.

4.3.1 Exaggerated stability versus institutional development

The dilemma over Kosovo's defence component represents an intriguing example for examining the obsessive exaggerated stability dilemma. It shows a case in which the externally driven model of the Kosovo Security Force (KSF) was rather externally imposed and not based on a needs and threat assessment. The arguments for imposing the KSF have been purely political: not political in terms of domestic politics but rather on the basis of "high politics". This represents one of the most overarching empirical examples that show a complete disrespect for local involvement, therefore violating the core of local ownership.

It was in 2007 when the UN Special Envoy for the Final Status Settlement of Kosovo, Marti Ahtisaari, in his final report came up with the conclusion that the emerging state of Kosovo should have an institution – the Kosovo Security Force (KSF) – with a 2500 active and 800 reserve personnel capacity, lightly-armed and with a clear mandate in tasks concerning disaster relief and civil protection (UN 2007). The momentum for proposing a new institution was also created as a result of the demands of the international community to disband the Kosovo Protection Corps (KPC) – a civilian protection organisation which was operating from 1999 until 2008 as part of the demilitarisation process of the Kosovo Liberation Army (KLA 1999). The idea behind the "disbandment with dignity" of the KPC (UN 2007) intended to cut the links between the Kosovar state institutions and any further association with the war, arguing that further links would be detrimental to a multi-ethnic society in which all communities (meaning minority communities) are equally represented in the upcoming force. The decision to disband the KPC triggered reactions from the members that could not generally agree with the reasoning, and with challenges to

their future careers. Concerns against the latest force were clear: not more than 50% of the KPC members would have the opportunity to join the new force, while the remaining members, regardless of age and skill, would need to enter a re-integration programme. This would result in early retirement or taking up a position in civilian employment. Furthermore, the decision was political and solely initiated by the international community without prior consultation with Kosovo's governmental representatives and KPC members. The government representatives however, had to accept this step in light of the general concessions required in order to achieve their goal - international support for Kosovo's statehood (Focus Group 2015).

The intention here is not to focus on the process of KPC dissolution, but rather to focus on the developments of state institutions and the post-independence period. The KPC is representative of an example that reflects an externally resolved solution for the disbandment of an institution (thus in lieu of domestic consent) for political and societal reasons (thus free from a war related mentality). Let us evaluate the main question, regarding the KSF: what made the international community propose a security institution which would not differ that much from the mandate of the disbanded KPC? If one could start the re-building of an institution from scratch, with a new structure and in a sovereign context, why not to provide a defence related mandate? The research has explored a number of factors which influenced the decision to have an institution containing a solely civil protection mandate in post-independent Kosovo. Truly, the political arguments within the stability context seem to overshadow any justification against the structure of the KSF. Hence, the decision was a matter which was not discussed with the Kosovar authorities, let alone the citizens. This represented an institution which was introduced in lieu of consultation with local government representatives and constituencies, raising a large dilemma over the extent to which the locals have a "say" in the process of institutional design. As a result, these provisions were non-negotiable (Interviewee D 2014). The reasons for making this chapter non-negotiable could never be brought

to the public, be it towards Kosovar or foreigners. There is a shared assumption that, if the provisions for security were publicised, they would have not been sufficiently convincing for the local audience in order to justify the externally imposed model of the KSF. This dilemma was also present with the external imposition of the National Security Strategy (See Chapter V).

The first part of the argument for designing the KSF was political and heavily in line with exaggerated and obsessive stability. Here, designers claimed that since independence of Kosovo is contested by one part of the UN member states, the capabilities of the KSF would imply a balanced structure that would not reflect a traditional armed force but something between – sounding less than military and more than police (Interviewee D 2014). In fact, the same arguments have been applied for the build-up of the Kosovo Police in the immediate post-conflict period.¹⁰

The second argument was militarily stating that introducing a traditional army would be a direct threat to Serbia; a successor of Yugoslavia which rejects the sovereignty of Kosovo and any state institution building. According to these arguments, the creation of Kosovar defence capabilities would pose a military threat to Serbia as Kosovo would hold means to attack military assets in South Serbia (Interviewee D 2014).

The third argument cover the previous two arguments under the blanket of the open markets and neo-liberalism, suggest that Kosovo does not need military capabilities in any capacity because there is no military threat to Kosovo, and whereby maintenance would be costly (Interviewee D 2014).

¹⁰ The intention of the international community was to increase the capabilities of the Kosovo Police solely in the field of public order. This was because the primary intention of the international community was to build a police force for immediate post-conflict challenges, and fulfil a basic security requirement. This categorised the building up of the force for a provincial, rather than for a state level (Selimi 2014). Hence the investments have been made in ensuring that the police would not resemble a police service as found with normal states (Selimi 2014).

The first and second argument fall under the obsessive exaggerated stability dilemma and cannot be considered viable: first, the decision to support the state-building process in Kosovo should have been followed in supporting the build-up of the entire state apparatus, including the defence sector. The recognition of pro-independence countries – which represent the standing of particular countries vis-à-vis statehood - did not imply any dilemma over the right of Kosovars to assume full sovereignty.¹¹ In this context, additional arguments concerning the presence of international military missions such as KFOR, and therefore the fulfilment of defence related tasks by this mission, is short-sighted and against the core of local ownership. The international missions, including KFOR, are provisional because, as Donais has rightly stated, "the international missions cannot forever replace the local institutions" (Donais 2012b, Min 48). An analogy could have been drawn with BiH, which had no obstacle to the introduction of armed forces, but rather it had two armies at the outset (one of Republika Srpska and the other one of the Federation of BiH) in a deeply divided society. Initially, there was also a NATO military presence which was later replaced by an EU military presence in parallel to the presence of BiH armed forces (NATO 2004).

Alternatively, the military argument is further weakened as, presumably, the KSF would ideally reflect the same strength in man power (2500 active members) but with a defence related mandate, then from a traditional military point of view, how could this institution pose a threat towards a country which has a well-established armed force with the man power, at least numerically, 12 times larger than the KSF? The arguments which were presented in the anti-statehood circles – with which the international community seemed to provide priority – had in mind a persistent opposition towards the creation of state related mechanisms. For example, the National Security Strategy of Serbia of 2009 makes reference to the regional threat

¹¹ See the letter of recognitions of the Kosovo's independence.

produced as a result of the creation of the Kosovar state. The strategy makes explicit that "the introduction of the so-called KSF represents a serious threat towards the existing regime of arms control and it is detrimental towards the balance of powers in the region" (Government of Serbia 2009, 8). The strategy, however, failed to explain militarily how the KSF (with a civilian protection mandate) could be a threat to the region - let alone considering political arguments. Moreover, these political assessments could never be proved because, on the contrary, arguments suggesting that Kosovo's independence are prerequisite to stability and security had prevailed. It is the case because none of the intentions of the KSF Command or its members implied a tendency that threatened the national security of Serbia in post-independent Kosovo simply because, if hypothetically the case, the KSF was under the strict supervision and guidance of KFOR as well as the Kosovo Government.

The very latest argument, on "no need to have a defence force" was also contradictory to the standardised approach of the stability dilemma of the international community. On one hand the international community was hammering home the arguments for the need to preserve stability, whereas on the other hand it rejected the traditional requirements for having armed forces. The problem with this argument can be answered with a simple response: Kosovo does not make an exception vis-à-vis other countries of the region which retained military capabilities, despite limited and reformed in the context of NATO integration. The contemporary armed forces are expected to safeguard the sovereignty and integrity of the state; assist other state authorities if required and contribute to international peacekeeping missions. The prospects of the contemporary armed forces, in the context of Kosovo, are fully in line with the governmental and societal vision to join NATO (Kastrati 2014).

Considering domestic developments, reviewing the discourse of the political actors and civil society in Kosovo reveals constant demands over the need to modify the

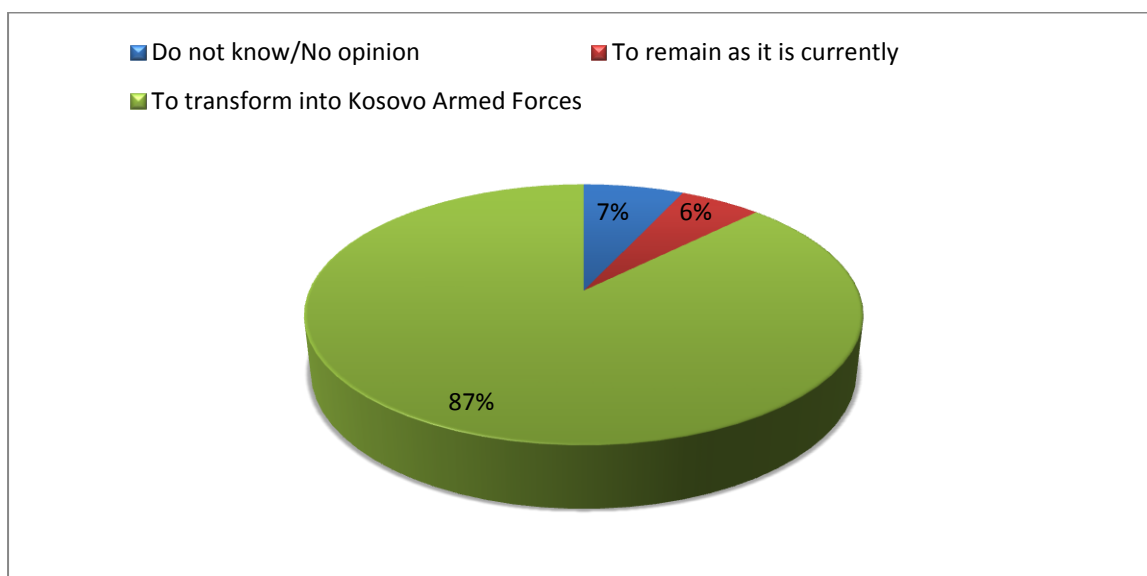
mandate of the KSF. In fact, 5 years after independence and, during nearly 10 years of international administration, the periods served as a “transition” for discussion in creating a defence structure. From the institutional perspective, these five years served the maintenance of the well-established civil protection tasks on the basis of experience with the KSF, consolidation of the new structure and some capacity building. All of these points, however, intend to justify the fulfilment of the KSF mandate and further strengthen the arguments for introducing a force with a military mandate, under the provisions of "ticking the box". The assessment stemmed from the NATO presence, in which it initially verified the semi-operational capabilities of the KSF (2012) and a full operational capability (NATO 2013). The commitment to reach these capabilities has been indicated through statements by the senior level of the KSF (Kastrati 2014).

As a result, in 2012 the Kosovo Government launched a process of Strategic Security Sector Review (SSSR) (Kosovo Government 2014), commensurate to a normal defence review in all sovereign countries. The initial intention was to conduct a holistic review of the security sector; however the primary intention was to open up discussion for the modification of the mandate of the KSF towards a more traditional defence mandate. The whole-government approach and consultation with civil society was introduced to ensure the holistic approach of the policy design. Also, the process was conducted in consultation with NATO partners in order to ensure that the prospective force is in line with the NATO standards (Interviewee E 2014). After two years of the process, in March 2014, the Kosovo Government launched a decision to introduce the Kosovo Armed Forces (KAF) which will be made of 5000 active members and 3000 reserve (Kosovo Government 2014).

The process appeared to receive a wide range of support from the entire political and societal spectrum. For this purpose, it is highly relevant to measure people's support towards this decision whilst deconstructing the legitimacy and inclusiveness

of such a decision. The survey measured the public perception on the decision of the Kosovo Government to introduce the Kosovo Armed Forces (KAF). The people's perception has been measured by asking the citizens on whether they: a.) agree on the existing mandate of the KSF or they b.) Endorse the decision for the establishment of the KAF. In the public opinion survey, 87% of the Kosovans unreservedly endorsed the decision to transform the KSF into the KAF while only 6% stated that they endorse the existing mandate of the KSF - a mandate with a solely civil protection task. In fact, from a numerical point of view, it is certain that 87% of the citizens supported a locally driven institutional design while only 6% would be happy with the externally driven design. Only 7% of the respondents could not give an opinion on the matter. This shows that the topic of defence reform is not only high on the agenda of ordinary Kosovar citizens but they also do not endorse any other option than creating a defence cell.

Figure 4.4: What is your opinion on the future of the Kosovo Security Force? (n=1101)



It is true that a greater public support towards the armed forces or uniformed personnel is not a Kosovo centric trend but rather a traditional standing of people in

the Western Balkans (Celik 2012). It represents a historical trend which indicates the sociological underpinning behind the public support towards the armed forces. It is not a coincidence though that the feedback of the citizens on matters pertaining to the KAF shows respect for the uniform from a rather traditional perspective (Focus Group 2014). The public perception on the case of Kosovo's struggle to establish defence related institutions serves as an additional argument in considering the opinions of the indigenous locals in the process of institutional design. Additionally, it is important to bear in mind that public support and consent is deeply elaborated in the conceptual dimension. One should re-consider Dominik Zaum's argument, that legitimacy is a crucial element in post-conflict countries. Zaum rightly considers that importance of legality over the authority of the international community, while maintaining that this authority cannot be absolute and must be held accountable (Zaum 2006). The international authority should not overshadow local authority if that is weak (Hopgood 2009) regardless of the reasons for its domestic related problems (Di Lellio 2009).

Subsequently, with regards to the imposed model of the KSF, the authority of the international community was absolute as long as the local representatives did not provide consent. Consent generally presents a powerful source and tool for establishing political obligations while it has to be provided holistically, from all constituencies (Zaum 2006). The lack of consent can be interpreted as the weak positioning of the locals, or what William Bain has defined as "the lack of authority to resist" (Bain 2006, 537). The authority to resist is present in cases when local constituencies are in the position to say "No" to particular actions of the international community. Truly, despite strong political, security, institutional and societal arguments, Kosovars had weak positioning to resist externally imposed institutional frameworks in light of robust negotiations and political dilemmas in the path towards statehood. This is further in line with the dependency dilemma that is observed throughout the thesis.

Overall, the dilemma over the KSF (civil protection) – the KAF (defence) dichotomy represents a set of consequences which shall be considered as lessons learned for subsequent actions by the international community in similar settings. First, the assessment of stability, risks, and threats need to evolve in line with changes to circumstances on the ground. The politicised security assessment contains contradiction which impacts on a genuine institutional design. Second, the case showed that a lack of consideration for a “bottom-up” approach is unsustainable as it can either turn into a lack of public support towards the international community or an increasing discourse in favour of another model. Third, and from the institutional perspective, artificially created transitions follow a pattern of “disband-create-disband-create” (KLA-KPC-KPC-KSF), leading to major financial and institutional implications and weaknesses for institutional memory.

4.3.2 Exaggerated stability versus security environment

An excessive reference to stability was present in every development context of public order and security tasks. Those arguments are primarily and profoundly related to “high politics.” Here it is important to reiterate the cynical definition of preoccupation with the exaggerated stability and the “reaction of Serbia” communicated by a former senior official of the international community in Kosovo, stating that “...if the Minister of Foreign Affairs of Serbia was saying the ‘sky will fall’ in Kosovo’, all of the discourse and action [of the international community] would be based upon this statement” (Harris 2014). This was also explained on the basis of experience by former police officers who confirmed that, for example, even a police intervention in a Serbian inhabited area attempting to capture a group of thieves was considered a political risk (Selimi 2014). It was not a coincidence, therefore, that nearly six years after independence and fifteen years after the war,

KFOR retained some tasks which went beyond its genuine mandate of safeguarding borders and the security environment. The former Minister of the KSF admitted that KFOR tasks were predominantly coordinated by its command in NATO, and rarely in consultation with the Kosovo Government. He added that, at some points, the tasks of KFOR missions could have been re-designed in light of the increase in local capacities where, for example, the static safeguarding of cultural heritage sites by KFOR could be easily carried out by the Police (Çeku 2014). The interviewee admitted that they (Kosovo Government) regularly required a joint definition from KFOR of the steps to be undertaken, in order to eliminate potential arguments of linearly considering the country unstable (Çeku 2014).

In fact, the linearity of KFOR – in the framework of Caplan’s standardised approach - is tailored to arguments which have tended to avoid any linkage between military and security institutions: hence the case outlined above on the attitude towards the KSF. This standing did not differ across different periods (See Chapter III). In February 2012, Kosovo marked its 4th anniversary of independence in which, traditionally, the presence of KSF guards represented an official part of the ceremony. This is normally a semi-parade in which KSF “deploys” its best units in the main square of Prishtina. The units appeared singing a song which expressed the motives of the war. This situation compelled KFOR, in the capacity of KSF overseers, to review cooperation, and assess the causes and consequences of the song. As a result, the need to preserve stability “by all means” made the KFOR representatives urge the media not to transmit the part of the parade in which KSF units were signing (KTV 2012). The arguments were written and clear: there was military content and war related motives in the song. The reaction towards this approach of KFOR came out through the most independent media organisation in Kosovo – Koha Vision (KTV), which openly criticised the attitude and interference of KFOR in the media (KTV 2012). This case does not represent the overall behaviour of KFOR, but does show that the standardised approach of international missions tends to

violate the basic rules of democratic control and accountability of the armed forces. Furthermore, it represents a breach of freedom of media and freedom of speech. In this case, the tendency of a military mission to try and influence editorial policies is detrimental to the core principles of democratic oversight of the security sector. If the international community represents well-rooted moral elements, these elements have to be implemented for the sake of 'good ends' (Bain 2006, 528).

A similar case occurred in 2010, in which the presence of the Guard of Honour of the KSF during a war related anniversary encouraged KFOR to "freeze" the relationship with the KSF (Kosovalive 2010). While the decision did not uphold for long, the message sent was political and rather patronising, representing the strong authority international mission over a limited authority of evolving Kosovar security sector. Indeed, two arguments can sufficiently explain this situation: first, the presence of the KSF in a war related ceremony and the presence of light weapons in this ceremony. As a result, two paradoxes emerged: the first paradox is reflective of the use of coercive behaviour intended to strip people and KSF members from their beliefs on what happened in the past, and secondly, intending to ban KSF members from holding light weapons regardless of the legal provisions which permit the KSF to carry light arms.

Ironically, in early 2015 the NATO General Secretary visited Kosovo. During the meeting with the President of Kosovo, the NATO General Secretary was admitted with the ceremonial guard (Koha 2015). The guard members, perhaps partially formed of the same officers as in 2010, kept hold of their light weapons: these weapons in which a NATO mission provisionally suspended cooperation with the KSF few years ago. It is difficult to depict whether the change in the attitude of NATO was because of a gradual shift in their political standing or whether NATO had reflected on past behaviour which alienated locals. In both options, the

arguments in favour of respecting local institutions and therefore local ownership prevailed.

If we return back to the two cases in 2010 and 2012, they appear to put the KSF in a weakened position, where the 'stronger international authority' instructs the KSF how to behave both institutionally and socially. There is further confusion on the extent to which this power can be exercised. The authority, as Hanah Reich argues, can be easily (mis)used, not just to ensure locals follow certain circumstances, but to also foster an experimental learning process (Reich 2006). For example, the military presence exercised some functions that none of the Western based international organisations have applied since the end of Cold War. To illustrate relevant behaviour, a senior KFOR officer revealed his deep concerns over a picture he found in the KSF barrack of a former leader of the KLA (Interviewee F 2014). It is undoubtedly an obsessive example of the stability paradigm for a KFOR officer to concern themselves with a single picture of symbolic value possessed by a KSF individual. An Albanian philosopher, in his explanation about symbolism and international missions has stated cynically that the symbolic depiction by international bureaucrats has nothing to do with the symbolic explanations of European philosophers (E.Hoxha 2014). The symbol serving as a personal myth for a KSF officer is less problematic than the artificially led campaign of European bureaucrats against the symbols: especially if the symbols are deeply embedded in the mindset of human in the Balkans. Fukuyama's thesis, in explaining the tendency of the international interveners to quickly transform the undeveloped countries into those that are more developed, is in line with this example of behaviour towards the KSF.

Understandably, one cannot transform the beliefs of a people by coercive means – hence by ultimately removing their symbols. People, and particularly uniformed members, are bound to pride for the sacrifice of the previous generation, culminated

in the KLA movement which represented a pivotal reference to the national cause. Indeed, it is socially not acceptable the social impasse in which the societal development is over-shadowed by the past. Nevertheless, the change of the mindset is a process which requires decades. As a result, the 'de-KLA-isation' of the people's mindset will occur quickly only to the extent of, to correlate, social transformation from a socialist and authoritarian system into capitalist system. Otherwise, the cases which explain the tendency to rapidly "westernise" non-Western societies will prove unsuccessful.

4.4 Public Perception of Local Ownership

The perception of Kosovars towards the local ownership dilemma best serves the purpose of this research. The local constituencies are central to justifying local ownership (Martin and Wilson 2008). Discussing and advocating on behalf of local constituencies without measuring their perception poses challenges to the qualitative analysis. Alongside the quantitative responses of the respondents, qualitative feedback was provided through open ended questions. In this way, the respondents had the opportunity for further expression on the matter. The deeper opinions of the respondents could be also depicted from the communication I had with field researchers and from the focus groups, which were organised solely for this purpose. The field researchers have been trained in how to simplify questions when posed verbally, making them understandable for the respondents regardless of their educational and professional background.

In the first part, alongside a general measurement of perception, I have interpreted perception related data based on age and ethnicity. These are the two categories that reflect a difference in perceptions. In the second part, I went into further depth by cross-tabulating the data from one question to another. Here, I wanted to identify the

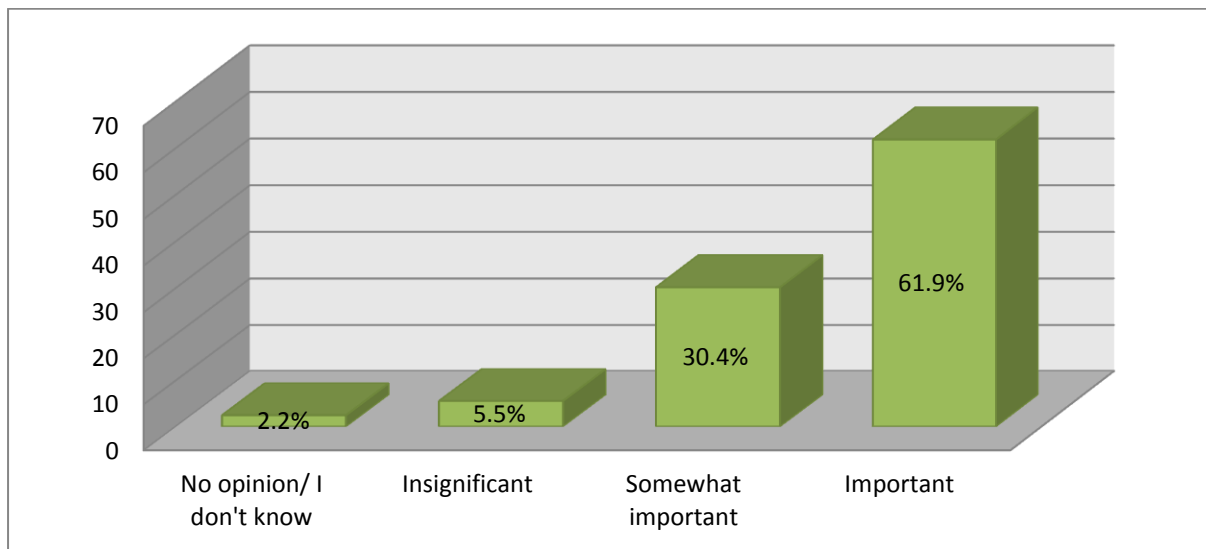
differences in opinion of the same respondents from one question to another. In order for cross-tabulation to be accurate and interpretable, the focus lay on two comparable variables.

4.4.1 Perception on the overall role of international community

One of the first fields of examination considers the general perception of Kosovars on the role of the international community in security sector development. The overwhelming majority (61.9%) rates the role of the international community as important in building up security institutions. This result represents the standing of the majority of Kosovars, be it Kosovar Albanians or Kosovar Serbs, equally understanding the importance of the internal community throughout these periods. The respondents however, made a distinction between the role of the international community during the immediate post-conflict period and in the contemporary independent Kosovo (Focus Group 2014). In other words, the majority of the respondents do not contest the strategic role of the international community; however its role is measured against this period and in light of an increase in maturity.

On the other hand, up to 30% of respondents are neutral about the overall role of the international community, not countering their role per se but rather expressing some reserves. An insignificant percentage (5.5%) declared that the overall role of the international community was not important while only 2.2% had no opinion on the matter.

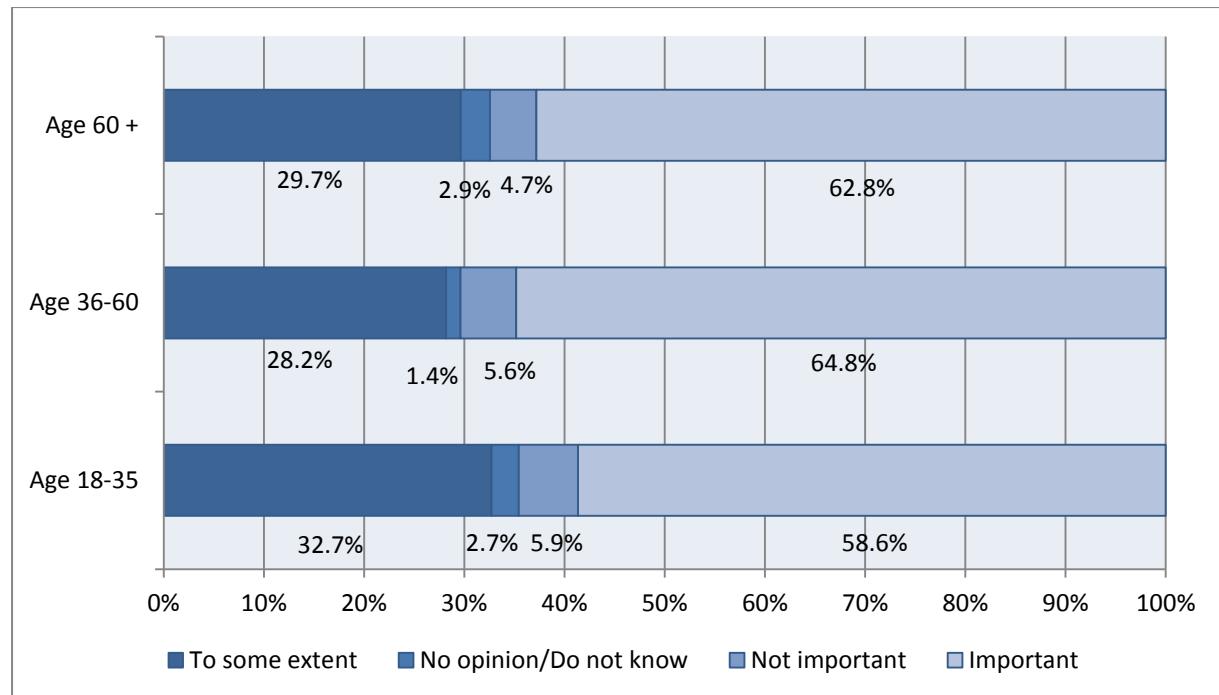
Figure 4.5: How important do you consider the contribution of international community in the development of security sector in Kosovo? (n=1098)



There seems to be no major difference in perception between different generations. The overall role of international community in the development of security sector is perceived to be important by all generations. As a result, its role, from a strategic point of view, is not contested and is valued. The younger generations (18-35) however have rated the role of the international community as slightly less important through a 6% difference with the middle (36-60) and over 4% with the older generation. On the other hand, there is a 1% difference between the younger generation and other generations, where the younger seem to value the importance of the international community 1% less. When interpreting these age results further, there are two explanations on the slight difference in opinion between younger generations and other generations. First, the younger generations tend to have less memory on the role of international community in the immediate post-conflict period. This is the period in which most of the respondents tend to ground their perception (Focus Group 2014). In the case of the younger generation, a group of them, especially those from 18-25 years old are not in a position to frame their opinion on the basis of their experience. Secondly, reasoning for the difference in the opinion of the younger generation can be explained against the nature of the

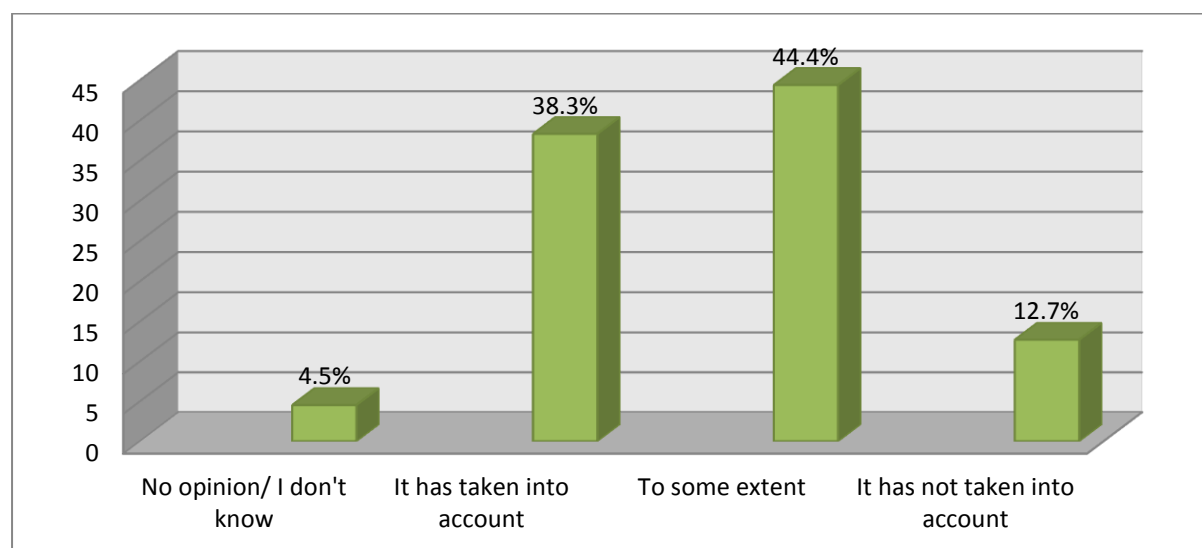
younger generation and students who seek independence in all areas of society, including being free from the rule of external actors in the state-building context.

Figure 4.6: Age based perception on the overall contribution of international community (n=1098)



The general attitude of Kosovars, however, is different when asked about their opinions of whether the international community has considered the circumstances in Kosovo during the development of security institutions. Up to 38.3% of the respondents thought that the international community has considered the local circumstances and culture against 12.7% who reflected the opposite. The majority of the respondents (44.4%) however chose the middle option stating that the international community considered the local circumstances only to some extent. When interpreting this middle option further, people generally value the role of the international community, but they still express some reserves on the extent to which local circumstances and culture have been considered. This opinion could be deconstructed through the individual feedback of respondents which based their reserves on the lack of willingness of international community in carefully considering local demands (Focus Group 2014).

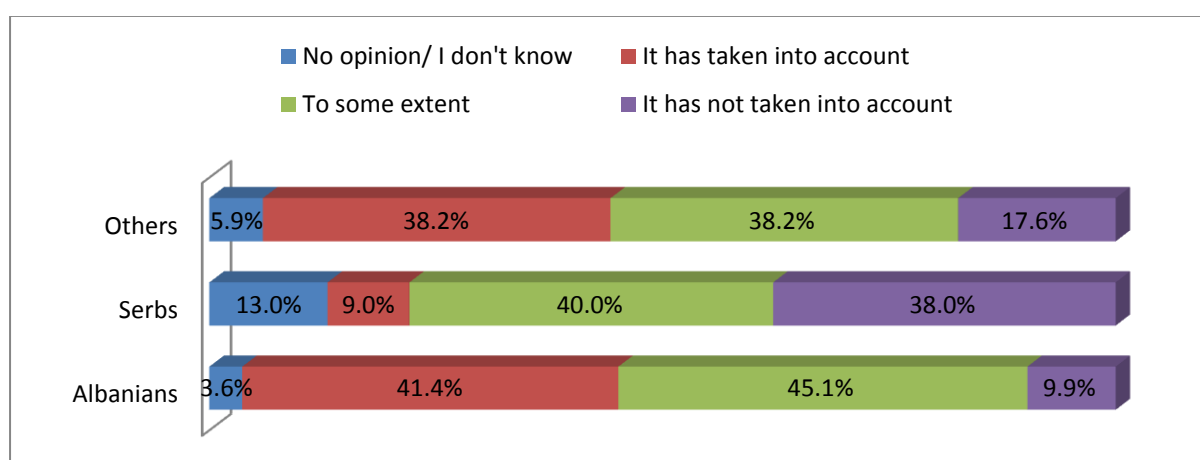
Figure 4.7: Do you think that the international community has considered the circumstances in Kosovo during the development of security institutions? (n=1101)



Around 40% of the respondents have declared that the local specificities have not been considered and more than 15% of those who opted for the option of “to some extent” elaborated further, stating that there was no intention to consider local demands because the primary goal of part of the international community was to maintain their interest in Kosovo, and at the expense of the locals. This assumption reminds us of the dilemma raised by Reich in which the authority of the international community can be easily (mis)used, not just to bring locals to follow certain instructions, but to also foster an experimental learning process (Reich 2006). Truly, the statements of respondents make reference to the experimental process (Focus Group 2014), referring in part to a discourse present amongst the population in Kosovo (Hoxha 2014). Certainly, this is only one of the concerns shared by the respondents. A number of respondents referred particularly to what they frame as “samples” of models transmitted to Kosovo during security sector development. This also verifies the hypothesis of Mac Ginty, in which he categorised the models provided by international community defined as standardisation by drawing a parallel with the IKEA enterprise or similar (Mac Ginty 2008, 145).

When examining on the basis of ethnic perception, it appears that there are some differences between the opinions of the Kosovar Albanians and Kosovar Serbs, although not to a larger extent. In fact, the difference between Serbs and Albanians reaches almost 30%, with Serbs considering to a greater extent that local circumstances have not been considered in the process of security sector development. The opinion of the Serbs remains the same, be it the northern part of the country or other parts of Kosovo. By interpreting through an ethnic perspective, the perception of a lack of or a partial consideration of local circumstances is not a state-driven perception but rather a community perception. This opinion towards externally driven models is reflected in the communities, and represents a bottom-up perspective.

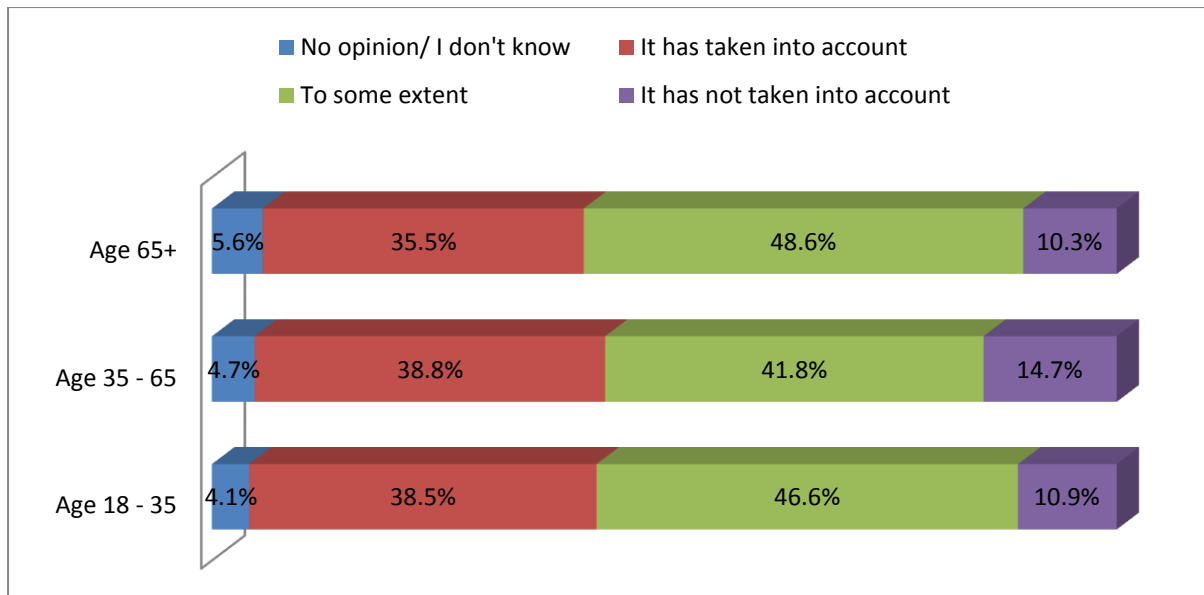
Figure 4.8: Ethnic based perception on the local circumstances (n=1101)



While there are some differences in ethnically based perceptions, there seems to be very limited difference from one generation to another. The major difference can be found in the middle option: the younger and older generation expressed some doubts on whether local circumstances have been considered, whereas the middle aged seem to be more critical, recording a difference of 4% from other generations in declaring that the circumstances have not been considered. The immediate

interpretation of this slight difference represents the experiences this generation had in interacting or possibly working with the international community.

Figure 4.9: Gender based perception on the local circumstances (n=1101)

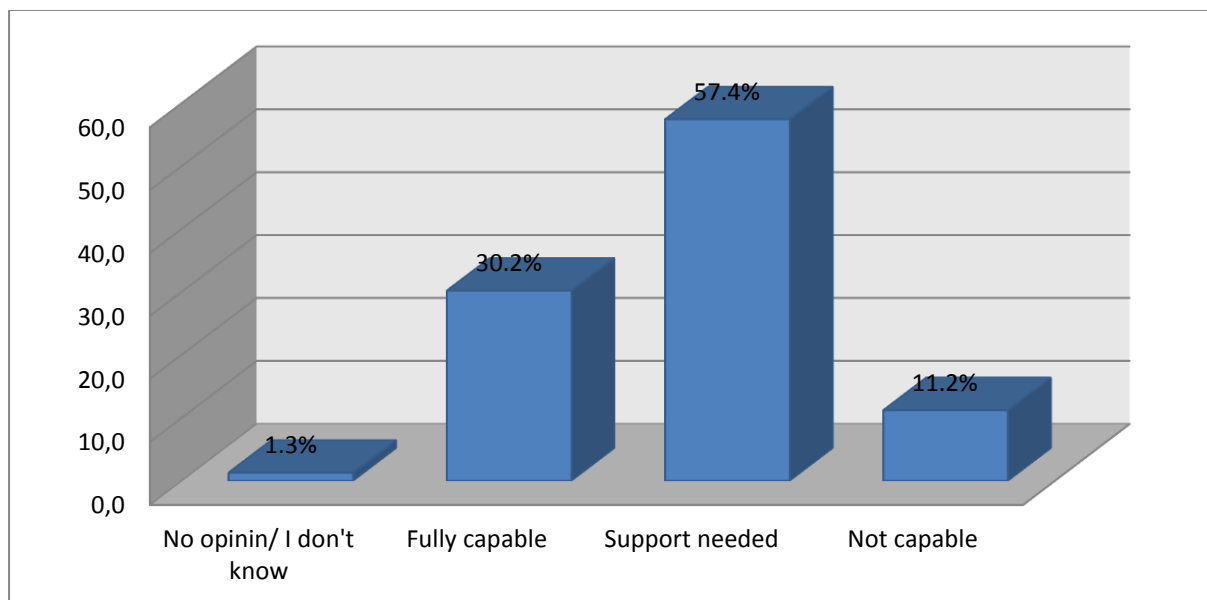


4.3.2 Perception on the local capabilities and withdrawal of international missions

The overall positive perception towards the international' community's role and the partial dilemmas on the extent to which the international community has considered the local circumstances in security sector development, brings us to question the capabilities of the Kosovo security institutions in providing safety and security. According to the results, 57.4% of respondents thought that the Kosovo security institutions are capable of providing security related tasks but they still need support from the international community. According to the field researchers, the respondents preferred more support from NATO, in this case KFOR, depicting the need for a more defence related support (Focus Group 2014). More than 30% stated that the security institutions are fully capable of providing security, against 11.2% which thought the opposite. Generally, the majority of the respondents believe the

security institutions are fully capable or partially capable, showing an increase of maturity and trust among the citizens towards state related institutions. This perception is in line with the arguments for the right to self-determination and the exit-strategy dilemma (Wilde 2012). It correlates with the arguments in favour of exit strategies (Caplan 2012) which need to be ensured in line with maturity and an envisioning of self-sustaining state institutions “that can survive the withdrawal of outside intervention” (Fukuyama 2004, 136).

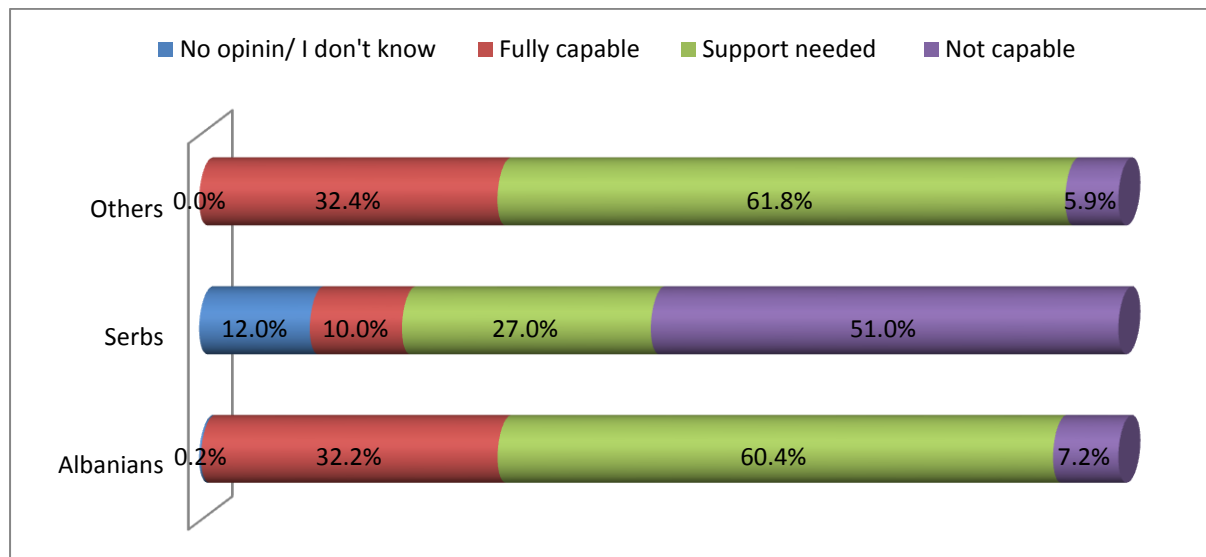
Figure 4.10 Do you think local security institutions are capable of providing security? (n=1101)



However, this does not appear to be the case with the Kosovar Serbs, and especially the respondents from the four northern municipalities. Up to 51% of the respondents from the Serbian community expressed doubts about the capabilities of the security sector. As part of this interpretation there are two arguments explaining this standing: first, because the Kosovo security institutions in the northern part of Kosovo are in their infancy, trust in their capabilities has not been reached over such a short time period. The integration of northern region into a Kosovo system started only in 2013 following the agreements for the normalisation of relations between Kosovo and Serbia. Second, security institutions are viewed as a strong element of

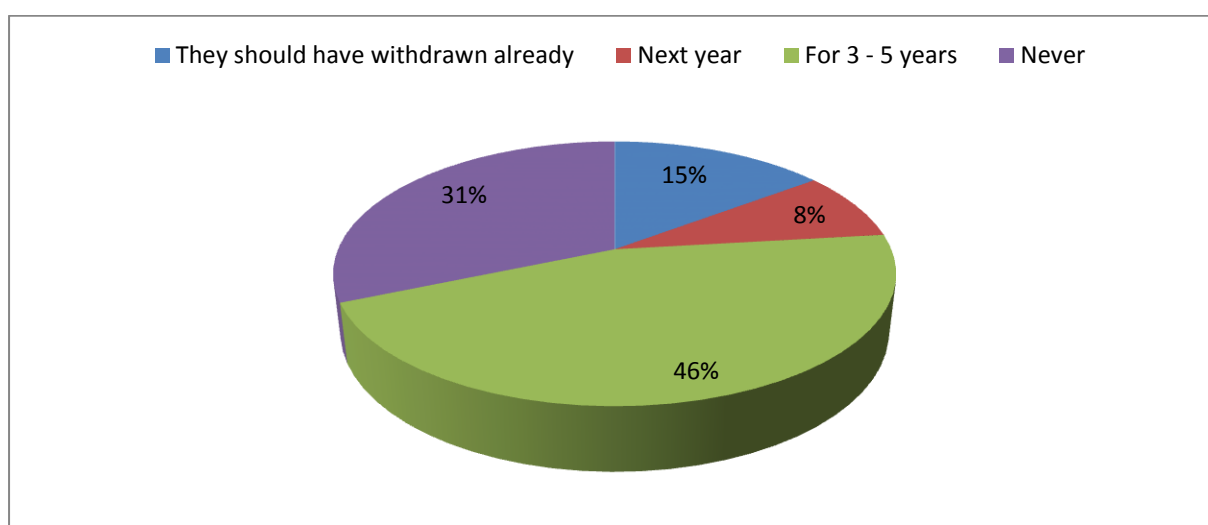
the Kosovo state, thus the perception rather reflects the general rejection of part of the Serb population, particularly in the northern part of Kosovo, towards these institutions (Focus Group 2014).

Figure 4.11: Perception on the capacity of institutions based on ethnicity (n=1101)



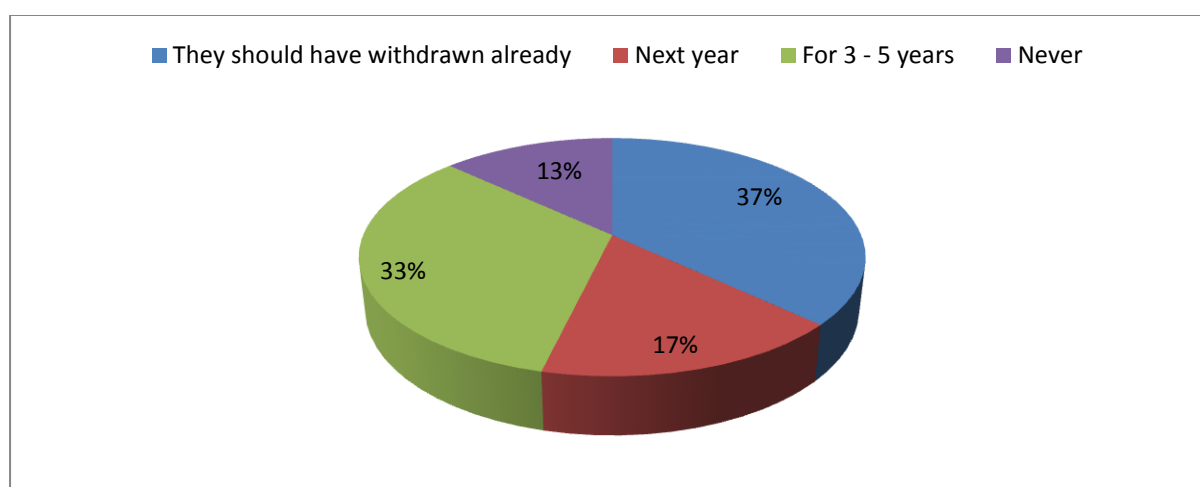
The capabilities of the Kosovo security institutions are examined and correlated against the people's opinion on the withdrawal or continuation of the two most important international missions in 2014: KFOR and EULEX. There were four Likert scales provided here in which the respondents have been asked to decide between the options of EULEX/KFOR: a.) They should have withdrawn already b.) Next year (2015) c.) Next 3-5 years d.) Never. The opinions differ from one mission to another. Only up to 15% of the respondents thought that KFOR should have already withdraw, compared to a significant percentage of those who thought that EULEX should have withdrawn (37%). This result can be measured in the context of the people's overall positive attitude towards KFOR on the basis of their important historical legacy, and the sociological association towards the military uniform (Celik 2012).

Figure 4.12: When should KFOR withdraw from Kosovo? (n=1097)



On the other hand, the results towards EULEX illustrate an increasing crisis of their operative legitimacy, in which the people's perception is not only based on limited performance, but also against the perceived congruence between the previous UN mission of UNMIK and the latest EU mission of EULEX. This crisis facing EULEX is reinforced by 17% of other respondents who stated that EULEX should leave in the next year (2015), with the majority of respondents unwilling unsupportive of the presence of EULEX (54%). On the contrary, only 8% of the respondents thought that KFOR should leave next year.

Figure 4.13: When should EULEX withdraw from Kosovo? (n=1096)

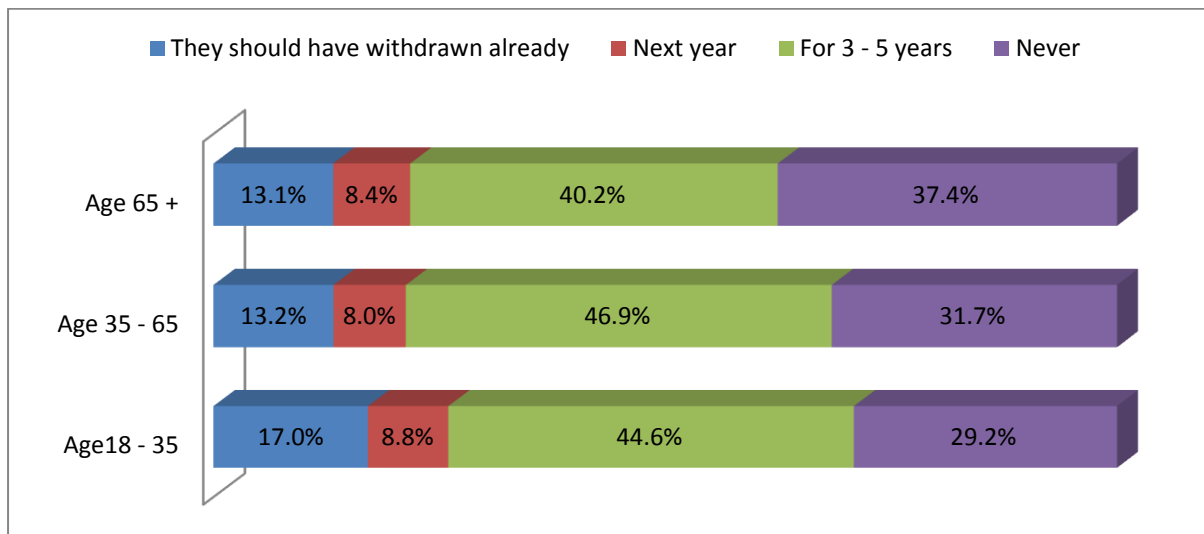


The predominant concentration of the respondents has fallen into the category of the option asking for international missions to stay in the next 3-5 years. 46% of the respondents thought that KFOR should stay in the next 3-5 years comparing to 33% of those who shared the same opinion for the EULEX. The perception by Serbian community respondents is slightly higher in this category, yet remains in line with the opinions of their Kosovar Albanian fellows.

On the other hand, 13% of respondents think that EULEX should never leave, whereas 31% thinking the same, but for KFOR. These figures represent a minority of respondents who express a will for a longer lasting EULEX presence, perhaps explained by the overall pessimism with the performance of local institutions (Focus Group 2015). The perception on KFOR can be interpreted differently: this group of respondents backs up the qualitative assessments in which the continual presence of the international community has led to the dependency of the locals. Some interviewees went further by stating that a continual dependency has led towards a situation in which the political leaders and citizens are not capable of thinking and functioning on their own (Surroi 2012). The perception of these respondents is not in congruence with the conceptual arguments which explain that international missions cannot eternally replace local institutions (Donais 2012b).

Truly, there is a difference in the ages between those that think KFOR should never leave: out of 31% there are up to 29.2% of the respondents aged between 18-35 thinking that KFOR should never leave Kosovo, compared to 37.4% of the respondents older than 65 years. This figure can be interpreted in the context of the younger generations having a greater aspiration to fulfil sovereign capacity and responsibility. It also manifests the embedded logic of security dilemma's, which has a larger presence among the older generation than the younger generation due to association with the past.

Figure 4.14: Perception on EULEX withdrawal based on the age of respondents (n=1097)



4.4.3 Multivariate analysis of perceptions

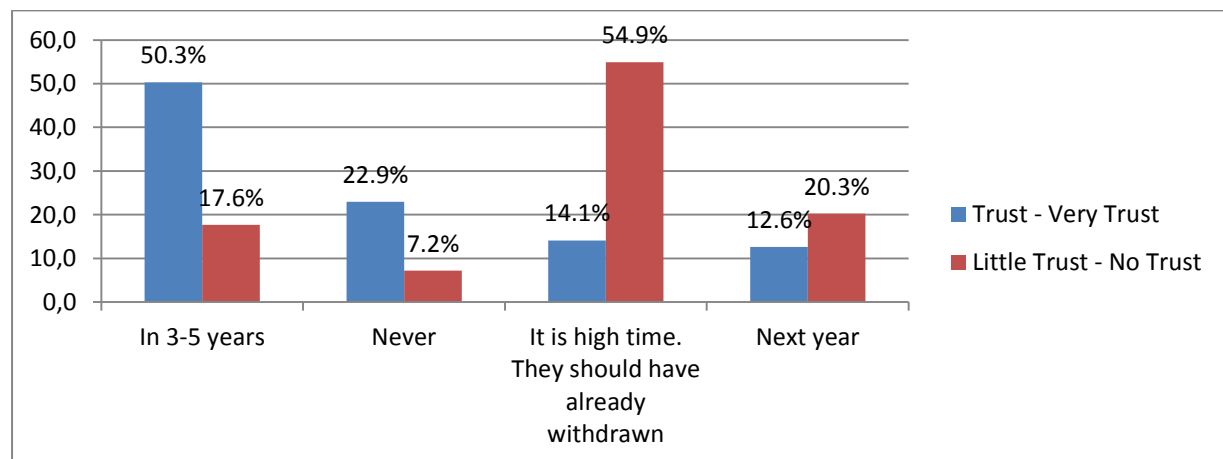
The people's perception can be further deconstructed by applying more diverse statistical tools (Kvale 1936). Truly, the multivariate analysis (cross-tabulation) facilitates the understanding of the perception and checks variations from two variables. In the social sciences, this helps to extract the probability through a cumulative distribution function. It is possible to check the variations between the two variables, and I was able to interpret the differences in perception of the respondents from one variable to another. I have synthesised the two most comparable variables and came up with a contingency table. To present these results in a more reader friendly fashion, I have not exposed the contingency table, but only the graphs.

The first cross-tabulation I made was on the respondent's trust towards the international presence in Kosovo and their opinion on the presence or withdrawal of these missions. By analysing the variations between trust/distrust and presence/withdrawal I wanted to identify the consistency of each respondent's opinion from one variable to another. As a result, the idea is to correlate, for

example, whether people expressing little or no trust towards EULEX also think that EULEX should withdraw or should have already withdrawn. In the graph below, I merged two variations of this perception: correlating trust/distrust with the variations on presence/withdrawal. In order to keep the variations comparable, out of 6 likert scales, I have decided to remove the results of the middle option (“to some extent”) and keeping only the options for trusted and very trusted, on the one hand, and no trust and little trust, on the other. I have also removed the results of those expressing no opinion on the matter because this also cannot be compared. With this approach I could cross-tabulate between two comparative variations.

The respondents expressing little-to-no trust towards EULEX is consistent with their desires for the withdrawal of EULEX. Out of 42% of respondents expressing no trust towards EULEX, there are 54.9% thinking that EULEX should have withdrawn by now, followed by 20.3% thinking that EULEX should leave next year, meaning 2015 (because the survey took place in October 2014). This shows that irrespective of respondents having a neutral or a positive opinion regarding EULEX, they think that the mission should withdraw. On the other hand, half the respondents expressing sufficient degree of trust towards EULEX declared that EULEX should stay for 3-5 years with almost 23% of them declaring that EULEX should stay forever.

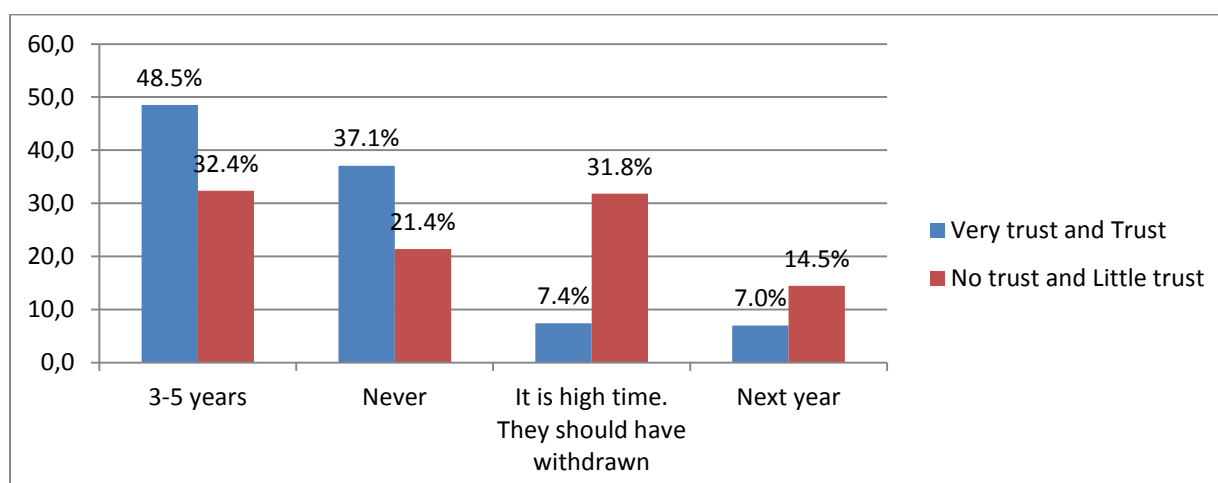
Figure 4.15: Crosstabulation on Trust and Presence/Withdrawal on EULEX (n=764)



From the qualitative interpretation, the results show that there is a crisis of legitimacy because the majority do not trust the mission and its performance. If we bring in the formal interaction between EULEX and Kosovo Government, the formal invitation of the former sent to the EU for the extension of the mission reflects a discrepancy with the willingness of the people. As a result, and reconsidering Zaum's dilemma, consent represents an important tool of authority for the international administration. Nevertheless, relying solely on state consent without complete public consent (Zaum 2006) manifests a crisis of legitimacy. It also represents the typical case of international authority overshadowing the indigenous authority of the locals (Hopgood 2009). The citizen's consent can be partially fulfilled should the EULEX mission respond to the enquiries of the Kosovo Assembly. In this way, nominally, the oversight could be maintained through the representatives of local constituencies (Kursani 2013). With a mission subject to the Ombudsperson of Kosovo, oversight would be maintained through representatives of local communities elected by the Parliament.

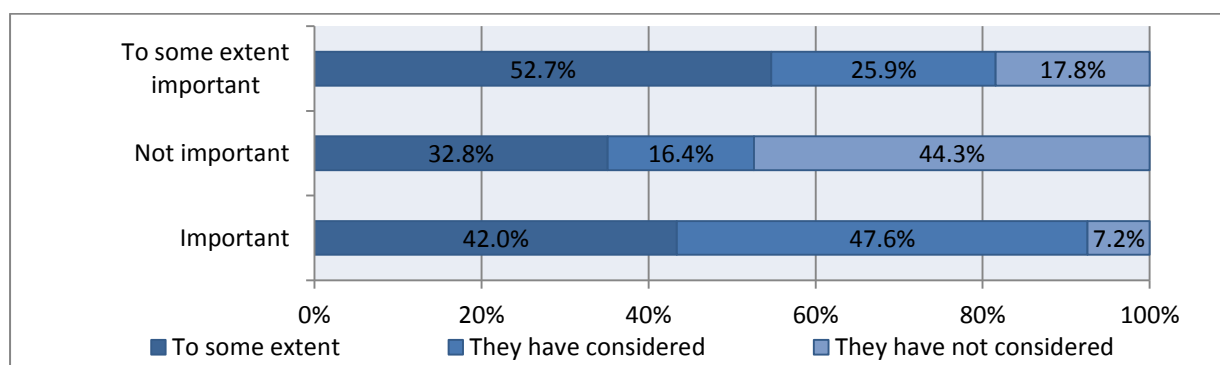
On the other hand, the respondents appear to be more careful with KFOR. Only 31.8% of the respondents with little or no trust towards KFOR declared that the mission should have withdrawn by now. This number is followed by 14.5% who declared that KFOR should leave next year (2015). In multiplying the variation for "KFOR's need to stay in next to 3-5 years" and "KFOR should never leave", there appears to be 53.8% of those who expressed a lack of trust towards KFOR. This shows that KFOR, when compared to EULEX, is perceived to be a necessary mission and guarantor of stability. Of course, in deconstructing these variations, KFOR is perceived from a psychological dimension that considers the embedded security dilemma among the respondents (Vrajolli 2014).

Figure 4.16: Crosstabulation on Trust and Presence towards KFOR (n=765)



I have also found it scientifically relevant to apply variations on the perceptions for the role of the international community in the security sector development vis-à-vis the extent to which the international community has considered local circumstances in the processes of security sector development. The respondents who have rated the role of international community as insignificant are those who consider the most that local circumstances were not considered (44.3%) in security sector development. The main group of the three variations are the respondents who think that local circumstances were considered to some extent by the international community: the perception varies from 42% up to 52.7%. The respondents rating the overall role of international community as important are those who believe the most that the international community has considered local circumstances in the process of security sector development (47.6%).

Figure 4.17: Crosstabulation on the importance of international community's role vis-à-vis context (n=1077)



In further interpreting the two variations, regardless of the people's general positive perception towards the overall role of the international community, the general attitude of the respondents is that the local conditions and values were not considered during security sector development. This can also be compared with the individual feedback provided by respondents for this question as well as for open ended questions (Focus Group 2014).

CHAPTER V

5. THE PROBLEMS OF SECURITY SECTOR DEVELOPMENT IN THREE EXAMPLES

The role of the international community can be precisely depicted from the examples of involvement in security sector development. These examples manifest the overall picture of cooperation in the international-local nexus. The cases examined below are found to be the most relevant in explaining the complexities of local ownership in post-independence Kosovo. This does not mean that these are the only examples justifying challenges to local ownership: the vast array of cases provided in the Chapter III and Chapter IV have helped to explain the complexities related to externally driven security sector. What this chapter addresses is the three case studies explaining in-depth the interference of the international community in security sector development. These exemplify how externally driven outputs are detached from the local reality. The examples are divided into three selected case studies: the process of the drafting of the security strategy; “top-down” development of community safety councils, and the over-prioritisation of inter-ethnic incidents.

5.1 Case Study I: Development of Kosovo’s Security Strategy 2009-2010

The strategic and doctrinary framework of the security sector manifests the guiding vision which the overall reform and development process shall be based upon. This vision is typically constructed within the National Security Strategy (NSS) whose primary goal is to describe how a country provides security for the citizens and state, often presented as an integrated document (DCAF 2005). Furthermore, the development of the NSS shall reflect the main dimensions in the security field in

order for the sector based strategies to align with the NSS. There are a number of documents suggesting a generic cycle of policy-making in the security sector. For example, one of the key guiding documents is the OECD DAC report which explains the cycle of designing the strategic framework in line with the SSR principles (OECD 2007).

Kosovo's first National Security Strategy (NSS) was expected to be developed in parallel to the consolidation of the security sector architecture following the independence of the country. Indeed, the requirements for adopting NSS elaborated during the negotiation process concerning Kosovo's political status concluded in a final provision requiring that "Kosovo shall develop a security strategy" (UN 2007, 49). This provision served as a reference in introducing the security related principles of the Constitution of the Republic of Kosovo. As a result, the Constitution clearly states that "the Security Council of the Republic of Kosovo in cooperation with the President of the Republic of Kosovo and the Government develops the security strategy for the Republic of Kosovo" (Constitution 2008, Art. 125). The matters on the regulation of the NSS process are further regulated by the Law on the Establishment of the Kosovo Security Council (Kosovo Assembly 2008). In this way, the legal framework sufficiently recognised the authority of locally-based security institutions in managing, coordinating and implementing the process.

The commencement of NSS drafting took place in the autumn of 2009. The process was coordinated by the Ministry of Internal Affairs (MoIA) in lieu of sufficient capacities of the Kosovo Security Council (KSC) – introduced only in 2008.¹² At that time, the MoIA was the most consolidated security related institution, being mandated to coordinate institutional efforts for the NSS drafting. The MoIA introduced a technical working group which included representation from the

¹² In majority of the countries, the coordination of NSS process is usually coordinated by either the Ministries of Defence or Ministries of Foreign Affairs. At that time, in Kosovo, the Ministry of Kosovo Security Force was in its infancy thus the Ministry of Internal Affairs was the only consolidated actor of taking the lead in the process.

relevant security agencies and ministries as well as other agencies indirectly affected by the prospective NSS. In order to ensure a holistic approach, the MoIA invited two civil society representatives (Part. Observation 2009-2010)¹³ as well as contracting an international expert who was experienced with the context of the process of security sector review following the conclusion of ISSR in 2006. The initial approach of MoIA fell somewhat in line with Dominik Zaum's argument that every process shall invoke consent which shall not be restricted solely to state elites but also to the citizen's (Zaum 2006). The holistic consent would nominally represent the local authority, despite being weak in post-conflict settings (Hopgood 2009). It was not sure whether this action was intentional or unintentional however it has been launched on the basis of good intentions and by applying the holistic logic. The goal of achieving a solid holistic approach represents the manifestation of one of the few good governance criteria in the broader security sector reform. It had been ensured also through a wide ranging survey conducted by an outsourced company which measured public perception towards security risks and threats (Part. Observation 2009-2010).

A working group has been mandated to examine the legal basis of the NSS, therefore avoiding potential contradictions between the prospective NSS and legal frameworks. Other working groups focused on defining the vision as well as measuring risks and threats, based on the input of the security institution (Part. Observation 2009-2010). Consequently, it was guaranteed that the process should be viewed from a broader perspective (Schnabel 2012), ensuring that security policies are not detached from the sphere of public policy. For this purpose, the working groups considered a inclusive composition of the KSC which, among the security related ministries and agencies represent other actors such as: the Ministry of Finance, Ministry of Foreign Affairs, Ministry of Justice and even the Ministry for

¹³ The author of this dissertation was one of those involved in the capacity of civil society representative.

Returns in order to ensure the representation of minority representatives at the KSC (Kosovo Assembly 2008).

Initially, the members of the working groups did not require any assistance from the international presence in Kosovo. Yet, the process was closely monitored to the point where the security affairs officials of the International Civilian Office (ICO) took part regularly in meetings. As explained in the context of security sector development, the ICO was an inter-governmental body of major international states which recognised the independence of Kosovo (See Chapter III). It was mandated to oversee the implementation of the provision of the Ahtisaari agreement, and its compliance with constitutionality and legality within Kosovo. The office was authorised to use executive powers only in the instance that decisions were not in compliance with the Ahtisaari agreement. Other authorisation was not vested upon them (UN 2007). It was the process of NSS which marked unprecedented interference of ICO officials by completely challenging the locally driven process and, finally, bringing a new product which was not tailored to the process, neither to the security environment in Kosovo. This interference was in contradiction with the mandate ICO held in the immediate post-independence period. In fact, when reviewing the overall role of the ICO in Kosovo during its presence from 2008 until 2012, the office did not apply its executive powers in abrogating the decisions of Kosovo in other fields. Its role was rather minimal compared to, for example, the case of Bosnia and Herzegovina in which the Office of High Representatives repeatedly used its right to veto some decisions of the Federation of Bosnia and Herzegovina as well as Republika Srpska (Chandler 2006; Perdan 2008). Instead, the ICO in Kosovo applied a different approach which would blot their “below the carpet” intervention. Hence, the interference of the ICO – the office of security affairs – in the NSS process marked a relevant example in the context of the international-local nexus. This empirical example could not depict whether the explanations below reflected an ICO policy, however it can conclude that some of its officials, be it

for ICO or personal purposes, intervened to an extent that these actions became detrimental to the process of policy making.

The outset of ICO intervention marked the insistence of their team in influencing the design of the NSS concept and vision. The representatives of the working group designed a vision and concept in line with the ambitions of Kosovo's society vis-à-vis Euro-Atlantic integration – an approach which was manifested equally in neighbouring countries. This vision corresponded with the legal framework, as well as other strategic documents of Kosovo. The arguments of ICO officials were not explained initially but their indications reflected an intention not to make their strategy analogous to other NSS frameworks in the Western Balkans (Part. Observation 2009-2010).

The pressures became increasingly present when ICO officials openly required the exclusion of main risks and threats which were pre-identified in the institutional risk analysis and public perception on threats (Part. Observation 2009-2010). The arguments for this were based on the frequently applied rhetoric of the stability paradigm in which, as explained previously, highlighting the real risks would be "detrimental to the security and stability" because it would trigger a reaction by the parties or actors whose concerns are associated (Part. Observation 2009-2010). In particular, international fellows insisted that the strategy shall not point out the real problems present such as: challenges in the northern part of Kosovo, disputes with Serbia and Kosovo's struggle for recognition, and the increase of violent extremist religious movements because any reference to these matters would trigger some reaction. The intention of ICO officials was to cover this argument with an ambiguous reference to the human security concept in which the risks and threats should be measured only through some indicators of economic and societal insecurity, therefore bypassing other risks and threats such as those related to military and political insecurity. At least when reviewing the NSS of other countries,

the reference to five types of threats were made: military, political, economic, environmental and societal – a division made by Buzan and Weaver in light of new security threats and challenges in the post-Cold War period, academically framed into the Copenhagen School of Thought (Buzan et al 1997).

From a liberal peacebuilding critique, the actions of the ICO officials were justified on the basis of democracy and European values – something that Kosovo aspires to obtain. However, these aspirations need to consider local values and circumstances. If one takes the famous EU motto "United in Diversity", one sees the explanation of a Europe made of different cultures, traditions, practices and, certainly, settings (EU 2000). In reiterating Fukuyama's dilemma of "getting to Denmark," the motto challenges this dilemma and the intentions of the ICO (Fukuyama 2004). This is particularly the case with SSR in which the international community appeared to exercise strong influence. In light of this, Donais provided an argument stating that SSR is "social engineering in which internationals teach domestic counterparts how to construct and manage a security sector" (Donais 2008, 7). Truly, the position of the ICO in this case is far stronger than the position of the donor community. It retained some executive powers and could therefore apply these powers should there be a "need". Here, two dilemmas correspond: firstly, the monopoly of an international authority in the emerging state, and secondly, the weak positioning of local actors to countenance the actions of the international authority. The actions further correspond to Mac Ginty's and Richmond's assumptions of the misuse of powers on behalf of democracy and western-values.

In explaining the later consequences of ICO actions, the daily interference of the ICO officials in modifying the vision of the NSS according to their suggestions led to the resignation of key members of the technical working group in charge of the drafting process. This is because the leading institutional body - the MoIA – faced constant political pressure to respect the suggestions provided by the international

community, although it was never understood whether these suggestions represented the views of the entire international community in Kosovo. The limited "resistance" towards the ICO's interference did not last for long. This in particular from the time the draft (from the technical working group) was evaluated by the representatives of the ICO for commentary and appraisal. This draft paper was completely rewritten by the ICO to the extent that became an almost completely different document to the draft that was originally produced by the locals (Blease and Qehaja 2013).

Consequently, the draft provided by the ICO entirely bypassed the process, while the vision, along with risks and threats, were not based on prior analysis. Ironically, the final document of the ICO had the logo and stamp of the Kosovar Government, albeit a written substance which did not consider the contribution of the locally driven working groups (Kosovo Government 2010). The summit of this paradox was reached when the ICO officials submitted the draft to the principle members of the working group in which the latest note stated that the "*[ICO team]...would like to thank you all for your superb cooperation and great service you have been doing for the Republic of Kosovo. It is an honour to work with you*" (ICO 2010). In this way, local ownership was seriously hampered to an extent that the actions of the international community searched for justification through the artificial label of local ownership. The action echoes the frequently applied buzzword of local ownership in the eyes of donors and major countries without actual implementation. It clearly signifies Laurie Nathan's dilemma of "undertaking SSR in a given country" rather than, as he rightly suggests, "supporting the local actors (if they require) in undertaking SSR" (Nathan 2007). It also tends to follow the standardised approach of "ticking the box" in which the international community was interested in ensuring local ownership without depicting what local ownership really stands for.

The final draft of the ICO ended up purely as an externally driven document which lacked any reference to the local context, culture and landscape. Ironically, the first page of the document highlighted a motto “working together – securing the future” (Kosovo Government 2010), unseemly for such a unilaterally imposed document. Furthermore, the entry points of the strategy require that the Kosovo Government holds the overall responsibility for safety and security matters in Kosovo – entirely contradicting the process in reality (Kosovo Government 2010, 3). In order to satisfy the legal requirements, the first page of the strategy “indicated” that the document was produced by the KSC in cooperation with the President of Kosovo. The terminology of the document was polished to such an extent that its key parts do not reflect a state vision but rather a non-state vision. When deconstructing the written discourse, the document refers only three times to the notion of the state while the rest indicates a softened understanding (Ibishi 2014).

Understanding that the action would trigger major criticism and public reaction, the ICO kept the strategy away from the public and consistently blocked requested attempts for further information. The document however, was also never classified as the ICO understood that the NSS document should be open to a broader audience. Nevertheless, NSS was deliberately kept away from public eyes and especially the media. Consequently, it was never subject to public debate and consultation - which the contemporary cycle of policy making requires - involving a wide range of civil society representatives and political parties. If the document was brought to the attention of the public, the dilemma of the ICO officials would be that public “resistance” could be stronger and harder than that offered by the Government. In this way, there was a “risk” that the final product would be challenged. The ICO fears over the “local resistance” made them bypass the Kosovo Assembly for parliamentary review, even at the relevant security parliamentary committee or plenary session. The end-product of the ICO was approved by the Kosovo Assembly, although consent was provided only at the Presidency of the

Assembly. Their robust influence also highlights the extent to which the ICO bypassed generic parliamentary procedures. As such, these actions indicate a joint violation of legal procedures in the parliament.

At the end of the process, it can be summarised that “Kosovo exercised control over the initiation of NSS, some influence over the design, and a gradually declining influence over the final product, to the extent that by the end of the process the locals did not own the resultant NSS” (Blease and Qehaja 2013, 15). As other empirical research has shown, the international role lay in allowing time and space for local positions to develop the NSS and, if required, facilitate the process by fostering transparency (Hansen 2008). In other words, the weak position of the local authorities to resist the internally imposed strategy turned into complete ignorance of the NSS provisions which never served towards guiding a doctrinaire document in the field of security. The deliberate ignorance of the NSS increased demands for a completely new strategic and policy framework for Kosovo which would be based on the local “say.” As a result, in 2012 Kosovo launched the process of Strategic Security Sector Review (SSSR) – run by the government and with an outcome in early 2014 showing an overwhelming emphasis on local context and culture (See Chapter IV). This represented Kosovo’s first home grown security strategy (Welch 2014).

Indeed, given the undesired historic practice in post-independence Kosovo, it is very important for the locals to initiate the process and draft the strategy and legislation, though the assistance and suggestions from the international community should not be excluded. The necessary expertise of the international community is still welcomed especially in the initial process of state-building, but it should adjust to the context presented by local framework propositions. By proceeding the other way through the adoption of externally imposed ideas is not a viable solution and can prove detrimental. The international community should equip domestic actors with

the skills to write legislation or strategic papers which they consider appropriate to their situation (Hansen 2008). In this sense, external investments need to target capacity-building, especially those that consider the long-term.

5.2 Case study II: Top-down community safety

Community safety is a concept which is largely applied in the Anglo-Saxon countries. The concept involves the direct involvement of local communities in discussing and overcoming the safety and security challenges in their neighbourhood. Due to the complex challenges communities face, the community safety primarily aims to address the citizen's concerns through mechanisms in which the communities and representatives of institutions would actively participate (Haxholli et al 2010; Caparini 2012). As a result, the joint efforts of communities and local safety officials serve the interest of crime prevention at the local level. Furthermore, and as explained in the theoretical chapters, the overarching aim of the concept is to ensure freedom from fear. Truly, freedom from fear is embedded in the principles of SSR and the human security concept (UNDP 1994) as well as in new security theory (Buzan et al 1997).

While the community safety concept has derived from the Anglo-Saxon countries, it does not exclude the possibility of applying the concept, at least in principle, in other world settings. This is the case with other security practices which have proved to be successful. Nonetheless, in order for community safety initiatives to be sustainable and context based there are two key prerogatives which must be implemented. First, the need for introducing community safety has to derive from the demands of local constituencies. Indeed, the justification of a demand-driven approach (Reich 2006) reflects one of the overarching principles of local ownership. Similar to the case of NSS drafting, community safety should be introduced and framed in line with local

requirements and culture. On the contrary, detaching the model of community safety from the requirements of local constituencies represents a highly paradoxical challenge of local ownership. Second, participation in the mechanisms of community safety should reflect a composition stemming from the indigenous community. This will ensure that community safety mechanisms consist of the true representatives of civil society, not only NGO's (Richmond 2009).

Evidently, there are sufficient empirical findings highlighting the externally driven nature of community safety mechanisms in Kosovo. The emergence of these mechanisms has derived artificially from the policies of the international community, from either international administration or donors, without consultation with local communities and stakeholders. As will be indicated throughout this section, a top-down community safety has fostered implications not only towards the sustainability of these mechanisms, but also for the legal framework.

In fact, the first initiatives to introduce community safety mechanisms emerged in 2002 during the time Kosovo was administered by UNMIK. These mechanisms aimed to create a forum for representatives from the police, municipalities and civil society- to discuss problems related to safety and security and form possible solutions (Haxholli et al 2010). The initial idea was to introduce safety councils in the inter-ethnically mixed areas due to the number of ethnically motivated incidents. This would ensure not only community involvement in crime prevention but also serve the efforts for the reconciliation of communities. The community safety councils represented only one of the efforts of international community in feeding the reconciliation process.

Furthermore, by introducing the community safety councils, the international community aimed at developing, in parallel, the concept of community policing (Marmullaku 2014). The dichotomy of community safety-community policing can be

considered as one of the most promoted policies of the international presence in post-conflict Kosovo (Marmullaku 2014). The community policing, while focusing institutionally on the police, aimed at increasing the confidence among the communities and foster the interaction between the citizens and police officers by using the banner of “police are the people and the people are the police” (Bajraktari et al 2006).

Indeed, the first actions introducing the community safety has been conducted through the mechanism of Community Safety Action Teams (CSAT). CSAT’s initially operated on an ad hoc basis with the aim of effectively addressing the safety concerns of the local communities in Kosovo (Fushtica 2014). While the provisions of the CSAT nominally referred to bottom-up requirements in introducing the safety mechanisms, the model was brought in externally without any reference to local demands. The officials admitted that the model of CSAT was brought from the Anglo-Saxon model with the idea that it will embed itself and adjust to local demands (Fushtica 2014). As a consequence, the externally implemented model would “artificially stimulate” local demands. In the attempt to deconstruct the ambition for “artificial stimulation”, it appears that there was an intention of achieving some form of hybridity: not the hybridity defined by MacGinty as a mixture of values and culture in a post-conflict context (Mac Ginty 2010), but rather the gradual merging of local demands with the externally driven model. Illustratively, this would turn a top-down initiated trajectory towards the bottom-up, as a consequence legitimising the need for externally driven community safety on a long-term basis.

After the declaration of independence in 2008, the new security sector architecture that emerged referred to the authority and ownership of the Kosovo Government in the management, control and oversight of the security sector (Constitution 2008). The new security architecture has created the conditions to internalise the

community safety councils, but as a result of artificially driven demands. The first step was in recognising and regulating the mandate of community safety councils. As a result, the first administrative instruction was issued in 2009 aiming to introduce Municipal Community Safety Councils (MCSC) (MoIA 2009). The MCSC, aimed at installing a “Kosovar brand” of community safety mechanisms which would involve a wider spectrum of local communities and officials with the intention of crime prevention in the neighbourhood. Furthermore, the intention was to build a single community safety mechanism which has to be introduced by all municipalities in Kosovo. This has created the condition for not only a locally led mechanism but one that is also financially self-sustainable (Haxholli et al 2010), free from full donor support. This has opened the opportunity for consistency in the community safety regardless of the continual need for capacity building by the international and local actors.

The establishment of MCSC did not result in dismantling other mechanisms that operated during the UNMIK administration, namely CSAT. Alongside the MCSC as a locally driven model and CSAT as externally driven model, there was also a third local community mechanism: the Local Public Safety Committee (LPSC), which according to the law, can be introduced by Police within any specific area if there is a need to foster engagement with communities (Kosovo Government 2008, Art. 7.5). As a consequence, Kosovo had one mechanism which was recognised by law (MCSC); another ad hoc safety mechanism that could be introduced by the Police if necessary (LPSC), and an externally driven mechanism whose mandate is not defined by any law (CSAT). The parallel existence of three community safety mechanisms has created number of challenges in coordination and ownership.

The first problem refers to the excessive involvement of the international community in “feeding” community safety mechanisms, specifically CSATs. The fact that CSAT was not regulated by the law ensured it could not pose any “problems” for the

donor community in supporting an initiative which worked in parallel to the MCSC (Marmullaku 2014). Truly, the interest of the donor community in community safety was so high, that according to the interviewees, this situation reflected an image of “local clients” and “international suppliers” (Haxholli et al 2010; Vrajolli 2014). This has created an artificial division of the role of international organisations in supporting each mechanism. Furthermore, this relates to the Reich “patron-client relationship” dilemma (Reich 2006, 22). As a consequence, for example, CSATs continued to be supported and maintained through the US based International Criminal Investigative Training Assistance Program (ICITAP), and the LPCS through the Organisation for Security and Cooperation in Europe (OSCE). On the other hand, there was no major initiative supporting the effort of the locally driven MCSC (Haxholli et al 2010). The donor support was disorganised and non-transparent, therefore creating difficulties in estimating the overall value of donors in community safety initiatives since 2002.

The second problem is in line with the “patron-client relationship”, concerns the weakening of the locally driven mechanisms (MCSC) because of the external support provided towards CSATs. According to an interviewee, the same people representing the same NGO’s are “jumping” from a meeting of one mechanism to another, because there is sufficient honorarium to maintain the presence of civil society representatives in all of the meetings (Marmullaku 2014). This situation also reflects Fukuyama’s dilemma, in which externally born NGO’s have certainly “degenerated into rent-seeking interest groups” (Fukuyama 2004, 41) for a number of initiatives aiming to feed the transition of community safety. The representatives of these NGO served as a bridge between “clients and patrons”.

A third problem highlights issues with the participation of local constituencies in all of these initiatives. The problem cannot be identified with the participation of local governmental representative’s per se, but concerns the dilemma of who represents

civil society. If one reads the administrative instruction listing the composition of community safety mechanisms, only one reference is made to those including “NGO representative, local media, business community and community of people with disabilities.” (MoIA 2012). Here the dilemma should be raised towards the NGO’s which, in the eyes of the international community, are the indigenous representatives of civil society. As explained in the theoretical framework, the western countries define civil society predominantly on the basis of non-governmental organisations, associations and citizens (Reich 2006; Richmond 2009; MaCGinty 2012) whereas, for example, in Kosovo the village leaders may hold more representation over indigenous communities than the NGO’s. As a result, relying solely on the representatives of NGO’s for crime prevention does not only raise the dilemma of “rent-seeking NGO’s” (Fukuyama 2004), but also challenges the core of a holistic approach to SSR.

A fourth problem considers the overlapping nature of donor support. Instead of merging the efforts in supporting and increasing the capacities of MCSCs, the donor community has invested into mechanisms that do not ensure quality ends. This situation not only compromises local ownership in community safety but serves as a platform for competition and lack of coordination between the donor communities – a problem which is also highlighted by the OECD in every process of SSR (OECD 2007). These mechanisms also appeared to be used as an activity of international missions in order to justify their presence. In some MCSC meetings and through other mechanisms, the presence of EULEX officer was unnecessary (although not in their mandate), as by participating, the officers could justify their task and “tick the boxes” in their reporting (Marmullaku 2014).

A further dilemma considers the dependency of community safety mechanisms on foreign support. Indeed, there is no known owner of CSATs and there is no guarantee that the overwhelming investment made in this mechanism will prove

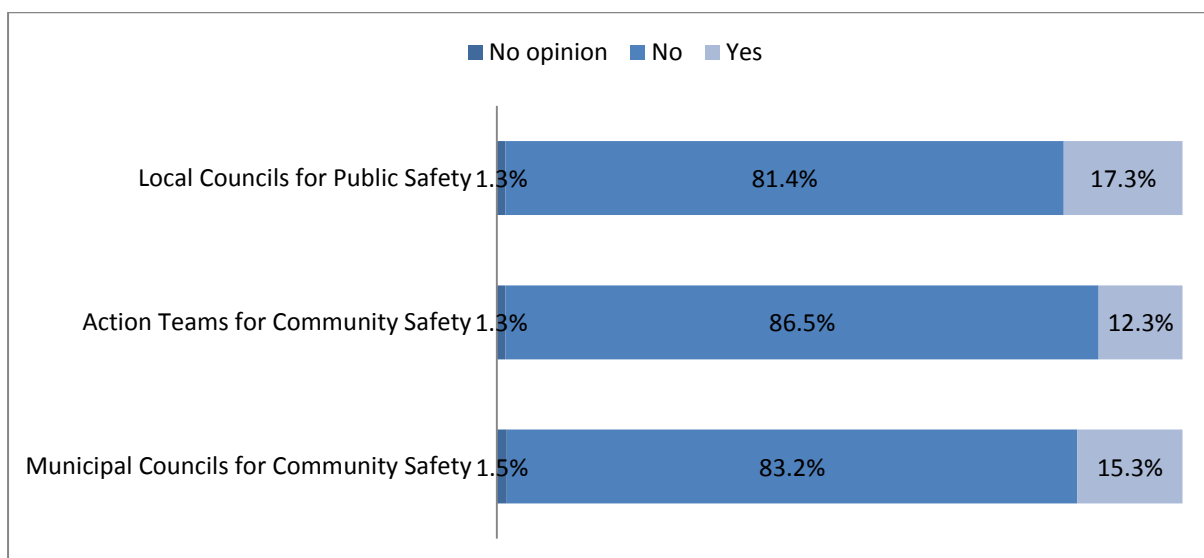
sustainable after the donor community leaves Kosovo. This situation is particularly concerning when the financial dependency of community safety has also created an overall dependency that leaves little room for the implementation of an exit strategy. It is a problem that does not only make the donor community responsible, but also the local institutions such as the Ministry of Internal Affairs (MoIA). Rather it manifests a lack of, what William Bain has defined as “the authority to resist” (Bain 2006, 537). To recall Bain’s definition, the “authority to resist” can be easily seen at the instance when locals are in the position to say “no” to particular actions taken by internationals. This is certainly the case with externally driven community safety that cannot mark any resistance from Kosovar institutions in lieu of local authority. Resistance here is not interpreted in the traditional sense of preventing a parallel involvement of donors, but considers the channelling of potential support into locally driven and legally recognised MCSC mechanisms.

The model of community safety is considered to be essential in the framework of local ownership as long as it derives from the population towards which this prevention and safety is aimed. The absence of correlation with the local context makes a project unsuitable, even if it contains some nuanced elements of local ownership. In light of the excessive involvement of the donor community, it was important to empirically evaluate the extent to which this support did have an effect on citizens. As these externally led “investments” started in 2002, one could measure the impact of this support in community areas. Of course, I have applied a single tool of public perception: asking about the presence of all three mechanisms. This has appeared to sufficiently explain the recognition of the involvement of communities across community safety mechanisms and initiatives.

The question posed was on whether respondents were aware of the existence of the community safety mechanisms such as: LPCS, CSAT and MCSC. Over 80% of respondents have expressed that they are not aware of the existence of these

mechanisms. The results are rather discouraging, as 12 years of donor support in community safety has not led to a universal public awareness of the existence of institutions that aim to represent their interest in security and safety affairs in their municipalities. This has made difficult any further measurement of people's satisfaction with the local safety councils for the simple reason that one cannot assess the results of community based mechanisms in lieu of public awareness of the existence of these mechanisms. From the graph below, only 12-17% of the respondents have expressed some knowledge on the existence of the community safety mechanisms. In addition, the existence of CSAT since 2002 has made no difference to the overall picture. The field researchers, in their explanations regarding the reaction of the respondents, stated that those expressing knowledge on the existence of safety mechanisms could not identify a difference between one mechanism and another (Focus Group 2014). This is a sufficient indicator in explaining the consequences of a multitude donor involvement ahead of a community perspective.

Figure 5.1: Are you aware of the existence of the following security mechanisms? (n=1099)



The results of public perception measurement confirms the unsuccessful investment by the donor community in ensuring sustainable community safety mechanisms

serving the interest of citizens. These actions in community safety, similarly to the two examples explored above, reflects the primary dilemma highlighted by Laurie Nathan which drew on the lessons of the donor community in Africa (Nathan 2007). Of course, the contexts are different but the tools for applying these actions remain the same. This approach and example do not make an exception for the overall standardised approach of the international community in “ticking the matrix” of fostering local ownership on paper. These actions go further, in fact violating the core of local ownership.

5.3 Case study III: Over-prioritisation of ethnically motivated incidents

The security institutions are mandated to prevent and fight a wide variety of crimes that imply a challenge to public order and security. As explained in Chapter III, the security institutions of Kosovo, namely the police, were quickly introduced in the immediate post-conflict period to ensure control and management of public order in a fragile context. In reviewing international literature as well as the thoughts of interviewees, most sources refer to the goal of the international community as preparing the locally based police to tackle ethnic based violence (Marmullaku 2014; Fushtica 2014; Vrajolli 2014). Along with the local police, the huge presence of the international police and military on the ground were unable to prevent a number of crimes which were either ethnically motivated or perpetrated against victims belonging to a minority community.

While the quantity of these crimes has appeared to be a primary concern in the immediate post-conflict period, the number of ethnic based casualties decreased gradually in light of the improvement of the security environment in Kosovo. This decrease could be statistically tracked every year, as well as identified in the discourse. From the contextual point of view, the decreasing trend was only once

interrupted in March 2004, with the outbreak of rioting which, nevertheless, did not solely imply ethnic based tensions but also dissatisfaction with the international presence (See Chapter III).

The decreasing trend of ethnic based crimes did not result in a policy shift by the international community. Hence, an understanding of security priorities remained similar to those introduced in the immediate post-conflict period. This case study represents a number of findings showing the detached policies of international missions with the local circumstances in Kosovo. It does not represent the detachment of international missions with the local realities per se, but also reflects the implications of these missions on the prioritisation of policies by the Kosovo Police. Here, the focus is placed on an over-prioritisation of institutional readiness in preventing and fighting inter-ethnic incidents, despite the emergence of a new security environment in post-independence Kosovo. This situation exemplifies the extent to which international missions barely depart from their initial set of goals. The example provides empirical answers to the conceptual dilemmas recognised by international scholars concerning the standardised approach of international missions and the prevalence of “high politics” in policy design.

Here it is important to deconstruct the actions of the international mission with reference to an over-prioritisation of prevention of inter-ethnic incidents. To recall, the legal basis for introducing the international missions in Kosovo was based on the overarching goal of maintaining a “safe and secure” environment (See Chapter III). This vision was embedded in 1999 in the UNSC Resolution 1244 and found within all other international documents and reports. Truly, inter-ethnic relations, as Kosovar-Albanian and Kosovar-Serb relations were the primary cause of the conflict, ensuring consequences throughout the post-conflict period. In 2006, the European Union (EU) launched a planning mission– the European Union Planning Team (EUPT), which aimed to set the grounds for the prospective mission of the European

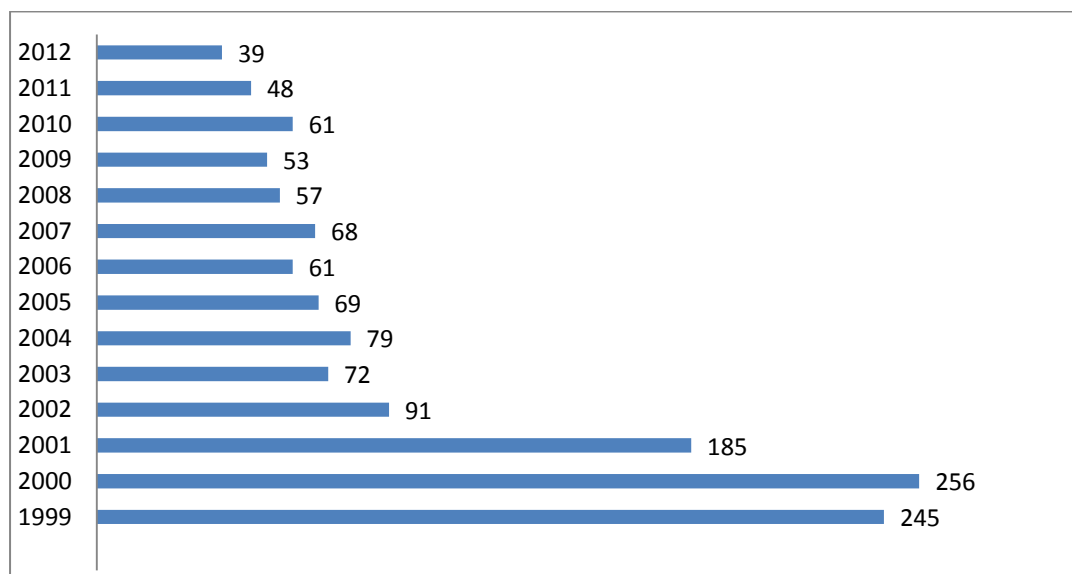
Union Rule of Law Mission in Kosovo (EULEX). The EUPT projected the tasks and mandate of the prospective EULEX mission - in light of the new political environment regarding Kosovar status - which was mainly to be based on three components: mentoring, advising and monitoring, while also retaining some executive powers. The planning mission designed a structure for EULEX in which the police represented the authority to classify the motives behind the incidents. The team classified the focus of the EU mission, envisioning the inclusion of organised crime and corruption as well as the apprehension of war criminals, realistic.

In addition, the planning team provided specific attention to the so-called Potentially Ethnically Motivated Incidents (PEMI) – a category which covered crimes which victimise minority communities. According to the interviewee in charge of the communication with EUPT, alongside a lack of consultation with the local police authorities the problem was that the planning did not reflect the real problems and circumstances on the ground in which other types of crime were increasing, while those pertaining to ethnic based conflict were drastically decreasing (Marmullaku 2014). Consequently, the actions of the EUPT did not consider consultation with the broader constituencies of local actors. This led towards a prevailing dilemma on behalf of the locals which seriously challenged legitimacy. The lack of consultation and the weak position of the local authorities to challenge these actions are reflection of observations made by Richmond and Said - the unequal relationship between internationals and locals (Said 1994; Richmond 2009).

Indeed, the interviewees pointed out that an overemphasis towards a particular crime can be construed as a tendency to prejudge a high frequency of ethnic crimes irrespective of decreasing trends (Marmullaku 2014). The former senior officer of the Police elaborated further by explaining the complexity of PEMI: “the registration of these types of crimes would be in all cases in which a minority community is victimised, without identifying whether the perpetrator is from the majority

community or even more importantly, whether the incident/crime is ethnically motivated” (Marmullaku 2014). As a result, it appears that the motivations behind recent court rulings were not based on ethnic criteria but on a personal and property basis, which in some cases, identified the involvement of individuals who come from the same community.

Figure 5.2: Total number of homicides per year (1999-2012): Kosovo Police Statistics (2014)



As this graph illustrates, there is a general decrease in the number of homicides per year, as well as a decrease in the number of ethnically motivated crimes. If we compare 2000 with 2013, there is a trajectory signalling decreasing trends in homicides, from 256 in 2000 to 39 in 2013. This does not mean that the security situation in Kosovo improved to an extent where one should feel comfortable. Rather, the figures show a significant increase in security and a safe environment. This is also the case with ethnically motivated crimes which minority communities have been subject to.

The classification of the causes of crime at the level of police investigation can be misleading and unprofessional. In an email correspondence with the spokesperson

of the Kosovo Police, I have been provided with statistics on the homicide cases per year, but excluding classification of motives. In the explanation by police representatives, it has been clearly stated that "the motives of the cases are revealed only after the ruling of the courts" (Police Correspondence 2014). Therefore, and drawing a line with previous attempts by the international community, it can be concluded that political decisions prevail ahead of a professional assessment of the motives behind a crime. To elaborate on this dilemma, a shared assumption amongst interviewees is that because the international mission shows a persistent prevalence towards PEMI its intention goes beyond the standardised approach of liberal peace building efforts. On top of this dilemma exists a political purpose which international bureaucrats elegantly apply in order to justify their presence – a position that challenges professional opinion at the policing level. This reasoning bore in mind the pressure rigidly applied by some international actors considering the provisions of UNSC Resolution 1244 of 1999 by overshadowing other professional arguments which developed in 2007 and 2008. As a consequence, there were no major difference between the ways in how, for example, the previous UNMIK mission has been introduced, and the emerging EULEX mission. This was the reason why public perception on the latter did not differentiate between UNMIK and EULEX despite the intention (at least in the discourse) of the latest mission in justifying a completely different mandate with particular focus on the rule of law (See Chapter IV).

The political argument is complex because it brought up the influence of some EU and UN members, as, by highlighting the failure in tackling ethnic based crimes, arguments against advancing the political and societal status of Kosovo's statehood are strengthened. Consequently, the EUPT and EULEX confirmed the overarching argument that a standardised approach behind international missions in which initial goals are barely modified by its successors. Furthermore, the dilemmas over

the rigidity in the design of the structure were strengthened, as these actions were not consulted with the local authorities.

On the other hand, planning on the basis of "immediate post-conflict context" led Kosovo police representative to see the upcoming EULEX police officers as equal to those of UNMIK (Selimi 2014), although in principle the EULEX police officers did not hold executive mandate (Fushtica 2014) aside from some exception including actions against organised crime and war crimes. In principle, this challenged the legal provisions in the post-independence Kosovo in which the locals should hold the primary responsibility in security affairs. It has increased the discrepancy between externally driven policies and professional arguments in favour of designing policies aiming to prevent the security concerns of the (then) present time.

Some authors tend to deconstruct these actions beyond political and standardised behaviours. This is particularly the case when there is persistent justification of keeping outdated priority on the political agenda in order to maintain the "status-quo". In other words, the actions applied by some international bureaucrats were aimed at seeking to extend their employment in the mission. This stance is can be framed into a "profession of internationals". The argument is based on the indication that most of the "internationals" happened to transfer from one mission to another, which consequently led towards the construction of a specific "profession" (Vrajolli 2014). The argument also rests on the dilemma of Lemay-Hebert of the international community retaining a privileged lifestyle (Lemay-Hebert 2011) at the expense of poor and artificial policies.

The continuation of this policy and its prioritisation was a one-sided decision conducted by the international community, assessing solely on the basis of their own prescriptions without consultation with legitimate representatives of the local actors. Again using Zaum's theory on the legitimacy of international missions, one must

remember that people and their representatives should have a say on the priorities and the mandate of the international community. This is because the authority of the international community, while based on legal grounds, cannot be absolute, must be held accountable (Zaum 2006) and cannot override the local authority (Hopgood 2009). As a result, the criticism that the local institutions were not consulted by the international missions on the scope and the tasks of missions was considered highly problematic by stakeholders (Rexhepi 2014,; Marmullaku 2014; Rashiti 2014), therefore providing an additional example on the incompatibility of an externally driven model within this context.

The consequences of standardised policies have been measured against the inability of EULEX to fulfil, at least partially, its mandate. The lack of consent granted by local authorities, governmental or civil society, has brought the credibility of EULEX into question since the outset of deployment. There was a huge discrepancy between the initial statements of the EU acting as global actor, with the EULEX mission the largest one of its kind in history, and its performance on the ground. A low public perception and a legitimacy crisis, as deconstructed through the context of public perception (See Chapter IV), sufficiently explains the poor planning and detachment of local circumstances from policy.

CHAPTER VI

6. RECAPITULATING LOCAL OWNERSHIP IN POST-INDEPENDENT SETTINGS

I have demonstrated the principles of local ownership across the state-building process. Indeed, one of the first steps of the research endeavours was the deconstruction of the existing conceptual framework of local ownership. I had certain assumptions at the outset of the research on whether local ownership is conceptually sustainable. I have promptly found out that the concept is underdeveloped. This has been proved on the basis of an in-depth theoretical examination. As a result, one of the main scientific contributions was in enriching the conceptual underpinning in order to test and contextualise it into our case study.

The theoretical contribution has aimed at bringing local ownership into the framework of state-building theory. This is possible because deconstructing local ownership in the framework of state-building reflects the primary dilemma on the extent to which local ownership has been considered. Of course, local ownership is juxtaposed with Security Sector Reform (SSR) because the concept, albeit on a policy level, has derived from SSR (Donais 2008). Nevertheless, limiting the concept to SSR is insufficient for its scientific analysis in lieu of other relevant theories such as state-building theory. Hence, I have given priority to state-building theory by testing local ownership in the framework of norms such as trust and legitimacy. Furthermore, I have given a particular position to the examination of local ownership in the context of legality, with self-determination providing one of the most applicable principles. Moreover, and given the nature of focusing local ownership on internationally or semi-internationally administered countries, I have also brought liberal peacebuilding theory into the overall framework of state-building theory.

I have contextualised local ownership within the framework of relations between the international community and local actors in Kosovo by defining this relation in an international-local nexus. I could therefore not examine the role of actors in the process of security sector development separately. It is exactly these complex relations that hamper the application of local ownership. The overarching component was contextualising "high politics" and its implications in the applicability and respectability of local ownership. Hence, it was unavoidable to place particular focus on "high politics" because most of the findings depicted political factors that challenged local ownership. In fact, I have argued that the international community is obsessed with security, framing it into an exaggerated stability and overly using it as a tool. This compromises the involvement of locals in the state-building process up to the point that ultimately alienates the population and local professionals.

Furthermore, I have put local ownership not only into the context of Kosovo but, more specifically, into the framework of the security sector. There are two main reasons justifying the examination of the security sector as crucial in depicting relations between the international community and local actors. The first reason implies that the security sector remains the strongest part of the state apparatus. This is a traditional recognition of security institutions implying the coercive element of the state (Weber 1958; Buzan 1991). I do not recognise security institutions from this traditional perspective, solely as armed forces, police, and intelligence. Rather, I recognise and have examined the security sector through a holistic approach, which includes, along with security forces and police, the role of oversight actors such as government, parliament, independent institutions, and civil society (OECD 2007). The second reason is more context-centric; because the security sector has been built from scratch (Qehaja and Vrajolli 2011) in the immediate post-conflict period in

Kosovo, it is important to see the extent of the influence of the international community in this sector after independence.

Overall, I found the local ownership concept quite elusive and have therefore refrained from applying only one method. As a result, I have combined both qualitative and quantitative research methods. Whilst interviews with professionals proved to be highly important, it was equally important to measure public opinion, through a nationally representative sample, in order to depict public perception and also verify the statements of professionals. Of course, I should not avoid mentioning my advantage of being part of some of the processes and observing them closely. This has facilitated my access and as such has aided the identification of the most relevant interviewees. In the end, combining all of these methods has ensured that my research endeavours have found accurate findings for the purpose of this thesis.

6.1 Rethinking local ownership

The predominant contribution to the local ownership concept derives from policy circles. Here, I imply the importance of a number of international organisations as well as a number of individual authors (Reich 2006; Nathan 2007; Donais 2008; Richmond 2009a; MacGinty 2010). This contribution, however, has only managed to achieve a technical deconstruction of the concept of local ownership. The reference to local ownership was usually made in relation to SSR, by bringing the concept in line with the calls for broader involvement of local actors in all stages of SSR. References to local ownership have increased as a result of the frequency of bad practice by the international community.

Nevertheless, existing research work has remained limited to certain "buzzwords": local ownership is juxtaposed with "stability", "democracy", "peacebuilding",

"peacemaking", "reconciliation", and many other words. In fact, there seems to be an in-depth scientific examination of all the "buzzwords" mentioned above, whereas local ownership is an exception. The efforts of international organisations and some individual scholars have advocated the need for local ownership. While there is generally a positive intention behind this involvement, on the other hand, some of these efforts help only by "ticking the box", as a requirement for some donors (Wilén and Chapaux 2011) in order to ensure funding streams and good relations with donor governments (Richmond 2012). This has been defined as the "patron-client" relationship, in which the patron is understood as the international community whereas the client is understood as the locals (Reich 2006, 22).

On the other hand, it can easily be noted that even the definitions provided by the international organisations on local ownership are incongruent from one organisation to another, technical and rather ambiguous. We have to recall the attempts of UN officials aiming to provide a definition of local ownership (or what they refer to as "national ownership"), which implies the bureaucratic culture of engaging with the elites via state-centricity (Richmond 2012, 366). The inconclusive policy definition had implications also for the inclusion of locals into the framework of the local ownership concept. It did not define sufficiently whether the locals are meant to include indigenous communities apart from the elites. The existing definition rather implied a linear approach in which societies are viewed from the Western civil society perspective. The social composition of the civil society should be viewed beyond the existing linear approach (Chandler 2013).

The present academic attempts could not provide a concise meaning of local ownership either. Timothy Donais defined local ownership as a "...process the extent to which local actors exercise control or influence over the initiation, design and implementation of a reform process" (Donais 2009, 118). His contribution was based on the need to involve the locals in all processes of SSR. Furthermore, he advocated

the need for a broader inclusion of local constituencies, involving not only government representatives but also representatives of a wider civil society, namely indigenous communities. Similarly, Laurie Nathan aimed to justify local ownership on the grounds of policy orientation by criticising the international community and, particularly, the donor community willing to undertake SSR in partner countries. He has instead advocated that they (the international community) should be focused on supporting local actors willing to undertake SSR (Nathan 2008).

Both Donai's and Nathan endeavours (among others) have helped to foster the concept of local ownership away from policy circles. They participated in different international missions, ensuring their contribution was derived from the weaknesses of these missions in excluding local actors in the processes of SSR. As a result, they managed to initiate a debate on local ownership that moves beyond generic "buzzwords". Nevertheless, this contribution could not scientifically analyse local ownership and its relationship with social behaviours. It also could not help to identify the implications of a lack of local ownership in the state-building process. On the other hand, Oliver Richmond has made a step forward by deconstructing relations between internationals and locals in the framework of local ownership. His endeavours aimed at simplifying the definition as "...relations between external and internal actors over the political, legal, social, developmental and security institution being imported or locally built and grounded" (Richmond 2012, 359). Richmond considered the socio-political reasoning on the basis of which local ownership was hampered. By this, he referred to the patronising approach of the international community to locals by drawing parallels with the colonial era (Richmond 2012), similarly to arguments posted by Said in previous decades (Said 1994). Furthermore, the behaviours of the international community have been examined by Lemay-Hebert (Lemay-Hebert 2011), whereas MacGinty has framed the overall relationship into what he defined as a "hybrid relationship" (MacGinty 2011).

On the other hand, I have conceptually contributed to the issue by deconstructing local ownership from different perspectives: the implications of distrust and legitimacy; the extent to which "high politics" has been applied as a tool expressed through obsessive (exaggerated) stability; the dependency of locals on the international community resulting from a lack of an exit strategy and congruence between local ownership and self-determination. I have identified at least two conceptual frameworks, which helped in testing locals. Both are very poorly explored and require the usage of alternative theoretical and conceptual frameworks.

6.1.1 Analogy between local ownership and self-determination

I strongly believe that one of the main scientific contributions for strengthening the concept of local ownership involves identifying legal arguments. This makes the concept not only relevant for security studies and development studies but for international law as well. I have identified the legal principle of self-determination as the closest principle to the concept of local ownership. Here I do not imply a narrow interpretation of self-determination – which primarily argues about the right to secession and the change of state borders – and the initial design of the principle (Weller 2008). I refer to the element of the self-determination principle that argues for the right of local constituencies to govern on their own, free from the excessive external influence of the international community.

The UN Charter, and some of the key UN resolutions, was adopted after the Second World War and during the Cold War. Self-determination derives from the UN Charter and is also embedded in some resolutions (UN 1960). Nevertheless, these are still subject to interpretation in the existing environment. Of course, decisions of the

ICJ in previous decades and customary law have fostered a further interpretation of self-determination. Ideally, the UN Charter and some of the resolutions should have been modified and adjusted to the new world order; meaning that in order for local ownership to have legal ground, a particular resolution would make binding a prospective involvement of the international administration and donor community. Nonetheless, it is true that adopting new resolutions and potential changes is difficult to expect in light of complex power relations between permanent member states. I argue, however, that the available existing legal framework on self-determination is sufficient, by interpreting it along the lines of local ownership. Truly, local ownership is argued in settings in which the role of locals is sidelined by the influence of major powers, be it through the international administration or the donor community. The interpretation of self-determination vis-à-vis local ownership should subsequently imply internal self-determination (Weller 2008; Thürer and Burri 2014). Internal self-determination could be brought into the local ownership concept as a right of the people to decide independently on their developmental and state-building processes. It implies "people's right to be free from foreign control by virtue of their right to autonomy" (Wilde 2012, 261).

With more efforts dedicated to the legal examination of local ownership in the framework of self-determination, science would precede future initiatives in recognising local ownership as a legal right, embedded in the international legal system and mandatory to all parties. As a result, the concept of local ownership would connote legal grounds for strong development and political arguments. It would further build the topic as a multi-disciplinary transcendental concept. This could lead to local ownership being recognised as an indispensable principle of the international administration and donor community in post-conflict and state-building processes.

6.1.2 Relevance of legitimacy in local ownership

There is tremendous scientific contribution in the field of legitimacy. Legitimacy is usually viewed in the context of democratisation theory, namely in political systems, aiming to explain the extent to which government is legitimate. Of course, government legitimacy is not the intention of this research. The intention here is to deconstruct legitimacy on the basis of local ownership and to inquire whether excessive presence and influence of the international community is sufficiently legitimate, meaning that indigenous communities endorse its actions. In fact, Dominik Zaum and William Bain made a significant step in deconstructing local ownership in the framework of legitimacy. While Dominik Zaum thinks that "the international community [in the post-conflict settings] deny [both] to the people over whom they govern" (Zaum 2006, 456), William Bain considers problematic the lack of "the authority to resist by the locals" (Bain 2006, 537). Bain and Zaum thought that legitimacy is a crucial element in post-conflict countries, in which the people shall have a say and be respected whereas the authority of the international community cannot be absolute and needs to be held accountable (Zaum 2006). There is sufficient ground of operating international authority in lieu of local authority. The local authority is a gradually developed (Lincoln 1995; Bain 2009) while it can be only applicable "when being able to impose effective obligations" (Hopgood 2009, 232). With the weak positioning of the emerging states, it is difficult to expect that local authority is sufficiently present and accepted in order to produce resistance towards the international authority.

What the future efforts of these scholars should focus upon is the extent to which the local authority can be endorsed and legitimised. Such scientific attempts should foster the understanding of the local "say" in actions of the international community. This, of course, should be completed beyond the traditional legal basis because,

principally, international missions and actions of the donor community have their grounds in legal decisions. Here, I mean the direct or indirect depiction of the legitimacy of international involvement. For example, it is important to scientifically deconstruct whether international involvement should be vested in the powers of citizen representatives, namely the parliament, judiciary, independent institutions, and civil society.

Similarly, research endeavours in the legitimacy-local ownership dichotomy are also tailored to the SSR principles. In fact, this conceptually helps to further deconstruct legitimacy. If we reiterate the definition of SSR as provided by Brzoska, the primary aim of SSR is to ensure democratic civilian oversight (Brzoska 2006). This implies the need to hold accountable all actors involved in the security sector, be they international or local. I do not expect that the contribution will be solely based on the conceptual dimension; it is highly relevant that the legitimacy of the actions and inactions of the international community be tested in other case studies in which its role in post-conflict or post-independence settings was excessive.

6.2 Decreasing dependency on international community

Dependency represents one of the primary consequences of the lack of local ownership, which I have depicted during research. In fact, while testing the hypothesis I have revealed the consequences of the long-term involvement of the international community, leading to dependency of local actors, especially professionals. Dependency of local actors on the international community appears to be challenging for the state-building process, whereas its causes derive from the fact that the international community has no exit strategy. This conclusion is based on Richard Caplan's and Ralf de Wilde's definition of exit strategies (Caplan 2012;

Wilde 2012). Consequently, such dependency has created the conception among local actors that "the internationals will do the work and they [internationals] are the final managers" (Selimi 2014). In fact, if we re-examine the case of Kosovo, these consequences were obvious already in the first years of statehood (Surroi 2014).

While prospective involvement of the international community in all post-conflict and post-independence settings should be context-based, it should nonetheless consider avoiding the causes leading to the dependency of local actors. My findings show that there are two causes that need to be considered in order to decrease dependency: a clear exit strategy and the ability to resist. The first is directed towards the international community and the second towards local communities. Nevertheless, prospective international administration or donor community needs to consider the first in order to avoid the implications of the second.

6.2.1 Clear exit strategy

No international mission should be deployed, or offer support, on the grounds of long-term presence, because international expertise cannot replace local capabilities forever (Donais 2009b). On the contrary, any long-term presence will create an experimental learning process at the expense of locals (Reich 2006), something which appears to be the case in various post-conflict settings. An exit strategy would prepare local professionals and communities to take over responsibilities when a certain level of maturity and expertise has been achieved. This decision should derive from concrete results. For example, external support to security sector development should have a "good end", meaning that a fruitful support should be concluded with a full hand-over of responsibilities to local authorities. A problem appears when exit strategies are tailored to "high politics", which was the case with Kosovo. I have found that none of the international missions and major donors

intended to withdraw or propose a "phase-out" from Kosovo without a prior international political decision.

On the other hand, it is true that in the existing international order a political decision reflects only one side of the coin, because international missions are deployed on the basis of international resolutions and the consent of members of particular organisations. However, considerations of political decisions should not overshadow positive developments with respect to an increase in maturity and capability of local actors. Additionally, political decisions should not overshadow the willingness of indigenous communities. I refer to them because, as the case of Kosovo has shown, for example, despite the decision of the Kosovo Assembly to invite EULEX into the country, local communities continually endorse neither its mandate nor its presence. To recall the statistics, 54% of respondents (equally from Kosovo Albanian and Kosovo Serb communities) called upon the EULEX mission to withdraw or expected it should have already been withdrawn. Therefore, it is rather problematic to ensure the legitimacy of international missions solely through the perspective of institutions, at least in developing countries such as Kosovo.

As a consequence, the lack of an exit strategy creates an artificial dependency of beneficiaries, particularly professionals, because they learn to be bound to the international community. This not only creates a perception that "the outsiders will always solve the problems" (Selimi 2014; Marmullaku 2014) but also hampers consistency and sustainability once these missions finally leave the country. If we return to the findings of Kosovo, the interference and the mandate of the international community are engrained especially within the security sector.

Prospective involvement of the international community should be based on a clear mandate, demand-driven and supporting the efforts of local professions and society in state-building. Prior to this, there is a need for consultative planning with a wider

inclusion of locals in order to produce a realistic exit strategy (Donais 2012). This implies planning on the basis of needs and demands of local communities and government representatives, and not solely through a standardised approach. In fact, this standardised approach, or "one-size-fits-all" analysis, is ironically compared to the logic of "fast-food" or "logframe" (Reich 2006, Schmeidl 2009) and is ultimately deemed unsuccessful. This support should reflect models that are compatible to the environment and specificities of target countries. Prospective involvement of the international community certainly requires an opposite approach to the one applied in Kosovo, where consequences are evident, especially with respect to the sustainability and dependency of the security sector.

6.2.2 Ability to resist

The ability to resist is as important as a clear exit strategy. In fact, it is a consequence of the failure to apply an exit strategy. The difference here is that it concerns the behaviour of government representatives and local communities, not the international community. It rather implies the local authority despite weak in post-conflict settings (Lincoln 1995; Bain 2009; Hopgood 2009; DiLellio 2009). In fact, should the ability to resist be in place and the local authority is strengthened, there would be a higher chance to ensure local ownership and to adopt an exit strategy for the international community. I have shown that the ability to resist can be easily discerned at first instance when locals are in the position to say "no" to particular actions taken by the international community. This is relevant especially if these actions are not meant to be congruently aligned with the popular will of the majority of citizens and the interest of society. It is true though that the ability to resist the international community is more complicated than the ability to resist, for example, the government.

In normal democracies, "no" to the government can be converted into failure of ruling parties to win elections and form a government. This is not a method to challenge the presence of internationals because they are not representatives of the people. The extent of public support and public discourse should be considered a sufficient tool to measure the legitimacy of the international community – something this thesis has applied to Kosovo.

In Kosovo there was no opposition to most of the externally driven solutions, regardless of whether this action was detrimental to SSR and state-building. There were actions countering some external decisions (Harris 2014; Selimi 2014), however, they could not prevent a part of the international community from enforcing or introducing these policies. Here, I can mention three cases: national security strategy, community safety mechanisms, and obsessive ethnically motivated paradigm. These reflect the most relevant, though not sole, examples and explain the inability of local actors to resist or at least have a say in the process. This echoed the weak positioning and authority of the locals in order to enforce their national and public interests.

In fact, I have concluded that inability to counter unsatisfactory external solutions is closely related to the weakness of the state. Of course, all post-conflict and post-independence countries are deemed to be weak at the outset – especially those that are in their infancy of state-building. One cannot compare the authority of small emerging states such as Kosovo with the authority of, for example, Germany or Japan after the Second World War to recover so promptly. In my understanding, as long as statehood is established, citizen pride in statehood is strong. In this regard, I tend to compare Kosovo with Nepal, where I was able to participate in a short but meaningful experience; though Kosovo is more developed and geographically in Europe, the ability of its professionals to resist externally driven solutions is lower than that of Nepali professionals. In Nepal, the international donor community is more careful in "suggesting" the "Western Best Practices" because resistance is more

emphasised. Hence, it is not a coincidence that some of the donor actors tend to behave in line with the environment, meaning that they refrain from imposing solutions when there is resistance.

I argue that it is not realistic to expect dependency to be lower among societies that have a greater prerogative for being dependent. However, efforts need to be made by the international community to find ways to decrease dependency, because it is harmful for any state-building process. This has been problematic not only in the case of Kosovo, but also in Bosnia and Herzegovina (Perdan 2008), Timor Leste (Lemay-Hebert 2011), and Palestine.

6.3 Implications of exaggerated "high politics"

Evidence shows that "high politics" can have excessive influence in actions, inactions, decisions and suggestions of the international community in security sector development. It has been converted into a tool and overly used or misused by representatives of the international community (Greiçevci 2014). I have also argued to expose the extent of "high politics" alongside a lack of an exit strategy. In fact, one of the primary conclusions is that the excessive influence of such politics in SSR can be considered harmful. In Kosovo, political arguments have prevailed to justify excessive influence of the international community. Truly, the case of Kosovo is not an exception when political arguments prevail over the rationale. Bosnia and Herzegovina represents another example where, despite having no problem with its statehood – at least nominally – actions of the international community were politically driven (Caplan 2006; Perdan 2008).

If we dig further into the example of Kosovo (and Bosnia and Herzegovina), the international community was so obsessed with ensuring security and safe

environment, that any reform or development of the security sector was seen solely from this perspective. We should be reminded of the over-satisfaction of a senior EU official with their primary achievement in the Balkans: "peace is a big thing so we are delighted in maintaining it" (Interviewee C 2014). There is nothing wrong with trying to preserve peace – it is actually the main prerogative – because the EU itself is a peace project and has to defend this value. However, this should not be done at the expense of other processes. Moreover, it cannot be applied as a tool to justify weaknesses in the security sector, especially when this sector is a shared responsibility of international and local actors. Over-reference to stability creates a political argument that tends to overshadow other technical arguments.

Ironically, political arguments are usually constructed from a geographical distance; it is this distance that creates artificial arguments for the "exclusive need" to maintain peace. Therefore, if we bring forward the dilemma over the transformation of the Kosovo Security Force (KSF) into the Kosovo Armed Forces (KAF), the arguments for exaggerated stability are made mainly in Western capitals, including Brussels. In fact, Brussels tends to see all developments from the perspective of politics (Palokaj 2015). As a consequence, the tendency to observe the state-building process on political grounds is mismatching and opposes the core of local ownership. Consequences are clear: "high politics" prevails over any other argument justifying sufficiently, in this case, the need to introduce an institution that would serve the interests of the state. The tendency to solely assess processes on the basis of this "peace prize", and therefore "high politics", echoes an analogy with an ironic example put forward by Edward Said (though explained in a different context), who described the profiling of the Middle East by international authors as "a charming view in Champs-Élysées in Paris" (Said 1994, 179).

It is further problematic to attempt imposition in the change of mentality on the grounds of "high politics". This process cannot be addressed through the "logframe"

logic, and hence is not final. The example reflecting the sanctions over the use of war symbols by the security forces may imply a good strategic intention, however, the tactical actions do not serve this strategy. The war-related mentality will be diminished with the passing of generations and not by coercive means.

Prospective involvement of the international community should not rely primarily on "high politics". This message needs to be considered across all settings, regardless of the level of complexity. I am not saying that politics should be disregarded, simply because it cannot be. Nevertheless, the international community should not be too obsessed with stability and security, particularly if there are sufficient arguments demonstrating that the overall peace process cannot influence security sector development – as is the case in Kosovo. Overall, support for SSR should be based solely on the principles of internalising good context-based practices within which the security sector would be sustainable.

6.4 Fostering trust

Trust appears to be one of the complex norms in international relations. It is one of the norms that can largely hamper local ownership. With respect to post-conflict and post-independent settings, findings show that distrust is deeply rooted in an "unequal relationship" between internationals and locals, which can be easily distilled into a "distrust dilemma" (Hansen 2008, 45). This has been confirmed in the case of Kosovo. Of course, as argued throughout the theoretical framework, "distrust dilemma" is not an ontologically fixed notion; it cannot be achieved up to a point where one would conclude "yes, there is a trust" or "no, there is no trust". It is a trajectory that develops gradually. Moreover, it is not a Kosovo-centric problem but can also be found in relations between developed countries; it represents a major problem in security cooperation and the building of security communities within the

EU because intelligence sharing, for example, between security forces appears to be challenging (Malstrom 2011).

To recall, William Bain has made a distinctive contribution in deconstructing "distrust dilemma" in post-conflict settings. He argued that the international administration failed to make a distinction between two elements of human relationship: contract and trust (Bain 2006). He further reinforced his argument that internationals and locals should consider their relationship in the form of contracting parties involving a shared benefit. However, the problem with the logic of contractual relationship is that it is deemed to make the contracting party (provider) a patron. As a consequence, the patron has the capacity to decide on the extent of trust in the beneficiary. For this purpose, Bain is further cynical by naming the international community as "the Prince", who is not bound by laws to condemn its absolute power (Bain 2009, 151).

One cannot argue that there is an aspect of "the Prince" in the capacity of the international community in this case study. However, its findings have introduced a number of examples explaining a high level of mistrust between local professionals and the international community. Trust could not be increased in line with the track of practice, findings show quite the opposite: the longer the international community is present, the more cases there are of interference. Such interference has led to a lack of trust among local professionals. This is also reflected in distrust among citizens. Statistics on public perception, for example, show that in the period 2012–2014 around 42% of respondents did not trust EULEX. Increasing dissatisfaction with international missions can be observed throughout the thesis. However, this trend is not limited to Kosovo because it appears to hold true in other post-conflict settings as well, where the lack of an exit strategy of the international community turned into dissatisfaction of local communities.

6.5 Decreasing externally imposed models

Externally based models in security sector development have proved to be one of the main concerns of local ownership. Some of the decisions and actions of the international community have been put forward under the banner of "Western Best Practices". We have deconstructed the externally driven project of Kosovo Security Force (KSF), which was not based on local demands and was politically imposed – this has led to repeated requirements for having a defence force. I have argued similarly regarding externally driven national security policies and "top-down" community safety. Additionally, I have provided a number of other examples throughout the thesis explaining the complex relationship within the international-local nexus. Frequent references to "Western Best Practices" have artificially justified the interference of the international community in the security sector. This interference was unjustified for a simple SSR-related logic that, for example, there is no single security or policing model applied in Europe. Hence, such universality cannot exist in reality. Truly, Western models of security governance are highly varied, each of them a product of historical and constitutional developments (Donais 2008). Consequently, at first instance, references to a unified standardisation of policing practices are challenged.

Externally driven models of security and policing are linearly transmitted to the entire post-conflict context, regardless of region. Interviewees appeared to transmit their experience in which the international community was drawing a parallel, for example, between Kosovo and Afghanistan (Fushtica 2014). Of course, I do not endorse the misperception that Kosovo professionals have of other regions. As such, I do not endorse the attempt to view all post-conflict cases within the same narrow perspective, simply because the context and the environment are different. However, it is true that the standardised action by the international community has led to

ready and sample-made ideas provided throughout all of the post-conflict settings. Hence the case with the attempts for sharing experiences from other regions, which some "international professionals" have easily applied.

On the other hand, mistakes made through a linear conception of all post-conflict settings can be viewed from the perspective of international experts. It is true that being an international expert in your country of origin does not automatically grant you that expertise in the beneficiary country. This problem was not only present in the process of policy drafting but also in the executive mandate of the international community. The involvement of international experts in executive tasks is furthermore problematic, as the case has shown, because international experts cannot have more "operational knowledge than the locals" (Harris 2014; Selimi 2014; Marmullaku 2014). The operational knowledge is considered more important than any other knowledge, particularly on the matters pertaining to the rule of law.

Evidently, these models have never holistically involved all actors in order to gain a broader legitimacy. The international donor community often prefers to consult solely with local elites, who have a specific set of Western credentials (Narten 2009; Caparini 2010). Discussing merely with elites represents one of the main dilemmas in SSR (Brzoska 2006). In Kosovo, the international community asked for the consent on certain solutions and models only from the strongest (elite) actors. As such, externally driven security sector development not only did not consult with all local representatives, but also selectively decided on the elites with which it would work – ignoring those who would pose challenge and resistance against the involvement of the international community.

As a result, prospective involvement of the international administration and donor community should carefully consider their role within a specific context alongside the demands of local government representatives. In fact, imposing models that are

incongruent to local circumstances not only alienates local communities, but offers solutions that will most likely be unsuccessful and unsustainable. The failure of this approach will be tested in the case of final withdrawal of support from the donor community. This is a particular concern with major donors, who tend to share expertise on the basis of their prescriptions. Main donors should refrain from supporting a standardised and externally based model of security and policing in lieu of local consent.

7. CONCLUSIONS

This dissertation has demonstrated the importance of local participation for sustainable peace and state-building. Local inclusion does not intend to diminish the relevance of politics in statebuilding– widely known as “top-down” - simply because it cannot be bypassed. However the overarching argument has presented the relevance of locally driven actions – and a “bottom up” approach. Given the significance, the empirical study has confirmed that both approaches are equally as important – with a “bottom up” approach more important as “state-building is not limited to a ‘top down’ or solely to a ‘bottom up’ approach (Paris and Sisk 2007, 15). Consequently, the findings challenged the existing system of international intervention in post-conflict settings which only technically referred to the role of locals without considering their broader inclusion whilst disregarding local culture. The complexities are not found across the security sector, a pillar which represents the cornerstone of the contemporary states.

The case of Kosovo proved to be highly relevant in examining the extent of international involvement. The excessive role of the international community, without a clear exit strategy, has led towards the reaction of local constituencies in which the externally driven policies have been silently rejected and found no applicability into the Kosovar context. The over-reference to the maintenance of stability and security as a means of justifying international actions ensured a lack of trust between the international community and locals. This level of involvement of the international community has detached security policy from the local reality, leading towards fragmentation and limited sustainability. As a consequence, the weak positioning of local authority vis-à-vis the stronger positioning of the externally imposed agenda caused unequal cooperation (Reich 2006; Hansen 2008) between the international community and local government and constituencies. Alternatively, and in a broader sense, the lack of involvement of local constituencies,

in the form of Government or civil society representatives, manifests the absence of the key prerogatives for ensuring local ownership.

The thesis findings are in light with the pre-defined hypothesis and the research goals. The initial hypothesis starts by re-defining the importance of local ownership in post-independence settings; it continues with the extent of its applicability to the case of Kosovo and finally it reflects the implications for the future of the existing involvement of the international community. It has been framed in the following way:

Security sector development in Kosovo reflects an incongruity between the role of the international community and local context because the fundamental principles of local ownership were not respected.

The research has entirely verified the hypothesis while it also went few steps beyond in defining the research problem. Indeed, it proved that the incongruity between the international community and the interest of the locals is only one part of the problem. There were number of dilemmas which have led towards the construction of the new hypothesis – albeit in line with the initial hypothesis – exposing the under-developed concept of local ownership. The under-developed concept has been confirmed through its application as a tool to justify some actions while, in essence, acting against the interests of the locals. The recapitulation of hypothesis presents *well-intended – though poorly defined - principles of local ownership at the policy level which have been challenged as a result of externally-driven models and an obsessive exaggerated stability paradigm in Kosovo. In particular, the actions of the international community were not in congruence with the local context, caused dependency and vulnerability among the locals, resulting in a complex cooperation between the international community and local actors.*

The hypothesis is verified through number of findings examined across the thesis. All of these findings explain sufficiently and, I believe convincingly, the complexities of international community involvement vis-à-vis the principles of local ownership. The verified hypothesis shows that the models of the international community in the process of security sector development appeared out of line with local context and circumstances because the involvement of local authorities and citizens in the process of design was limited.

In this concluding chapter, I recapitulate the implications of the theoretical contribution and empirical findings observed at all levels of the thesis. In the first section I synthesise key findings whereas in the second section, I provide the future research directions aiming to develop and theorise the concept of local ownership. The synthesis and future directions are aimed at oriented towards the prospective involvement of the international community in improving their actions in post-conflict and post-independent settings.

7.1 Synthesising the challenges of local ownership

Local ownership is an inconclusive concept. Its primary aim of respecting the rights of the locals has been artificially constructed in the policy circles of the international development. It managed to fulfil the technical requirements of introducing international policies but it failed to apply the concept in the key processes of security sector development. The findings show that local ownership remained in the margins of the donor “logframe” without intending internalisation into the indispensable norm of the international community. It has not been juxtaposed into either the legal principles – such as self-determination – nor to the existing international norms such as legitimacy and trust. Thus, local ownership remained an undeveloped category of liberal peacebuilding. The scientific contribution could

not make a major step either. It has not examined thoroughly local ownership across the case studies, namely those implying international assistance in the post-conflict or post-independent settings. The Kosovo case happened to be among the most pertinent cases deconstructing local ownership beyond what has been served at the policy level and developed in the limited conceptual contribution. The findings of the thesis confirm that the international community disregarded the core principles of local ownership in the process of security sector development in Kosovo. It has challenged major locally driven initiatives on the grounds of “high politics” and stability. The interference has alienated the local population to an extent that the actions of the international community have been declared as illegitimate, and resulting in a lack of trust.

The findings are further synthetised below:

First, the existing definition of the local ownership concept proved to be inadequate and developed only across the policy framework. The reference to locals and their participation has been applied by donors and international organisations mainly in order to ensure funding streams and good relationships with donor governments (Richmond 2012) and therefore limited to “ticking the matrix” of involving the local communities without actually intending to do so (Wilén and Chapaux 2011). The international organisations had defined the concept in a way so it reflected a contradiction. For example, even within the UN the definition of local ownership has been designed and re-designed in order to reach certain policy goals despite each of these concepts conflicting with each other (See Chapter II). The academic definition of local ownership has made only a limited contribution when explaining the dilemma of the international-local nexus (Richmond 2012) and donor involvement (Nathan 2007). The thesis has contributed by making congruence between local ownership and the international legal principle of self-determination. This contribution opened the idea of considering local ownership as a legal concept

beyond an existing policy concept. It has also examined local ownership in the framework of international norms such as trust and legitimacy by supplementing its moral ground. Both, legal and moral power entails the overarching arguments of the developed concept of local ownership.

Second, and considering the case specific context of Kosovo, the overwhelming influence of the international community had implications for the development of the security sector. The trajectory of the international influence in the security sector has been modified artificially throughout the period of post-independence, though still relying on exaggerated perceptions of stability and “high politics” (See Chapter III and Chapter IV). The dichotomy of “high politics” - stability never reflected the real environment on the ground, however the consequences of this policy framed an externally driven security sector (See Chapter IV). One of the cases, such as the introduction of the Kosovo Security Force (KSF) in lieu of consultation with the local representatives under the arguments of exaggerated stability, proved to be unjustified and rather unsustainable. This was because the demands of the locals were directed around a single concern of introducing an Armed Force, therefore avoiding dedication to the foreign driven model (See Chapter IV). Similarly, exaggerated stability marked classical intervention in security policies – namely the National Security Strategy (NSS) – showing the superiority of the international community intervention at the expense of the main doctrinary framework of security policy (See Chapter V). This is further exemplified by the case of the community safety councils, which were funded externally and without a clear strategy for the handover of responsibilities to the locals (See Chapter V).

Thirdly, the externally driven models in Kosovo proved to be incongruent with the local reality, and in fact showed disregard for this reality. The models provided throughout Chapter IV and V manifested the absence of local ownership and its implications for the sustainability of a security policy. Kosovo is not an exception to

the “one size fits all” approach provided by the international community, as actions have proved to be linear. This linearity was applied in all of the post-conflict settings regardless of the region, economic development or country specific circumstances (Fushtica 2014). On the other hand, these models have excluded the broader involvement of all actors, making the legitimacy of international actions questionable. Instead, the findings have shown the international community preference to consult solely with local elites who have a specific set of Western credentials (Narten 2009, Caparini 2010). A similar problem is highlighted by the involvement of international experts, as international experts could not have more “operational knowledge than the locals” (Harris 2014; Selimi 2014; Marmullaku 2014). The counter arguments suggesting the need to make prompt intervention as a means of planting liberal peacebuilding and “Western Best Practices” is not convincing because any aims to quickly fix and introduce the main SSR principles is likely to fail (Paris and Sisk 2009).

Fourthly, a lack of trust in the international-local nexus represents one of the overarching dilemmas for the core of local ownership. The examples explaining the extent of trust (See Chapter IV) have shown an increasing level of distrust regardless of track of practice and cooperation between the international community and locals. The overarching problem of distrust is twofold: the first is “locals not trusting internationals” and the second is “internationals not trusting the locals”. Distrust from both directions is rooted either in prejudice or a track of practise, reflecting a deep problem for the enforcement of local ownership. The results showing the public perception towards international mission’s echoes at its best the public distrust towards the international community and the popular opinion favouring the withdrawal of the mission, particularly with the largest EU mission on the ground - EULEX (See Chapter IV). This level of distrust is further deepened when the international experts echoes some elements of distrusts vis-à-vis local professionals.

Fifth, the implication of the lack of local ownership has lead towards the dependency of local actors, especially professionals. Dependency of local actors towards the international community appears to be challenging for the state-building process, whereas its cause derives as a result of the absence of an exit strategy for the international community. This finding is tailored towards Richard Caplan's and Ralf de Wilde's definition of "exit strategies" (Caplan 2012; Wilde 2012) based on the shared assessment that the international capacity cannot replace local capacities eternally (Donais 2012b). Consequently, such dependency has created the conception amongst local actors that "the internationals will do the work and they [internationals] are the final managers" (Selimi 2014). This dependency however, manifests itself as both cause and consequence. While dependency has been found to be created as a result of an almost indefinite presence of the international community, it is also confirmed to be a weakness of the locals, be it governmental representatives or indigenous communities. The high level of dependency – as identified throughout the thesis – became systemic and therefore embedded in the mindset of the professions and society. This became present not only because of "lack of the authority to resist" (Bain 2006, 537) but also limited local authority to exercise the resistance (Lincoln 1995; Hopgood 2009). The ability to resist can be easily discerned at the instance when locals are in the position to say "no" to particular actions taken by international community. In Kosovo, the ability to resist appeared to be limited, if not inexistent, by making the state-building process quite challenging and rather unsustainable.

Finally, while local ownership has been designed to serve the good ends of international intervention and contemporary state-building, the empirical case of Kosovo has shown that it has been applied as a means to justify liberal peacebuilding and a longer presence at the expense of the local interests. These actions are detrimental to the core of local ownership, especially once the concept is fully and realistically developed. The actions of the international community are not

only tactical mistakes that may have implications at the strategic level – they concern the overall development and sustainability of the security sector up to the time that the international mission leaves the country. The lessons from Kosovo should be drawn in order to alert the international community of the causes and consequences of the lack of local ownership, alongside a renewed willingness to enforce the concept.

7.2 Future prospects of theorising local ownership and re-defining the role of international community

Successful justification of the hypothesis and a selection of key findings have allowed me to make effective recommendations for the purpose of future research directions and also for the prospective involvement of the international community across the state-building process. A scientific contribution is, of course, the primary goal which I believe the thesis has reached. Nonetheless, an important contribution is found when suggesting the best ways for the prospective involvement of the international community in post-conflict and post-independence settings. Some of the findings are very concerning and rather challenging for the international-local nexus. Repeating the same mistakes in other settings will have major implications for the legitimacy and leverage of international missions and donors. Ultimately, the greatest losers would be the indigenous communities and the “beneficiary” states.

The empirical contribution in deconstructing local ownership is crucial. As discussed throughout the thesis, the dilemma over local ownership derived from practice. Hence, future research directions should focus, amongst other elements, on examining the relationship of the international-local nexus across other case studies. Other case studies focused around similar methodological and theoretical frameworks would complement the efforts of this thesis. There are a number of countries in which the international community was heavily involved: be it in the

form of international administration, semi-administration or development aid. The contribution to date was solely focused on verifying SSR achievements and local ownership in some settings. For example, I have identified serious efforts in examining SSR and local ownership in the case of South Africa (Nathan, 2007). On the other hand, MacGinty appeared to provide a contribution towards deconstructing the concept in the case of Lebanon (MacGinty 2007); Jackson was focused extensively on the overall processes of SSR in Sierra Leone including reference to local ownership (Jackson 2009); Lemay-Hebert focused predominantly on the case of East Timor (Lemay-Hebert 2011). There are, of course, a vast array of contributions in other post-conflict countries; particularly Afghanistan, Iraq and Libya. Those however are only scarcely touched upon in the examination of local ownership, with most focus upon the general security situation.

In the context of local ownership I would expect other case studies to be examined, especially those that principally imply complex relations between the international community and local actors. I believe that digging into the case study of Palestine is highly relevant due to the conditions of a challenged local ownership within a contested statehood (Friedrich and Luethold 2008). On the other hand, in Asia I have found the Nepali case highly relevant, but from the opposite direction, because it represents some examples of failed attempts to impose externally driven solutions (Part. Obser. 2012). Moreover, other relevant case studies are visible in Africa, such as the newly independent state of South Sudan as well as other countries with an extensive international community presence such as: the Democratic Republic of Congo, Mali, Mozambique and others.

The prospective scientific input should be based upon a number of contributions which entail the following future research directions: further development of the local ownership concept, by focusing on the efforts of identifying further congruence between local ownership and self-determination as well as legitimacy; decreasing

dependency of the locals towards the international community; increasing trust; avoiding exaggerated stability and diminishing externally imposed security models:

- *Bringing self-determination into local ownership* would mark a significant scientific contribution. The concept of local ownership implies prerogatives which have to be embedded or based on a legal principle in order to make it applicable as a norm. In other words, by contributing a legal deconstruction of local ownership in the framework of self-determination, future initiatives would see local ownership recognised as a legal right, embedded in the international legal system and mandatory to all parties. The legal correlation between self-determination and local ownership is confirmed to be realistic, however future research work should dig in into the legal review of the customary law and legal practices which shows the closest prerogatives of self-determination with the local ownership concept. This contribution requires the involvement of both international lawyers and political scientists in developing the topic as a multi-disciplinary transcendental concept guiding the international administration and donor community in the post-conflict and state-building process.
- *Examining legitimacy in the context of local ownership* is equally important for the development of the concept. The examination should depict the extent to which the international authority can be legitimised especially when this authority is misused. These scientific examinations should foster the understanding of the local “say” in the actions of the international community while understanding the legal basis in which the international missions have been deployed. For example, it is important to scientifically deconstruct whether international involvement should be vested in the powers of citizen representatives, including the Parliament, Judiciary, Independent Institutions and civil society. This contribution connotes the requirements for holding

accountable all actors involved in the security sector, be they international or local. This contribution is however not expected to be solely conceptual but it is the conceptual examination which could examine the legitimacy of the actions of international community that can be tested across other case studies of the post-conflict or post-independence settings.

- *Minimising dependency* could be reached as a result of clear exit strategies and the local ability to resist. The prospective involvement of the international community should imply a demand-driven approach intending to assist the efforts of local professionals and society in state-building. It should avoid actions intending to “undertake SSR in a given country but instead to “support the local actors in undertaking SSR” as rightly defined by Laurie Nathan (Nathan 2007). The exit strategy should be carefully planned with the locals by avoiding the standardised approach of liberal peacebuilding under a “one-size-fits all” framework. The dependency among the locals can be avoided in line with the level of ability to countenance the standardised approach of the international community. The ability to resist is found to be an organic process in which the track of previous societal and state-building marks significant relevance. It is therefore unrealistic to expect actions against dependency among the smaller nations and states but it is realistic that part of the international community tends to behave in line with the environment, meaning that they refrain from imposing solutions when there is resistance. The prospective international community involvement should find ways to avoid local dependency, because it is harmful towards any state-building process.
- *Decreasing levels of distrust* is a difficult goal to be reached because one cannot define the process of “yes, there is a trust” and “no, there is no trust.” It has been found that trust relies on historical, societal and political developments, which are highly varied and as such are context dependent. The prospective involvement of the international community and, particularly the

international missions should have in mind the level of public trust in order to maintain its support. In cases of high public distrust one cannot rely solely on the legal and political foundations for the involvement of the international missions. In fact, any reflection of distrust by the international community should be immediately considered in order to avoid major consequences arising from the level of distrust.

- *Refraining from obsessive and exaggerated stability* represents one of the key lessons learned from the perspective of the Western Balkans and our empirical case. The prospective involvement of the international community should not be too obsessed with stability and security in lieu of sufficient arguments. The arguments in favour of security and stability should be based on a clear risk and threat assessment. Understandably, one cannot expect that this assessment can be at the same level in the immediate post-conflict period and later periods, because as the case from the Western Balkans showed, the security situation improved significantly. On the contrary, the over-reference to stability and the prevalence of “high politics” is detrimental for SSR. Overall, support to SSR should be based solely around the principles of internalising good context based practices within which the security sector gains sustainability.
- *Avoiding externally driven models* represents one of the overarching lessons learned. In the future, the international community should carefully consider their role within a specific context alongside the demands of local government representatives. The main donors should refrain from a standardised and externally based model of security and policing in lieu of local consent because these solutions proved to be unsuccessful and rather unsustainable. As the case from Kosovo suggests, the technical expertise and sufficient funds of development aid has been used as a tool to challenge local ownership, justifying international ownership over some processes. Furthermore,

justifying excessive international influence on the grounds of development aid is counter-productive and challenges local ownership.

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ANNEX I

1. To what extent do you trust the following institutions:

	Institution	No opinion/Don't know	Don't trust at all	Little trust	Moderate	Trust them	Trust them very much
A	KFOR	0	1	2	3	4	5
B	EULEX	0	1	2	3	4	5

2. When do you think the following international organisations should withdraw from Kosovo?

	Institution	It is high time: they should have left already	Next year	3-5 Years	Never
A.	KFOR/NATO	1	2	3	4
B.	EULEX	1	2	3	4

3. Do you think that Kosovo security institutions (ex. Police, KSF, Intelligence, Emergency Services) are capable of providing security:

- a) Don't no/No Opinion
- b) Yes, they **are fully capable** of providing security in Kosovo **without the support** of the international presence
- c) Yes, they are capable of providing security in Kosovo **but they still need support** from the international presence
- d) No, they are not capable of providing security in Kosovo

4. What is your opinion on the future of Kosovo Security Force (KSF)?

- a. No opinion/Don't know
- b. Should remain in the existing mandate
- c. Should transform into Kosovo Armed Forces

5. How do you assess the contribution of international community in the security sector development in Kosovo?

- a. No opinion/Don't know
- b. Not important
- c. Moderate
- d. Important

6. Do you think that international community considered the needs of Kosovo and its citizens in the process of security sector development?

- a.) Don't know/No opinion
- b.) Yes, the international community **did consider** entirely the Kosovo context and culture in the security sector development
- c.) The international community **did consider only to some extent** the Kosovo context and culture in the security sector development
- d.) The international community **did not consider** the Kosovo context and culture in the security sector development

7. Are you aware of the existence of the following safety mechanisms?

	Mechanism	Do not know/No opinion	No	Yes
A.	Municipal Community Safety Council	1	2	3

B.	Community Safety Action Teams	1	2	3
C.	Local Public Safety Committee	1	2	3

8. Why do you think international community acted in that way (on the basis of previous answer)?

Razvoj varnostnega sektorja in problem lokalnega lastništva na Kosovu

V tej doktorski disertaciji prikazujem načela lokalnega lastništva v okviru procesa izgradnje države. Eden od prvih korakov v raziskovalnem delu je bila razčlenitev obstoječega pojmovnega okvira lokalnega lastništva. Že na začetku raziskovanja sem sprejel določene predpostavke o tem, ali je lokalno lastništvo pojmovno smiselno, in hitro ugotovil, da je pojem premalo razvit. To sem dokazal s poglobljeno teoretično raziskavo. Eden od glavnih znanstvenih prispevkov disertacije je posledično obogatitev pojmovnega temelja, ki sem ga potem preizkusil in umestil v kontekst v sklopu študije primera.

Namen teoretičnega prispevka je umestitev lokalnega lastništva v okvir teorije izgradnje države. Ob razčlenitvi pojma lokalnega lastništva v sklopu izgradnje države se namreč prvenstveno poraja vprašanje, koliko se je o lokalnem lastništvu razmišljalo. Lokalno lastništvo je seveda tesno povezano z reformo varnostnega sektorja (RVS), saj pojem na ravni politik izhaja prav iz RVS (Donais 2008). Vseeno ni dovolj, če pojem znanstveno analiziramo samo v sklopu RVS in zanemarimo druge bistvene teorije, kot je teorija izgradnje države. Slednjo teorijo sem zato upošteval pri preizkusu lokalnega lastništva v okviru norm, kot sta zaupanje in legitimnost. Posebno pozornost sem namenil lokalnemu lastništvu v kontekstu zakonitosti, pri čemer enega od najustreznejših načel predstavlja samoodločanje. Ker se osredotočam na lokalno lastništvo v odvisnih oziroma napol odvisnih državah, ki jih upravlja mednarodna skupnost, sem v temelj teorije izgradnje države vključil tudi liberalno teorijo izgradnje miru.

Lokalno lastništvo sem umestil v kontekst odnosov med mednarodno skupnostjo in lokalnimi akterji na Kosovu, tako da sem ta odnos opredelil v smislu povezave med mednarodnim in lokalnim. Vloge akterjev v procesu razvoja varnostnega sektorja

zato nisem mogel obravnavati ločeno. Uveljavitev lokalnega lastništva ovirajo prav ti zapleteni odnosi. Bistven sestavni del disertacije je v kontekst umestiti "visoko politiko" ter njen vpliv na uporabnost in ugled lokalnega lastništva. "Visoki politiki" je bilo zato treba nameniti poseben poudarek, saj je raziskava razkrila veliko dejavnikov, ki ovirajo lokalno lastništvo. Pravzaprav menim, da je mednarodna skupnost obsedena z varnostjo, da pretirava s stabilnostjo in da to obsedenost prekomerno uporablja kot orodje. To škodi vključevanju lokalnega prebivalstva v proces izgradnje države do te mere, da se domačini in lokalni strokovnjaki počutijo odtujene.

Lokalnega lastništva pa nisem umestil samo v primer Kosova, ampak, natančneje, v varnostni sektor. Obstajata dva razloga, zakaj je preučevanje varnostnega sektorja bistveno za prikaz odnosov med mednarodno skupnostjo in lokalnimi akterji. Prvi razlog predpostavlja, da varnostni sektor ostaja najmočnejši sestavni del državnega aparata. Gre za klasično razumevanje varnostnih institucij kot prisilnega aparata države (Weber 1958; Buzan 1991). Varnostnih institucij pa ne razumem samo s tradicionalnega vidika kot zgolj oborožene sile, policijo in obveščevalne službe. Varnostni sektor razumem in razlagam na celostni način, ki poleg varnostnih sil in policije upošteva tudi vlogo organov nadzora, kot so vlada, parlament, neodvisne ustanove in civilna družba (OECD 2007). Drugi razlog se osredotoča na kontekst. Ker je bil varnostni sektor oblikovan povsem na novo (Qehaja in Vrajolli 2011) v obdobju takoj po konfliktu na Kosovu, je pomembno razumeti, koliko vpliva ima mednarodna skupnost v njem, odkar je Kosovo samostojno.

Na splošno menim, da je pojem lokalnega lastništva precej neotipljiv, zato se nisem omejil na eno samo metodo. Posledično sem uporabil tako kvalitativno kot kvantitativno raziskovalno metodo. Intervjuji s strokovnjaki so se izkazali za zelo pomembne, prav tako pa tudi merjenje javnega mnenja s pomočjo narodnostno reprezentativnega vzorca, katerega namen je opisati mnenje ljudi in preveriti trditve

strokovnjakov. Seveda moram pri tem omeniti, da sem bil deležen precejšnje prednosti, saj sem nekatere procese lahko opazoval od blizu oziroma v njih celo sodeloval. Tako sem lažje dognal, kdo so najpomembnejši strokovnjaki in kako priti do njih. Združevanje teh metod je na koncu omogočilo, da sem z raziskavo dobil točne rezultate in z njimi podkrepil to disertacijo.

Ponoven razmislek o lokalnem lastništvu

Temeljni prispevek k razumevanju lokalnega lastništva izhaja iz krogov politik. Tu opozarjam na pomen številnih mednarodnih organizacij in posameznih avtorjev (Reich 2006; Nathan 2007; Donais 2008; Richmond 2009a; MacGinty 2010). Ta prispevek je omejen na tehnično razčlenitev pojma lokalnega lastništva. Pojem se običajno razume v kontekstu RVS, tako da se ga postavi v ospredje in poveže s pozivi k širši vključenosti lokalnih akterjev v vseh fazah RVS. Lokalno lastništvo se omenja vse več, kar je posledica pogosto slabe prakse mednarodne skupnosti.

Vseeno pa je obstoječe raziskovalno delo omejeno na nekaj splošnih izrazov, s katerimi se povezuje pojem lokalnega lastništva: stabilnost, demokracija, izgradnja in vzpostavljanje miru, sprava in podobno. Zdi se, da se omenjene izraze poglobljeno znanstveno preučuje, na lokalno lastništvo pa pozablja. Mednarodne organizacije in nekateri strokovnjaki zagovarjajo potrebo po lokalnem lastništvu. Čeprav je namen teh prizadevanj običajno dober, gre po drugi strani včasih samo za rubrike, ki jih morajo nekateri darovalci obkljukati (Wilén in Chapaux 2011), zato da se zagotovi dotok sredstev in dobre odnose z državami darovalkami (Richmond 2012). To je opredeljeno kot odnos med pokroviteljem in klientom, pri čemer je pokrovitelj mednarodna skupnost, klient pa lokalno prebivalstvo (Reich 2006, 22).

Po drugi strani je mogoče hitro ugotoviti, da celo mednarodne organizacije opredeljujejo lokalno lastništvo na neenotne, tehnične in dvoumne načine.

Spomnimo se poskusov uradnikov OZN, da bi opredelili lokalno lastništvo (ali "nacionalno lastništvo", kot so ga poimenovali sami). Njihova definicija temelji na birokratski kulturi sodelovanja z elitami in osredotočenosti na državo (Richmond 2012, 366). Nejasna politična opredelitev se navezuje tudi na vključenost lokalnega prebivalstva v okvir lokalnega lastništva. Ne pove namreč, ali lokalno prebivalstvo poleg elit zajema tudi skupnosti domačinov. Obstoječa definicija civilno družbo razume premočrtno, z zahodnega vidika. Sestavo civilne družbe bi bilo treba obravnavati onkraj tega premočrtnega pristopa (Chandler 2013).

Pojma lokalnega lastništva ni uspelo jedrnato opredeliti niti poskusom akademikov. Timothy Donais ga je definiral kot "... proces, v katerem lokalni akterji izvajajo nadzor oziroma vpliv nad uvajanjem, načrtovanjem in uresničevanjem postopka reform" (Donais 2009, 118). Njegov prispevek temelji na potrebi po vključevanju lokalnega prebivalstva v vse procese RVS. Zagovarja večji pomen lokalnih skupnosti, torej ne samo vladnih predstavnikov, ampak tudi širše civilne družbe, še posebej domačinov. Tudi Laurie Nathan razlaga lokalno lastništvo na podlagi usmerjenosti politik in kritike mednarodne skupnosti, še posebej darovalcev, ki zagovarjajo izvajanje RVS v partnerskih državah. Meni, da bi morala mednarodna skupnost podpirati lokalne akterje, ki so pripravljeni izvajati RVS (Nathan 2008).

Prizadevanja Donaija in Nathana (pa tudi drugih) so pomagala razviti pojem lokalnega lastništva zunaj krogov politik. Sodelovala sta v različnih mednarodnih misijah in črpala iz pomanjkljivosti teh misij, ki v proces RVS niso vključile lokalnih akterjev. Posledično sta uspela sprožiti razpravo o lokalnem lastništvu, ki ni več omejeno na splošne izraze. Vseeno njun prispevek ni mogel znanstveno razčleniti pojma lokalnega lastništva in njegovega odnosa z družbenim vedenjem ter ni uspel razkriti posledic pomanjkljivega lokalnega lastništva za proces izgradnje države. Oliver Richmond je po drugi strani napravil korak naprej in razčlenil odnose med mednarodnimi in lokalnimi akterji v okviru lokalnega lastništva. Prizadeva si ga

definirati poenostavljeno kot "... odnos med zunanjimi in notranjimi akterji glede tega, ali so politične, pravne, družbene, razvojne in varnostne institucije uvožene od zunaj ali zgrajene in utemeljene lokalno" (Richmond 2012, 359). Richmond razmišlja o družbenopolitičnem pojmovanju, ki botruje zaviranju lokalnega lastništva. V povezavi s tem omenja pokroviteljski pristop mednarodne skupnosti do lokalnega prebivalstva, tako da izpostavi vzporednice s kolonialno dobo (Richmond 2012), kar spominja na argumente, ki jih je v preteklih desetletjih predlagal Said (Said 1994). Vedenje mednarodne skupnosti je razčlenil tudi Lemay-Hebert (Lemay-Hebert 2011), MacGinty pa je celoto teh odnosov postavil v okvir nečesa, kar je poimenoval "hibridno razmerje" (MacGinty 2011).

Moj prispevek k razumevanju pojma je po drugi strani razčlenitev lokalnega lastništva z različnih vidikov. Tako izpostavljam posledice nezaupanja in legitimnosti; vpliv "visoke politike", ki se uporablja kot orodje in kaže v obliki obsedenosti in pretiravanja s stabilnostjo; odvisnost lokalnega prebivalstva od mednarodne skupnosti, kar je posledica odsotnosti izhodne strategije in nezadostne usklajenosti med lokalnim lastništvom in samoodločanjem. Določil sem (vsaj) dva pojmovna okvira, ki sta mi pomagala preveriti položaj na lokalni ravni. Oba sta slabo raziskana, zato je treba poseči po alternativnih teoretičnih in pojmovnih okvirih.

Podobnosti med lokalnim lastništvom in samoodločanjem

Prepričan sem, da je za znanstveno okrepitev pojma lokalnega lastništva med drugim treba najti pravne argumente za to. Pojem tako postane bistven ne samo za varnostne in razvojne študije, ampak tudi za mednarodno pravo. Pravno načelo, ki se mi zdi najbližje pojmu lokalnega lastništva, je samoodločanje. Načela samoodločanja ne razumem zgolj v ozkem smislu, ki prvenstveno poudarja pravico do odcepitve in spremembe državnih meja, oziroma v smislu njegove začetne

zasnove (Weller 2008). Izpostavljam element, ki opozarja na pravico lokalnih skupnosti, da vladajo same sebi, brez pretiranih zunanjih vplivov mednarodne skupnosti.

Ustanovna listina OZN je bila, skupaj z nekaterimi ključnimi resolucijami OZN, sprejeta po drugi svetovni vojni oziroma v obdobju hladne vojne. Načelo samoodločanja izhaja prav iz te listine in je omenjeno tudi v nekaterih resolucijah (UN 1960), katerih razlaga je vseeno odvisna od obstoječega okolja. K razumevanju tega načela so v preteklih desetletjih seveda prispevale tudi razsodbe v okviru Meddržavnega sodišča in običajnega prava. Najbolje bi bilo, če bi bile listina in resolucije spremenjene in prilagojene novemu svetovnemu redu. Da bi lokalno lastništvo dobilo pravno podlago, bi morala kaka resolucija s predpisi urediti morebitno vpletenost mednarodne uprave oziroma darovalske skupnosti. Drži pa, da je sprejemanje novih resolucij oziroma spreminjanje starih težko pričakovati zaradi zapletenih odnosov moči med stalnimi članicami. Trdim, da za razumevanje lokalnega lastništva zadostuje obstoječi in dostopni pravni okvir samoodločanja. O lokalnem lastništvu se dejansko govori v razmerah, v katerih vlogo lokalnega prebivalstva odriva na stran vpliv velikih sil, naj bo to mednarodna uprava ali darovalska skupnost. Pojem samoodločanja v odnosu do lokalnega lastništva bi se lahko razlagalo kot notranje samoodločanje (Weller 2008; Thürer in Burri 2014). Slednjega bi v pojem lokalnega lastništva lahko uvedli kot pravico ljudi, da odločajo neodvisno o procesih razvoja in izgradnje države. To bi pomenilo, da imajo "ljudje pravico do svobode pred tujim nadzorom, v skladu s pravico do avtonomije" (Wilde 2012, 261).

Če bi se namenilo več prizadevanj pravni razčlenitvi lokalnega lastništva v okviru samoodločanja, bi svoje najprej lahko povedala znanost, čemur bi sledile pobude k uveljavitvi lokalnega lastništva kot zakonske pravice, vključene v mednarodni pravni sistem in obvezne za vse strani. To bi posledično omogočilo nastanek

pravnega temelja za trden razvoj in oblikovanje političnih argumentov ter temo razvilo v smeri večpodročnosti in abstraktnosti. Lokalno lastništvo bi bilo tako lahko priznано kot nepogrešljivo načelo mednarodne uprave oziroma darovalske skupnosti v pokonfliktnem obdobju oziroma v procesu izgradnje države.

Pomen legitimnosti za lokalno lastništvo

Področje legitimnosti je znanstveno zelo dobro obdelano. Legitimnost se običajno postavlja v kontekst teorije demokratizacije političnih sistemov, da bi se razložilo obseg legitimnosti države. Namen te raziskave ni razpravljati o legitimnosti države, pač pa razčleniti legitimnost v okviru lokalnega lastništva in se vprašati, ali sta pretirana prisotnost in vpliv mednarodne skupnosti dovolj legitimna oziroma ali imajo njena dejanja podporo domačinov. Dominik Zaum in William Bain sta pomembno prispevala k razčlenitvi lokalnega lastništva v okviru legitimnosti. Dominik Zaum meni, da "mednarodna skupnost (v pokonfliktnem okolju) ne upošteva ljudi, ki jim vlada" (Zaum 2006, 456), William Bain pa kritizira pomanjkanje "avtoritete lokalnega prebivalstva, da bi se uprlo" (Bain 2006, 537). Bain in Zaum menita, da je legitimnost bistven element v pokonfliktnih državah, v katerih morajo ljudje imeti besedo in biti spoštovani, avtoriteta mednarodne skupnosti pa biti omejena in odgovorna za svoja dejanja (Zaum 2006).

Prizadevanja akademikov bi se morala v prihodnje osredotočiti na to, kako to avtoriteto podpreti in legitimizirati. Znanstveni prispevki bi morali pripomoči k razumevanju, kako naj lokalno prebivalstvo poda svoje mnenje o dejanjih mednarodne skupnosti. Ta cilj bi se seveda moralo uresničiti onkraj tradicionalne pravne podlage, saj mednarodne misije in ukrepi darovalske skupnosti v glavnem temeljijo na pravnih odločitvah. S tem mislim na posreden ali neposreden prikaz legitimnosti mednarodne vpletenosti. Pomembno je na primer znanstveno razložiti

vprašanje, ali naj bo mednarodna vpletenost prepuščena pristojnosti predstavnikov ljudstva, natančneje parlamenta, sodišč, neodvisnih ustanov oziroma civilne družbe.

Poleg tega so raziskovalna prizadevanja na področju dihotomije med legitimnostjo in lokalnim lastništvom ukrojena po načelih RVS, kar pomaga pri nadaljnji razčlenitvi pojma legitimnosti. Če ponovimo Brzoskovo definicijo RVS, je njen glavni cilj zagotoviti demokratični civilni nadzor (Brzoska 2006). To pomeni, da morajo biti vsi akterji v varnostnem sektorju, tako mednarodni kot lokalni, odgovorni za svoja dejanja. Ne pričakujem, da bo prispevek temeljil samo na pojmovni razsežnosti. Zelo pomembno je, da se legitimnost dejavnosti oziroma nedejavnosti mednarodne skupnosti preveri ob pomoči drugih študij primera, ki so pokazale, da je bila njena vloga v pokonfliktnem oziroma poosamosvojitvenem okolju pretirana.

Manjša odvisnost od mednarodne skupnosti

Odvisnost predstavlja eno od glavnih posledic pomanjkljivega lokalnega lastništva, kar sem pokazal tudi med raziskavo. Med preverjanjem hipoteze sem razkril posledice dolgoročne vpletenosti mednarodne skupnosti, ki vodi k odvisnosti lokalnih akterjev, še posebej strokovnjakov. Odvisnost domačinov od mednarodne skupnosti se zdi težavna za proces izgradnje države, vzrok zanjo pa izvira iz dejstva, da mednarodna skupnost nima izhodne strategije. Ta sklep temelji na definiciji izhodnih strategij, kot jih opredelita Richard Caplan in Ralf de Wilde (Caplan 2012; Wilde 2012). Posledično ta odvisnost med lokalnimi akterji ustvarja vtis, da "mednarodni akterji opravljajo delo in so končni upravitelji" (Selimi 2014). Če se vrnemo k primeru Kosova, so bile tovrstne posledice vidne že v prvih letih državnosti (Surroi 2014).

Morebitna vpletenost mednarodne skupnosti v pokonfliktnih in poosamosvojitvenih okoljih bi morala temeljiti na kontekstu, pri tem pa se izogibati dejavnikom, ki

povzročajo odvisnost lokalnih akterjev. Moji sklepi kažejo, da je treba pri zmanjšanju odvisnosti upoštevati dva dejavnika: jasno izhodno strategijo in zmožnost odpora. Prva zadeva mednarodno, druga pa lokalne skupnosti. Morebitna mednarodna uprava oziroma darovalska skupnost bi morala upoštevati prvo, da bi se izognila posledicam druge.

Jasna izhodna strategija

Nobene mednarodne misije ne bi smeli organizirati ali podpirati z namenom dolgoročne prisotnosti, saj mednarodna strokovna pomoč ne more nadomeščati lokalnih zmogljivosti v nedogled (Donais 2009b). Prav nasprotno, vsaka dolgoročna prisotnost povzroči proces izvajanja poskusov in učenja na račun lokalnega prebivalstva (Reich 2006), do česar je prišlo v mnogih pokonfliktnih okoljih. Izhodna strategija bi pripravila lokalne strokovnjake in skupnosti na prevzem odgovornosti, ko bi dosegli zadostno raven zrelosti in izkušenosti. Odločitev o tem bi morala temeljiti na jasnih rezultatih. Zunanja podpora razvoju varnostnega sektorja bi na primer morala upoštevati "dober cilj", kar pomeni plodno sodelovanje, na koncu pa popolno predajo odgovornosti lokalnim oblastem. Težava nastopi, ko je izhodna strategija ukrojena po meri "visoke politike", kar se je zgodilo tudi na Kosovu. Ugotavljam, da se nobena mednarodna misija ne bo končala oziroma noben večji darovalec umaknil brez poprejšnje mednarodne politične odločitve.

Po drugi strani drži, da v obstoječem mednarodnem redu politična odločitev odraža samo eno plat, saj so mednarodne misije organizirane na podlagi mednarodnih resolucij in soglasja članic posameznih organizacij. Vseeno politične odločitve ne smejo zasenčiti pozitivnega razvoja in rasti zrelosti in zmogljivosti lokalnih akterjev, kot tudi ne pripravljenosti domačih skupnosti. Omenjam jih zato, ker se je na Kosovu pokazalo, da kljub odločitvi kosovske skupščine, da v državo povabi EULEX, lokalne skupnosti ne podpirajo mandata in prisotnosti misije. Statistika

kaže, da 54 odstotkov anketirancev (v enakem razmerju iz skupnosti kosovskih Albancev in kosovskih Srbov) zagovarja umik misije EULEX oziroma meni, da bi se ta morala že končati. Zato je težavno zagotoviti legitimnost mednarodnih misij samo z vidika institucij, vsaj v državah v razvoju, kot je Kosovo.

Odsotnost izhodne strategije posledično ustvari umetno odvisnost prejemnikov pomoči, posebej strokovnjakov, saj se ti učijo biti vezani na mednarodno skupnost. To ne ustvarja samo dojemanja, da "bodo težave vedno reševali tujci" (Selimi 2014; Marmullaku 2014), ampak tudi omejuje doslednost in trajnost, ko misije končno zapustijo državo. Če se ponovno vrnemo k primeru Kosova, sta vpletenost in mandat mednarodne skupnosti še posebej izrazita v varnostnem sektorju.

Morebitna vpletenost mednarodne skupnosti bi morala temeljiti na jasnem mandatu, ki bi ga vodile želje in prizadevanja lokalnih poklicev in družbe pri izgradnji države. Pred tem bi bilo treba poskrbeti za posvetovalno načrtovanje s širšo vključenostjo lokalnega prebivalstva, da bi se ustvarilo stvarno izhodno strategijo (Donais 2012). To pomeni načrtovanje na podlagi potreb in zahtev lokalnih skupnosti in vladnih predstavnikov, ne zgolj standardiziranega pristopa. Ta standardizirani pristop v smislu "ene velikosti za vse" pravzaprav ironično primerjajo z logiko hitre hrane oziroma logičnega okvira (Reich 2006, Schmeidl 2009) in velja za neuspešnega. Podpora bi morala odražati modele, ki so skladni z okoljem in posebnostmi ciljnih držav. Morebitna vpletenost mednarodne skupnosti vsekakor zahteva nasproten pristop tistemu na Kosovu, kjer so posledice očitne, še posebej kar zadeva trajnost in odvisnost varnostnega sektorja.

Zmožnost odpora

Zmožnost odpora je enako pomembna kot jasna izhodna strategija. Pravzaprav je posledica odsotnosti izhodne strategije. Razlika je v tem, da zadeva vedenje vladnih

predstavnikov in lokalnega prebivalstva, ne mednarodne skupnosti. Močnejša zmožnost odpora bi pravzaprav pomenila večjo verjetnost za to, da se zagotovi lokalno lastništvo in pripravi izhodna strategija za mednarodno skupnost. Pokazal sem, da je zmožnost odpora takoj opazna, ko lokalno prebivalstvo lahko zavrne določena dejanja mednarodne skupnosti. To je še posebej pomembno, če ta dejanja ne upoštevajo volje večine državljanov oziroma interesov družbe. Drži pa, da je zmožnost odpora proti mednarodni skupnosti zapletenejša od odpora, na primer, proti vladi.

V običajnih demokracijah zavrnitev vladnih odločitev lahko vodi k porazu vladajočih strank na volitvah in k nezmožnosti oblikovanja vlade. Prisotnosti mednarodnih predstavnikov s to metodo ni mogoče oporekati, saj niso predstavniki ljudstva. Legitimnost mednarodne skupnosti se da zadovoljivo izmeriti na podlagi javne podpore in javnega diskurza, kar na primeru Kosova upošteva tudi ta disertacija.

Na Kosovu ni bilo odpora proti večini rešitev, predlaganih od zunaj, ne glede na to, ali so te morda škodovala RVS oziroma izgradnji države. Nekaterim zunanjim odločitvam se je sicer oporekalo z dejanji (Harris 2014; Selimi 2014), ki pa niso mogla preprečiti tega, da bi del mednarodne skupnosti te politike uvedel in uveljavil. Tu lahko omenim tri primere: strategijo nacionalne varnosti, mehanizme zaščite skupnosti in pretirano paradigmo na osnovi etničnosti. To so najbistvenejša vprašanja (ne pa edina), ki razlagajo nezmožnost lokalnih akterjev, da bi nudili odpor ali vsaj sodelovali v procesih odločanja.

Pravzaprav ugotavljam, da je (ne)zmožnost oporekanja nezadovoljivim zunanjim rešitvam tesno povezana s šibkostjo države. Seveda za šibke veljajo vse pokonfliktne oziroma novo nastale države, še posebej tiste, ki so v zgodnjem obdobju izgradnje državnosti. Težko je primerjati zmožnost majhnih razvijajočih se držav, kot je

Kosovo, na primer z Nemčijo ali Japonsko, v katerih je obnova po drugi svetovni vojni potekala hitro. Menim, da so državljani ponosni na državnost, dokler ta obstaja. V tem smislu Kosovo rad primerjam z Nepalom, kjer sem imel priložnost pridobiti kratko, a pomembno izkušnjo. Čeprav je Kosovo razvitejše in geografsko del Evrope, je zmožnost kosovskih strokovnjakov, da bi oporekali zunanjim rešitvam, nižja kot pri nepalskih. V Nepalju je mednarodna darovalska skupnost previdnejša pri "predlaganju" "najboljših zahodnih praks", saj je odpor proti njim bolj poudarjen. Zato ni naključje, da se nekateri darovalci vedejo v skladu z okoljem in se vzdržijo vsiljevanja rešitev, ki jih ljudje ne sprejemajo.

Trdim, da ni stvarno pričakovati manjše odvisnosti v družbah, ki uživajo ugodnosti od te odvisnosti. Vseeno pa bi morala mednarodna skupnost najti načine, kako to odvisnost zmanjšati, saj je škodljiva za vsak proces izgradnje države. To ni težava samo v primeru Kosova, ampak tudi Bosne in Hercegovine (Perdan 2008), Vzhodnega Timorja (Lemay-Hebert 2011) in Palestine.

Posledice pretirane "visoke politike"

Dokazi kažejo, da ima "visoka politika" lahko pretiran vpliv na ukrepe, neukrepe, odločitve in predloge, ki jih mednarodna skupnost sprejema glede razvoja varnostnega sektorja. Postala je orodje, ki ga predstavniki mednarodne skupnosti uporabljajo preveč ali napačno (Greičevci 2014). Želim razkriti, koliko vpliva ima "visoka politika", poleg odsotnosti izhodne strategije. Ena od mojih glavnih ugotovitev je pravzaprav ta, da je pretiran vpliv "visoke politike" na RVS škodljiv. Na Kosovu so prevladali politični argumenti, ki upravičujejo pretiran vpliv mednarodne skupnosti. Kosovo pa ni edini primer, ko politika prevlada nad razumom. Bosna in Hercegovina na primer vsaj uradno ni imela težav z državnostjo, pa so bila dejanja mednarodne skupnosti tam vseeno politično motivirana (Caplan 2006; Perdan 2008).

Če podrobneje pogledamo primer Kosova (in Bosne in Hercegovine), ugotovimo, da je mednarodna skupnost obsedena z zagotavljanjem varnosti in varnega okolja do te mere, da reformo oziroma razvoj varnostnega sektorja obravnava samo s tega vidika. Ne pozabimo na pretirano zadovoljstvo nekega višjega evropskega uradnika z glavnim dosežkom EU na Balkanu: "mir je velika stvar in veseli smo, da ga ohranjamo" (Sogovornik C 2014). Z ohranjanjem miru seveda ni nič narobe, pravzaprav je temeljni cilj, saj je tudi EU nastala kot projekt miru. To vrednoto mora varovati, a ne na račun drugih procesov in ne tako, da to upravičuje s šibkostjo varnostnega sektorja, za katerega so odgovorni tako mednarodni kot lokalni akterji. Pretirano poudarjanje stabilnosti predstavlja politični argument, ki običajno zasenči druge tehnične razloge.

Ironično je, da politične argumente navadno sprejemajo v geografsko oddaljenih krajih. Ta razdalja ustvarja umetne argumente, ki izpostavljajo "izključno potrebo" po ohranjanju miru. Izpostavimo lahko razpravo o pretvorbi kosovskih varnostnih sil (KSF) v kosovske oborožene sile (KAF), pri kateri pretirani argumenti glede stabilnosti prihajajo večinoma iz zahodnih prestolnic, tudi iz Bruslja. Bruselj pravzaprav vsakršen razvoj vidi z vidika politike (Palokaj 2015). Posledično je razumevanje procesov izgradnje države na politični osnovi neustrezno in v nasprotju z bistvom lokalnega lastništva. Posledice so jasne: "visoka politika" prevlada nad vsemi ostalimi argumenti, ki v tem primeru zagovarjajo potrebo po tem, da naj institucije služijo državi. Težnja ocenjevati procese zgolj na podlagi "nagrade miru" in torej "visoke politike" je s pridihom ironije dobro predstavil Edward Said (čeprav v drugačnem kontekstu), ki je razprave mednarodnih avtorjev o Bližnjem vzhodu označil za "očarljiv pogled z Elizejskih poljan v Parizu" (Said 1994, 179).

Težava nastopi tudi, ko se skuša na osnovi "visoke politike" vsiliti spremembo razmišljanja. Tega procesa ni mogoče obravnavati s pristopom "logičnega okvira" in torej ne dokončno. Primer so sankcije zaradi vojnih simbolov, ki jih uporabljajo varnostne sile. Namen ukrepov je bil morda strateško dober, a taktika ni bila dorekla strategiji. Razmišljanje, ki izvira iz vojne, bodo izkoreninili bodoči rodovi in ne sredstva prisile.

Morebitna vpletenost mednarodne skupnosti ne bi smela prvenstveno temeljiti na "visoki politiki". To sporočilo bi bilo treba obravnavati v vseh okoljih, ne glede na raven zapletenosti. Ne trdim, da bi morali politiko zanemariti, saj tega ni mogoče narediti. Vseeno pa mednarodna skupnost ne bi smela biti obsedena s stabilnostjo in varnostjo, še posebej, če več argumentov kaže, da celoviti mirovni proces ne more vplivati na razvoj varnostnega sektorja, kot velja v primeru Kosova. V splošnem bi morala podpora RVS temeljiti samo na načelih dobrih praks, ki bi upoštevale kontekst in omogočile trajnost varnostnega sektorja.

Gojenje zaupanja

Zaupanje se zdi ena od večplastnih norm v mednarodnih odnosih in ena od norm, ki lahko v veliki meri ovirajo lokalno lastništvo. Ugotovitve kažejo, da je v pokonfliktnih in poosamosvojitvenih okoljih nezaupanje globoko zakoreninjeno v "neenakem razmerju" med mednarodnimi in lokalnimi akterji, kar je mogoče povzeti kot "dilema nezaupanja" (Hansen 2008, 45). To potrjuje tudi primer Kosova. Kot je bilo predstavljeno v teoretičnem okviru, "dilema nezaupanja" seveda ni ontološko trden pojem. Tako ni mogoče trditi, da zaupanje zagotovo obstaja oziroma ne obstaja, pač pa se razvija postopoma. Težava poleg tega ni omejena na Kosovo, ampak je prisotna tudi v odnosih med razvitimi državami. Predstavlja eno od večjih težav pri varnostnem sodelovanju in izgradnji varnostnih skupnosti znotraj EU, saj

se že na primer deljenje obveščevalnih podatkov med varnostnimi službami zdi velik izziv (Malstrom 2011).

Naj spomnim, da je William Bain izrazito prispeval k razčlenitvi "dileme nezaupanja" v pokonfliktnih okoljih. Trdi, da mednarodni upravi ni uspelo razložiti dveh elementov človeških odnosov: sporazuma in zaupanja (Bain 2006). Svoj argument je podkrepil s tezo, da bi morali mednarodni in lokalni akterji sodelovati med seboj kot dve pogodbeni stranki, ki ju zanima skupna korist. Težava logike pogodbenega razmerja je v tem, da stranka darovalka (skrbnik) postane pokrovitelj in posledično lahko odloča o tem, koliko zaupanja bo naklonila stranki prejemnici. Bain zato mednarodno skupnost cinično označi za "princa", katerega absolutna moč ni omejena z zakoni (Bain 2009, 151).

Ne morem trditi, da je "prinčevski" vidik mednarodne skupnosti prisoten tudi v tej študiji primera. Vseeno pa je v njenih ugotovitvah navedenih več primerov, ki razlagajo visoko raven nezaupanja med mednarodno skupnostjo in lokalnimi strokovnjaki. Trajanje sodelovanja ne vpliva na povečanje zaupanja. Prav nasprotno; dlje je mednarodna skupnost prisotna, več je primerov vpletanja, kar vodi v pomanjkanje zaupanja tako med lokalnimi strokovnjaki kot med državljani. Ugotovitve o javnem mnenju na primer kažejo, da misiji EULEX ni zaupalo 42 odstotkov anketiranih med letoma 2012 in 2014. Rastoče nezadovoljstvo z mednarodnimi misijami je nasploh rdeča nit te disertacije. Ta trend pa ni omejen samo na Kosovo, ampak velja tudi za druga pokonfliktna okolja, v katerih je odsotnost izhodne strategije mednarodne skupnosti okrepila nezadovoljstvo lokalnih skupnosti.

Manjši pomen modelov, uvedenih od zunaj

Modeli razvoja varnostnega sektorja, uvedeni od zunaj, so se izkazali za eno od največjih težav za lokalno lastništvo. Mednarodna skupnost je nekatere svoje odločitve in dejanja izvedla v imenu "najboljših zahodnih praks". Omenil sem že kosovske varnostne sile (KSF), katerih oblikovanje je bilo narekovano od zunaj in politično vsiljeno, ne da bi se upoštevalo lokalne zahteve, kar je vodilo do ponavljajočih se zahtev po oboroženih silah. Podobno trdim o politikah nacionalne varnosti oziroma zaščite skupnosti, ki so vodene od zunaj oziroma od zgoraj navzdol. Poleg tega sem v disertaciji podal več primerov, ki razlagajo zapletene odnose med mednarodnimi in lokalnimi akterji. S pogostim omenjanjem "najboljših zahodnih praks" se umetno upravičuje vpletanje mednarodne skupnosti v varnostni sektor. To je neupravičeno iz preprostega razloga, povezanega z RVS, da v Evropi ni enega enotnega modela varnosti oziroma policijskega delovanja. Takšna univerzalnost v stvarnosti tako ne more obstajati. Zahodni modeli zagotavljanja varnosti so zelo raznoliki, vsak od njih pa je proizvod zgodovinskega in ustavnega razvoja (Donais 2008). Posledično je poenotenje praks policijskega delovanja vprašljivo že od vsega začetka.

Modele varnosti in policijskega delovanja, uvedene od zunaj, se skuša premočrtno prenesti v vsa pokonfliktna okolja, brez ozira na regijo. Sogovorniki so omenjali svoje izkušnje glede tega, kako je mednarodna skupnost primerjala Kosovo in Afganistan (Fushtica 2014). Seveda ne podpiram napačnih predstav, ki jih imajo kosovski strokovnjaki o drugih regijah, in ne zagovarjam poskusov, da bi na vsa pokonfliktna območja gledali z istega ozkega vidika, saj so konteksti oziroma okolja različni. Drži pa, da je standardizirano delovanje mednarodne skupnosti ustvarilo zamisli, oblikovane na vzorcih in nared za uporabo, v vseh pokonfliktnih okoljih. Prav zato nekateri "mednarodni strokovnjaki" tako goreče zagovarjajo učenje na izkušnjah drugih regij.

Po drugi strani je napake zaradi premočrnega pojmovanja pokonfliktnih okolij mogoče obravnavati tudi z vidika mednarodnih strokovnjakov. Če je nekdo strokovnjak za svojo državo, državo darovalko, še ne pomeni, da je strokovnjak tudi za državo prejemnico. Ta težava ne velja samo za proces priprave politik, ampak tudi za izvršilni mandat mednarodne skupnosti. Vpletenost mednarodnih strokovnjakov v naloge izvrševanja je težavna, kot smo videli na primeru Kosova, saj tujci ne morejo imeti več "operativnega znanja od domačinov" (Harris 2014; Selimi 2014; Marmullaku 2014). Operativno znanje velja za pomembnejše od vseh drugih znanj, še posebej pri zadevah, povezanih z vladavino prava.

Očitno je, da ti modeli niso nikoli upoštevali vseh akterjev, s čimer bi si zagotovili širšo legitimnost. Mednarodna darovalska skupnost se pogosto raje posvetuje samo z lokalnimi elitami, ki izkazujejo določene zahodne reference (Narten 2009; Caparini 2010). Pogovori zgolj z elitami predstavljajo eno od glavnih zagat v RVS (Brzoska 2006). Na Kosovu je mednarodna skupnost glede nekaterih rešitev oziroma modelov prosila za soglasje samo najmočnejše (elitne) akterje. Ne samo, da se pri razvoju varnostnega sektorja, vodenega od zunaj, ni upoštevalo vseh lokalnih predstavnikov, izbiralo se je celo elite, s katerimi se bo sodelovalo, pri tem pa izločilo tiste, ki bi lahko predstavljale izziv ali nudile odpor vpletenosti mednarodne skupnosti.

Posledično bi mednarodna uprava oziroma darovalska skupnost morala natančno opredeliti svojo vlogo v okviru zahtev lokalnih vladnih predstavnikov. Vsiljevanje modelov, ki niso v skladu z lokalnimi okoliščinami, namreč odtuji lokalne skupnosti in ponudi rešitve, ki bodo najverjetneje neuspešne in netrajne. Neuspeh tega pristopa bo mogoče preveriti, ko se bo darovalska skupnost končno odločila za odhod. Ta skrb zadeva večje darovalce, ki radi delijo strokovno znanje na osnovi lastnih predpisov. Glavni darovalci bi se zato morali vzdržati podpiranja

standardiziranih modelov varnosti in policijskega delovanja, uvedenih od zunaj in brez lokalnega soglasja.