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Differences in the local perception of EULEX and KFOR in their security-related tasks

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ABSTRACT

This article compares the local perceptions of the EU Rule of Law Mission in Kosovo (EULEX) with those of NATO's mission Kosovo Force (KFOR) and investigates the reasons for observed differences. It focuses on an oft-overlooked aspect of EULEX: its broadly defined security-related tasks. Until recently, EULEX could be seen as a prominent security actor, thanks to its robust police component and its function as a second respondent. EULEX coexists in Kosovo with KFOR; while the former is civilian and the latter military, both play complementary roles in the security realm and some of their tasks are similar. However, the local perceptions of EULEX and KFOR regarding their execution of security-related tasks have differed, with only KFOR enjoying local acceptance. This article argues that such differences are caused by the missions' differently perceived powers over local actors, as manifested through their ability to exert compliance and cooperation from local actors through coercion, the ability to offer rewards and legitimacy. By going beyond the well-researched initial gratitude of Kosovo Albanians to NATO/US for intervening in 1999, this article offers a more fine-grained analysis of Kosovo Albanian and Kosovo Serbian perceptions of EULEX and KFOR.

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Introduction

The success of international peacekeeping missions is important not only because of their high price tag but because local people often depend on them for both survival and to improve their lives. Previous research investigated several factors influencing the performance of such missions – e.g. their rules of engagement, inter-institutional cooperation and regional dynamics (e.g. Keohane 2011, Western and Goldstein 2011). However, one important under-researched factor is the local perceptions of international missions, which can range from acceptance to rejection.

Scholarly attention has not focused on local actors and their impact on international missions, including those of the EU; Ejodus and Juncos (2018) note that “local dynamics, and how these might shape and interact with EU's dynamics have been largely

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overlooked". However, the "local turn" can clearly be observed in the rhetoric of international peacekeepers (see Ejodus and Juncos 2018 for an overview). Indeed, "local ownership" as the principle underlying post-conflict peacebuilding has gained prominence in the rhetoric of both international actors, even finding its way into the EU's Global Strategy (European Union 2016).¹ Moreover, by influencing compliance and/or cooperation with a mission, local perceptions largely determine peacekeeping success, as "positive change can only be home grown" (European Union 2016, p. 27). This is even more the case with sensitive SSR reforms (Dursun-Özkanca 2018). Thus, the study of local perceptions is not only important to better understand the success rate of a particular mission, but can also be used more broadly to help countries transition to peace with help of international peacekeeping.

Since 2003, the EU has been sending civilian missions to countries that are either in crisis or are experiencing fragile post-conflict situation (for an overview see European External Action Service n.d.). Security is often an important aspect of these missions, either explicitly through their mandate or implicitly in their daily functioning. At the same time, security-related tasks are sensitive, as they involve the core functions of the state and its sovereignty.

The conflict in Kosovo, and the subsequent deployment of the European Union Rule of Law Mission in Kosovo (EULEX) and NATO's Kosovo Force (KFOR), offers a useful case to study the local perceptions of international missions. The two missions seem quite different. EULEX was a civilian rule of law mission, with a professed focus on judicial reform and fighting corruption (Council 2008), while military KFOR was a security-focused mission, responsible for both ensuring Kosovo's territorial integrity and providing human security.² However, EULEX was also tasked (both independently and with Kosovar authorities, principally the Kosovo Police³) "to ensure the maintenance and promotion of [...] public order and security" (Article 3 (h)). Thus, it conducted broadly defined security-related work using police personnel. EULEX also had "hard" power-oriented security tools, namely paramilitary riot police (Formed Police Units – FPU) that could replace or complement KFOR's military troops. The two missions and the Kosovo Police also agreed on a coordinated response to security risks, with the Kosovo Police acting as first respondent in crisis situations, EULEX as second respondent and KFOR as third respondent (Brosig 2011). Moreover, KFOR provided support to the Kosovo Protection Corps (KPC) and its successor the Kosovo Security Force (KSF) – civilian forces tasked with crisis response and civil protection operations – while EULEX worked with the Kosovo Police.

Thus, many aspects of EULEX's and KFOR's work were similar. Both missions were sizable and had regular interactions with both decision-makers and the general population.⁴ However, they were perceived very differently by the local Kosovar (Albanian and Serbian) actors.⁵ This creates an interesting puzzle: Why did the Kosovar population perceive and react to EULEX's and KFOR's work in the security realm differently despite the similarity of their tasks? Security here is understood in broad terms – it includes the protection of territorial integrity, public order and freedom of movement (covering both territorial security and direct physical/human security), as well as the missions' support to the local security agencies.

The article answers this question by zooming in on different local perceptions of the two missions' security-related tasks and investigating local understanding of those tasks. Specifically, the article looks at local perceptions of three factors – the missions'

ability to coerce local actors, their ability to offer those actors rewards and the missions' legitimacy. Together these three factors constitute different facets of the missions' power over local actors. Investigating local perceptions of the three facets of power allows us to understand how each of them contributed to the missions' ability to accomplish their goals, and thus to determine their relative relevance and strength.

The article starts by explaining the framework of the missions' power as based on coercion, the ability to offer rewards and legitimacy. It subsequently presents the situation in Kosovo, KFOR and EULEX. The framework is then applied to the case study to understand the differences in local perceptions of the two missions. The final section presents the findings and discusses the links between the framework's elements.

Analytical framework

Security-related tasks in post-conflict countries are essentially human-oriented, as it is humans who mostly create security risks and who are the potential victims. Thus, for missions operating in such countries, the ability to influence behaviour of others highly affects their success in performing these security-related tasks. This ability – the famous concept of power – is crucial in peacekeeping; as Howard (2019, p. 2) argues, the peacekeepers “exercise [power] in order to achieve peace”.

Power is widely studied in IR; as aptly stated by Goverde *et al.* (2000, p. 1), “in the history of political theory [...], power has constantly stood out as the single most important defining conceptual issue”. This article follows a broad definition of power posited by Milner (1991), which terms power as an actor's ability to “prompt the other actors involved to do what s/he wants”.⁶ The explanatory potential of power, broadly defined, stems from its comprehensive nature. More precisely, international missions can execute power through three facets. The first is the local actors' (fear of) coercion by the mission, the second is their belief that compliance allows them to reap rewards and is in their self-interest and the third is the belief that compliance is morally appropriate. Thus, the first two factors – coercion and rewards – are material, while the third – legitimacy – is ideational. This conceptualisation draws on other authors' work on the multifaceted nature of power. It corresponds with Wendt's (1999) three degrees of norms internalisation, and Hurd (1999), Whalan (2013) and Howard (2019) use the concept similarly. Tyler (2006) focuses on two of its elements – coercion and legitimacy.

This article is not interested in a formal, material view of the two missions' power; rather the focus is on local perceptions of such power. This local perspective is important, as the missions can execute their tasks more easily if they are seen by the local actors as powerful. Equally importantly, the normative component of power – legitimacy – increases the likelihood of achieving sustainable results.

The starting point of this article is the constructivist premise that the meaning of power is socially constructed – i.e. how the actors perceive it is based on their understanding of themselves and other actors (Wendt 1992). This is due to a fundamental process of shaping mindsets through social interactions, namely framing, which is “a collective process of interpretation, attribution, and social construction” (McAdam *et al.* 2001, p. 41). Thus, a constructivist lens used in this article allows for an understanding of why local perceptions might differ from those of international actors, particularly EU or NATO decision-makers.

Two aspects are important in this analysis of power: firstly, power relates to a specific relationship. This article is interested in the relationship between KFOR/EULEX and the local population. Secondly, while the main focus is on the direct relationship between these actors,⁷ more indirect forms of power are also analysed if local actors have explicit perceptions of them. These include indirect control/influence through existing institutional structures (e.g. agenda-setting) and efforts to change the institutions⁸ (e.g. changing societal norms).

The conceptualisation of power proposed in this article is certainly not the only one possible. For instance, Nye (2004) develops the framework of hard power (threats and/or inducements) and soft power. The latter is related to legitimacy, but is a much broader concept that includes the longer-term culture and values. Thus, it is more suitable to analyse the perceptions of the countries sending the missions rather than the short-term missions themselves. Conversely, Lukes (2005) develops three dimensions of power. Two are more traditional: the first dimension (related to domination) and the second dimension (power to set the agenda). The third dimension is the indirect power which is unrecognised by local actors (e.g. the power to control their desires and preferences), and does not lend itself to the analysis of local perceptions. Finally, Barnett and Duvall (2004), in their study of global governance, distinguish between compulsory power (direct control), indirect institutional power (e.g. designing institutions for long-term advantage), structural power (constructing social capacities and interests of actors) and productive power (dealing with whole social systems of meaning). Again, those last three categories have limited relevance for understanding short-term missions. Overall, while all these frameworks enrich the scholarly understanding of power, they do not fully reflect the most relevant aspects of power for international missions. Thus, this article uses instead the three-faceted framework of coercion, the ability to offer rewards and legitimacy, as detailed in the next section.

Material facets of power: coercion

Coercion is based on the “threat or application of sanctions or punishment for noncompliance” (Gippert 2017) and is the most visible form of power. Coercion is an expensive method, often requiring significant resources. It is normally used when the interests of the coercing and coerced actors differ substantially; thus, once the coercion stops, the coerced party will likely change their behaviour. What matters here is the perception of the actors to be subject to coercion, irrespective of the coercing side’s intention. Furthermore, the coercion need not be executed to be credible – it only needs to be perceived as such. The “shadow of the past” and the “shadow of the future” – the fear of earlier and possible future coercion – can effectively inform cognitive responses (Whalan 2013). Thus, an important difference might exist between actual coercive capability and its perception.

The coercive power of EULEX and KFOR was based on police and military personnel, respectively; both missions also had the ability to shape Kosovar security institutions, affecting the power of the local actors. However, both missions had to consider that executing coercion could go against local expectations of empowerment (Ejdus and Juncos 2018). Moreover, using coercion against one group might strengthen other community(ies) and exacerbate tensions. Both factors potentially limited the missions’ freedom to act.

Material facets of power: ability to offer rewards

While coercion is the “stick”, rewards are the “carrot”, used to induce desired behaviour. Again, it is the perception of the actors seeking rewards that matters here. Firstly, it is their perception of what constitutes a reward worth engaging with the power. And secondly, potential rewards should not only be coveted, but the rewarding power should be seen as able to offer them.

For a newly independent country like Kosovo, the perception that EULEX or KFOR is able to offer rewards could strongly influence the local decisions to cooperate/comply with them. Both missions controlled a range of potential rewards for desired behaviour – both financial/material and the empowerment of particular actors over others. Such rewards could be given by the missions, by the missions’ parent organisations or their influential member states. The EU, together with its member states, is Kosovo’s biggest financial donor. Moreover, if EULEX was seen as a part of the EU enlargement process, this could be a strong incentive for predominantly pro-European local actors (Gallup and European Fund for the Balkans 2010). A potential earlier benefit could also be visa-free travel or, for the Albanians,⁹ the recognition of Kosovo’s independence by all EU member states (however unlikely). KFOR was seen as led by the US, so complying with it could potentially lead to rewards from the US development programme USAID, an active donor to Kosovo.

Ideational facet of power: legitimacy

Legitimacy is related to the local actors’ belief that an institution and its goals are right, fair and appropriate within a particular normative context (Tyler 2006, Whalan 2013). Legitimacy creates a normative obligation to comply (Hurd 1999), based on a sense of appropriateness. Thus, legitimacy is an important concept, as its existence makes the local actors likely to cooperate with the missions without costly coercion. Legitimacy facilitates the missions’ ability to accomplish their security-related tasks.

Legitimacy is an oft-researched concept, both in its own right (Hurd 1999, Tyler 2006) and as a facet of power (Hall 1997, Tallberg and Zurn 2019). It can be divided into three interrelated but distinct types: initial, procedural and substantive.¹⁰ Combined these types allow us to follow the evolution of public perceptions through time, thus enriching the analysis with a temporal component.

Initial legitimacy refers to the creation of an institution/mission in accordance with appropriate rules and norms. “Appropriate” refers to the viewpoint of the local actors, whose norms and rules need not match those of the organisations deploying the missions and/or their member states. Procedural legitimacy refers to following recognised rules in a fair and constant way. The focus is on the local understanding of what constitutes “fair” and “constant”; this might again be different from that of a mission. In post-conflict environments with tense inter-societal and/or inter-ethnic relations this point relates particularly to treating local people with neutrality, impartiality and having accountability. Substantive legitimacy refers to how local actors perceive the missions’ effectiveness, defined here as an organisation’s ability to attain its goals (Price 1972). The missions’ choice of priorities has a direct impact on their legitimacy, as this choice should reflect local needs as local actors understand them. This choice might be difficult as the missions’

mandates commonly include several goals, and achieving one goal might make achieving others more difficult.¹¹

Another overarching factor particularly pertinent in post-conflict situations is the mission's impact on the country's sovereignty (i.e. the perceived support or violation of it). This is particularly germane for a mission's legitimacy, because of the normative character of both sovereignty claims and legitimacy.

Data sources and methods

This article uses the deductive method, based on preliminary research of primary and secondary sources, which show the importance of institutions' power on perceptions. A theory-centred, "most-similar" case studies design was chosen (George and Bennett 2005, Rohlfing 2012), dictated by the fact that local perceptions of EULEX and KFOR differed despite the missions' similar tasks. This difference is theorised to be due to the missions' dissimilar power over the local actors (as perceived by these actors), which influenced the missions' ability to execute security-related tasks.

The research period covers the time from KFOR's deployment until mid-2012 (the date of EULEX's first restructuring). The data were obtained from two principal sources: primary sources (written sources and interviews) and secondary sources. Written primary sources included news items in local media;¹² documents of local actors; reports from international and Kosovar think tanks and NGOs monitoring public activities; EU and NATO press releases; and UN documents. Secondary sources comprised the relevant academic literature.

The data were collected in three stages. The initial data source comprised 33 semi-structured interviews conducted for a previous research project on EULEX, which also highlighted the differences in local perceptions of KFOR and EULEX. These interviews were conducted between June and October 2015 and included local leaders, civil society activists, journalists, staff from think tanks, civil servants and regular citizens, as well as four members of EULEX personnel¹³ and two Members of European Parliament engaged with Kosovo.¹⁴ These interviews were coded with the help of a preliminary coding template created to allow for the easy identification of perceived differences between the two missions. A second set of 17 interviews was conducted between March 2018 and June 2019 with local leaders, civil society activists, journalists, citizens,¹⁵ and two members of NATO personnel.¹⁶ The information obtained served to refine the initial coding set. Both sets of interviews were complemented by primary and secondary sources, in order to identify local actors' perceptions of (a) the overall power of KFOR and EULEX; (b) the missions' ability and willingness to employ coercion, to offer rewards to local actors and their legitimacy; and (c) specific instances when the three facets of power were manifested, local reactions to them and the reasons behind those reactions. The process of refining codes was iterative; the data analysis software atlas.TI was used to store the data sources, create the coding template, assign the codes and analyse the results.

Background: the Kosovo conflict and its aftermath

Inter-ethnic relations

The 1998–1999 conflict, ended by NATO's air campaign against Serbia,¹⁷ left Kosovo's population deeply divided along ethnic lines. The majority Albanians (around 1.6

million) and the minority Serbs (around 120,000) deeply distrusted each other and had little peaceful contact. They were also geographically divided, with the Serbian-populated north (around half of the Serbs) isolated from the rest of Kosovo and separated by the Ibar river. The remaining Serbs, although spread throughout Kosovo, lived in so-called enclaves surrounded by Albanians (International Crisis Group 2011). With direct funding and assistance from Serbia, the Serbs established parallel institutions in areas such as healthcare, education and administrative services, to isolate themselves from the Albanians (Visoka 2017).

The ethnic divisions were further exacerbated by Albanian revenge and reprisal attacks on Serbs in the conflict's aftermath, which continued with decreasing intensity until 2001 (Boyle 2010) and resulted in mass exodus of Serbs from the enclaves to both the north and Serbia.¹⁸ Another spate of attacks followed in March 2004, when Serbs and their religious heritage were again targeted (Human Rights Watch 2004). Serbs in the enclaves generally saw their situation as more precarious, while Serbs in the north felt more secure because of their higher numbers, their proximity to Serbia and the overall lower intensity of the conflict (except for the biggest northern town, Northern Mitrovica, the arena of repeated violent clashes).¹⁹

The gradually improving situation worsened with Kosovo's declaration of independence in 2008 and the resulting violent protests (mainly in the north). The two Serbian groups split further. Northern Serbs refused to be a part of the Kosovar state and looked to Serbia for protection (Zupančič 2018). As they operated de facto out of reach of Kosovar institutions, they feared an invasion that would forcefully reconnect them to Kosovo. However, in the rest of the country Serbs needed to accommodate the new reality (International Crisis Group 2010). They engaged with Kosovar institutions in the process of decentralisation (Calu 2018), and more interethnic contacts developed (Simangan 2018). However, reconciliation was still a distant prospect at the end of the research period in 2012. The legacy of the conflict persisted, which is also reflected in striking differences in the two groups' perceptions of security, with Serbs generally much less satisfied with the security institutions (Simangan 2018).

UN, KFOR and EULEX

UN Security Council resolution 1244, adopted at the end of the conflict, tasked the United Nations Mission in Kosovo (UNMIK) with administering Kosovo (United Nations Security Council 1999);²⁰ KFOR, deployed in a status-neutral way (i.e. not taking an official position vis-a-vis the sovereignty of Kosovo) provided security (see comment 2). Importantly for EULEX's later deployment, in 1999 UNMIK created the Kosovo Police Service, in cooperation with the Organization for Security and Cooperation in Europe (Dursun-Özkanca 2018). The Service, designed to reach 5000–7000 police officers and controlled by UNMIK, turned out to be one of UNMIK's biggest achievements due to its effectiveness and multi-ethnic character (Sahin 2017).

The improving security situation allowed for KFOR's continuous downsizing, from around 50,000 initial troops to around 5000 at the beginning of 2011 (NATO n.d.). However, Kosovar society was becoming increasingly dissatisfied with UNMIK (Kosovar Center for Security Studies 2010) and Kosovo's unresolved status. This eventually compelled UN special envoy Martti Ahtisaari to prepare a plan for Kosovo's supervised

independence – Ahtisaari Plan. The plan, including the deployment of EULEX, was presented by the UN Secretary-General to the UN Security Council but was rejected by Serbia and Russia (United Nations Secretary-General 2007). Kosovo responded by unilaterally declaring independence in February 2008, prompting the EU to deploy EULEX as a status-neutral, technical mission (Zupančič and Pejič 2018).²¹

As noted before, EULEX was mandated to maintain public order and security (Council 2008, Article 3 (h)). Moreover, its task was to “assist the [...] law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening [...] multi-ethnic police” (Article 2). These tasks were reflected in EULEX’s staff and in the choice of the first Heads of Missions. Police constituted the biggest component, with 1600 experts (1200 internationals) out of the mission’s authorised strength of over 3000 (Ioannides and Collantes-Celador 2011). The first Head of Mission was a former French KFOR commander, Yves de Kermabon, who stressed the importance of security in EULEX’s work (Palokaj 2008). Despite EULEX’s civilian character, de Kermabon was followed by another former French KFOR commander, Xavier de Marnhac, in 2010.

EULEX’s police work had several elements. The biggest component was strengthening the Kosovo Police (which had been renamed and restructured after independence) through mentoring, monitoring and advising (MMA; Gippert 2016). EULEX also had executive functions in the fields of corruption, organised crime, financial/economic crimes, and war and inter-ethnic crimes, as well as terrorism (Council 2008). Moreover, it had a special police department mostly dealing with riot control, with four FPU’s numbering around 550 police officers in 2010 (Kosovar Institute for Policy Research and Development 2010). Finally, EULEX’s work was significantly different in the north, which was Kosovo’s biggest security challenge. The area was a hot spot for illicit activities, particularly large-scale smuggling (International Crisis Group 2011). The Kosovo police had a very limited presence in the north due to the Serbian opposition, but the Serbian security services were also not allowed to operate there.²² Moreover, inter-ethnic relations were very tense. Thus, EULEX tried to restore the rule of law in the north (Zupančič and Pejič 2018) through re-establishing the local court in Northern Mitrovica,²³ along with more traditional peacekeeping methods such as patrolling and intervening during inter-ethnic clashes (to some extent). In other words, EULEX functioned more as a law enforcement mission in the north (Ioannides and Collantes-Celador 2011).

After 2008 KFOR and EULEX depended on each other to provide security in Kosovo (Petrov *et al.* 2019). This cooperation included, firstly, the above-mentioned system of respondents to security risks (with the Kosovo Police as the first respondent). In fact, EULEX was normally deployed with KFOR’s support, so the latter was also active relatively often. Secondly, KFOR protected EULEX in the north during its searches and arrests there. Thirdly, KFOR shared its information concerning perpetrators of crimes in the north, although collecting such information was not a part of its mandate (Smith 2014). However, this cooperation was not always smooth, especially concerning the north. This was partly because the purpose and the mandate of the FPU’s were rather ambiguous. Although FPU’s were deployed several times, the EU did not commit itself to riot control functions. EULEX’s weakness forced KFOR to carry out tasks initially not anticipated and/or not included in its mandate (i.e. closing alternative cross-border roads to decrease smuggling from Serbia). This led to public complaints by NATO’s commander (European Parliament 2012).

Local perceptions of EULEX and KFOR

This section applies the analytical framework to the case by analysing the local perceptions of EULEX's and KFOR's coercive capabilities, the missions' ability to offer rewards and their legitimacy. As explained above, the ethnic divide, closely interlinked with conflicting sovereignty-related claims, was the most prominent fault line in Kosovar society, largely predicting the perceptions of EULEX and KFOR. This section is structured around these ethnic lines.²⁴

As said before, the area where Serbs lived – whether in the north or in the rest of the country – was an important factor in their perceptions of EULEX and KFOR. Conversely, the Albanian population was relatively homogenous. This was largely reflected in relatively uniform opinions about the two missions, with one significant exception. Namely, the biggest social movement Vetëvendosje stood out here in its rejection of the Kosovo's international governance on the grounds of sovereignty. Its activities first focused on de-legitimising the UNMIK and later EULEX (Yabanci 2016). Its members and sympathisers, although a minority in Kosovo (in the 2010 general election, the movement won 12.69% of votes (Yabanci 2016)), were very visible in the public sphere (Visoka 2017).

Each facet of power and each mission are analysed in turn. The missions' executive functions influenced the local perceptions of two elements – the missions' coercive power and their legitimacy; they are thus analysed in both sections. There are also two exceptions to the above structure for the sake of clarity. The first relates to coercion. Each section analyses the situations that are most relevant to the coercive abilities of EULEX and KFOR, respectively. However, two specific situations are relevant to both missions: the inter-ethnic conflict in northern Mitrovica in 2009 and the erection of the Serbian barricades in 2011. These situations could still be included in the respective sections on EULEX/KFOR but that would be repetitive and hinder a comparison of the two missions. To avoid this, these developments were analysed in an additional section. The second exception concerns how the attributes of the missions relate to their legitimacy. Again, each section analyses the attributes that are relevant for each mission. The attributes that are relevant for both missions (politicisation, decisiveness and approachability) are grouped together in an additional section to better highlight contrasting local perceptions.

Material facets of power: coercion

Perceptions of EULEX

Albanians expected EULEX to use its coercive power to ensure security and the general rule of law in the north. As Kosovar Assembly Speaker Krasniqi said in December 2008, "EULEX will deploy in the north and will create stability there" (Koha Ditore 2008). In the end, the local judgement of EULEX was scathing, as summed up by one local think-tank: "[EULEX] failed to prevent organized crime, provides inadequate protection for border points and failed to restore the rule of law in north Kosovo" (Kosovo Institute for Peace 2013, p. 10). EULEX was also seen as too weak to even ensure the security of its own staff. As an Albanian journalist (Interviewee 4) recalled:

EULEX, as such a robust force, had to ask for permission from the local gangsters whether they can pass the bridge or not. So this shows how weak they are. [...] I asked the head of EULEX, what would you do if your people are in danger? He said that we will call NATO to help.

By and large, using coercive powers was necessary to achieve EULEX's goals in the north, as it was not welcome there. For Albanians, the main reason for EULEX's lack of results was its unwillingness to act. However, EULEX's perceived fear of violent local Serbian reactions, which led to its hesitant deployment, also harmed the mission's image. Its reputation did not improve despite some instances of successful deployment during inter-ethnic tensions (e.g. ensuring the reconstruction of Albanian houses explained below).

While Albanians expected EULEX to act in the north, Serbs there were against its presence. When it (rarely) did act, particularly during inter-ethnic clashes, it was met with Serbian accusations of excessive violence. Thus, EULEX did not build a positive perception of its effective coercive capabilities and was seen as unable to properly execute its security-related tasks.

Perceptions of KFOR

KFOR was largely perceived by both Albanians and Serbs as able to coerce the local actors. For Albanians this belief reflected KFOR's deployment at the end of NATO's 1999 campaign, which put an end to mass killings and expulsions (Qehaja 2017); moreover, Albanians tend to trust uniformed institutions (Qehaja 2017). For Albanians, KFOR had two military and territory-related uses for its coercive powers: preventing another Serbian invasion and stopping Serbia and the Kosovar Serbs from partitioning the north.

Serbian perceptions were reversed as NATO had thwarted the Serbian military campaign. Initially, Serbs expected KFOR to stop the reprisal attacks in Albanian-dominated areas and across the Ibar river; thus, KFOR's role related to human security. KFOR was not fully successful in its task, as despite its deployment Serbs still experienced abductions and serious abuses from Albanians (Zupančič and Pejič 2018). Serbian opinions were mixed concerning KFOR's performance – interviewees from the north (some without direct exposure to the violence during the conflict) were generally more positive, but those from the majority-Albanian areas were somewhat more critical (Interviewees 36, 37). However, KFOR was seen as the only force strong enough to prevent Serbian expulsions from majority-Albanian areas (Interviewees 10, 37).

The relatively positive initial attitudes were affected during the 2004 riots targeting Serbs and other minorities, which caught KFOR (and UNMIK) unprepared (Brosig 2011). Here the two groups' different expectations towards KFOR played an important role. While the percentage of Albanians that were "satisfied" or "very satisfied" with KFOR remained high – 85.1% in July 2003 and 85.6% in July 2004 – for Serbs this number fell from 26.4% to 10.7% (United Nations Development Programme [UNDP] Kosovo 2004, p. 31). However, KFOR managed to rebuild its image and in September 2006 the number of Serbs satisfied with it reached 41.4% (UNDP Kosovo 2007, p. 37).

One of KFOR's biggest challenges was the Serbian violence campaign following the declaration of independence. The Serbs' aim was to partition the north from the rest of Kosovo through attacking administration facilities and occupying the court in Northern Mitrovica (Snel and Ziekenoppasser 2015). However, KFOR's forceful intervention thwarted those plans, at the price of heavy fighting and casualties.

Overall, KFOR's initial performance largely influenced local perceptions of its strong coercive powers, leading to a successful execution of its security-related tasks. However, on several occasions (e.g. the 2004 riots and 2011 barricades) KFOR still needed to live

up to its image and it largely succeeded despite considerable downsizing. While Albanian perceptions of KFOR stayed highly positive, those of Serbs fluctuated in response to events on the ground. Moreover, Serbian opinions were influenced by high levels of insecurity, prompted by their minority status in a post-conflict situation. The levels of satisfaction/trust towards KFOR were thus lower for Serbs than for Albanians. However, they were generally considerably higher (up to 20% higher) than their trust in other security institutions, most notably EULEX and the Kosovo Police (UNDP Kosovo 2013). KFOR's relatively successful track record as a physical security provider allowed it to also function as a security provider in a psychological sense, as mentioned by both Albanians and Serbs (Interviewees 4, 32, 37, 39 and 41; see also Kosovar Center for Security Studies 2010).

Perceptions of EULEX and KFOR in the same situations

In 2009, Albanian efforts to rebuild houses destroyed in 1999 sparked an inter-ethnic conflict in Northern Mitrovica. EULEX and KFOR (along with the Kosovo Police) worked together to allow the reconstruction to continue. Interestingly, however, EULEX was blamed by the Serbs for excessive violence much more often than KFOR (Serbian TV Pink 2009). This might reflect how the prior negative opinions of EULEX influenced local perceptions. In another example, in July 2011, Kosovar authorities' attempt to control the northern custom gates prompted Serbs to burn those gates down and to erect barricades on the roads leading to them. Albanians strongly criticised EULEX for not helping dismantle the barricades, and for failing to enforce the rule of law until that moment. In the words of Kosovo's president, "EULEX should be implementing the rule of law and should be fighting organized crime and smuggling – which, in the past, it has not done successfully" (Radio Free Europe 2011). KFOR's sporadic actions to dismantle the barricades also drew criticism, including from the Kosovar government and veterans' groups, but it targeted KFOR's unwillingness to act rather than its ability to do so (Kosovo Institute for Peace 2013).

Material facets of power: ability to offer rewards

Perceptions of EULEX

Albanians saw EULEX as part of Kosovo's closer relations with the European Union, but felt that it was only indirectly linked to the country's prospect of EU membership or to the EU's pre-accession funding. Thus, cooperation with the mission was not seen as directly rewarding in financial terms, nor was EULEX seen as strongly supported by any powerful EU member state.

Concerning security-related tasks, Albanians strongly supported EULEX's mandate in the north. However, this was not due to the prospect of any rewards, but because establishing control there was in their interest. As underlined by the Prime Minister's principal adviser, "it is up to EULEX to justify its presence in Kosova [...]; most of all [...] in areas where rule of law is totally lacking. And, this is the northern part of Kosova" (Express 2011). On the other hand, EULEX's police searches of high-ranking politicians' offices were strongly criticised by both the politicians and the civil society (Radio-Television Kosovo 2011). Similarly, Serbs strongly opposed police activities related to war crimes (Serbian news agency FoNet 2009), despite the fact that fighting crime could yield considerable rewards (visa liberalisation, visa-free travel and eventually EU membership).

Finally, EULEX had very limited opportunities to offer rewards within the police forces (Gippert 2016).

Perceptions of KFOR

Both groups perceived a strong link between KFOR and the US; however, this did not lead to them expecting financial rewards from the US for cooperating with KFOR. Moreover, KFOR's engagement in humanitarian activities was highlighted by most of the Serbian interviewees. However, this does not seem to have triggered calculations concerning potential benefits, possibly because such activities were not a part of KFOR's mandate, and were therefore not expected. Instead, KFOR's humanitarian activities increased another component of KFOR's power, its legitimacy, particularly for Serbs (this will be discussed below).

Thus, for both missions, the empirical data did not confirm the link between the prospect of rewards and cooperation/compliance with the missions. Nor did the local actors connect the missions' ability to execute security-related tasks with whether or not they offered rewards.

Ideational facet of power: legitimacy

Perceptions of EULEX

Albanian perceptions of EULEX's legitimacy were mixed. Initially, the mission was welcome for two reasons: its planned deployment in support of Kosovo's independence, and its focus on local priorities – reforming the judiciary and fighting corruption. Thus, the subsequent decision to deploy the mission in status-neutral mode strongly hit its legitimacy; Vetevendosje, together with several smaller civil society, planned the protest against UN and EULEX, which drew over 40,000 participants (Mahr 2018). Moreover, the personnel transfers from the discredited UNMIK were seen negatively (Interviewees 1, 14, 20, 32). However, most of the society still wanted the mission to be deployed, as it was mandated to deal with the local rule of law priorities (Mahr 2018).

The setup of the security component was less understandable to Albanians. Firstly, the Kosovo Police was already the best performing institution dedicated to the rule of law. The support for it was still mostly welcome by Albanian society (Kosovar Center for Security Studies 2010) as well as within the police force (Interviewee 46), although Vetëvendosje opposed it (Interviewee 27). Nonetheless, the attention paid to security was questioned in view of Kosovo's much more urgent need to reform the judiciary (Kosovar Center for Security Studies 2012). As observed by local rule of law experts interviewed by Osland and Peter (2019, p. 12), the rule of law was "sacrificed for immediate security concerns of the EU, which included conflict management between Kosovo and Serbia". Secondly, the executive mandate (including independent police investigations and arrests) was welcomed by most. Albanians wanted an effective fight against corruption and identified corruption along with the general rule of law as the most important problems facing their country (UBO Consulting 2012). However, some local actors, again led by Vetëvendosje, contested the executive mandate on the grounds that it violated Kosovo's sovereignty (Visoka 2017).²⁵ Finally, Kosovo's security needs were already covered by KFOR. Thus, the hard-security component embodied in FPU's was either unknown or perceived as a

reflection of the EU's ambition to boost its image as a global actor, as an outcome of intra-EU negotiations and/or as a job-providing opportunity (Interviewees 39 and 42).

EULEX's status neutrality, and the related disagreements between EU member states (which paralysed its work) also strongly affected its procedural and substantive legitimacy among Albanians. As noted by Mutluer and Tsarouhas (2018, p. 429), EU's strategy "by 'pleasing' both sides creates a climate of confusion which hinders the implementation of the rule of law in Kosovo". EULEX's risk-averse behaviour, focused on "not rocking the boat" of inter-ethnic relations, was seen as the main reason for its unsuccessful operation there. As summed up by the Kosovar Minister of Finance and Economy (about the criminal activities in the north), "[i]f it had the will, EULEX could stop them" (Olluri 2010). EULEX was criticised for being both biased and ineffective in the north (Interviewees 32 and 42).²⁶ And only a minority of Albanians saw EULEX as "fair and unbiased" (25% in 2012; Kosovar Center for Security Studies 2012, p. 3).²⁷

For Serbs, the main problem relating to EULEX's legitimacy – initial, procedural and substantive – was EULEX's perceived pro-Albanian bias and its support for Kosovo's independence. Protests predated any detailed operational plans, going back to 2007 (RTS Radio Belgrade 2007) and re-igniting after the declaration of independence. This initial lack of legitimacy was not overcome by EULEX's subsequent status-neutral deployment and the go-ahead it was given by the Serbian government. The situation was similar concerning security in particular – EULEX was not welcome in the north where Serbs felt relatively safe with the presence of KFOR. Serbs also saw EULEX's work with the Kosovo Police as a further proof of its support for Kosovo's independence (Papadimitriou and Petrov 2012), although EULEX assumed a liaison role with Serbian police officers in the north (Kosovo Institute for Peace 2013). EULEX's substantive legitimacy was not very important for Serbs (as their security needs were met by KFOR), but they still criticised EULEX for its insufficient cooperation with the local population and its perceived lack of efforts (Interviewees 3, 43, 44).

Perceptions of KFOR

For Albanians KFOR was a highly legitimate liberator from Serbian oppression (Qehaja 2017). This is supported by Interviewee 17: "NATO, the army, has absolute credibility in Kosovo because of the fact that people were exposed to the danger of extinction when they intervened". Additionally, Albanians were interested in eventually joining NATO (Qehaja 2017). Surprisingly, neither KFOR's status neutrality nor its mandate to control Kosovo's territory seemed to be problematic (Interviewee 39). In a newly independent society with a recent history of violent national struggle, it is reasonable to expect opposition on the grounds of sovereignty. That this was not the case for the interviewees might be explained by Albanian trust in KFOR's ability to deter a potential Serbian invasion and the partitioning of the north, both seen as more existential threats to Kosovo. Moreover, KFOR was seen as dealing with human security and stability rather than sovereignty or independence; its conduct was thus perceived as apolitical and impartial (Interviewee 32). Finally, KFOR was seen as very effective thanks to its coercive capabilities deployable against Serbs; this coercive power was one of the sources of its legitimacy. The mission's support for KSF was also highly regarded, although with some expert criticism about status neutrality constraining KFOR's training activities (Interviewee 39).

Unsurprisingly, Serbs welcomed KFOR's neutral status. However, their insecurity and lack of trust made them suspicious of the mission's affirmed neutrality (Interviewee 18). Still, KFOR's deployment, although a second-best option compared to involving the Serbian army and police, was preferable to deploying military forces solely from countries seen as Albanian-friendly (such as the US). Serbs generally believed that "NATO wouldn't allow Albanians to exile Serbs" (Interviewee 9). Thus, similarly to the Albanians' perceptions, KFOR's coercive power was a source of its legitimacy. Serbs also mostly saw KFOR as impartial, as highlighted by a Serbian politician (Interviewee 10): "The KFOR is the most trusted organization in Kosovo. [...] Because you don't have the other organization that could give you the impression of equality, neutrality. [...] This is why people are trusting them". This attitude was also present in Mitrovica, where in 2010 37.8% of Serbs stated that they trusted KFOR (by comparison, EULEX scored at 6.6% and the Kosovo Police at 7.3%; UNDP Kosovo 2011, p. 44).

Nonetheless, on several occasions some Serbs criticised KFOR's behaviour as biased and pro-Albanian, for instance KFOR's insufficient defence of the Serbs in majority-Albanian areas (Interviewees 36, 37). Another criticism concerned KFOR's support for KSF, despite its efforts to ensure impartiality (Interviewee 39). However, KFOR's image mostly bounced back after each incident.

Another important factor contributing to KFOR's legitimacy was its humanitarian activities, which constituted an effort to "win hearts and minds". KFOR's humanitarian role was to a large extent directed at Serbs – initially it was one of the biggest donors in the north (Interviewees 35, 37, 38, 43, 44). However, its efforts in Albanian-populated areas were also considerable.

Important attributes for both missions and their differing perceptions

Both Albanians and Serbs saw EULEX as much more politicised than KFOR. This was seen negatively, resulting in the criticism of EULEX for behaviours common to both organisations. Examples for Serbs include KFOR providing security during EULEX's searches and arrests in the north (Interviewees 8, 9, 24, 25, 28) and for Albanians contacts with the Serbian parallel structures (Interviewees 20, 32). One important exception here relates to the inter-party competition in Serbia, between nationalist leaders in the north and the more moderate government in Belgrade. Northern leaders often used aggressive rhetoric against both EULEX and KFOR (although more often the former) as they strove to preserve their political power in relation to the government (Kosovar Center for Security Studies 2010). Moreover, when KFOR initially confronted protesters during the 2011 barricades, it was accused by Serbs of using force instead of negotiations (Interviewee 3). As one protester summarised, "[d]uring barricades we saw KFOR being biased. We protested peacefully and they threw tear gas, rubber bullets, shock bombs" (Interviewee 25). This resulted in Serbian satisfaction with KFOR dropping from 36% in June 2011 to 1% in November 2011 (UNDP Kosovo 2012, p. 26); it took over a year to bounce back (UNDP Kosovo 2013). Still, relatively little opposition was voiced by Serbs against KFOR despite its support for EULEX. Eventually, it even played the role of an "honest broker" by taking over control of the border gates (although this decision was not previously agreed with the Serbs (van der Borgh *et al.* 2016)).

One oft-mentioned difference between EULEX and KFOR was both missions' decisiveness and the clarity of their role. This extended to the two missions' overall functioning –

KFOR was perceived as being able to react much more quickly than EULEX, especially during weekends (Interviewee 37). Another difference concerned the two missions' approachability and willingness to find joint solutions with the local people. KFOR made a considerable outreach effort to the population,²⁸ particularly Serbs. In the words of Interviewee 35: "[T]hey wanted to help people, they have been asking people, do they need some help or something else. [...] that's why KFOR was accepted". Conversely, EULEX's personnel was seen as distant and uninterested in listening to the local people. This difference was summarised by a local Serb politician from the north: "[W]e cooperated with those missions [KFOR and UNMIK] [...] We were capable to find solutions. With EULEX [it] was take it or leave it" (Interviewee 3).

However, it should be noted that EULEX's ability to act was limited, both by KFOR's effective presence, and by the relatively capable Kosovo Police. As a Kosovar diplomat remarked (Interviewee 42), "It's not EULEX's fault. I think it is the whole context in which they were thrown in, and the whole historical experience before that, that has contributed to this". Thus, the mission's lack of establishment was seen as partly due to its initial setup, which its actions could not change.

Discussion and conclusion

In this final section, we return to the puzzle: why did the Kosovar population perceive and react to EULEX's and KFOR's work in the security realm differently despite the similarity of their tasks? This article's main finding is that the local actors saw KFOR as powerful, and saw this power as what allowed it to successfully execute its security-related tasks. The opposite was true for EULEX, which was generally seen as not powerful, and thus unable to do what was expected from it. This was particularly the case with the coercive capabilities of the missions and their legitimacy, while rewards did not play a significant role in the local perceptions of the missions.

Let us zoom in on the facets of power, starting with *coercive capabilities*. Both groups wanted KFOR to be a powerful coercive actor in order to accomplish its security-related tasks; Albanians wished the same for EULEX. The article demonstrates that KFOR mostly lived up to these expectations, while EULEX did not. More precisely, specific coercive capabilities mattered here – those employed against the other ethnic group. Such capabilities were perceived to limit threats against each group, thus increasing its security. This included direct physical/human security – defending from an attack from the other group or protecting against crime (the former KFOR's responsibility but EULEX played a role with its police component, the latter EULEX's responsibility). Moreover, it also included territorial integrity (important for Albanians and a responsibility of KFOR). Coercion against members of the same ethnic group was perceived differently; it was mostly accepted for KFOR (albeit grudgingly at times) but perceived negatively for EULEX. Overall, coercive capabilities greatly contributed to both missions' overall image of power – positively for KFOR and negatively for EULEX.

Secondly, this article demonstrates that purely *financial/material incentives* were not an important factor, despite potentially significant rewards. As the local actors did not expect the missions to use rewards in order to execute their security-related tasks, the lack of such policies did not have any effect on local perceptions of the missions' power. For EULEX, this finding demonstrates the EU's broader challenge in steering the Western Balkan countries

towards EU membership – offering the “carrots” interesting enough for the governing elites to carry out reforms.²⁹

Finally, *legitimacy* determined the local perceptions of the missions to a large extent. Here the main finding is similar to that concerning coercive powers – while KFOR enjoyed high local legitimacy (although higher among Albanians than Serbs), EULEX was not perceived this way. This had a major impact on the levels of local trust and compliance/cooperation with the missions, which in turn affected the missions’ execution of security-related tasks. KFOR’s strong initial legitimacy was based on its mandate to protect ethnic groups from each other. For EULEX, the situation was more difficult. Firstly, its initial legitimacy was based on the rule of law aspects of the mission rather than on security. Secondly, its status neutrality harmed its legitimacy for both groups: Albanians had expected the deployment to support sovereignty, and Serbs did not believe in EULEX’s professed neutrality. Moreover, KFOR’s initial legitimacy contributed to relatively stable positive local perceptions, but the lack of EULEX’s initial legitimacy made both groups continuously perceive its conduct as biased. Furthermore, initial and procedural legitimacy positively influenced KFOR’s effectiveness, but problems with such legitimacy had a negative impact on EULEX’s effectiveness. Taken together, these developments suggest a promising research avenue concerning the possibility of changing already established perceptions.

Although legitimacy and coercion are commonly analysed separately (Gippert 2017), here they were directly interlinked – the use of coercive capabilities against the other ethnic group was seen as the basis of the missions’ effectiveness. While KFOR lived up to local expectations, EULEX struggled, and in consequence its legitimacy was seriously harmed.

To sum up, while both Albanians and Serbs saw (and accepted) KFOR’s ability to project power through coercion and legitimacy, EULEX faced considerable issues for both factors in both groups. In the local eyes, these two factors had a major impact on the missions’ ability to carry out their security-related tasks. Thus, analysing them allows for an understanding of local perceptions of both missions.

The analytical framework of power used here proved to be a useful heuristic device for mapping different perceptions of the missions’ power over the local actors and how these perceptions influenced the missions’ ability to execute security-related tasks. Its strength also lies in its dynamic nature – utilising different types of legitimacy allowed for the observation of how local perceptions evolved through time. The understanding of power is informed by constructivism, an ontological choice supported by the findings. The findings demonstrate the importance of a quintessentially constructivist concept of legitimacy, but also that coercion as a concept is constructed by local actors and influenced by their expectations and ethnic identity.

Power as a concept thus has a strong explanatory potential regarding the perceptions of international missions and can serve as a basis of analysis for future studies. Nonetheless, it is also important to understand its shortcomings and possibilities for its further elaboration. Firstly, the finding that financial/material incentives were not seen as important by the local actors requires further investigation. Secondly, this article did not investigate the missions’ indirect control/influence over the desires and preferences of local actors; while it is reasonable to expect that the relatively short duration of the missions did not allow for such influence, this might still be the case for their parent organisations. Finally, it cannot

be excluded that some other, unobserved factors also played a role in shaping local perceptions of the missions; for instance, charismatic leaders.

Notes

1. The Strategy declares, i.e., that “We will pursue locally owned rights-based approaches to the reform of the justice, security and defence sectors”.
2. KFOR’s main tasks included: ensuring the withdrawal of Serbian forces, deterring hostilities, demilitarising armed Kosovar groups and monitoring borders, supporting the safe return of internally displaced persons and refugees, aiding international humanitarian effort, ensuring the freedom of movement, and public safety (United Nations Security Council 1999).
3. The analysis here focuses on EULEX and KFOR; for the information on the Kosovo Police see Kosovar Center for Security Studies (2010) and Sanchez and Verbovci (2019).
4. Another major mission in Kosovo, UNMIK, was not included in this comparison as it has been extensively covered by the research and its role decreased considerably after 2008.
5. As this article focuses on Kosovo, the Serbian government is not defined here as a local actor, but is included in the capacity of an influential external actor.
6. This definition covers both the instances where actor A gets actor B to do something against B’s interest, and in line with B’s interest but which B would otherwise not do, for instance due to lack of knowledge, self-assurance or resources.
7. Termed “transitive power” by Goverde *et al.* (2000), “compulsory power” by Barnett and Duvall (2004) and “first dimension” by Lukes (2005).
8. Termed “meta-power” by Krasner (1981).
9. For the sake of simplicity, “Serbs” in the article refer to Kosovar Serbs and “Albanians” to Kosovar Albanians.
10. This typology is influenced by the work of Barnett and Finnemore (2004), Cronin and Hurd (2008), Tallberg and Zurn (2019), and Whalan (2013). Barnett and Finnemore and Cronin and Hurd focus on sources of authority defined as “legitimate power”.
11. EULEX was accused by some local actors of wrongly focusing on war crimes instead of fighting high-level corruption (Mahr 2018).
12. Local press articles and transcripts of local TV programmes translated by the BBC, accessed from the LexisNexis database.
13. Interviewees #5, #6, #15, and #29.
14. Interviewees #16 and #22.
15. Overall in two rounds of interviews Albanian interviewees included: journalists – Interviewees #4, #11 and #33; a member of Kosovo’s administration – Interviewee #12; a senior diplomat – Interviewee #42; members of the judicial profession – Interviewees #13 and #31; members of civil society organizations – Interviewees #2, #14, #17, #19, #20, #26, #27, #30, #39 and #41 (#2 and #27 were senior members of Vetëvendosje); a politician – Interviewee #1 (PD-opposition party); senior police officers – Interviewees #23 and #46; and think tank members – Interviewees #12 and #32. Serb interviewees included: a journalist – Interviewee #34; local residents (north) – Interviewees #8, #24, #25, #28, #35 and #38; a member of the judicial profession – Interviewee #18; politicians (north and south) – Interviewees #3, #7, #9, #21 (opposition, respectively, DSS, SRS, United Serbian List, SRS), and #10 (SLS-government party); members of civil society organizations – Interviewees #36, #40, #43 and #44; and a Serbian Orthodox priest – Interviewee #37.
16. Interviewees #45 and #47.
17. For the full account of the conflict see Judah (2002).
18. The scale of the violence could even be interpreted by some as reverse ethnic cleansing (Boyle 2010).
19. For instance, the interviewees from Zubin Potok did not personally experience any violence during the conflict.

20. The resolution authorizes the UN Secretary-General to “establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo” (paragraph 10); the responsibilities of such an administration include performing administrative functions, overseeing the establishment of the provisional local self-government institutions, and maintaining law and order including establishing local police (paragraph 11).
21. Twenty-three EU Member States recognise Kosovo’s independence and five do not.
22. In reality, the members of Serbian security services still operated in the area, reinforcing the local resistance against Kosovar state structures (International Crisis Group 2010).
23. The disagreements related to the presence of Serbian and Albanian judges limited the court’s capacity to only EULEX judges (International Crisis Group 2011).
24. It is not intended here to neglect the historical links between the two communities, which led to similar perceptions on many issues.
25. This contestation did not target EULEX’s executive mandate in the north, covered under the section on EULEX’s coercive capabilities.
26. MMA work was seen in a better light overall, but the results were still seen as mixed.
27. This poll was carried out in November–December 2012, so after the end of the research period in June, but it is assumed to reflect the sentiments in the earlier period as no major incidents took place. The sample was 89 percent Albanians.
28. KFOR’s PR campaigns on ethnic reconciliation, corruption and women’s rights (Interviewees 32, 39 and 41) stood out negatively, as they were widely seen as patronising to Albanians. However, they mostly had a minor impact on KFOR’s perceptions as they were seen as unrelated to KFOR’s core functions.
29. Ample research on the topic exists: see Vachudova (2014) on the enlargement process.

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