

**Exploring local Compliance with Peacebuilding Reforms:  
Legitimacy, Coercion, and Reward-Seeking in Police Reform in Kosovo**

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## **Abstract**

This article explores why local police officers choose to comply or to resist the police reforms stipulated by an international peacebuilding mission operating in their country. In order to understand the role and impact of local agency and shine light on local actors' compliance decisions, this article analyses two examples of police reform of the EU Rule of Law Mission in Kosovo. This paper makes three contributions to the peacebuilding and compliance literatures. First, it formulates and tests causal mechanisms showing exactly how local actors' motivations for compliance – legitimacy, coercion, and reward-seeking- are causally linked to compliance. Second, it demonstrates that while legitimacy matters to local compliance choices, it does so only in specific contexts and situations. Finally, it shows that despite the claims about international peacebuilding operations' coercive and incentivising powers, local actors only consider the rewards and coercive potential of their local police forces relevant to their compliance decisions.

## **Keywords**

Peacebuilding, Legitimacy, Compliance, Coercion, Police Reform, EULEX, Incentives.

## Introduction

Despite two decades of international peacebuilding experience, the record of its effectiveness and success in rebuilding peace after conflict remains ‘mixed at best’.<sup>i</sup> Increasingly, potential explanations for this mixed tracked record do not only evaluate shortcomings within the international operations themselves<sup>ii</sup>, but also include the influence local actors have on the peacebuilding process and its outcomes. As part of the ‘local turn in peacebuilding’<sup>iii</sup> more attention is paid to the power and agency of local actors to either support and comply with the reforms, or to evade or resist them.<sup>iv</sup> Studies from anthropology and sociology assist in shining light on the perceptions of local actors in peacebuilding and refute the image of the local actors as passive recipients of international peacebuilding reforms.<sup>v</sup>

Such studies also show that while local capacities are crucial for peacebuilding efforts,<sup>vi</sup> we cannot assume unity within this category, but that different local groups may well pursue diverging or even competing interests in the context of peacebuilding.<sup>vii</sup> Similarly, de Waal highlights that local strategies for achieving peace often have little in common with Western ideas of inclusive, liberal peacebuilding but can take the form of violent bargaining in a ‘political market-place’.<sup>viii</sup> The roles and influence local actors have on peacebuilding efforts are complex and varied and require situational analysis.

So, despite the increasing focus on local power in influencing peacebuilding processes and outcomes, we still know very little of what drives local behavioural choices. Why do some local actors choose to comply with peacebuilding reforms and why do others evade or even resist the same efforts? Naturally, local behavioural choices in peacebuilding encompass a wide spectrum and cannot be limited to a binary distinction between compliance and resistance.<sup>ix</sup> The question of local compliance with international peacebuilding reforms is one crucial aspect that shapes the effectiveness of international peacebuilding efforts. While outcomes are determined by many elements (local and international) that are beyond the scope of this paper, local compliance with the reforms is a necessary, though not sufficient condition for achieving sustainable peacebuilding outcomes. That is because most peacebuilding efforts, while usually initiated and driven by internationals, are implemented directly by or with the substantial assistance of relevant local actors.<sup>x</sup> Only when internationally stipulated reforms are bought into by relevant local actors, do they have a chance of outliving the deployment of the operation.<sup>xi</sup>

In a bid to better understand why local actors would choose to comply or not to comply with an international peacebuilding operation’s reforms, this paper links the insights

of the literature on compliance to the debates of peacebuilding effectiveness. Compliance in the literatures of International Relations and Political Science is traditionally analysed in a tripartite power framework. Compliance is seen as the result of one of three power pathways: coercion, reward-seeking, or legitimacy.<sup>xii</sup> The same three pathways are subject to discussion in the small part of the peacebuilding literature concerned with local compliance with peacebuilding reforms.<sup>xiii</sup>

In what is an exploratory study, this paper adopts this tripartite power framework to investigate why local actors working on an international operation's reforms choose to comply or not to comply. The aim of this paper is not to produce generalizable findings but to propose a framework of analysis that links the three power pathways, coercion, reward-seeking, and legitimacy, to individual actors' compliance. This framework can be adapted by other researcher for their analyses. In this article, it helps provide insights into first, the comparative relevance of each pathway for local compliance; and second, it shines light on the mechanisms linking each pathway to compliance. The first contributes to the debates prevalent in International Relations and Political Science that are also mirrored in the peacebuilding literature, about whether rational-choice mechanisms (coercion and reward-seeking) or the normative mechanism of legitimacy are more important in achieving compliance.<sup>xiv</sup> The second contributes to the compliance and legitimacy literatures' debates which assume, but do not specify or test, a causal link between each of the power pathways and compliance.<sup>xv</sup>

The analysis is based on two cases of police reform as stipulated by the European Union Rule of Law Mission in Kosovo (EULEX). EULEX presents an interesting case for studying local compliance choices, as it employs an explicitly cooperative approach to reform that relies on local actors to implement reforms.<sup>xvi</sup> Police reform as part of strengthening the rule of law has become a central element of international peacebuilding efforts, but it is an area where local traditions and norms are likely to persist.<sup>xvii</sup> This makes the transfer of knowledge and building up of capacity much more than a simple technical exercise, and highlights the importance of local reception of these reforms.<sup>xviii</sup> The choice for a single-case study was made to provide maximum room for detailed analysis of the power pathways and the compliance framework, although this limits the generalizability of the findings of the study.

The findings, while bounded, contribute important insights into local compliance with peacebuilding reforms. First, all three pathways of power are shown to matter to local compliance choices but they do so to varying degrees. The variable that determines their

relevance is the rank and position of the local police officers. For instance legitimacy only plays a secondary role to lower rank officers, but increases in significance for the senior ranks of the police. Whether legitimacy matters is therefore highly context-specific and these findings add nuance and detail to the debate about legitimacy's importance to compliance. Second, coercion, reward-seeking and legitimacy only affect compliance if the specified intervening variable of each mechanism is present. So, reward-seeking can be important for an officer, but unless he has access to an incentive structure, compliance behaviour remains unaffected.

### **International Police Reform in Kosovo**

International peacebuilding is an umbrella term which comprises many elements and aims at rebuilding state institutions and social bonds after internal war or conflict to ensure lasting peace. This can include the formal institutions of the state like the rule of law and administration, and less formal institutions which aim at building a positive peace for society.<sup>xxix</sup> Re-establishing or strengthening the local rule of law is crucial in a post-conflict state as it ensures that past violations or war crimes can be addressed, and that any future grievances can be dealt with in an institutionalised, professional, and impartial manner rather than sparking renewed fighting. A functioning rule of law not only aims at pacifying relations between citizens but also at rebuilding trust in the state and its capacity and interest to serve all citizens equally and fairly.

One element of the rule of law is police reform. A professional and impartial police is key to post-conflict peacebuilding as it represents the internal security dimension of a state responsible for law and civil order. In conflict situations the internal and external security dimension (the military) can become blurred and the police can get involved in the fighting.<sup>xxx</sup> De-militarizing the police, vetting them for war crimes, or in the case of Kosovo, establishing a new, untainted police force, is crucial in the process of separating the internal and external security dimensions. Second, the police are first contact most people have with the rule of law and it is their professionalism and neutrality (or lack thereof) that influences society's perceptions of and trust in the state's wider rule of law.<sup>xxxi</sup> Although international police reform has undergone tremendous changes over the past decades, core criticisms pertaining to the often technical, Western style, one-size-fits-all approach to reforming local police forces remain.<sup>xxxii</sup> While lessons-learned with regards to prevalent logistical problems such as the quality and quantity of available international police personnel are starting to be

addressed by some donors, reform continues to be hampered by local institutional, cultural, and political realities on the ground.<sup>xxiii</sup>

The same is true for the Kosovo Police (KP) which was created from scratch by the United Nations Administration Mission in Kosovo (UNMIK) that took over the governance, including executive policing, of the former Serbian province after the violent conflict between the Serbian army and the Kosovo Liberation Army ended in June 1999. New officers were trained by the Organisation for Security and Cooperation in Europe's police school, and provided with practical experience by the UNMIK International Police Unit responsible for executive policing in Kosovo at the time. Despite this clean-slate start, the KP still faces organisational problems today. Two of these issues that are relevant for this analysis are: first, the rigidity of the command structure which means that lower rank obedience is strict and coercively enforced. This is compounded by the weakness of the police federation to effectively protect officers from arbitrary superior's decisions or punishment.<sup>xxiv</sup> Second, political influence in the Kosovo Police is prevalent in the senior management, which influences the attitude of those officers to reforms that threaten their power base or the interests of their political sponsor.<sup>xxv</sup> This influence is enhanced by the fact that the KP General Director is chosen by the Prime Minister. These realities of the organisational culture of the KP will be shown to influence to some degree the perceptions towards the EU Rule of Law Mission and compliance with their reforms, both positively and negatively.

The EU Rule of Law Mission in Kosovo (EULEX)<sup>xxvi</sup> was created after Kosovo's unilateral declaration of independence in February 2008, to relieve UNMIK and continue to support Kosovo's rule of law.<sup>xxvii</sup> EULEX was envisioned to support Kosovo's 'supervised independence' but this proposal was not supported by Russia in the UN Security Council as it backed Serbia's concern of losing its province. Therefore, EULEX was deployed under the umbrella of UN Resolution 1244, which had provided the framework for the international administration since 1999. However, Resolution 1244 saw the status question of Kosovo as unresolved, which meant that EULEX, rather than supporting Kosovo's independent state institutions, including the rule of law, was forced to deploy as a status-neutral mission.<sup>xxviii</sup> This means that EULEX rule of law reforms and the functioning of the mission cannot be based on Kosovo state laws but only on UNMIK regulations, a procedural fact that is flouted to ensure the functionality of the mission.<sup>xxix</sup>

Reforms for the Kosovo Police were pursued through EULEX' cooperative monitoring, mentoring, and advising (MMA) approach. Only a small number of areas were subject to

executive investigations by the operation.<sup>xxx</sup> The MMA approach relied on interaction and cooperation of the local police with EULEX police staff in the implementation of the individual reform projects designed by EULEX that target institutional weaknesses of the Kosovo Police (KP). To facilitate this cooperation, EULEX police staff were co-located with their local counterparts that means each local officer was assigned a EULEX police officer to work with on these projects.<sup>xxxii</sup> The individual MMA reforms were drawn up by EULEX based on what their staff perceived as institutional weaknesses. This reform catalogue was then presented to the KP senior management for approval and comments. However, this was perceived to have been more an exercise of rubber-stamping rather than seeking genuine local input.<sup>xxxiii</sup>

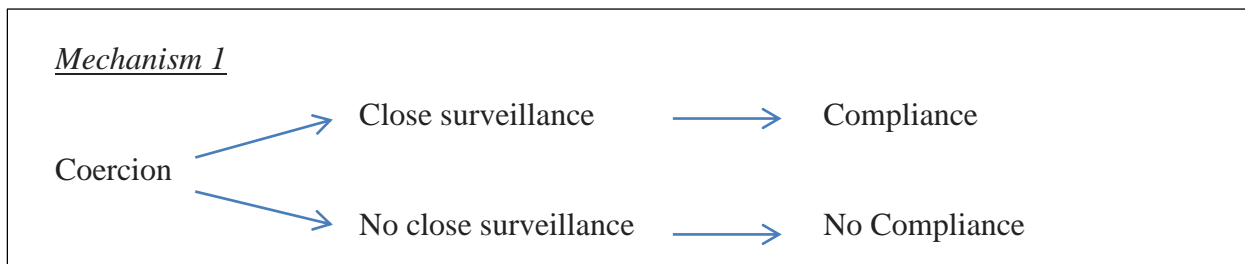
Two of these reform projects are analysed for this paper: the inclusion of community consultation into the daily patrols of police officers, aiming at ensuring that community needs drive local policing priorities; and the inclusion of the ethnicity of victims of crime into the police reports, in order to be able to produce meaningful statistics about the prevalence of ethnically-motivated crimes in Kosovo. Both reforms meant a normative change for the Kosovo police; the first because it made community concerns the driving force in determining police priorities, and the latter as it sought to enshrine the importance of understanding and counteracting trends in ethnic crimes.

## **Framework for Analysing Local Compliance**

In order to explore why local actors comply with international peacebuilding missions' reform requests, this paper explores three power pathways: legitimacy, coercion, and reward-seeking.<sup>xxxiiii</sup> This section introduces the framework used to investigate how each power pathways is linked to compliance. The understanding of the concepts and choice of variables in this framework is based on the literature on compliance in International Relations and Political Science. However, as this paper wields several complex and elusive concepts which, for the purpose of this analysis, need to be operationalized, a degree of simplification is required to allow for a methodical analysis.

Coercion relies on the threat or application of sanctions or punishment for non-compliance. An actor under coercion complies because he fears negative consequences for non-compliant behaviour. Coercion can work both to prevent and to retrospectively punish non-compliance.<sup>xxxv</sup> These choices are subject to an actor's rational evaluation of what course of action is most beneficial (in the sense of least hurtful). While the stimulus for action

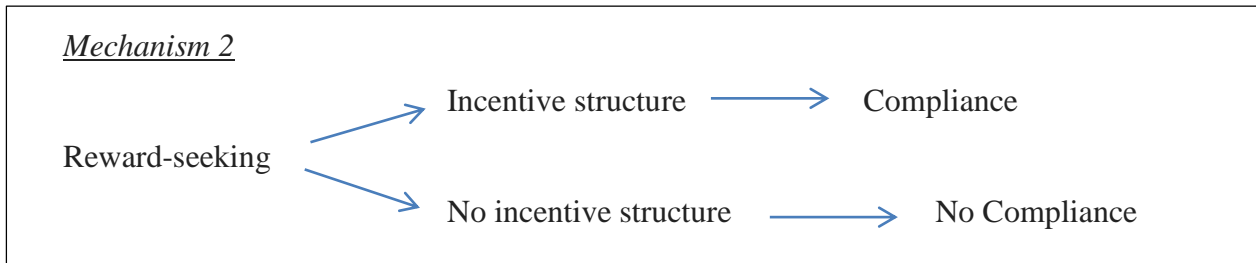
is externally imposed by the authority making the compliance demand, it is the choice of the actor whether he intends to follow or resist that stimulus.<sup>xxxv</sup> Coercion requires an actor to believe that any non-compliance will be detected and punished, making the initial threat credible.<sup>xxxvi</sup> Coercion hence works through a system of close surveillance, which is suggested as the intervening variable linking coercion to compliance in the below hypothesized mechanism. In the context of police reforms in Kosovo coercion includes direct lawful orders, pressure, or threats towards an officer from a local superior, all of which are known to carry seriously consequences in case of non-compliance. Coercion by EULEX has an individual and an institutional element. As an institution EULEX can try and coerce the elite, in this case the senior management of the KP, with a bad report to Brussels, trying to bring the weight of the EU in terms of funding and accession into play. For individual officers outside the senior management, coercion by EULEX takes the form of a complaint by the EULEX counterpart to the local officer's superior. Therefore, it is only effective when exercised through the local chain of command.



Showing a reward-seeking attitude, an actor is expected to choose compliance if doing so maximizes his personal benefits and minimizes associated costs of compliance. Such incentives are not necessarily restricted to material benefits like money but can also include social ones such as status gain.<sup>xxxvii</sup> Like coercion, reward-seeking is also considered an intervention strategy for manipulating actors' choices of action, but it can only be used preventatively. The stimulus for action of the actor is provided externally by the incentives offered to induce his compliance, but like with coercion, it is the choice of the actor whether they intend to give in the stimulus. The choice for compliance or non-compliance is made on the basis of whether incentives are available that outweigh the cost of compliance.<sup>xxxviii</sup> The availability of an incentive structure is the hypothesized intervening variable connecting the attitude of reward-seeking to compliance, as the below mechanism depicts. In the context of police reforms in Kosovo, examples of rewards include promotion (and with that increase in



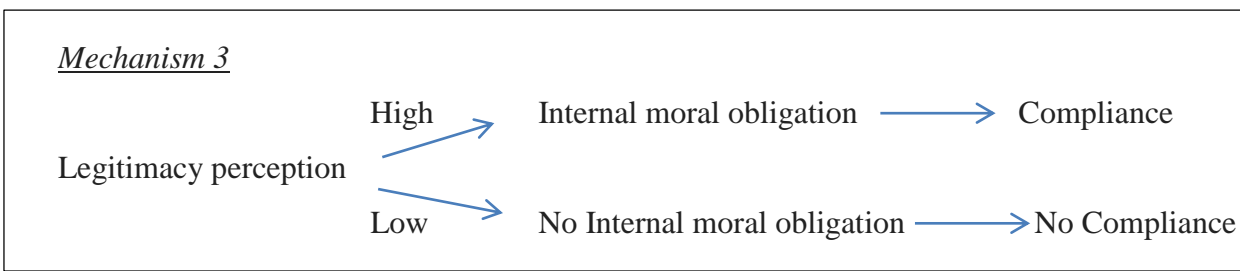
salary), recognition by a superior or EULEX, a favourable opinion by a superior or EULEX, or gaining of experience (all as possibly leading to a future promotion).



Legitimacy is a pathway of compliance described by Weber as: ‘to influence the conduct of one or more others (*the ruled*) [...] in such a way that their conduct to a socially relevant degree occurs as if the ruled had made the content of the command the maxim of their conduct for its very own sake’.<sup>xxxix</sup> Contrary to reward-seeking and coercion, which require external stimuli, in the case of legitimacy ‘control by others is replaced by self-control, as social norms and values are internalized and become part of the individual’s own desires concerning how to behave’.<sup>xl</sup> Legitimacy provides a reason for compliance as through the process of internalisation the issued rules or laws become part of the individual’s own motivational system; they turn into an internal sense of obligation. This means the requirement to make someone comply against their will becomes redundant. He does not need to be constrained from deviant actions as such actions are not considered in the actor’s interest anymore.<sup>xli</sup>

However, at the same time legitimacy also imposes constraints on rule-makers not to exceed the limits of their legitimacy. Legitimacy is hence a social and relational process which has consequences for both the rule-maker and the rule-recipient - the actor and the institution – it is both a constitutive and a constraining factor.<sup>xlii</sup> In this interactive relationship, an institution makes legitimacy claims which are either accepted or rejected by the audience to which they are addressed. These two sides of the dialogue constitute the elements of legitimacy: processes of legitimation and perceptions of legitimacy.<sup>xliii</sup> The processes of legitimation concern the ways in which an institution makes claims as to its own legitimacy, and the perceptions arise from the legitimacy judgements made by the audience towards the institution. This paper is interested in the legitimacy perceptions of local police officers towards the EULEX mission.

According to the literature, legitimacy is linked to compliance via an internal sense of obligation. This obligation is a norm-oriented condition which puts internal pressure on an actor to comply, as compliance is considered ‘intrinsically rewarding’,<sup>xliv</sup> and the right thing to do.<sup>xlv</sup> High legitimacy perceptions of an organisation are therefore hypothesized to foster an internal sense of obligation, which increases compliance, while low legitimacy perceptions have no such impact. In the context of police reform in Kosovo legitimacy includes statements about the rightfulness and appropriateness of the way the operation exercises its power (procedural legitimacy) and its performance and results (output legitimacy).



**Methodology**

In order to test the compliance mechanisms empirically, this paper analyses two examples of police reform stipulated by EULEX. These two reforms are ‘Annual Patrol Plans’ (Community Policing) and ‘Victim Ethnicity-Crime Statistics’. These case studies were selected from 36 police reforms defined by EULEX in 2009.<sup>xlvi</sup> The selection was based on several criteria: the need for the reform to be linked directly to EULEX rather than another donor, so compliance can be established directly; the reforms must contain an element of normative organisational change, which means the reform would not just have happened by itself. This is important to exclude automatic compliance with reforms because they are in the interest of the actor; and the local officers involved must have had direct working contact with EULEX to form their perceptions.

The ‘local actors’ interviewed for this paper are the officers of the Kosovo Police who worked directly on these two reforms. The sample drawn is purposive as discrimination was needed to interview those officers closest to the processes under analysis. However, as far as possible, attention was paid to include a diverse sample, including officers of all ranks from Officer to Colonel as well as from Albanian, Serb, Bosniak, and Turkish ethnic belonging. Further, officers from five of the six regions of Kosovo were interviewed and from a selection of rural and urban police stations, including stations in Serb majority areas.<sup>xlvii</sup> The

interviews were conducted in English, or, if required, in Serbian and Albanian with the help of a local interpreter.

The data for evaluating local compliance comes from official EULEX reports, quality control reports, meeting minutes, and documents required as outputs from the reforms. Triangulation was used to corroborate information needed for the evaluation of local actors' compliance in accordance with the indicators in the below table. All documents are on copy with the author and were gained from both EULEX officials and Kosovo Police officials during the field work. The annual EULEX reports are available on their website but the reform reports, minutes, and quality control reports have not been published as the mission is still ongoing.<sup>xlvi</sup>

Local compliance is evaluated as based on three indicators for which data was gained from the reports: compliance with substantive elements of reform, compliance with the modus operandi of the mission (communication, cooperation), and compliance with the spirit of reform (local drive, ownership, purpose). To evaluate instances of compliance, each indicator is scored between 1 and 3, and the overall score for all three indicators serves to categorize compliance. Compliance is captured as an ordinal variable of three degrees: low compliance, moderate compliance, and high compliance.

*Table 1 Categories of Local Compliance*

<p><b>Low Compliance</b> (score of 3,4)</p>	<ul style="list-style-type: none"> <li>• Little or no progress and work on the required outputs and towards the objective of the reform (indicator I).</li> <li>• Little or no cooperation and communication with mission counterparts (indicator II).</li> <li>• Undermining reform process, ignoring orders, unwillingness, lack of drive (indicator III).</li> </ul>
<p><b>Moderate Compliance</b> (score of 5,6,7)</p>	<ul style="list-style-type: none"> <li>• Some progress on reform outputs and some work towards overall objective, but more in form than spirit of reform (indicator I).</li> <li>• Some cooperation and communication with mission counterparts (indicator II).</li> <li>• Some participation with mission reforms, some willingness and drive (indicator III).</li> </ul>
<p><b>High Compliance</b> (score of 8,9)</p>	<ul style="list-style-type: none"> <li>• Good active progress in achieving the outputs and the overall objective of the reform (indicator I).</li> <li>• Good and regular communication and cooperation with mission counterparts (indicator II).</li> <li>• Initiative and leadership shown for reaching the reform objectives (indicator III).</li> </ul>

Data for the evaluation of coercion, reward-seeking, and legitimacy perceptions comes from face-to-face interviews with local police officers directly involved in the reforms of the two case studies. 35 officers of different ranks of the Kosovo Police were interviewed by the author in May 2012 and April 2013. The interviews included open-ended questions aimed at understanding the relevance of each power pathway for compliance (and also provided room for mentioning additional reasons for compliance if relevant), as well as survey questions on legitimacy perceptions. All survey items and open-ended questions are based on tried and tested items from academic studies and international surveys.<sup>xlix</sup> Five items asked for perceptions on EULEX’s output legitimacy and four items concerned EULEX’s procedural legitimacy. Each statement could be answered with an agreement scale of five categories ranging from strongly agree to strongly disagree.<sup>1</sup> Legitimacy is also measured as an ordinal variable of three categories of low, moderate, and high legitimacy. Individual actors’ legitimacy perceptions are categorized according to the indicators defined in the below table.

*Table 2 Categories of Local Legitimacy*

<b>Low Legitimacy</b>	<ul style="list-style-type: none"> <li>• Survey answers disagreeing with more than 3 items and being undecided on more than 3.</li> <li>• Statements and responses to open-ended question indicative of little to no belief of mission adhering to right process and/or working towards locally desired goals.</li> </ul>
<b>Moderate Legitimacy</b>	<ul style="list-style-type: none"> <li>• Survey answers disagreeing with 2 or less items, and/or, being undecided about up to 3 items.</li> <li>• Statements and responses to open-ended question indicative of some belief of mission adhering to right process and/or working towards locally desired goals.</li> </ul>
<b>High Legitimacy</b>	<ul style="list-style-type: none"> <li>• Survey answers which agree with majority of statements, disagrees with less than, and is undecided on less than 2 items.</li> <li>• Statements and responses to open-ended question indicative of belief of mission adhering to right process and/or working towards locally desired goals.</li> </ul>

### **Local Compliance with EULEX Police Reform**

Two examples of EULEX’ cooperative police reforms serve as empirical testing ground for the compliance framework. This section introduces the compliance of the relevant local police officers involved in the reforms on community policing and victim-ethnicity crime-statistics. EULEX distinguished three groups of actors for the reforms: the Action Team,

made up of lower ranking officers, were responsible for the technical implementation of the reform; Team Leaders, Deputies and Coordinators were middle-management rank officers who oversaw and supported the Action Team; the senior management of the Kosovo Police was in charge of the entire reform process and received reports from the middle-management. EULEX's structure of the groups of actors involved is mirrored in their reports and therefore kept for the purpose of this analysis.<sup>li</sup>

In the former Yugoslavia the policing philosophy was state-oriented in that the police was considered an instrument of state control.<sup>lii</sup> In Kosovo this situation had been exacerbated by the systematic oppression of the Albanian community by the Serbian leadership. The Serb-dominated police controlled the Kosovo-Albanian population and supported their oppression under the newly enforced laws of Milosevic. The Kosovo-Albanian population hence developed their own rule of law system and a moral code that 'if you contacted the police, the community would think you were a traitor'.<sup>liii</sup> This legacy of thinking of the police as part of a hostile system posed challenges to the creation of a new police in Kosovo, which was to enjoy the trust of the entire population. The new philosophy of the Kosovo Police (KP) was to embrace community-oriented policing, which envisions the relations between the police and the public as a partnership, with community needs determining policing priorities.<sup>liv</sup> This gives community police officers a greater degree of autonomy to determine their work schedule than their response colleagues. One of the challenges for community policing is for patrols to be effective and purpose driven despite this higher level of autonomy.<sup>lv</sup> This is particularly true in a country such as Kosovo, which is still in the process of changing their structures and police culture towards community policing. Although the concept was introduced with the start of the new police school in 1999 through the OSCE, it was not until 2005 that a more detailed course in community policing was developed.<sup>lvi</sup> While imbuing the new police cadets with this philosophy is said to have worked well in general, the application of the philosophy in daily policing is more of a challenge, especially the question of directing patrols to be effective and purpose driven in consulting the community and developing policing priorities from their needs.

The application of community consultation in the daily patrol was one of the weaknesses spotted by EULEX in their baseline study: 'In short, a structured approach to tackling patrol effectively should involve converting local community concerns into a list of (written) policing priorities'.<sup>lvii</sup> EULEX therefore promoted community policing in daily policing patrols as a normative change to the way patrols were being done by the KP. The objective of the reform 'Annual Patrol Plans (Community

Policing)' was the incorporation of community policing into police patrols plans as based on active community consultation.<sup>lviii</sup> This objective was to be achieved by meeting three outputs:

1. Draft of effective patrol plans for all police stations in Kosovo and all regional stations.
2. Implementation of the patrol plan [including training].
3. Evaluation of the patrol plan.<sup>lix</sup>

Work on the action had started in September 2009, and by 2010 the team had finished the templates for an annual and daily patrol plan, as required by Output One.<sup>lx</sup> These templates were tested in a pilot project in the two regions of Peja/Pec and Gjilan/e, which was declared a success. Subsequently, the templates were sent to Pristina Police HQ to be approved by the General Director of the KP.<sup>lxi</sup> The produced templates were then introduced to most police stations by the KP senior command, fulfilling Output Two. However, the required training was not provided to the station and regional commanders. Also, the evaluation of the application of the reform at station level, as foreseen by Output Three, was never conducted by the KP senior management. In 2011, EULEX decided to conduct the required evaluation itself, without any input from the KP.<sup>lxii</sup>

Compliance had been high by the team and middle management responsible for implementation. The required templates were of good quality (score 3 for indicator I),<sup>lxiii</sup> and cooperation and communication with EULEX were good and productive (score 3 for indicator II). Finally, the team's work had been focused and driven; the team leader and team showed interest and purpose in their work, and the pilot projects were conducted very thoroughly (score 3 for Indicator III).<sup>lxiv</sup>

The senior management of the KP failed to organize training for the station and regional commanders before disseminating the templates, and it did not conduct an evaluation of the application of the reforms at station level (score 2 for indicator I). Their cooperation with EULEX was at best uncoordinated as EULEX was not involved in the dissemination of the templates (score 1 for indicator II).<sup>lxv</sup> Finally, the senior management showed only moderate interest in driving the reform forwards or its actual aim as was reflected in the cut off way the reform was implemented (score 2 for indicator III). What explains some of this apparent disinterest in the reform is the fact the senior management at that point in time was being exchanged. Some of the requirements were therefore lost in translation, which means while compliance was low by the incoming senior management, this was not intentional.

*Table 3 Compliance Levels of Reform: Annual Patrol Plans (Community Policing)*

<b>Actors</b>	<b>Compliance with Implementation</b>	<b>Compliance with Continued Adherence</b>
<b>Team</b>	High (8)	Na
<b>Middle Management</b>	High (8)	Na
<b>Senior Management</b>	Moderate (5)	Moderate

The second example of police reform analysed here is concerned with recording the ethnicity of victims of crime. Particularly in post-conflict societies, it is important that trends in crimes targeting minority communities can be detected.<sup>lxvi</sup> This is crucial for the viability of a multi-ethnic state and the effective protection of minority communities. The latter was an important normative reform standard for EULEX. Reliable crime statistics were considered the first step towards counter-acting inter-ethnic crimes, understood as acts committed due to the victim's belonging to a certain ethnic group. In 2009, EULEX found that information for establishing whether a crime had had an inter-ethnic background was not available to the Kosovo Police.<sup>lxvii</sup>

For reform 'Victim-Ethnicity Crime-Statistics', the overall objective was, 'the design and implementation of an effective policy of recording, collecting and collating the ethnicity of victims of crime and instances of crime that are likely to be ethnically motivated'.<sup>lxviii</sup> This was to be achieved by accomplishing four outputs:

1. A detailed Standard Operating Procedure (SOP) and related strategy.
2. A training programme to fully implement the SOP.
3. A training programme for all relevant KP staff involved in the collection, collation, retrieval and analysis of police incident data.
4. 80% compliance with SOP within 18 months.<sup>lxix</sup>

The action team commenced their work in December 2009 and declared it completed in March 2011. The team drafted a standard operating procedure (SOP), which stipulated how to collect data and enter it into the police's internal IT system correctly.<sup>lxx</sup> As a new IT system was meant to be introduced soon anyway, Output Two, training on the old IT system, was declared redundant. For Output Three, a training session on the content of the new SOP was designed and delivered by the team leader. For Output Four, monitoring was conducted by the team leader and his deputy through field visits to stations between September and February 2010/11.<sup>lxxi</sup>

Superficially, compliance seemed high as the team accomplished the three relevant outputs in good time. However, the objective called for a 'policy' for the KP to be able to collect and analyse information on the ethnicity of victims, and of 'instances of crime that are

likely to be ethnically motivated'.<sup>lxxii</sup> No policy was compiled by the team and the SOP did not change the way data was collected and analysed, to enable crime statistics to show ethnically-motivated crimes (score 1 for indicator I). Overall, the team's outputs led to very little in terms of real outcomes, despite good leadership and hard work by the team leader.<sup>lxxiii</sup> The team leader's and deputy's compliance was high in terms of their cooperation with EULEX (score of 3 for indicator II), and in providing leadership and drive for the project (score 2 for indicator III), but they failed to correct the flaws in the project. The reason for this oversight was most likely the lack of training and experience of these middle ranking officers in project design, not a typical policing task at that level. The senior management's only task in this project was to approve the SOP, which they did.

*Table 4 Compliance Levels for Reform: Victim-Ethnicity Crime-Statistics*

<b>Actors</b>	<b>Compliance with Implementation</b>	<b>Compliance with Continued Adherence</b>
<b>Team</b>	Moderate (5)	Na
<b>Middle-Management</b>	Moderate (6)	Na
<b>Senior Management</b>	High (8)	Na

## **Power Pathways of Compliance and Non-Compliance**

### *Coercion*

The low-ranked members of the action teams for community policing and victim-ethnicity had been appointed by their respective superiors without consultation. In the interviews and surveys conducted by the author with these actors, all team members stressed that they had received an order to work on the respective reforms, and that was their main reason to participate. Asked why they complied with that order, replies centred on the fear of sanctions. It was made very clear that contravening an order was not a beneficial option and that coercion played a predominant role in ensuring these actors' compliance.<sup>lxxiv</sup> Coercion was felt with regards to the local chain of command; their orders and potential sanctions for non-compliance made coercion an important pathways leading to compliance with EULEX's reforms. None of the team members mentioned fear of sanctions from EULEX as a compliance reason, on the contrary, the EULEX staff was said to have been very collegial and helpful, rather than threatening or pressuring.<sup>lxxv</sup>

The middle ranks of team leaders, deputies and coordinators were also appointed to the respective reforms, but this order was received more positively, as it was seen to provide



the chance to gain more responsibility. However, when asked what would happen in case they refused to accept the extra work, they all explained that would be ‘a bad idea’.<sup>lxxvi</sup> Although not to the same extent as for the team members, fear of sanction was relevant as a pathway for compliance for these middle ranks as well. EULEX was also not mentioned as putting pressure on them or threatening sanctions for non-compliance, but rather as being supportive. Coercion was reported as coming only from the local police’s chain of command.

Coercion was hardly a significant pathway for the senior management of the KP, as the General Director and his deputies had no superiors from whom to fear sanctions or pressure. The Ministry of Interior, to which the General Director is usually answerable, was excluded from the MMA reforms due to concerns about political influence.<sup>lxxvii</sup> EULEX had the possibility to put pressure on the senior command through a negative report to Brussels or complaints to the Kosovo political elite. In practice, however, this option was hardly ever taken, as EULEX staff feared it would show them up as being inefficient, a common dilemma in peacebuilding.<sup>lxxviii</sup> As this reluctance was known to the KP senior management, it undermined the credibility of the threat when used.<sup>lxxix</sup> Further, there was the overall threat inherent in EU peacebuilding that non-compliance entails not being admitted into the EU or being cut funding. The first is a very distant perspective for Kosovo and was not mentioned as a motivational factor (either in the positive or the negative) by any respondent. For the second, funding for projects is channelled through the European Commission Liaison Office in Kosovo not EULEX. Further, both reasons are quite general and do not touch upon the daily realities of policing in Kosovo. However, if they had had an impact at all, it would have been expected to be at the level of the senior management, due to their close ties with the political elites of the country.

As a coercive order relies on constant monitoring to detect misbehaviour, ‘surveillance’ is analysed here as the intervening variable connecting coercion to compliance.<sup>lxxx</sup> For the team members, direct surveillance was present through the monthly meetings and the near constant contact via phone and email with other team members and team leaders.<sup>lxxxii</sup> Additionally, the team members reported in writing to the action team leaders and their regular superior. They were also under scrutiny from their EULEX counterparts who were present at meetings and in daily contact via phone or email to keep up to date.

Surveillance for the team leaders and deputies was present through the monthly meetings with the coordinators, to whom they reported on their teams’ progress.<sup>lxxxiii</sup> Additionally, they reported in writing to the coordinators and their regular superiors every

month. The team leaders and deputies were monitored not constantly but regularly, although the monitoring was less closely than for the team members. For the coordinators, monitoring was also regular through a monthly meeting, but as they reported directly to the senior management, which was removed from details of implementation, they had more discretion in their work. EULEX monitored all middle-management officers quite closely as well, potentially closer than the chain of command, by being present and involved with the work.

Surveillance for the senior command of the KP is also usually exercised by the Ministry of Interior, but the design of the MMA reforms effectively precluded such surveillance. EULEX did monitor their senior counterparts, but as they were loath to employ their tools for sanctions, this surveillance did not enforce the likelihood of sanctions and was largely symbolic.

For the team members the close degree of surveillance, which demonstrated to the team members the likelihood that non-compliance would be detected, made coercion a highly relevant compliance mechanism. It was ensured through the fear of sanctions from the local chain of command but not from EULEX. Coercion guaranteed a basic level of compliance but it did not, as stressed by most team members, make for enthusiastic compliance. Due to the decreasing degree of surveillance from the chain of command, coercion was less relevant but still played a role in ensuring basic compliance for the middle-management ranks. Although EULEX did monitor them, it was not mentioned as being perceived as threatening by these officers; EULEX was not seen as having the same coercive potential to affect compliance that the KP chain of command had. Coercion was, due to the lack of fear of sanction from EULEX and non-involvement of the political elites, not relevant for ensuring compliance of the senior management of the Kosovo Police.

### *Reward-seeking*

Most team members stressed that they had had low expectations for being rewarded for the reform work. One respondent explained, 'It was only extra work, no reward, not even a thank you'.<sup>lxxxiii</sup> Such statements indicate that the team members had conducted a cost-benefit analysis, which brought them to this conclusion. Despite the negative evaluation, the reward-seeking attitude was present, both with regard to EULEX and the local chain of command.

Reward-seeking as an attitude was more overt in the middle management officers than in the lower ranks of the team. These officers' replies to the question of why they had complied were because of 'professional development'. They saw the new responsibility as a chance to prove their worth to their superiors, and clearly stated that career benefit had been a

reason for their compliance.<sup>lxxxiv</sup> Incentives were perceived to come to a limited degree from EULEX but mainly from the local chain of command.

The attitude of reward-seeking was also present for the senior management. The deputies desired promotion to General Director and the increased salary, whereas for the General Director, that was not much of an option anymore. ‘Where am I supposed to go from here?’ he commented when asked about promotion prospects.<sup>lxxxv</sup> However, also his attitude did show a cost/benefit analysis had been made.

The existence of an incentive structure is the hypothesized intervening variable linking reward-seeking to compliance.<sup>lxxxvi</sup> In practice very few incentives were available to the team members. As police officers work on a fixed salary, monetary rewards were unavailable independent of promotion. Given the little involvement of their regular superiors, gaining a positive evaluation from them was also unlikely. Some alluded to the gaining of knowledge and experience as positive benefits, which might also be considered a step towards promotion. In general though, the incentive structure was very limited and also EULEX realistically did not have any rewards to offer at this level, apart from a pat on the back.

The team leaders, deputies, and the coordinators had more incentives to gain than the teams. Through their work on reforms, they regularly interacted with senior ranks. Good work was likely to be recognized and rewarded through the chain of command of the KP. At this level EULEX could offer rewards in the sense of a positive mention to the senior command, however, this was considered the more indirect route, as proper benefits, like a promotion, could only come from the Kosovo Police itself.

EULEX was not considered to offer incentives to the senior management. Rewards could realistically only come from high political levels (as the General Director is appointed by the Prime Minister), and those were not considered to be triggered by good work on the MMA reforms but more through political loyalty (which can in fact contravene the peacebuilding work). EULEX had little to offer to the senior management other than a positive mention to the political elite. This was not sought after as many senior officers had better contacts to the highest political levels than EULEX did.<sup>lxxxvii</sup>

For the team members, reward-seeking, though present as an attitude, was irrelevant for their compliance levels due to the limited availability of incentives. It did, however, also not have a negative effect on compliance, despite the costs outweighing the benefits, due to the strength of coercion in ensuring compliance. The interviews made clear that for the middle-management ranks reward-seeking had been of strong relevance for compliance, and

the availability of an incentive structure meant that this translated into a behavioural effect in supporting compliance. This is mirrored by the high level of compliance by these ranks, shown in the reform on community policing, and also, though with less lasting impact, in the reform on victim-ethnicity. While reward-seeking was clearly relevant as a pathway to compliance for the senior management, the limited incentives available from EULEX meant that reward-seeking did not influence compliance for the senior Kosovo Police management, as efforts were not matched by rewards.

### *Legitimacy*

For some of the action teams' members, legitimacy considerations of EULEX were an additional, though secondary, compliance reason. All respondents primarily stressed that they had been ordered and complied due to fear of negative sanctions. However, the team working on community policing explained that they had also considered the reforms right and appropriate for the rule of law in Kosovo. Only one of the team members working on victim-ethnicity mentioned such additional compliance reasons.<sup>lxxxviii</sup> The scores of the legitimacy survey support the difference in perceptions between the two teams, as tables 5 and 6 show. For the team members working on community policing, legitimacy perceptions were high, but for those working on victim-ethnicity they were moderate.<sup>lxxxix</sup>

In addition to their expectation of rewards, the team leaders, deputies, and coordinators highlighted that they considered the reforms right and appropriate for the KP and Kosovo. One respondent stated, 'EULEX was good. They provided expertise; we got what we needed from them'. The cooperation with EULEX was described as 'a pragmatic approach based on trust'.<sup>xc</sup> In the surveys, these officers showed high legitimacy perceptions, as shown in tables 5 and 6 below.

The KP senior management held high legitimacy perceptions of EULEX. One explained he supported EULEX for their 'high degree of professionalism'.<sup>xc1</sup> Another deputy General Director explained, 'They helped us a lot, we know this and we recognize this. EULEX treats their local partners respectfully, and are responsive to our needs'.<sup>xcii</sup> The survey results confirmed their high levels of legitimacy.

The intervening variable hypothesized to connect legitimacy to compliance is an internal moral obligation. The clearest indicator of the existence of a moral obligation was that officers stressed internal motivations for working on the reforms that were linked to the legitimacy of the mission. The team members working on community policing showed a clearly established sense of moral obligation. They explained that working on the EULEX

reforms was ‘right and important’ because they considered the mission and its reforms legitimate. However, for most of the team members working on victim-ethnicity who held moderate legitimacy perceptions no internal moral obligation was discernible. They only stated that they worked on the reforms because they feared non-compliance would mean punishment from the chain of command.<sup>xciii</sup>

The middle management officers who held high legitimacy perceptions showed strong internal motivations for compliance. Their internal moral obligation was expressed in the internal need to be satisfied with their own work due to the reform’s appropriateness, and considering the judgement ‘that is at the bottom of my head’ to be the most crucial.<sup>xciv</sup> Also for the senior management, the General Director explained, he worked hard on the reforms as they were right and good for improving the KP. In terms of motivation he explained that he only had ‘himself for a judge’, showing internal rather than external reasoning.<sup>xcv</sup>

In terms of an impact of legitimacy on compliance, for the team members working on community policing, their high legitimacy perceptions are suggested to have increased the quality of their compliance. Although that cannot be measured and therefore remains a suggestion, it was confirmed by their team leaders and their EULEX counterparts.<sup>xcvi</sup> The good quality of the work of the team members for community policing is an indicator for their internal conviction of the rightfulness of the reforms; a quality mark that coercion does not engender in compliance. For the team members working on victim-ethnicity, no internal obligation could be established which means that mainly coercion ensured their compliance. This could explain why these officers worked to the word rather than the spirit of the reform which showed the superficial way the outputs were fulfilled in the reform on victim-ethnicity.

For the middle-management officers, high legitimacy perceptions engendered a strong internal moral obligation. This corresponds to the high level of compliance of the middle management officers working on community policing, as highlighted in the compliance section. Also the middle-management officers working on victim-ethnicity showed high legitimacy perceptions and a clear internal moral obligation which influenced the drive and willingness highlighted above.

The senior management stated clearly that they felt internally obliged to work hard on the reforms because they considered EULEX a highly legitimate organisation. This General Director was noted internationally for his drive and leadership in the MMA reform work (except for on the reform discussed before, which fell through the net in the transition process).<sup>xcvii</sup> As the senior management were not afraid of sanctions for non-compliance, or induced into compliance by EULEX, legitimacy presented the only effective way to ensure

their compliance. EULEX’ coercive potential would present another option, had they been willing and capable to muster it. This relevance of legitimacy for compliance showed in the later years of the MMA process, when the new General Director was deeply mistrustful of EULEX, and consequently the MMA work effectively came to a standstill.<sup>xcviii</sup>

*Table 5 Compliance and Motivations: Annual Patrol Plans (Community Policing)*

Actors	Compliance	Legitimacy Perceptions	Relevance		
			Coercion	Reward-Seeking	Legitimacy
Action Team	High	High	Highly relevant	Not relevant	Relevant
Middle Management	High	High	Relevant	Highly relevant	Highly relevant
Senior Management	Low	High	Not relevant	Not relevant	Highly relevant

*Table 6 Compliance and Motivations: Victim-Ethnicity Crime-Statistics*

Actors	Compliance	Legitimacy Perceptions	Relevance		
			Coercion	Reward-Seeking	Legitimacy
Action Team	Moderate	Moderate	Highly relevant	Not relevant	Relevant
Middle Management	Moderate	High	Relevant	Highly relevant	Highly relevant
Senior Management	High	High	Not relevant	Not relevant	Highly relevant

Source: Author’s legitimacy survey, Kosovo, 2013. See appendix for data.

## Discussion

More research is required to understand whether the findings of this study are limited to Kosovo and these two case studies or whether they indicate patterns behind local compliance

choices.<sup>xcix</sup> In their limited scope, these findings shine new light on the relevance of each power pathway for compliance, the significance of legitimacy, the importance of local chain of command coercion, and the mechanisms linking each power pathway to compliance.

First, the empirical analysis finds that legitimacy, coercion, and reward-seeking do not influence compliance directly, but through the respective intervening variables specified in the compliance framework. Specifically, they show that the power pathway is only relevant for compliance in those situations where the respective intervening variable is present. So for instance, the attitude of reward-seeking was present for all officers interviewed (though to varying degrees) but only if these officers had access to a viable incentive structure (promotion, recognition, etc.) did this attitude actually have an effect on their compliance. This finding expands understanding of the tripartite power pathways employed by the literature on compliance as it suggests an explanatory mechanism showing how the three pathways are linked to compliance, rather than assuming this link.

Second, the findings show that while all three pathways influence to local compliance, they do so to varying degrees and in specific contexts depending on the rank and position of an officer. Coercion was of most relevance to the lower ranked officers because they are under very close surveillance. In the organisational culture of the KP, coercion is always significant for lower ranked officers, irrespective of EULEX' police reforms, due to the rigidity of the chain of command structure. For the purpose of EULEX' reforms, this effectiveness of local coercion supported the implementation of the reforms, as long as the senior management supported them. For the middle-management ranks, the significance of coercion declines, as these ranks are granted a little more discretion in the fulfilment of their duties. On the individual level, the lower and middle-management ranks did not perceive their EULEX counterparts as coercive on an individual level. This is explained by EULEX staff's awareness of their limited coercive powers and their ensuing reluctance to make complaints to their counterparts' superior which would sour their professional relationships.<sup>c</sup> EULEX' institutional coercive power vis-à-vis the senior management was limited by the operation's reluctance to report bad compliance back to Brussels. Threats were therefore seen as symbolic or empty by the senior management, if EULEX did try to coerce them.

Reward-seeking, on the other hand, increases the higher ranked the officers are, as incentive structures become available to these officers that lower ranked officers do not have access to. While (or possibly because) coercion is so relevant in determining local actors' compliance for the lower police ranks, legitimacy only plays a secondary role. It is suggested though to increase the quality of compliance for officers. Legitimacy does become highly

relevant for the middle-management and senior management of the Kosovo Police. In their limited way, these findings speak to the International Relations debates mirrored in the peacebuilding literature, about whether legitimacy or rational choice approaches matter (more) for compliance.

The findings, while bounded, speak to the literature on peacebuilding concerned with compliance and the power of international peacebuilding efforts to ensure reforms are implemented successfully. In line with the increasing recognition that local compliance and ‘buy in’ to the reform process are important in shaping international peacebuilding outcomes,<sup>ci</sup> the analysis shows that all three pathways are important for local compliance but that their relevance depends on two factors: the intervening variable of the mechanisms being in place, and the rank and position of the officer. This is also true for the mechanisms of legitimacy, heralded as crucial to local compliance, support, and acceptance of international peacebuilding.<sup>cii</sup> While these findings do support the important role legitimacy plays in supporting compliance, they also qualify it at the same time because the findings demonstrate that much of local compliance was explained through the pathways of coercion and reward-seeking. The findings therefore contribute nuance to the usually binary debate about whether legitimacy or rational-choice mechanisms matter in peacebuilding. They show that broad statements about legitimacy’s importance are only useful to make them heard above the clamour of rational-choice theory, but are ultimately unhelpful in understanding its relevance and impact on local actors’ compliance choices.



## Notes

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- <sup>i</sup> Michael Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations*, Princeton University Press, 2006, p.1. Erin McCandless, 'Wicked Problems in Peacebuilding and Statebuilding: Making Progress in Measuring Progress Through the New Deal', *Global Governance: A Review of Multilateralism and International Organizations*, Vol. 19, No. 2, 2013, pp. 227-248; Oisín Tansey, 'Evaluating the Legacies of State-Building: Success, Failure, and the Role of Responsibility', *International Studies Quarterly*, Vol 58, No 1, 2014, pp. 174-186.
- <sup>ii</sup> Stephen Stedman and George Downs, 'Evaluating Issues in Peace Implementation,' in *Ending Civil Wars: The Implementation of Peace Agreements*, (eds) Stephen Stedman, Elizabeth Cousens, and Donald Rothchild, Lynne Rienner, 2002; Roland Paris, *At War's End: Building Peace after Civil Conflict*, Cambridge University Press, 2004.
- <sup>iii</sup> Roger Mac Ginty and Oliver Richmond, 'The Local Turn in Peacebuilding: A Critical Agenda for Peace,' *Third World Quarterly*, Vol 34, no. 5, 2013, pp.763-783.
- <sup>iv</sup> Oliver Richmond, 'Resistance and the Post-Liberal Peace', in *A Liberal Peace? The Problems and Practices of Peacebuilding*, (eds) Susanna Campbell, David Chandler, and Meera Sabaratnam, Zed Books, 2011; Roger Mac Ginty, 'Between Resistance and Compliance: Non-Participation and the Liberal Peace', *Journal of Intervention and Statebuilding*, Vol 6, no. 2, 2012, pp.167-187; Pierre Englebort and Denis Tull, 'Postconflict Reconstruction in Africa: Flawed Ideas About Failed States', *International Security*, Vol 32, no. 4, 2008, pp.106-139.
- <sup>v</sup> Mary Anderson, Dayna Brown, and Isabella Jean, *Time to Listen: Hearing People on the Receiving End on International Aid*, CDA Collaborative Learning Projects, 2012; Andries Odendaal, *A Crucial Link*, United States Institute of Peace Press, 2013; Severine Autesserre, *The Trouble with the Congo. Local Violence and the Failure of International Peacebuilding*, Cambridge University Press, 2010.
- <sup>vi</sup> Michael Doyle and Nicholas Sambanis, International Peacebuilding: A Theoretical and Quantitative Analysis, *American Political Science Review*, Vol. 94, No. 4, 2000, pp. 779-801, p.782.
- <sup>vii</sup> Christoph Zürcher and Michael Barnett, The Peacebuilders' Contract, in *Statebuilding after Civil War*, (eds) Timothy Sisk and Roland Paris, Routledge, 2009.
- <sup>viii</sup> Alex de Waal, Mission without End? Peacekeeping in the African Political Marketplace, *International Affairs*, Vol 85, No 1, 2009, pp. 99-113.
- <sup>ix</sup> See Mac Ginty (n. iv above).
- <sup>x</sup> Ole Jacob Sending, 'The Effects of Peacebuilding: Sovereignty, Patronage and Power', in *A Liberal Peace? The Problems and Practices of Peacebuilding*, (eds) Susanna Campbell, David Chandler, and Meera Sabaratnam, Zed Books, 2011; Robert Rubinstein, Diana Keller, and Michael Scherger, 'Culture and Interoperability in Integrated Missions', *International Peacekeeping*, Vol 15, no. 4, 2008, pp. 540-550; Beatrice Pouligny, *Peace Operations Seen from Below: U.N. Missions And Local People*, Kumarian Press, 2006.
- <sup>xi</sup> Timothy Donais, 'Inclusion or Exclusion? Local Ownership and Security Sector Reform', *Studies in Social Justice*, Vol 3, no. 1, 2009, pp.117-131.
- <sup>xii</sup> Michael Barnett and Raymond Duvall, 'Power in International Politics', *International Organization*, Vol 59, no. 1, 2005, pp.39-75; Kenneth Boulding, *Three Faces of Power*, SAGE Publications, 1989.
- <sup>xiii</sup> Virginia Page Fortna, *Does Peacekeeping Work? Shaping Belligerents' Choices after Civil War*, Princeton University Press, 2008; Roger Mac Ginty, 'Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace', *Security Dialogue*, Vol 41, no. 4, 2010, pp.391-412; Jeni Whalan, *How Peace Operations Work: Power, Legitimacy and Effectiveness*, Oxford University Press, 2013.
- <sup>xiv</sup> James March and Johann Olsen, *Rediscovering Institutions: The Organizational Basis of Politics*, The Free Press, 1989; Jeni Whalan, 'The Power of Friends: The Regional Assistance Mission to Solomon Islands', *Journal of Peace Research*, Vol 47, no. 5, 2010, pp.627-637.
- <sup>xv</sup> James Gow and Christopher Dandeker, 'Peace Support Operations: The Problem of Legitimation', *World Today*, Vol 51, no. 8/9, 1995, pp.171-174; Michael Mersiadés, 'Peacekeeping and Legitimacy: Lessons from Cambodia and Somalia', *International Peacekeeping*, Vol 12, no. 2, 2005, pp.205-221; Sally Morphet, 'Current International Civil Administration: The Need for Political Legitimacy', *International Peacekeeping*, Vol 9, no. 2, 2002, pp.140-162.
- <sup>xvi</sup> EULEX's mandate provides the mission with limited executive powers but in distinct and separate areas.
- <sup>xvii</sup> Annika Hansen, *From Congo to Kosovo: Civilian Police in Peace Operations*, Adephe Paper 343, International Institute for Strategic Studies, 2002; Espen Barth Eide and Tor Tanke Holm, *Peacebuilding and Police Reform*, Routledge, 2000.

- <sup>xviii</sup> Michael Merlingen and Rasa Ostrauskaite, *European Union Peacebuilding and Policing : Governance and the European Security and Defence Policy*, Taylor and Francis, 2006.
- <sup>xix</sup> Susanna Campbell and Jenny Peterson, 'Statebuilding', in *Routledge Handbook on Peacebuilding*, Roger Mac Ginty (ed), 2013, Routledge; Tania Paffenholz, 'Civil Society', in *Routledge Handbook on Peacebuilding*, Roger Mac Ginty (ed), 2013, Routledge.
- <sup>xx</sup> Rama Mani, 'Contextualizing Police Reform: Security, the Rule of Law, and Post-conflict Peacebuilding', in *Peacebuilding and Police Reform*, Espen Barth Eide and Tor Tanke Holm (eds), Routledge, 2000.
- <sup>xxi</sup> Robert Oakley, Eliot Goldberg and Michael Dziedzic (eds.), *Policing the New World Disorder: Peace Operations and Public Security*, DIANE Publishing, 1998. See Eide and Holm (note xvii above).
- <sup>xxii</sup> Annika Hansen, Strengthening Indigenous Police Capacity and the Rule of Law in the Balkans, In Pal Singh Sidhu and Michael Pugh (eds.), *The United Nations and Regional Security: Europe and Beyond*, Lynne Rienner, 2003. See Merlingen and Ostrauskaite (note xviii above).
- <sup>xxiii</sup> Gordon Peake and Kaysie Studdard Brown, Policebuilding: The International Deployment Group in the Solomon Islands, *International Peacekeeping*, Vol 12, No 4, 2005, pp. 520-532.
- <sup>xxiv</sup> International Crisis Group, *The Rule of Law in Independent Kosovo*, May 2010.
- <sup>xxv</sup> Ibid.
- <sup>xxvi</sup> For more details on the EULEX mission see: Solveig Richter, 'Promoting Rule of Law Without State-Building: Can EULEX Square the Circle in Kosovo?', in *The EU as a Strategic Actor in the Realm of Security and Defence?*, (eds) Muriel Asseburg and Ronja Kempin, SWP Research Paper, 2009, pp.30–45; Martina Spornbauer, 'EULEX Kosovo: The Difficult Deployment and Challenging Implementation of the Most Comprehensive Civilian EU Operation to Date', *German Law Journal*, Vol 11, no. 8, 2010, pp.769–802; Robert Muharremi, 'The European Union Rule of Law Mission in Kosovo (EULEX) from the Perspective of Kosovo Constitutional Law', *Zeitschrift Für Ausländisches Öffentliches Recht und Völkerrecht*, Vol 70, 2, pp.357–379; Erika de Wet, 'The International Constitutional Order', *International and Comparative Law Quarterly*, Vol 55, no. 01, 2006, pp.51–76.
- <sup>xxvii</sup> UN, 'Comprehensive Proposal for the Kosovo Status Settlement', UN Doc. S/2007/168 Annex I, 2007.
- <sup>xxviii</sup> Giovanni Grevi, 'The EU Rule-of-Law Mission in Kosovo (EULEX Kosovo)', in *European Security and Defence Policy The First 10 Years*, (eds) Giovanni Grevi, Damien Helly, and Daniel Keohane, European Union Institute for Security Studies, 2009.
- <sup>xxix</sup> See Muharremi (n. xxvi above).
- <sup>xxx</sup> Council of the European Union, Joint Action, 2008/124/CFSP O.J. (L42) 92, 2008.
- <sup>xxxi</sup> EULEX, Programme Report 2009. Kosovo, July 2009 (available from [www.eulex-kosovo.eu](http://www.eulex-kosovo.eu)).
- <sup>xxxii</sup> Interviews with high-ranking EULEX staff, Kosovo, 2012.
- <sup>xxxiii</sup> A fourth mechanism requires mention here, the interest of an actor, which cuts across legitimacy and reward-seeking. Arguably, an actor will comply with a reform objective if it coincides with his interest. However, as elaborated in the case section part of the Methodology, the cases were chosen in such a way to exclude coincidental compliance, as they require an element of normative change by the Kosovo Police.
- <sup>xxxiv</sup> Oran Young, *Compliance and Public Authority*, John Hopkins University Press, 1979, p.5.
- <sup>xxxv</sup> Ian Hurd, *After Anarchy: Legitimacy and Power in the United Nations Security Council*, Princeton University Press, 2007, p.38.
- <sup>xxxvi</sup> Arild Underdal, 'Explaining Compliance and Defection: Three Models', *European Journal of International Relations*, Vol 4, no. 1, 1998, pp.5–30; See Hurd (n. xxiv above).
- <sup>xxxvii</sup> See Young (n. xxiii, p.5).
- <sup>xxxviii</sup> See Hurd (n. xxiv above).
- <sup>xxxix</sup> Max Weber, 'Economy and Society', Günther Roth and Claus Wittich (eds), University of California Press, 1978, p. 946.
- <sup>xl</sup> Martin Hoffman, 'Moral Internalization: Current Theory and Research', *Advances in Experimental Social Psychology*, Vol 10, pp. 86-128, 1977, p. 8.
- <sup>xli</sup> See Hurd (n. xxiv above).
- <sup>xlii</sup> Ian Clark, *Legitimacy in International Society*, Oxford University Press, 2005, pp. 4-5.
- <sup>xliii</sup> Dominik Zaum, *Legitimizing International Organizations* (Oxford University Press, 2013).
- <sup>xliv</sup> Herbert Kelman, 'Compliance, Identification and Internalization, Three Processes of Attitude Change', *Journal of Conflict Resolution*, Vol 2, no. 1, 1958, pp.51–60.
- <sup>xlv</sup> See Hoffman (n. xl above); Ernest Q Campbell, 'The Internalization of Moral Norms', *Sociometry*, Vol 27, no. 4, 1964, pp.391–412.s
- <sup>xlvi</sup> See EULEX (n. xxi above); EULEX, Catalogue of Programme Monitoring, Mentoring and Advising (MMA) Actions, Kosovo, 2011 (Available from [www.eulex-kosovo.eu](http://www.eulex-kosovo.eu)).

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<sup>xlvii</sup> The interview references in the analysis omit this information because confidentiality was promised and the Kosovo Police is so small that even rank and location of the officers involved in specific reforms would make identification possible. Further, the interviews were not permitted to be recorded so notes were taken which means only few direct quotes from interviewees were captured.

<sup>xlviii</sup> The EU usually publishes such reports on the Council websites once the mission terminates.

<sup>xlix</sup> Michael Zürn and Christian Joerges, *Law and Governance in Postnational Europe: Compliance Beyond the Nation-State*, Cambridge University Press, 2011; Stephen Weatherford, 'Measuring Political Legitimacy', *American Political Science Review*, Vol 86, no. 1, 1992, pp.149–166; Tom Tyler, *Why People Obey the Law*, Princeton University Press, 1990; Edward Muller, Thomas Jukam, and Mitchell Seligson, 'Diffuse Political Support and Anti-System Political Behaviour: A Comparative Analysis', *American Journal of Political Science*, Vol 26, no. 2, 1982, pp.240–264; The American National Election Studies, *American National Election Study 2008: Pre- and Post-Election Survey Data Collection Instrument.*, 2008; The World Values Survey, *World Values Survey 2010-2011. Master Questions*, 2011 (both available at [www.electionstudies.org/](http://www.electionstudies.org/)).

<sup>l</sup> See appendix for statements used.

<sup>li</sup> The original research included the level of station commanders, who implement the reforms on the ground. They were excluded here because the analysis found that by the time the reforms reached these station commanders, they had become 'local' reforms from the chain of command and the link of the reform to EULEX had been interrupted in many cases.

<sup>lii</sup> See Hansen (note xx above).

<sup>liii</sup> OSCE, 'Assessing the Impact of Kosovo's Community Action Teams', Vienna/Pristina, 2009.

<sup>liv</sup> Nigel Fielding, *Community Policing*, Clarendon Press, 1995.

<sup>lv</sup> *Ibid.*

<sup>lvi</sup> Nikola Gaon, 'OSCE Helps Boost Community Policing in Kosovo', OSCE, Vienna/Pristina, 13 June 2006.

<sup>lvii</sup> See EULEX (n. xxxi above).

<sup>lviii</sup> See EULEX (n. xxi above).

<sup>lix</sup> EULEX, 'Annex A - Specification Form', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, 25 March 2012 (on copy with the author).

<sup>lx</sup> EULEX, 'Annex B2 - Daily Patrol Working Template Developed by Action Fiche 14/2009', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, 25 March 2012 (on copy with the author); EULEX, 'Annex C - Reporting Form Template', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, 25 March 2012 (on copy with the author); EULEX, 'Annex J - Annual Plan for Police Station Gjilan (Pilot Project)', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, 25 March 2012 (on copy with the author).

<sup>lxi</sup> EULEX, 'Annex D - KP Assessment of Pilot Project', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, 25 March 2012 (on copy with the author).

<sup>lxii</sup> EULEX, 'Annex H - Summary Report of June 2011 for Monitoring Period of May 2011', in *EULEX Programme - Final Report on MMA Action PSD 14/2009 - Annual Patrol Plan/Stations*. Kosovo, May 2011 (On copy with the author); See EULEX Programme (n. xliv above).

<sup>lxiii</sup> See EULEX Annex H (n. xlvi above).

<sup>lxiv</sup> *Ibid*

<sup>lxv</sup> EULEX, *Quality Control Report MMA AF 14/2009*. Kosovo, 2012 (on copy with the author).

<sup>lxvi</sup> See Eide and Holm (n.xiv above).

<sup>lxvii</sup> See EULEX (n. xxi above).

<sup>lxviii</sup> See EULEX (n. xxxv above).

<sup>lxix</sup> *Ibid*

<sup>lxx</sup> EULEX, 'Annex F - Template of KPIS Incident Recording Page', in *EULEX Programme - Final Report on Monitoring, Mentoring and Advising Action PSD 3/2009 - Victim Ethnicity - Crime Statistics*. Kosovo, 20 January 2012 (on copy with the author).

<sup>lxxi</sup> See EULEX, Annex J (n. xlvi above).

<sup>lxxii</sup> See EULEX (n. xxxv above).

<sup>lxxiii</sup> EULEX, *Quality Control Report for MMA AF 3/2009*. Kosovo, 2011 (on copy with the author).

<sup>lxxiv</sup> Interviews with KP officers, Kosovo, 2013.

<sup>lxxv</sup> *Ibid*

<sup>lxxvi</sup> *Ibid*

<sup>lxxvii</sup> Interviews with EULEX staff, Kosovo, 2012.

<sup>lxxviii</sup> See Zürcher and Barnett (note vii above).

<sup>lxxix</sup> Interviews with EULEX staff, Kosovo, 2013.

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- <sup>lxxx</sup> See Young (n. xxiii, p.5).
- <sup>lxxxii</sup> Interviews with KP officers, Kosovo, 2013.
- <sup>lxxxiii</sup> EULEX, *The Four Week Coordination Cycle*. Kosovo, 2009 (On copy with the author).
- <sup>lxxxiv</sup> Interviews with KP officers, Kosovo, 2013.
- <sup>lxxxv</sup> *Ibid*
- <sup>lxxxvi</sup> Interviews with KP officers, Kosovo, 2013
- <sup>lxxxvii</sup> See Hurd (n. xxiv above).
- <sup>lxxxviii</sup> See International Crisis Group (note xxiii above) .
- <sup>lxxxix</sup> Interviews with KP officers, Kosovo, 2013.
- <sup>lxxxix</sup> *Ibid*
- <sup>xc</sup> *Ibid*
- <sup>xcii</sup> *Ibid*
- <sup>xciii</sup> *Ibid*
- <sup>xciv</sup> Interviews with KP officers, Kosovo, 2013.
- <sup>xciv</sup> *Ibid*
- <sup>xcv</sup> *Ibid*
- <sup>xcvi</sup> *Ibid*
- <sup>xcvii</sup> Interviews with KP officers, Kosovo, 2013.
- <sup>xcviii</sup> EULEX, *Programme Report 2011*. Kosovo, July 2011 (Available from [www.eulex-kosovo.eu](http://www.eulex-kosovo.eu)).
- <sup>xcix</sup> Birte Gippert, *Why Comply? The Significance of Legitimacy, Coercion, and Reward-Seeking for Local Actors' Compliance with Peacebuilding Reforms*. PhD Dissertation. University of Reading. 2015.
- <sup>c</sup> Interviews with EULEX police staff, Kosovo, 2012.
- <sup>ci</sup> See Sending (n. x above); See Donais (n. xi above).
- <sup>cii</sup> See Mersiades (n. xii above); See Whalan (n. x above); See Gow and Dandeker (n. xii above).

## Appendix

### Disaggregated Results of Legitimacy Survey

Survey Items- All/Serb/Albanian responses by answer category	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	NA
The EULEX police reforms benefit Kosovo	31.8% 25% 33%	59% 75% 56%	9%  11%			
EULEX's values of the rule of law, transparency and accountability are important for Kosovo	73% 50% 72%	23% 50% 22%	4%  6%			
EULEX's results in the MMA sector are good	28% 25% 17%	50% 50% 56%	14% 25% 11%	4%  11%		4%  6%
EULEX's results in the executive sector are good	5% 11%	36% 75% 28%	50% 25% 56%	9%  6%		
EULEX's reforms for the KP match the needs of the KP	18% 28%	64% 100% 56%	14%  11%		4% 6%	
EULEX takes local views and priorities into account	23% 75% 28%	50% 25% 39%	18%  17%	9%  17%		
The EULEX mission does not treat their local partners with enough respect	18% 25% 17%	23%  22%	9%  11%	23% 25% 22%	27% 50% 28%	
The behaviour of the EULEX staff is professional and reflects good policing standards	41% 50% 44%	46% 50% 44%	9%  6%			4% 6%
It is important to me that EULEX' presence is now based on the invitation of the Kosovo Assembly	27% 25% 28%	18% 25% 17%	18%  17%	18% 25% 11%	15% 25% 21%	4% 6%