Democracy Promotion through the Lens of Governmentality:
The EU and Civil Society in Bosnia-Herzegovina and Kosovo

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Declaration

I, Sjúður Djurhuus hereby declare that this thesis, entitled “Democracy Promotion through the Lens of Governmentality: The EU and Civil Society in Bosnia-Herzegovina and Kosovo” submitted as partial requirement for the MA Programme Euroculture, is my own original work and expressed in my own words. Any use made within this text of works of other authors in any form (e.g. ideas, figures, texts, tables, etc.) are properly acknowledged in the text as well as in the bibliography.

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Chapter 1: Introduction

Over the past decades the European Union (EU) has become one of the most prominent actors in promoting democracy across the globe. It has ascertained a reputation that is revered and emulated by many. The irony is that despite having achieved a status as a pillar of democracy the EU is a relatively newcomer in the promotion of these notions. Unlike many of its international counterparts, the EU as an actor is a new democracy. Although, many of the states that compromise the EU are old democracies not all share the same history. Thus, as an actor the EU began the democratization process in the late 1980s. This objective of a uniformed political foundation was initially introduced by the formation of the European Community (EC). The EC was the precursor to the formation of the EU that saw its inception formally in 1993. Despite the ambitions of becoming more involved in democracy promotion it was not until after the Cold War that the EC/EU took a more proactive approach in these regards. As tensions eased, the EU had the room to expand and promote itself as a democratic institution. Through the gradual growth of its external relations, the EU made progressive investments in the area of democratic promotion beyond its borders. As its influence grew, the EU altered the discourse within the academic realm. This resulted in alternative methods of analysing International Relations (IR). Where an institution compromised of states was treated as a singular actor. Scholars argue that the EU operates as a normative actor on the global stage. As such, challenging the realist approach, which had previously shaped the discourse. Thus, this analysis will seek to build on the argument that the EU uses ‘soft’ means in its democratization instruments. As well, it will be argued that EU’s instruments are not depoliticized as they might otherwise be portrayed as.

In the early stages of implementing its democracy promotion policies, the EU’s main focus was greater engagement with Eastern and Central European Countries. This was a part of the enlargement strategies of the Union as the fall of communism paved the way for East and Central European countries becoming members of the EU. However, before they could be admitted to the EU they needed to commit to upholding democratic ideals within their nation states. As such, throughout

the 1990s and early millennium much of the EU’s role as a democracy promoter was centred on enabling instrumental development and the rule of law within its future member states. This was achieved through setting it as a condition, which they encouraged non-members in East and Central Europe to accept as the *acquis communautaire* of the EU in order to gain membership. This specific approach in democracy promotion was particularly successful and the EU experienced a significant expansion shortly after the new millennium and as such, an indication of the growth of democratic ideals within the European continent. Instead of resting on its laurels the EU expanded its democracy policies to other regions of the world. Having achieved status as a legitimate democratic actor, the influence that the EU had was beyond just the territorial lines of the continent. As this expansion occurred, a shift happened in how the EU was to focus their democratization processes. Instead of aiming for institutional strengthening from a top-down approach, the EU introduced new strategy that centred around fostering a democratic culture on a grassroots level. At the forefront of this change was the wish to increase the involvement of civil society. Establishing a desire for democratic principles within the social fabrics of EU states would only aid in the strength of it. It is precisely this shift that will be the focus of this analysis. As argued before, the EU is often regarded as using ‘soft’ mechanisms in its democracy promotion policies and the increased engagement with civil society actors in third countries can be seen as an example of this. The purpose of this critique is to analyse two of the instruments that the EU has utilized to promote democratic ideals. The two instruments that will be explored are the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument for Pre-Accession Assistance (IPA). These two instruments are among nine other programmes established by the EU that seek to promote the core values of the Union worldwide. Although the EIDHR and the IPA have different focal points they share significant similarities, which allows for a possible comparison between them two.

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At the core, the two instruments share a similar prerogative. Both the EIDHR and the IPA aim to aid the establishment and protection of civil society in developing countries. To garner a better understanding of the role these instruments play in the EU’s agenda, it is beneficial to gauge this through a critical lens. As such, this analysis will benefit from a Foucauldian reading of the aforementioned instruments. The concept of governmentality will be presented as a tool to unlock the pluralistic objectives behind the EU’s democracy promotion instruments. Governmentality was introduced by Michel Foucault as a concept to understand the logic behind governance in neo-liberal societies. As well, Foucault used governmentality as a term to describe how neo-liberal governance opens the door for a new type of power relationship between a governing body and its populace. Governmentality is characterized by the notion of governing at a distance, which allows for a level of freedom to arise among the populace. As such, the rationality behind neo-liberal governance is more about making populations believe they are free of control without giving up on power. Essentially, the objective is to maintain power of balance without completely subjugating the populace.7

By applying a Foucauldian reading of the EU’s approach to civil society and its aim to promote democratic measures is a means through which one could assess whether there are hidden agendas within these instruments. The perceived aims of the EIDHR and IPA are to strengthen democratic processes through the engagement of local civil society, hence supporting democratization from below. The objectives may seem altruistic but by turning to Foucault and the concept of governmentality will highlight that the underlying messages are far from purely benevolent. In addition to examining the objectives of the EIDHR and the IPA this analysis will also incorporate a case study in order to establish a better understanding on how these instruments are being facilitated. As a case study this critique will turn and look at how the EU, through the EIDHR and the IPA, support civil society movements in Bosnia and Herzegovina (BiH) and Kosovo. The relationship between the two countries and the EU are, of course, deeper than strictly centralized on democracy promotion. However, this specific part of the relations make for an interesting case study of how the EU is capable of exerting power through so called ‘soft’ methods.

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1.1 Research question
The aim of this piece is to examine the objectives behind EU’s civil society-focused democracy promotion instruments. The two instruments that will be examined are the EIDHR and IPA. The instruments are guided by a pluralistic rhetoric and at first glance they might seem to be strictly benevolent. However, by examining them through the critical lens of Foucauldian power analysis, it might reveal that these instruments are not entirely power-free. Supported by a case study of EU’s assistance for civil society movements in BiH and Kosovo, the aim is to explore whether there are signs of a hidden neo-liberal agenda within the rhetoric that guides the EIDHR and the IPA.

1.2 Methodology
The methodological approach of this analysis is twofold. It will encompass both a theoretical approach as well as a case study. The concept of governmentality will serve as the theoretical framework of this analysis. Introducing the key elements behind the study of governmentality will aid in establishing a working definition of the concept, and how they will fit the parameters of this analysis. As Foucault first developed the concept of governmentality, the starting point will be to introduce his thoughts and ideas behind it. Thereafter, in order to deepen the theoretical foundation, the analysis will look at the works of scholars who have critically used the concept of governmentality. After having laid down the key ideas behind governmentality, the aim is to apply the concept to the governing logic of the EU. As this study seeks to explore EU’s role as a promoter of democracy, applying the concept of governmentality within an institutional perspective is imperative. The two democracy instruments that will be examined are the EIDHR and the IPA. As such, a detailed assessment of the two mentioned instruments and applying a Foucauldian reading of them will serve as a tool to understand the logic behind EU’s democracy promotion. Thus, the theoretical aspect will aid in supporting the hypothesis, which is to see whether there are signs of neoliberal underpinnings within EU’s democracy promotion policies.

Moreover, to best answer the hypothesis, this analysis will benefit from two case studies. In order to demonstrate how the EU exercises its ‘soft’ power this thesis will focus on the Union’s role in BiH and Kosovo. EU’s role in supporting
democratization efforts through the funding of civil society will be examined. Both BiH and Kosovo receive funding from the EU through the IPA as means to support reforms. Among the areas that the IPA funding covers is civil society support. Another funding scheme, which offers support to civil society movements in BiH and Kosovo, is the EIDHR. As such, this thesis will consist of the assessment of EU’s role in supporting civil society in both BiH and Kosovo. The incorporation of the case studies will supplement the theoretical framework in an attempt to answer the research question. The case study of BiH and Kosovo will illuminate EU’s civil-society focused democracy policies. Further, it will provide a method by which to assess the politicized agenda of EU’s democratization instruments.

1.3 Review of literature
Over the past few decades the EU has emerged from having minimal global presence to becoming a significant actor on the international stage. The steady growth of EU’s foreign policy power has therefore resulted in a lively debate on its role as a global actor. One of the more common debates circulating the role of the EU is that it acts as a normative power. The concept of ‘Normative Power Europe’ was famously presented by Ian Manners (2002) and since its publication it has garnered wide attention in the academic field. Manners argues that in comparison to other global actors the EU plays an unique role on the world stage. The EU operates as a normative actor, meaning that it makes use of ‘soft’ power rather than physical force.\(^8\) EU’s ‘soft’ approach can be seen through how it spreads ‘universal values such as peace, democracy, the rule of law and human rights by virtue of its international presence and value-rational conduct in foreign policy.’\(^9\) As such, Manners has opened the door for an alternative way to analyze EU as an international actor. Although, Manners has gained a lot of attention for his study on NPE, several critiques merged and debated against his attempt to frame the EU as a normative power.

For example, Michael Merlingen (2007 and 2011) as well as Helene Sjursen (2006) are among several scholars who have highlighted the limitations in viewing the EU as a normative power. Merlingen questions the altruistic rhetoric, which Manners

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contributes to EU’s foreign policy. According to Merlingen, the concept of NPE attempts to portray the EU as a benevolent actor on the global stage with limited self-interest. The concept of NPE therefore showcase’s ‘a form of embodied care for the ‘other’, an expression of border-crossing solidarity with less fortunate people that is grounded not in self-interest but in normative convictions.’10 The idea of the EU being a selfless actor on the global stage has opened the door for an array of critique. Much of the critique is centred on the notion that the EU is acting in self-interest more than the betterment of other nation-states. Other critiques argue that the EU is a ‘hollow hegemony’ and that its rather vague ‘soft’ objectives are lacking a clear-cut agenda (see Chandler 2007 and Bridoux and Kurki 2014). Nevertheless, it has resulted in an alternative way to analyse world politics and as a result the EU’s position on the global arena is frequently debated.

Although this present analysis will not seek to debate whether the EU is a normative power or not, it will build upon the critique that argues against the EU being a truly altruistic actor. One of the elements that makes the EU a normative power according to Manners, is its diffusion of democracy beyond its borders. The promotion of democracy has been a part of the EU’s foreign policy for decades but it took an interesting turn around the new millennium. During the 1990’s EU’s strategy for democracy promotion had its focus on strengthening local institutions and the rule of law within nation-states. Since then, however, it has experience a transformation and nowadays the strategy for democracy promotion has a ‘softer’ edge. The ‘softer’ approach to democracy promotion means that the current EU strategies are more centered on funding local civil society movements in an attempt to strengthen democracy from below.11 This move towards a locally focused democracy promotion has resulted in the EU launching specific funding instruments that are designed to meet these changes. The EIDHR and the IPA are two of the funding instruments which aim is to promote democracy promotion by strengthening local civil society. As such, this analysis will seek to examine the EIDHR and the IPA and see whether selfish motives are hidden behind its ‘soft’ shell. In doing so, this critique will argue that there are signs of neo-liberal governance within the EU foreign affairs objectives. Further, arguing that the democracy promotion of the EU has politico-economic aims

10 Ibid., 437.
11 Kukri, “Governmentality and EU Democracy Promotion”, 349-351.
oppose to being benevolent.

Moreover, in order to illuminate this perspective, this piece will engage in the works of Foucault as mentioned before. The French philosopher’s ideas on liberal governance in the late twentieth-century will serve as the tool to analyse EU’s democracy promotion objectives. The concept of governmentality will be at the forefront of this critique, arguing that neo-liberal logics are evident in modern notions of governance. Although, the presence of Foucault in the studies of IR is significant thanks to the works of scholars such as, Iver B. Neumann and Ole Jacob Sending (2006), as well as Rita Abrahamsen (2004), applying a Foucauldian reading to EU’s foreign policy is a relatively novel approach. This analysis will, therefore place itself among the few existing works on EU’s foreign policy and governmentality, namely Milja Kukri (2011), Jonathan Joseph (2010) as well as the studies of Merlingen (2007 and 2011). Although, a Foucauldian reading of EU’s democracy promotion objectives may be a rather unorthodox choice it is nonetheless a fruitful exercise that might open a new dialogue within the debate itself. Kukri argues on her work on governmentality and EU democracy promotion that by making use the ideas of Foucault in her work offers a novel approach to the already existing literature on EU’s democracy promotion. ‘This is because a Foucauldian perspective, despite its imprecisions and limitations, provides an innovative angle into the analysis of democracy promotion techniques, its power-dimensions, and its politico-economic foundations.’¹² Kurki understand the complexities of Foucault’s ideas and the usefulness it can have in opening the debate and widening the scope of analysis.

Lastly, in order to illustrate how EU’s democracy promotion tools are put into practice this piece will offer a tentative analysis of the implementation of the EIDHR and the IPA in BiH and Kosovo. These two units are interesting cases to analyse as foreign actors have had a major influence on its policies throughout the years. Thus, the impact of international players in BiH and Kosovo offers an excellent platform in which to explore Foucault’s understanding of power. The countries have been protectorates of different foreign actors, after they both experience a devastating war, and they remain under international scrutiny even at present-day. Of all the foreign interest in the region, the EU has arguably established itself, as the most prominent

¹² Kukri, “Governmentality and EU Democracy Promotion” 350.
actor in BiH and Kosovo. The main reason for this is that, both countries belong to the enlargement strategy of the Union and are characterized by its status as potential candidate countries. Therefore, the EU has been involved in the democracy promotion processes in BiH and Kosovo for many years and the IPA and EIDHR have played an important role in these regards. In spite of the fact that BiH and Kosovo have been beneficiaries of the civil society-focused democracy promotion instruments of the EU for a decade, the academic literature is rather scarce concerning this topic. This analysis will take advantage of the limited literature on the practice of the EIDHR and the IPA in BiH and Kosovo, by turning to the works of Adam Fagan (2011), as well as Labinot Greçevci and Bekim Çollaku (2015). These articles will offer a critical perspective of EU’s democracy promotion tools in BiH and Kosovo. In addition, this analysis will seek to explore the works of scholars that have analysed the EU as a normative actor in the Western Balkans. Among these are, Gergana Noutcheva (2009) and Ana E. Juncos (2005). The works on the EU as a normative power, as well as the critique on the EU's role as democracy promoter in BiH and Kosovo, will aid in the aim of answering the research question on whether there are hidden agendas underneath the EU’s ‘soft’ edge democracy tools.
Chapter 2: Theoretical Framework

The aim of this chapter is to establish a theoretical foundation, which will serve as a crucial point in order to best answer the research question. The theoretical framework will be guided by the concept of governmentality. This concept was first developed by Foucault in the 1970s and has since become a useful tool in order to make sense of modern forms of governance. Foucault’s concept has been a source of inspiration for a large number of scholars across diverse academic disciplines and among them those of I.R. The present analysis will also attempt to place Foucault’s ideas on governance within the framework of IR. First, this chapter will introduce the basic principles behind the theory of governmentality in order to establish a working definition of the concept. After having identified a working definition, of Foucault’s concept, that will fit the scope of this analysis, the second part of the chapter will concentrate on offering a platform from where to analyse the tie between the EU and governmentality. As the purpose of this analysis is to examine EU’s democracy promotion instruments it is necessary to place Foucault’s work in relation to its institutional framework. As EU and democracy promotion is a broad concept this critique will seek to study the role of civil society in regards to the Union’s democratization efforts. Civil society can be used as a power tool within neo-liberal governance, thus the link between the mentioned concept and governmentality will be explored. Lastly, the working definition of governmentality will aid in developing the needed theoretical foundation in which this analysis will evolve around.

2.1 Foucault and Governance

As one of the most prominent philosopher in modern times, Michael Foucault’s work has been utilized across a number of academic fields. One of the areas that has benefitted from Foucauldian ideas is the field of International Relations (IR). Although, Foucault did not identify himself as a political theorist his work has become highly influential among scholars and thinkers within the realm of political science. The field has seen a galvanization of his theories that have expanded the applicability of Foucault’s work beyond just the philosophical. Andrew W. Neal

argues in his work on Foucault and IR that one ought to bear in mind that ‘Foucault is a writer of histories who is not really a historian, and a political thinker who does not really give us a clear articulation of politics.’\textsuperscript{15} Foucault’s place in the academic narrative remains open-ended, as such making the use of his theories versatile and timeless. Further, Neal claims that: ‘Foucault tells us where we might find politics, or at least find things that have political significance.’\textsuperscript{16} Albeit, Foucault was not a political theorist the French philosopher has become a dominant figure among scholars and others alike in attempting to understand certain phenomena within IR. Applying Foucault’s ideas in the field of IR is used as means of understanding and unravelling some of the complexities existing within the field.\textsuperscript{17} The use of Foucauldian discourse as a method of analysis, particularly in its focus on power relations is one of the examples of his presence in IR. As such, the present analysis will deploy a Foucauldian reading of power dynamics between international actors as a tool through which to better understand these complex relations.

Before delving into analysis it is imperative to lay down the foundations of Governmentality, which will serve as the theoretical framework of this piece. The concept of governmentality was coined by Foucault in his lectures at Collège de France between 1978 and 1979.\textsuperscript{18} In these lectures, Foucault presented his ideas on power dynamics between a governing body and its populace. According to Foucault, the guiding forces underlying the mentality of the governing body has been that of controlling and influencing its population. These mentalities have undergone an interesting transformation from sixteenth century to the more current neoliberal era.\textsuperscript{19} Foucault espouses that the art of governing has changed from a Machiavellian top-down approach to a micro-level of governance. Merlingen describes the shift, which Foucault addresses in his lectures, as ‘the transformations in governmentalties from a concern with the glory of the prince and the defence of his territorial possessions to

\begin{footnotesize}
\begin{enumerate}
\item Andrew W. Neal, "Rethinking Foucault in International Relations: Promiscuity and Unfaithfulness", \textit{Global Society} 24 (2009): 541, accessed
\item Ibid., 541.
\item David Chandler & Giorgio Shani, “Assessing the Impact of Foucault in International Relations”, \textit{International Political Sociology} 4 (2010): 196-197, accessed
\end{enumerate}
\end{footnotesize}
the protection and promotion of the life of populations. Thus, touching upon the fact that the balance of power has shifted from state centric notions to more individual. Within classical liberalism, as Foucault labels it, the ruling power, whether it is an individual or group, would govern the populace in an autocratic fashion. The power was therefore centralized around the ruler’s and the aim was to defend its domain. Within this power dynamic, the role of the populace was to serve the ruler. However, within neo-liberalism governmentality saw the populace play a different part as power was restructured from the governing body to the people.

In his lectures Foucault elaborates on the transformation of “the art of government” in a more nuanced way than presented in the above-mentioned section. The French philosopher argues that a split occurs with old ways of thinking in the middle of the sixteenth century, which paves the way for a shift in the mentality with regards to the question on how to govern, ‘[h]ow to be ruled, how strictly, by whom, to what end, by what methods, and so on’.21 The underlying notion he presents is that governmentality evolved from state centric predispositions to a greater concern for the citizens within the ruler’s control. Contextually, Foucault’s line of inquiry made sense given the emergence of modern nation-state during that time. Therefore, focus was more on controlling the population within the nation state through various techniques rather than controlling the territoriality.22 According to Foucault, one of the methods for rulers to ensure control over its populace is through disciplinary power. This form of power can be seen through extreme punishments such as executions or as well, as simple organization of public institutions and workplaces. What is imperative to keep in mind when analysing disciplinary power is that this method of control is centred on the body to ensure that the population can sense the presence of the ruling power. Jonathan Joseph argues in his work on Foucault and disciplinary power that: “The body, as the target of power, is placed under constant supervision and surveillance, while space and time are organised such that the body can be better regulated and controlled.”23 Once again, there is that shift between state-centric notions of power to

more individual level. What is in need of control now is not the physical space itself but the people who reside within it. Thus, the main target within disciplinary power is the body and it is the tool which the governing party is using to exercise control over its population.

2.2 Neoliberal governmentality
However, it should be noted that the type of power that intrigued Foucault the most, during the lectures at Collège de France, was not disciplinary power and in fact, his interests stand in sharp contrast to this form of governmental construction. Instead, the philosopher engaged in a type of governance that evolved in the middle of the twentieth century and is coined by Foucault as Neoliberal governmentality. Changes in the political landscape in the twentieth century led to the emergence of neoliberalism and it paved the way for reforms in the economic, political and social landscape. The neoliberal model is often seen as being characterized by choice with the free market being a catalyst of these traits. As others would hail neoliberalism as a new ideological or policy model, Foucault regarded these changes as novel form of governance. Hence, these developments were characterized by different practices through which the government could execute effective control over its populace. Proponents of neoliberalism would use the rationality of freedom as a tool through which to argue that neoliberalism had resulted in a move away from conventional governance. Foucault saw this logic as beguiling and described neoliberal governance as being individualizing and totalizing at the same time. Meaning that there exists almost a paradox within the logic of neoliberalism, as it is both concerned with the individual and their rights, but, as well as regulating the populace.

Moreover, in order to better understand how Neoliberal governmentality intertwines with the concepts of regulation and freedom here it can be viewed through the critical lens that disciplinary power has to offer. Joseph argues that there exists a different kind of power within the context of neoliberalism in comparison to so-called classical liberalism. ‘This is a more liberal form of power that governs from distance.


power, the focus of governmentality is on the creation of free and active subjects.\textsuperscript{27} Again, there is an emphasis on the transfer of power between the nation-state and it’s citizens. Unlike disciplinary power, the focus of neoliberal governmentality is to respect the freedom of the governed population. Instead of using more direct forms of governing, such as punishments or threats, neoliberal leadership will claim to seek to govern from distance. Allowing its populace to have the freedom it desires without giving up all of its power. The idea of the populace being a free subject is therefore at the centre of the concept of neoliberal governance. Merlingen describes this clear shift in forms of governance as being less hierarchical and more co-operative in nature:

Neo-liberal governmentality is thus more about co-opting and administering the people than about ruling them through top-down laws and decree (….) Foucault reworked his concept of power to emphasize how power functions by making people willingly complicit in their own governance. This latter type of power is networked and fluid rather than hierarchical and stable. Networked power is more about the co-ordination of actors than it is about their disciplinary normalization.\textsuperscript{28}

Thus, Foucault reconceptualises traditional notions of governance to accommodate for the shift in the balance of power. He acknowledges the increase in power of the populace and how the governing power had to readjust their tactic in order to maintain control. The concept of governing from distance means that natural processes are able to occur without the governing body having direct influence on this. As such, this type of governmentality is more concerned with the administration of people and co-ordination of actors as Merlingen argues. By allowing for the changes in the power structure, the governing power has intertwined the concepts of regulation and respects the rights of the individual in order to maintain control. Forming an unspoken partnership between the two levels of actors.

\subsection*{2.3 Conduct of conduct}

As much as the notion of governing from distance is rooted in the principles of freedom, it is nonetheless calculative in nature. The idea of governmentality is to convince others that the freedom of the populace is respected and that the power is in the hands of the governed. ‘Neoliberal governmentality, for Foucault, is a particular type of liberal technique of control that has is its aim the utilization of the principle of

\textsuperscript{27} Joseph, \textit{The Social in the Global}, 25.

\textsuperscript{28} Merlingen, \textit{From Governance to Governmentality}, 152.
freedom as a mode of moulding the individual and society.’ In other words, governmentality is a way to orchestrate the governed by advocating to adhere to the principles that the populace is a free subject. This creates a paradox in which freedom becomes regulated. Foucault describes this as the ‘conduct of conduct’ and it serves as a key underlying element through which to understand neoliberal governmentality. This type of power has the possibility to operate in many different ways in order to achieve its goal of making the object believe it is free of control. Persuasion and encouragement techniques are useful tools in order to control the populace, however these techniques imply that there is a form of consent between the governing body and the referent object. Through governing from distance the populace is not always aware of how their conduct is being conducted. As such, consent is not necessary when the power is being operated from afar. This illusion of freedom allows the governing power to retain control without needing to command it.

The ‘conduct of conduct’, as Foucault playfully describes it, is the core behind the mentality of modern governance. It is an indirect way of forcing people to act in a certain way without necessary needing consent. The trick is to make people believe that there exists a free will and that there is no governing body regulating the actions of the citizens. As previously mentioned, this creates a paradox within neoliberal government, as there occurs an absurd situation where the free individual is under administration. The concept of ‘conduct of conduct’ is therefore a method for a government to orchestrate the actions of its populace and serves as a crucial part in order to understand Foucault’s work on governmentality.

2.4 Governmentality and civil society

After having laid down the foundations of governmentality it is imperative to look at how it operates in certain sectors of society in order to get a better understanding of the influence it has. The following chapters will explore how the EU, through the EIDHR, supports civil society movements in both Kosovo and BIH. As such, it is important to look at the link between civil society and governmentality in order to see

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31 Ibid., 275
whether it can be argued that it can be used as a method by a governing body to exercise its power. As the concept of civil society has been around for centuries, there exists a plethora of literature on its origins and what it entails. Thus, it is not the aim of this analysis to go into any further detail about the definitional parameters of the term. The purpose is rather to understand that civil society has through the concept of governmentality. This will be conducted by applying Foucault’s ideas on civil society and attempting to break down how it can be used as a power tool.

Neo-liberal governance operates on a microlevel and it claims that the freedom of the individual is at centre. The engagement of civil society can be used as an example on how decentralization occurs within governmentality. Foucault argues that civil society is a key aspect of neo-liberal society as it can be deployed as a method through which a government can exercise its power. Contrary to popular belief, Foucault says, that civil society is not some sort of aboriginal nature that has always existed as an opposition to the politics of the state, for example. Instead, the French philosopher argues that the engagement of civil society can be seen as a deliberate attempt by a government to make it seem as if power is transferred to the populace. ‘The distinction between civil society and the state is a form of ‘schematism’ for the exercise of political power. Foucault describes civil society as in this sense a ‘transactional reality’ existing at the mutable interface of political power and everything which permanently outstrips its reach.’ Thus, Foucault enables his readers to look at civil society as a tool in which a governing body can use to deceive its people with. Namely, by making it seem as if power is being allocated to the populace and that the government does not control the lives of its people.

For Foucault, neoliberal civil society should not be seen as an independent entity from a state or any governing body. Instead, civil society is a fundamental part of the rationality behind governmentality. The decentralization of power from the state to the people allows for a sphere to occur where an individual in society

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37 Kukri, “Governmentality and EU Democracy Promotion,” 353.
becomes a subject with rights, instead of an object that needs to be regulated.\(^\text{38}\) There has been some critique regarding Foucault’s ideas on civil society and scholars such as Jean L. Cohen and Andrew Arato argue that Foucault presents us with a very negative and one-dimensional view on the link between civil society and governmentality.\(^\text{39}\) However, it is not the aim of this analysis to go in depth into the whether Foucault’s ideas on civil society are flawed or not. Instead the idea is to place his ideas within the notion of global civil society as a tool to understand EU’s role in the Western Balkans. By engaging in the works of scholars such as Jonathan Joseph, Milja Kukri and Iver B. Neumann it is possible to assess the mentalities behind governance through the lens of Foucault’s concept of governmentality.

### 2.5 Governmentality within a European Union Framework

As this study seeks to analyse the EU’s role in Kosovo and BiH, global governance will be at the forefront of this analysis. Since the concept of governmentality is concerned with the mentalities behind a mode of governance and how this is transferred to the management of populations, the EU is an obvious actor to examine.\(^\text{40}\) Further, as a case study it highlights the fact that governmentality is indeed a concept that operates beyond domestic levels. Ann Zimmermann and Adrian Favell argue in their study of the EU as a site of governmentality that it is precisely the principles of the ‘conduct of conduct’ that allows for a reading of Foucault’s theory to look beyond the confines of the nation-state. ‘The decoupling of government and power from the state is one of the attributes that makes the concept of governmentality especially fruitful to the analysis of deterritorialized politics beyond the nation-state such as the EU.’\(^\text{41}\) Zimmermann and Favell emphasize the fact that the shift from the focus on territorial power provides an excellent platform to study governmentality within the EU framework. As well, the EU is a global actor that is concerned with the management of population as oppose to merely territoriality.

In addition, governing from a distance is also another important aspect when


attempting to understand the mentality behind governmentality. This type of governance is more concerned with administrating a population as oppose to using means such as demands and orders. The EU is a project that uses these new forms of governance and it can be viewed through its multi-layered system of governance. The EU operates through multiple agents and as a result several of its competences are shared. The sharing of competences means that cooperation is necessary between the different levels of governance. Although, there are multiple processes in the EU that can be analysed through the concept of neoliberal governance, the exercising of governmentality by the European Commission (EC) is most fitting for the scope of this analysis. The Commission is dealing with external relations and is the body of the Union that has competences over the relations with both Kosovo and BiH. Further, the EIDHR and the IPA, which will be examined more closely in the later chapters, are two of several funding instruments that are in the hands of the EC as well. Therefore, by applying the concept of governmentality, to some of the strategies of the EC, will aid in further understanding the mentalities behind the administration techniques of the Union.

In an aim to apply governmentality to a EU framework this analysis will turn to Jonathan Joseph and his work on Governmentality in the European Union (2012). In his work the author examines how the EU, and in particular the EC, administration can be viewed through the lens of governmentality. As argued, Joseph puts forth that the EC is a particularly interesting unit to study when attempting to apply a Foucauldian reading to its operational methods. The EC is governing from distance through various measures, such as; ‘suggestions, recommendations and promptings, but also operating through establishing the correct procedures, methods, aims and objectives with progress and performance measure through a set of targets, or through peer-review and benchmarking.’ The multiple means that the EC is employing can both be understood as encouragement tools as well as orders. Hence, drawing parallels to the notion of ‘conduct of conduct’, since a tension occurs between too much or too little governance. As such, the idea of governing from distance can both be seen in the overall structure of the Union and its utilisations of multiple agents, as well as in the EC’s rhetoric.

43 Joseph, The Social in the Global, 211.
In order to offer an example of how the EC is governing from distance it is worth paying attention to the enlargement strategies of the Union. Since both BiH and Kosovo are considered potential candidate countries, negotiations are regularly held between the EU and the respective units in an attempt to see whether the potential candidate countries are moving closer to the *acquis communautaire* of the Union.\(^{44}\) The processes of becoming member of the EU are long and complex and delving into the details of this procedure is beyond the scope of this analysis. However, the important matter to take away from the aspirations of EU membership is that the EC sets out certain criteria that have to be met by the potential candidates. Now turning back to Joseph and his take on how the EC can be seen as a site of governmentality, the author argues that the EC is often using methods such as suggestions and recommendations in order to achieve its goals. These procedures fall in line with the logic of governmentality and attempting to govern without seeming intrusive. ‘[T]his typifies processes of devolving responsibility while maintaining a watchful gaze through the compilation of data and the requirement to follow certain internal procedures’.\(^ {45}\) Again, the rationale behind EC’s negotiations, for potential candidate countries, draws a parallel to the concept of governmentality. Potential candidate countries, like BiH and Kosovo, are told how to govern themselves through encouragement techniques, hence an example of how the EC governs from distance.

Overall, the aim of this chapter was to first introduce the concept of governmentality and further attempting to apply it to the framework of the EU. As the concept was first developed by Foucault, his work serves as the primary source when presenting the ideas behind governmentality. However, as mentioned in the beginning of this chapter Foucault was not a political theorist and in order to seek to answer the research question it is imperative to look beyond the work of the French philosopher. With the help of scholars such as Merlingen, Joseph, Kukri and Neumann a working definition of governmentality was introduced. Further, as the purpose of this critique is to look at how the EU is supporting civil society actors in BiH and Kosovo a link between the concept of governmentality and civil society was presented. As, EU policies will be at the forefront of this analysis it is important to place the concept of


governmentality within the framework of the Union. As such, the latter part of this chapter focused on how the EU can be used as a ground to test whether the mentalities behind governmentality are occurring in both the overall structure of the Union as well as within the logic of the EC. The following chapters will continue to place the concept of governmentality within the EU framework, by offering a detailed examination of the EIDHR and the IPA, as funding instruments of the EC.
Chapter 3: EU’s Democracy Promotion Instruments

Supporting democracy and promoting good governance serves as a crucial element of EU’s external policy agenda. Up until present day the EU has established several instruments that are tailored towards promoting the above-mentioned objectives. This chapter will introduce two important instruments that function as funding mechanisms of the EU in supporting democracy promotion through the engagement of civil society. The two instruments, which will be introduced and analysed are the EIDHR and the IPA. These two instruments are among nine other funding programmes that cover external cooperation and aid. The EIDHR is a so-called thematic programme, which was first launched in 2007, and its aim is to promote democracy and human rights all over the world. The IPA is a geographical programme and in contrast to the global focus of the EIDHR, the IPA is a part of the enlargement strategy of the EU. In other words, through the IPA, the EU only offers funding for projects in candidate as well as potential candidate countries. Although, these two instruments are determined by different factors they have both contributed to the support of civil society organizations (CSOs) in Kosovo and BiH throughout the years. This chapter will first introduce the basic principles behind the two instruments to see how the EU itself defines its aims. Secondly this chapter will place the EIDHR and IPA within the paradigm of governmentality. The aim is to assess whether there is a link between neo-liberal governmentality and the objectives of the instruments as a whole.

The sources that will be looked at in order to present the basic principles behind the EIDHR and IPA are mainly compromised of official documents from the EU. As mentioned, the aim in this chapter is first to present the reader to the objectives of the instruments before delving into further analysis. Reading and analysing official strategy papers, speeches and briefings on both the EIDHR and the IPA will offer an inside into how these tools are presented. Both the EIDHR and the IPA were first launched in 2007 and were renewed in 2014. The renewal led to minor changes within the instruments, however the overall objectives are similar, thus this analysis will draw on documents from both periods as they remain relevant. Further, as mentioned, the EIDHR and the IPA are two different programmes with individual

aims. However, is it possible to draw similarities between the instruments, as they both are devoted to the promotion of democracy in non-EU countries. In addition, both instruments work closely together with civil society in order to achieve their goals. The strengthening of civil society has always been a goal of EU’s foreign policy, especially towards its eastern neighbours. The enlargement policies throughout the 1990’s and up to 2006 included the objectives of strengthening civil society. In spite of this, the EU’s attempts to empower civil society in potential member states had a more institutional focus in the past. Previous pre-accession instruments have offered technical assistant to the promotion of democracy, hence leading to a more top-down approach.\(^{48}\) In contrast, the IPA and especially the EIDHR are more focused on strengthening civil society through a bottom-up approach.

3.1 The IPA

The IPA came into effect in 2007 replacing other funding instruments that had existed prior to the creation of this version. The introduction of the IPA came as a result of the EU enlargements in 2004 and 2007. The instruments that were introduced in the period between 2000-2006 were stopped as several of its benefactors had now reached EU membership. After 2007 the IPA covered candidate countries and potential candidate countries. At that time the candidate countries were Croatia (now a EU member), F.Y.R Macedonia and Turkey. The potential candidate countries were Albania, BiH, Montenegro and Serbia.\(^{49}\) Kosovo was also considered a potential candidate country but only in reference to Serbia. However, this was later changed due to the 2008 deceleration of independence of Kosovo. Since the IPA came into effect Albania, F.Y.R Macedonia, Montenegro, Serbia and Turkey have gained status as candidate countries, leaving BiH and Kosovo as the only countries that are still considered as potential candidate countries. The overarching aim of the IPA is to support both financial and the technical facilitation for the countries that are considered as one day having potential to join the Union. The budget for the period between 2007-2013 was EUR 11.5 billion that was dedicated, according to the EC, to

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support positive and progressive developments for the enlargement countries. The IPA has five main components and they are (i) Transition assistance and institution building (ii) Cross-border cooperation (iii) Regional Development (iv) Human resources development (v) Rural development. For the purpose of this analysis the first component will be the focal point, namely transition assistance and institution building. As they are key in promotion of democratic ideals, fitting in with the overall aim of the EU’s goal.

The Transition assistance and institution building component of the IPA is managed by the Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR) of the EC. One of the many roles of DG NEAR is to assist the countries that have aspirations to join the EU through various reforms.

By implementing assistance actions in Europe's eastern and southern neighbourhood, DG NEAR supports reform and democratic consolidation, and strengthens the prosperity, stability and security around Europe. DG NEAR helps to promote EU values, policies and interests in this region, and to contribute to developing the special relationship of the EU with its neighbouring countries.

DG NEAR therefore acts as the main body of the EC that deals with assisting democratic developments and other transitional justice measures in pre-accession countries. The funding of the democratic reforms is decided by DG NEAR but, is essentially channelled through the IPA. The IPA as mentioned previously, is a major tool of the EU in financially supporting democratic processes in enlargement countries. The projects, which are related to democracy promotion, are various as the EU both directly supports institution strengthening as well as civil society. Improving public administration is one of the main concerns of the IPA and it is a part of the overall democracy promotion interests of the EU. Under the banner of An Investment in Europe (2015), DG NEAR published a strategy paper that was concerned with improving public administration in the enlargement countries. One interesting aspect

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to take away from this strategy is that the EU, via the IPA, is committed to both supporting democratization processes through a top-down and bottom-up approach. Being prepared to support the processes from both angles enables the EU not to box in their approach. Allowing for ample methods to aid in the candidate countries. By supporting measures that are intended to directly strengthen the institutional bases in the recipient country is an example of top-down assistance. On the other hand, the focus on strengthening the relationship between local authorities and the population is an example of how the IPA allocates funds to civil society movements, ultimately wishing to bridge the gap between the two units.\textsuperscript{54} Such a gap is necessary to follow for greater legitimacy but as well, to keep focus of the aim of the agenda. Without claiming that previous pre-accession instruments did not focus on the strengthening of civil society, it is important to take note that within the objectives of the IPA the support to CSO’s plays an important role.

Moreover, in 2014 the IPA was re-regulated and a new funding scheme was initiated within the institution. Due to the fact that the EC believed that the IPA had been a successful replacement of the previous pre-accession tools the new instrument only experienced a minor revamp. The current funding scheme for pre-accession countries is known as IPAII and is set to stretch from 2014-2020. The budget for IPAII is EUR 11.7 billion, which is a slight increase in comparison to its predecessor. The commitment to allocating funds for civil society is also a vital part of the IPAII objectives as they are laid out in the strategy paper published for the occasion. The IPAII strategy paper pays deep attention to how essential the improvement of civil society actors is in the pre-accession countries. One of the reasons for this is that despite the efforts of previous tools, by the EU, in empowering civil society in enlargement countries, there is still a long way to go. Democratic ideals do not just become permanent fixtures over night but require constant monitoring and civil engagement. ‘Although IPA beneficiaries are gradually adopting legislation and strategies more favourable to civil society development, engagement with civil society remains weak.’\textsuperscript{55} As such, there is still room for improvement in the attempt in building up a strong civil society. The important role that civil society plays in democratizations processes is mentioned several times in the IPAII strategy paper and


\textsuperscript{55} Ibid., 13.
it is clear that there is a wish to strengthen this sector. ‘It should also compromise support to strengthening Civil Society as a relevant actor in a democracy (…) An empowered civil society is an essential component of a participatory democracy’. As it can be seen in the quotes from the IPAII strategy paper the empowerment of civil society and democratization processes go hand in hand. Hence, strengthening of civil society is at the forefront of the latest strategy paper on pre-accession objectives. Engagement with democratic ideals by civil societies within candidate states is a key element in the EU’s broader aims as a democracy promoter, which is aided by the formation of the IPA.

3.2 The EIDHR

As the name entails the EIDHR is the leading funding instrument of the EU in promoting democracy and human rights across the globe. Human Rights is a key aspect of a democratic society as such, this notion needs to be firmly installed within the member states of the EU. The instrument offers funding to support civil society organizations in non-EU countries. It was first launched in 2007 as a successor to the European Initiative for Democracy and Human Rights. The first period of the EIDHR ran from 2007-2013 and the programme got extended in 2014 to last until 2020. The EIDHR was launched with a view to foster democracy in non-EU countries from the inside by supporting grassroots projects. The EIDHR distributes funding to either local NGO’s or foreign NGO’s that are based in the recipient country.

Benita Ferrero Waldner, Commissioner for External Relations and Neighbourhood Policy (2004-2009), pointed out that through the launch of EIDHR, the EU wished to move towards a more locally based funding scheme. In other words, wishing to ensure democratic promotion through a bottom-up approach. In addition, in the press release for the EIDHR, the Commissioner argued that the new instrument was more flexible than its predecessors, meaning that funding can be awarded to more diverse projects and actors. As well, it also means that through the EIDHR the EU can react quicker to

events happening around the world and be able to offer immediate support.\textsuperscript{59} As such, the EIDHR has a broader reach than previous schemes and is certainly one of the most ambitious attempts by the EU in promoting democracy beyond its borders.

One of the reasons that the EIDHR has become one of the most innovative external assistance instruments of the EU is because of its ability to operate on an independent level. The EIDHR has an independent budget, which is strictly devoted to the promotion of democracy and human rights. The budget for the first EIDHR programme, from the period between 2007-2013, was EUR 1,104 billion. The EIDHR II, which is the current instrument, has a budget of EUR 1,332,752,000, from the period between 2014-2020. Other reasons why the EIDHR programme has an independent nature were presented by Ferrero-Waldner during a speech in 2006 on the newly presented instruments. In addition to the flexibility and its potential to react quickly to crisis, the EIDHR is not dependent on governmental influence.\textsuperscript{60} The instrument’s independent nature allows it to be shielded from politicisation, to an extent. It means that through the EIDHR, the EU is capable to independently support civil society projects in non-member countries without the approval of the local government. Ferrero-Waldner hailed this aspect of the EIDHR and said that; ‘this will give us more freedom to work with those who are best placed to have an impact on the ground.’\textsuperscript{61} Thus, the flexibility and independent nature of the EIDHR allows the EU more freedom to choose projects it wishes to fund. In turn this decreases the need for the EIDHR to become intertwined with bureaucratic red tape that other funding instruments of the EU may be burdened with.

Furthermore, another sign of the independent nature of the EIDHR is that it has its own objectives. These overarching objectives do, of course, overlap with other aid instruments of the EU. However, as a tool that is aimed at supporting democracy and human rights across the globe, the EIDHR, is unique in how it shapes its own agenda. The five internal objectives of the EIDHR are:

i) Enhancing respect for HR and fundamental freedoms in countries where they are most at risk

ii) Strengthening the role of civil society in promoting HR and democratic reform,


\textsuperscript{61} “Democracy Promotion: The European Way”.
supporting the peaceful conciliation of group interests and consolidating political participation and representation iii) Supporting actions on HR and democracy issues in areas covered by EU Guidelines iv) Supporting and strengthening international regional frameworks for protection and promotion of HR, justice, the rule of law and the promotion of democracy. v)
Building confidence in and enhancing the reliability and transparency of democratic electoral processes, in particular through election observation.62

These objectives set the framework for the EIDHR and any project that falls in line with the abovementioned aims is entitled to funding. The aim of the instrument is to strengthen local civil society and thus 90% of the partners are CSOs. The range of projects that have received funding through the EIDHR is wide, as such enhancing the scope of its capabilities. Among the funded projects are organizations that work towards promoting gender equality, good governance, environmental sustainability and indeed democracy and human rights. The recipient projects are located in a variety of countries around the world, from enlargement countries to newly formed states.63 The procedures that occur in order to apply for a grant are mostly done through so-called ‘calls for proposal’. The EIDHR either announces global calls for proposal or in some occasions the proposals are only opened to a specific country. If the projects cover the objectives of the EIDHR they have the chance to be selected and the selection procedure is carried out in consolation with the EU delegation in the partner country.64 As such, the internal objectives of the EIDHR, as well as the decision-making procedures, are further examples of the uniqueness of the funding instrument.

3.3 The Unique Structure of the EIDHR the IPA
To sum up, it is possible to draw several comparisons between the objectives of the two instruments. They both differ from previous pre-accession instruments, which have focused more on promoting democracy through more technical means. The predecessors of the EIDHR and the IPA indeed valued the empowering of civil society as an important tool to promote democracy. However, the focus was more

centred on strengthening the institutional framework of the partnering country, leading to a top-down approach. On the other hand, the EIDHR and the IPA clearly state in their objectives that the interest lies in partnering with civil society actors without needing approval from local governments. The IPA is a part of a bigger enlargement agenda; hence it is dependent on the overall intensions of DG NEAR. The way in which IPA promotes democracy is both through strengthening the institutional framework of the pre-accession countries, but as well as offering funding to civil society organizations, which are not directly affiliated to the state. The EIDHR, on the other hand, is completely independent from any local government, which makes it a unique instrument to analyse.

3.4 Foucault and EU’s Democracy Promotion

After briefly having introduced the objectives of the instruments, the following parts of this chapter will concentrate on applying the EIDHR and the IPA within the concept of governmentality. A Foucauldian reading of EU’s democracy promotion objectives will provide the basis for an alternative way to examine its ultimate aims. Examining the EIDHR and the IPA’s objectives through the lens of governmentality, provides a platform to which to analyse the rationality behind EU’s democracy promotion. Although, the EU has aimed towards depoliticizing its democracy promotion does not mean that political logics are hidden behind the otherwise benevolent surface. A Foucauldian approach offers a critical perspective on EU’s democracy promotion and will help to view EU’s democratization efforts through a different light.

The ideas of Foucault are well-known to the world of global politics, however his presence in studies on democracy promotion is scarce, as such this approach is quite novel. Despite the fact that Foucault’s concept on governmentality has experienced a proliferation in the field of global politics it has not cemented itself within the academic literature on democracy promotion. Regardless of the lack of Foucauldian perspectives in the research field of democracy promotion there are a handful of scholars that have used his work within the context of the EU’s foreign policy. Neumann and Sending (2006) and Michael Merlingen (2007 and 2011) are examples of scholars that have placed the concept of governmentality in a EU framework. As such, the scholarly work of the aforementioned authors will be

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65 Kurki, “Governmentality and EU Democracy Promotion”, 351.
explored in the subsequent section. Moreover, as the latter part of this chapter will apply the concept of governmentality to EU’s democracy promotion instruments it will mostly draw upon the work of Milja Kurki, who’s novel article on *Governmentality and EU Democracy Promotion* (2011) will aid in an overall understanding of how neo-liberal logics exist in the EIDHR and IPA objectives.

### 3.5 Governmentality and EU’s Civil Society Democracy Promotion

The objectives of both the EIDHR and the IPA were laid down in the first part of this chapter and this analysis will continue to focus on those aims. The first component of the IPA, namely the *transition assistance and institution building* is as mentioned the one that focuses on promotion democracy. Among the scope which assistance can be provided to, in accordance to the article 64 of the IPA Implementing Regulation (EC) No. 718/2007, is: ‘strengthening democratic institutions and rule of law, reform public administration (…) promote civil rights and the development of civil society.’

The IPA is a part of the overall assistance package that is created to prepare potential candidate countries to join the EU. As such, most of the funding is channelled through the local government. Thus, there is a significant difference in the independence of the IPA in comparison to the EIDHR. However, it is still possible to trace neo-liberal elements to the objectives of the IPA and the first proponent is an excellent example of this.

Further, the promotion of civil rights and the strengthening of civil society is also a key aspect of the EIDHR. This is evident by looking at the objectives of the democracy promotion instrument of the EU. There are five different objectives that drive the EIDHR. For the purpose of the following arguments, it is worth highlighting the first three objectives, which are:

1. Enhancing respect for HR and fundamental freedoms in countries where they are most at risk
2. Strengthening the role of civil society in promoting HR and democratic reform, in supporting the peaceful conciliation of group interests and consolidating political participation and representation
3. Supporting actions on HR and democracy issues in areas covered by EU Guidelines

Looking at the abovementioned objectives of the EIDHR it is clear that they are intended to support civil society without directly attempting to change the institutional structures of the target state. The continued promotion for Human Rights is key, as it

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67 “EIDHR Library”.

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not only engages with civil society more effectively but as well, betters their lives as such making it more enticing to implement. There is a clear distinction between the nature of the IPA and the EIDHR, however they are both interesting instruments to examine when applying a Foucauldian perspective to its objectives.

In order to closely examine the link between governmentality and the objectives of the civil society-focused democracy promotion instruments of the EU this analysis will now turn to Kurki. In her article on *Governmentality and EU Democracy Promotion* (2011) the author highlights how the objectives of the EIDHR show signs of neo-liberal logic. Kurki argues that; ‘The aim of democracy promotion in these objectives is to intervene to effect changes in the views; mindsets and assumptions of target state populations and civil society organizations.’ As this quote indicates the aim of the democracy promotion instruments of the EU is to try to influence the local civil society organizations to encourage reforms in the local institutions. Further, Kurki stresses that the aim of the EU is not to constrain the target state by using diplomatic means instead, ‘it is to facilitate pressures of a democratic kind “from below” through intervening in productive ways in the conceptions of “good life” held by target populations so as to produce “capacity” for them to challenge authoritarian practices within their home states.’ Again, through the EIDHR, the EU is creating a sphere where the target state population can push for reforms against their own authorities. Where civil empowerment is key to democratic success. This falls in line with the concept of governmentality as the balance of power has shifted from state-centric to a more individual one. The support to CSOs, from the EU, is enabling them to challenge the local institutional power and this can be seen as an act of the Union is governing from distance.

Moreover, the idea of governing from distance also fits in the objectives of the IPA. The first component of the IPA is managed by DG NEAR, as such the controlling of funding is indirectly under control of the EC. Jonathan Joseph argues in his work on the EU and governmentality that the Commission is a good example of how network governance operates in praxis. The EC ‘maintains control over the process by playing the role of network manager. The Commission works by coordinating the exchange of information, which is a means of steering and

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69 Ibid.,
coordinating a range of actors and policies.\textsuperscript{70} The idea of network governance is tied together with Foucault’s idea of neo-liberal governance. Networked power is a way of administrating people oppose to direct control. In contrast to authoritarian power, network governance is more concerned with subtle management of population.\textsuperscript{71} This filtered down version of governmental influence allows for the illusion of power but is just a way to avoid looking like the government has complete control. The power relationship is key to maintain. The Commission is therefore governing the funding of civil society through the IPA, resulting in a more bureaucratic type of governance. Again, as the IPA is directly under the control of the Commission the use of network governance is in line with the logic of governmentality. Through co-ordination and encouragement the EC can indirectly influence institutional changes in the target country, by supporting locally based CSOs.

Other parts of the objectives that follow the logic of governmentality is how the EU visions the notion of civil society. The CSOs that receive funding through the EU need to be guided by the same international principles that are enshrined in the Lisbon Treaty (2009). Among these principles are ‘the development of democracy (…) the indivisibility of human rights and fundamental freedoms’\textsuperscript{72} The EU’s objectives on the global stage is thus to ensure that these rights are being respected. As such, when the EU supports civil societies, channelled through its instruments, it is envisioning a specific kind of partner.\textsuperscript{73} This partner has to adhere to the same principles that are at the very core of EU’s global agenda. The ideal civil society partner, for the EU, is therefore an organization that can contribute to the democratic consolidation influenced by EU’s own principles. Crucially the civil society organizations that are chosen as partners within the EIDHR are seen, arguably see themselves, as active and effective change-inducers in local contexts.\textsuperscript{74} This specific vision of the role of civil society can be seen in contrast to social-democratic notions within the same concept. Kurki further argues that within social democratic traditions civil society is seen as an important tool in fostering collective learning and national solidarity. Whereas, ‘the focus of the EIDHR’s vision is on rights-defending liberal

\textsuperscript{70} Joseph, The Social in the Global, 205.
\textsuperscript{71} Merlingen, From Governance to Governmentality, 152.
\textsuperscript{72} Consolidated Version of the Treaty on European Union art. 21, 2010 O.J. C 83/01.
\textsuperscript{73} Kurki “Governmentality and EU Democracy Promotion,”356-357.
\textsuperscript{74} Ibid., 357.
democracy-enhancing pluralist civil society.’ By supporting civil societies that adhere to EU’s principles but may not respect the local authorities’ principles, the EU is strongly encouraging reforms. Thus, this can be seen as following the logic of neoliberal governance, as the EU indirectly governs the CSOs, which they are funding, leaving limited room for freedom.

There are also other criteria that need to be respected if a CSO wants to receive grants through EU’s democracy promotion instruments. The EIDHR is designed to provide assistance to CSOs that ‘become an effective force for political reform and defence of human rights.’ The idea that the CSOs need to contribute to reform in their own political system is further evident in how the EU has managed to establish a funding instrument that is independent from the influence of the local governments. In regards to this, Kurki argues that; ‘Governments are interestingly perceived as a potential threat to the kind to active democratic civil society support that the EIDHR envisages.’ Assisting civil society, without the consent of the local government, is a way for the EU to influence target states from a bottom-up approach. Through democracy promotion instruments the EU facilitates the development of civil society instead of allowing an organic growth to occur. Hence, civil society becomes an active object that is triggered through the governance of the EU. Neumann and Sending argue in their work on governmentality that ‘civil society is redefined from a passive object of government to be acted upon and into an entity that is both an object and a subject of government.’ As such, by supporting local CSOs the EU transforms these to both objects and subjects of government. One the one hand, they become free of governance due to the fact that funding is independent of the local authorities. As well, since it is being managed by another form of governance, which is the EU, it is able to increase its independence from local governments to exert its own influence. This falls in line with the concept of governmentality and its aim to govern from distance. In other words, making the populace (in this case civil society) believe that they are free of control.

As noted earlier, a careful examination of both the EIDHR and the IPA reveal the existence of neo-liberal logics within its objectives. The EU only supports funding

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75 Kurki “Governmentality and EU Democracy Promotion” 357.
77 Kurki, “Governmentality and EU Democracy Promotion,” 356-357.
78 Neumann and Sending, “Governance to Governmentality,” 652.
to CSOs, which adhere to its own principles of ‘freedom’ and actively challenge the local authorities. This can especially be seen in the objectives of the EIDHR as it clearly states that the partner organizations have to function as an effective force in standing up against its local institutions. The objectives of the IPA also highlight that an empowered civil society is imperative for a successful democratization process. Therefore, as Kurki states in her article, the EU is associating democracy promotion with the empowerment of local populations opposed to institutional changes that insist on adjustment. The aim is to change the mindset of target state populations by funding CSO’s that can enhance the type of democratic change, which suits the EU. This follows the logic of governmentality as its main focus is the government of population. The democracy funding instruments target local populations in an attempt to persuade them to challenge the local state system. Thus, the EU is more concerned with facilitating a space where democratic reforms can occur opposed to directly challenging it.

This chapter has introduced the objectives of the EIDHR and IPA and placed them within the concept of governmentality. The IPA has, of course, an institutional focus, as the ultimate aim of the instrument is to prepare pre-accession countries for EU membership. However, in comparison to previous pre-accession tools, the current objectives of the IPA have also put emphasis on supporting local civil society, independent from the target state. The EIDHR is also an important democracy promotion tool and in contrast to the IPA it is not channelled through a governmental body. The EIDHR is a highly independent assistance programme as it has its own objectives, budget and is able to operate without local governmental consent. Both objectives are similar to each other as they seek to strengthen the role of civil society in consolidating democratic reforms in the target states. As such, the EIDHR and the IPA are interesting to consider when applying a Foucauldian perspective to the civil society-focused democracy promotion instruments of the EU. At first glance the aim of EU’s democracy promotion instruments may seem as a depoliticized benevolent act. However, by closely examining the objectives, through the critical lens of governmentality it opens the door for a method through which to delve into any hidden agenda behind the funding instruments. As highlighted in this chapter, a Foucauldian analysis indeed makes it possible to recognize neo-liberal logics within the objectives of both the EIDHR and the IPA. The following chapter will continue to apply a Foucauldian reading to EU’s democracy promotion tools, as it will look at
how the funding instruments are being put into practice in two of its target states which for the purpose of this analysis will be BiH and Kosovo.
Chapter 4: The EU as a Democracy Promoter in BiH and Kosovo

The previous chapter introduced the institutional frameworks of the EIDHR and the IPA and EIDHR and the IPA and placed them in the context of governmentality. These specific funding instruments are important to consider when analysing civil society assistance and EU’s agenda on democracy promotion. Both the EIDHR and the IPA play a significant part in EU’s role in BiH and Kosovo, which will be the case study at the centre of this present chapter. As such, this chapter will focus on the EU’s role as a democracy promoter in BiH and Kosovo and will offer an insight into how the EU values civil society as a principal tool for democratization efforts. After having established a theoretical foundation in which to analyse the objectives behind EU’s democracy promotion tools, this analysis will seek to examine how they are placed into practice. The aim is however not to delve into individually funded projects as it is outside the scope of this analysis. Instead, the present chapter will aim to illuminate the EU’s various democratization approaches towards BiH and Kosovo. The case studies of BiH and Kosovo will aid in bringing an alternative understanding of how EU’s democracy promotion objectives are otherwise perceived. In other words, this analysis will highlight the concealed power-politics behind the supposedly benevolent objectives of EU’s democracy promotion instruments towards target countries.

The aim is to first offer a brief overview of how the EU has tackled the concept of democracy promotion in Western Balkans throughout the years. This will reveal how the EU’s democracy strategies have changed throughout the years from a strictly top-down approach towards a more grassroots attempt. Although, the strengthening of civil society has always been at the forefront of EU’s democratization efforts, previous policies focused more on the empowerment of CSOs through an institutional framework. However, recent developments in the democracy promotion policies of the EU have emphasized on supporting civil society from ‘below’. This shift towards supporting independent CSOs will serve as crucial point in order to understand how EU’s current objectives involve elements of neoliberal logic. Further, in order to illustrate how EU’s democracy policies are put into practice a tentative analysis of EIDHR and the IPA funding projects in both the context of BiH and Kosovo will be explored. BiH and Kosovo are interesting cases to
analyse as one can argue that the EU functions as a protectorate of the two countries and plays a significant role in the region.\textsuperscript{79} The two countries are the only countries in Western Balkan to not have reached the status of candidate countries. One of the reasons why BiH and Kosovo still remain as potential candidate countries, within the EU enlargement framework, is due to their complex democratization processes. Thus, by looking at the role of civil society and the EU as democracy promoter within an enlargement context of the cases of BiH and Kosovo will aid in illuminating the significance of this process outside of the purely theoretical framework. The EU has been involved in the democracy promotion in BiH and Kosovo for over a decade, however there still seems to lack a clear strategy for the future of this.\textsuperscript{80} Therefore, the establishment of these instruments does not mean that it is without flaws, as each situation is unique and the ability to adapt accordingly is key.

### 4.1 EU as a democracy promoter in Western Balkans

As previously stated the EU has established itself at the most important foreign actor in the former countries of Yugoslavia, particularly in terms of offering development assistance. The EU’s presence in the region has grown gradually throughout the years resulting in greater investment in its policies for the Western Balkans. The assistance for developments already started during the Yugoslav wars in the early 1990s by providing emergency support and technical aid. Thus, during the time of war the EU mostly engaged in stabilisation efforts.\textsuperscript{81} One important aspect of development assistance is the promotion of democracy. This particular aspect of the EU’s policies towards the region experienced an upswing after the war in Kosovo ended in 1999. The reason for this was due to the fact that the EU welcomed the prospect that the former countries of Yugoslavia could join the Union in the future. Thus, the Western Balkans became a part of the Eastern enlargement scheme of the EU resulting in more specific democracy promotion policies towards these prospective members. The Stabilization and Association Process (SAp) was signed as an agreement between the

EU and the countries in the Western Balkans. The SAp signalled a promise to the countries in the region that they would one day become member of the EU. Signalling a willingness to adopt democratic ideals within these Member states but of course this is easier said than done. Despite the fact that the East and Central enlargement has often been hailed as one of the most successful attempts of democracy promotion in recent years, the challenge to achieve the same success with the countries from Western Balkans has proven to be a bigger challenge for the EU.

The collapse of communism and the Yugoslav wars left the Balkan countries in an ambiguous state economically, politically, culturally, and psychologically. Economically, they are going through the process of transition from centralized, socialist, state-run economies to privatized, market-driven economies, while the region as a whole faces decline in economic security. The contradictions are rife: new economic opportunities and the emergence of economic elites coincide with rampant unemployment, the dismantling of a once taken-for-granted social safety net and the widening gap between the wealthy few and the struggling many.

Unlike other former communist countries, whose transition to democracy was a lot smoother and aligned more closely with the EU’s desire of these notions, countries in the Western Balkans faced greater obstacles. As Zala Volčič and Olivera Simić state in the quote provided above, the difficulties of economic transition together with its war-ridden past left the region in distress. The SAp was therefore designed as a tool to improve the conditions of the state and ensure adaptations of the fundamental principles that guide the EU.

Around the same time as the SAp came into effect there occurred an important shift in the democracy promotion of the EU. Namely, the wish to increase the involvement of civil society as a tool to ensure that democratization came from ‘below’. Previous democracy promotion policies, especially in the enlargement agenda, had focused on ensuring the right democratic processes went through an institutional approach. However, the new policies put an emphasis on fostering a civil society, which could contribute to the desired democratic changes as well as

continuing to offer technical assistance (top-down approach). Adam Fagan elaborates on this specific change in his work on civil society and the EU in Kosovo (2011) as he argues that the EU has moved away from the discourse of ‘democratic consolidation’ in their policies towards the Western Balkans. The Commission focused heavily on ‘democratic consolidation’ during the 1990s in its effort to ensure that the enlargement countries continued their democratic progressions. This focus was especially visible in the assistance in which the EU provided to local NGOs across Central and Eastern Europe. Fagan argues that although this discourse ‘is still employed in the context of aid to the Western Balkans, it has become somewhat subordinate to the emphasis now placed on NGOs as agents of good governance reform and transformation of state power.’\(^{85}\)

Civil society has thus, become a pivotal tool in EU’s democracy promotion assistance to the current countries of the enlargement package. This shift has paved the way for an alternative perspective through which to assess the EU’s role in the region. This is imperative to keep in mind especially as its assistant apparatus has grown considerably bigger. The establishment of the EIDHR can be seen as a direct result of EU’s new priorities for democracy assistance. Further, the objectives behind the IPA have also experienced a surge in its focus on empowering civil society in candidate and potential candidate countries.

### 4.2 What type of civil society is the EU assisting?

Before offering an overview of how the EIDHR and IPA have contributed to the democracy promotion in BiH and Kosovo, it is imperative to place it within the context of the role of civil society in international governance. The emergence of civil society as an important sector in a well-functioning nation state is related to the normative turn in which the discipline of IR has witnessed for some time. The EU is often credited as being the most dominant normative power agent in world politics thus, it has played a huge factor in the global transformation of power. Meaning that non-state actors, such as CSOs, have become important players in the international political realm. The transformation of power to non-state actors has changed the study of IR and the EU is a major factor in opening up a new forum to discuss these ‘new’

\(^{85}\) Fagan, EU Assistance For Civil Society in Kosovo, 708.
The surge of the role of civil society has resulted in strategic changes of how global actors address their policies towards third countries. One of the policy areas that is interesting to examine in relations to empowerment of non-state actors, is the democracy promotion of the EU. As mentioned, EU has put emphasis on funding CSOs that can contribute to the stimulation of democracy development from ‘below’. Due to its grassroots approach the discourse surrounding EU democracy promotion often falls into the category of the normative. However, the notion of this aforementioned ‘normative power Europe’ has garnered some criticism, leading to dividing opinions on EU’s role as a foreign actor. This analysis will build on this critique by arguing that EU’s assistance within civil society organizations has a specific aim, which can be hidden within its seemingly depoliticised democracy promotion agenda.

In the previous chapter it was argued that judging by the objectives of the EIDHR and IPA there are only specific types of CSOs, in which the EU supports. These CSOs have to adhere to the basic principles that the EU is founded on. Kurki argues that ‘there is a specific vision of the role of democratizing civil society at the heart of the EIDHR: one within which individuals actively fight for individual and collective freedoms of the kind specified in EIDHR’s guidance and EU documents on fundamental freedoms.’ Through its funding mechanisms, the EU will support those who are ready to stand up against the target state in times where the individual’s freedom is violated. As a result, this creates a sphere where local civil society is completely separated from its local government. However, this does not mean that civil society becomes an independent entity from any types of governance. If we return to Foucault, he contests that idea of civil society, as being an entity that always has existed as an opposition to the state politics. Instead he argues that civil society is a tool in which governments can exercise their power. Foucault specifically applied his ideas on the link between civil society and governance to a neoliberal framework.

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89 Kurki, “Governmentality and EU Democracay Promotion”, 356-357.
Thus, the engagement of civil society in target countries can be seen as an act of
governmentality. The EU allocates funding to a foreign CSO in an attempt to prompt
reforms in the target countries. Through this act the EU makes it seem as if power is
shifted from the state to the people. As such, the people in target countries feel as if
they have the means to liberate themselves from hierarchical governance resulting in
the shift of power. However, a Foucauldian reading of the civil society funding
instruments of the EU will show that this can indeed be a deliberate act of the EU to
govern the target country by their own premise.\(^{90}\) There is an illusion of freedom but
more accurately what has happened is transference of power between two governing
forces. The populace of the target state merely experience a change from being
governed by their local authorities to subsequently being governed by the EU.

Moreover, the neo-liberal definition of civil society as highlighted in the
abovementioned section will be crucial for an understanding of EU objectives behind
its democracy promotion. Mary Kaldor (2003) also offers a definition of neoliberal
civil society and how it has the possibility to shape decision-making and challenge the
power of the state. ‘The second version of the term ‘civil society’ can be described as
the ‘neo- liberal’ version. This version is much associated with ideas about the ‘third
sector’ or the ‘non-profit sector’ that developed in the US in the 1970s and 1980s.\(^ {91}\)
Kaldor makes a link between civil society and the notion of the ‘third sector’, which is
a vital part of neoliberal societies. The idea behind the ‘third sector’ was to alleviate
the pressure from public services, as the organizations made up of it were independent
from the government.\(^ {92}\) Kaldor continues to argue that the ‘third-sector’:

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\text{is linked to neo-liberal ideas about minimizing the role of the state. NGOs, non-profit}
\text{organizations (NPOs), charities and voluntary associations are more flexible and innovative}
\text{than the state. They can substitute for the state, in providing social services, for example; they}
\text{can check abuses of the state and poor governmental practices; and they can call corporations}
\text{to account.}\]^{93}

From a neoliberal point of view the ‘third sector’ is important as it places itself
between the public and the private sector. In a way it is a mediator between the two

\(^{90}\) Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory*, 286-298.
\(^{91}\) Mary Kaldor, “Civil Society and Accountability,” *Journal of Human Development* 1 (2003): 9,
\(^{92}\) Aldabert Evers, “The Concept of ‘Civil Society’: Different Understandings and their Implications for
\(^{93}\) Kaldor, “Civil Society and Accountability,” 9.
actors. The ‘third sector’ reduces government’s role and can contribute to offering social services. More importantly, for the purpose of this analysis, the ‘third sector’ can function as a watchdog over governments. This aspect of neoliberal understandings of civil society can be transferred to EU’s visions of the same. The EU funds independent CSOs in target countries in an attempt to make room for democratic reforms. Therefore, the ‘third sector’, or civil society, plays an important role for the EU in their attempt to promote democracy.

4.3 The EU’s democracy promotion in Kosovo

The EU has been closely involved in the democratization efforts in Kosovo since the war ended in 1999. Its presence in Kosovo has grown throughout the years and nowadays the EU is arguably the most significant foreign actor in the region. In the early stages, after the war, the EU’s presence was mostly felt through its partnership with United Nation’s Interim Administration Mission in Kosovo (UNMIK). This mission was set up immediately after the war as a tool to create stability in the country. Its main partners were United Nations (UN), EU and the Organization for Security and Co-operation in Europe (OSCE). Shortly after UNMIK was initiated the EU established its own agency to Kosovo known as the European Agency for Reconstruction (EAR). This agency was set up due to the urgent need for special measures in dealing with the post-war reforms. In addition to its presence through UNIMIK as well as EAR, the EU established the European Union Monitoring Mission (EUMM) in 2001. EUMM’s main role was to monitor political and security developments and its mandate ended in 2007. The EU extended its presence in Kosovo even further by opening a Liaison office in Kosovo (ECLO) in 2004. The establishment of missions, agency and a liaison office shortly after the war highlights the EU’s commitment to ensure stability in the country. However, the ultimate step towards ensuring that Kosovo was on the right path came in 2008, when European Union Rule of Law Mission in Kosovo (EULEX) was launched. This is the largest mission in which the EU has ever established under its foreign affairs policies. Since its inauguration the EULEX mandate has been extended on numerous occasions and

95 Labinot Greçevci and Bekim Çollaku, “Promoting Democracy in Post-Conflict Societies: Bosnia and Herzegovina”, 110.
the latest one is set to last until 2018. As such, the EU has cemented itself as an important actor in Kosovo to ensure both democratic processes as well as other assistance measures.

The EU’s physical presence in Kosovo is an example of how the EU wants to create reforms that are in accordance with the norms of the EU. In addition to the technical assistance mechanisms of the EU, such as EULEX, and the one’s focused on monitoring, like the EUMM, the EU makes use of other instruments in its democratization efforts. The SAP, as mentioned earlier in this chapter is indeed an important aspect of the EU’s softer approach to promote democracy in Kosovo. The attention put on civil society as an important actor in democracy promotion experienced an increase in 2007, according to Labinot Greiçevci and Bekim Çollaku. In their article, “Promoting Democracy in Post-Conflict Societies” (2015), the authors highlight how much the EU has invested in supporting civil society in Kosovo throughout the years. Hence, they reveal that the focus on promoting democracy through allocating funding towards civil society movements took a leap in 2007. The reason for this is arguably the fact that the IPA was launched as an important component of the SAP. Among the focus areas of the IPA is its focus on fostering a strong civil society in the attempt to encourage further democratic reforms. The other reason for this fact is that attention towards civil society experienced a rise in 2007, is due to the fact that the EIDHR was established in the same year. Thus, in order to highlight EU’s support for civil society in Kosovo these two instruments will be looked at.

As previously highlighted, it is not within the scope of this analysis to examine individually funded projects provided by either the EIDHR or the IPA. Instead, the aim is to see whether it is possible to trace neo-liberal tendencies among the aims of the funded projects from 2007 and onwards. In addition of using the studies of Greiçevci and Çollaku (2015), this chapter will also benefit from Adam Fagan’s work on civil society and EU democracy promotion in Kosovo (2011 and 2014). The two studies will highlight how the EU’s objectives towards the funding of civil society are portrayed as ‘vague’, ‘shallow’, and ‘broad’. As such, the overall impression given by

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98 Greiçevci and Çollaku, “Promoting Democracy in Post-Conflict Societies: Bosnia and Herzegovina”, 113-114.
the EU is not positive. In the previous chapter it has been demonstrated how the objectives of both the EIDHR and the IPA contain neo-liberal language, as such there will be a link drawn between this and how the scholarly debate perceives the substance of civil society and democracy promotion in Kosovo.

Since 2007 the EU’s assistance to civil society has mostly gone to Non-Governmental Organizations (NGOs) through either the EIDHR or the IPA. As a result of this the office of EAR closed down in 2008 making the ECLO the sole body responsible of allocating the grants from both the IPA and the EIDHR to the local NGOs in Kosovo. Since the ECLO took over civil society assistance, there has occurred a shift towards an emphasis on supporting local NGOs from a grassroots level opposed to mainly supporting NGO’s that focused on emergency aid. Every now and then the ECLO announces a call for project proposals and these have varied since 2007 until present day. The EU has funded projects ranging from the focus on environment to children’s festival, as well as strengthening media and promotion of equality. The overarching aim of these proposals is that they are supposed to strengthen the role of civil society in promoting democracy and human rights. The EIDHR is an obvious source for finding funding for the mentioned aims, however the IPA also has prioritized assistance to civil society as witnessed in the planning documents from 2007-2011. In addition, the current IPAII plan also mentions the fact that civil society needs to be further strengthened. The increase in the budget of the IPA in supporting NGOs in Kosovo throughout the year is an example of how there is still heavy emphasis on this. As an example, the budget for civil society engagement through the IPA was EUR 3.3 Million between the years from 2011-2013. In comparison, the budget for the same was EUR 8.52 Million for 2016-2017.

100 Ibid.,
103 Greiçevci and Çollaku, “Promoting Democracy in Post-Conflict Societies: Bosnia and Herzegovina”, 114.
Despite of the clear emphasis that both the EIDHR and the IPA have on the focus of supporting CSOs as a tool to strengthen democratic processes there has been heavy criticism of these instruments in relation to Kosovo. The criticism is mainly based on the lack of clear priorities when it comes to the support of NGOs. Jitske Hoogenboom argued in 2011 that both the EIDHR and the IPA lack a strong focus.

However an overview of IPA supported projects in 2010 shows only limited civil society involvement. The IPA focuses mainly on institutions, it does not, for example, require consultations with citizens on the implementation of particular projects.’ (…) The European Instrument for Democracy and Human Rights (EIDHR) Country based Support Scheme strengthens the role of civil society in promoting democracy and human rights. Project supported in Kosovo vary from support for the human rights specific groups, to Kosovo-wide media programmes. The programme does not seem to have a strong focus.\(^{105}\)

Hoogenboom’s conclusion is that both the EIDHR and the IPA lack an obvious aim. These instruments appear to have a wide breadth in their agenda and as such, have resulted in a loss in focus in what they are trying to achieve. The same criticism is seen among other scholars such as Fagan who argues that EU’s assistance strategy to Kosovo attempts to carry out two conflicting tasks. As it both attempts to ‘engage enmeshed grassroots organizations with virtually no advocacy capacity in the mobilizations of citizens and the articulation of community interests, whilst also attempting to maximize the transactional capacity of more established non-state actors.’\(^{106}\)

Thus, Fagan’s argument falls in line with that of Hoogenboom, in the sense that the EU seems to lack a coherent strategy when it comes to civil society assistance in Kosovo. This is also the case with the conclusion that Greičevci and Çollaku achieved in their examination of EU as a democracy promoter in Kosovo. They deemed EU’s agenda as too ‘broad’ and ‘shallow.’\(^{107}\)

As such, although the EU has gradually increased its budget for the promotion of democracy through civil society in Kosovo, it has lost focus on the aims that it is trying to achieve. Thus, this sense of indirection that has emerged has placed the EU’s external agenda at the forefront of this debate; resulting in criticism.

Nevertheless, the aim of this analysis is not to examine whether the EU’s funding policies towards civil society in Kosovo are efficient or not. However, the

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\(^{106}\) Fagan, “EU assistance for Civil Society in Kosovo,” 208.

\(^{107}\) Greičevci and Çollaku “Promoting Democracy in Post-Conflict Societies.” 114.
critique that both the EIDHR and the IPA have received is relevant to the argument that this analysis is making. Namely, that the EU’s democracy promotion agenda might not be as clear as it otherwise might seem at first glance. The opinions of Fagan, Greičevci and Collaku, as well as Hoogenboom can be linked with the critique of the EU being a ‘hollow hegemony’, as argued by David Chandler as well as Bridoux and Kurki. The lack of a clear-cut agenda should not be conceived as it being completely depoliticized. As argued through the objectives of the EIDHR and IPA there are evidence that the EU is performing neoliberal policies behind its otherwise ‘vague’ and soft ideas of democracy promotion. The neoliberal aims might not be overt however upon close examination of its objectives highlight the contrary. This is important to consider when analyzing EU’s role as a global democracy promoter. Instead of seeing the instruments as something benevolent with a lack of agenda a Foucauldian reading of EU’s democracy promotion techniques allows for a more realist and critical interpretation. Further, it highlights the fact that the EU’s democracy promotion is far from power-free, regardless of its seemingly ‘soft’ approach.

Moreover, in the case of Kosovo it is important to take into consideration that the EU has an immense physical presence in the country. Due to the fact that Kosovo is a potential candidate country the EU has very specific plans for the future of the country. As such, socio-economic factors are of great importance for the EU; both in terms of securing stability in its neighborhood and as well as financial opportunities through trade. Therefore, the assistance to democracy promotion might have a benevolent face but by applying a Foucauldian reading of its policies one can argue that neoliberal notion are hidden beneath its ‘soft’ edge. The role of civil society within neoliberalism is to operate between the private and the public with one of its role being that of a watchdog. ‘Civil society thus becomes a partner of choice and is given a very specific ideological role to play, in essence to counter authoritarian governments and help spread liberal democratic values.’108 This again falls in line with the logic of governmentality as the EU creates a sphere where the people (civil society) are given means in which they may use to challenge authority. Hence, the

people believe they become free from control. However, the funding of civil society is instead used as an act to make the people believe that they are free of conduct, whereas in reality the power is shifted from the target state to the EU.

4.4 The Case of BiH

Similar to Kosovo the EU has been an important actor in promoting democracy in BiH for the last decades. EU’s role as a democracy promoter in BiH started after the signing of the Dayton Agreement (DPA) in 1995. Together with other prominent foreign actors the EU was a contributor in ensuring peace-building and promoting democracy in BiH.109 After the war had ended and up until the SAp agreement was reached in 2000, the EU was regarded as a civilian power in BiH due to its many programmes that focused on providing humanitarian aid. ‘Through these programmes, beginning in 1997, the EU established for the first time in the region political and economic conditionality. In other words, economic assistance under these initiatives was provided on condition that recipients respect human rights, democracy, and the rule of law.’110 The EU continued to focus on the promotion of democracy a couple of years later, but this time under a new framework. As the countries in the Western Balkans were considered as potential candidate countries to the EU the SAp was launched in 1999. After the fact that BiH had become a part of the enlargement policies, the EU lost its reputation as a civilian power in BiH. In 2003 the European Union Police Mission in Bosnia and Herzegovina (EUPM) was established within the framework of the Common Foreign and Security Policy (CFSP) of the EU. Thus, instead of only supporting democratic processes through civilian aid the EU developed a more technical role in the early 2000s. Ana E. Juncos refers to the EU as a normative power as it can no longer be classified as a civilian force due to its police presence. ‘The EU is not just concerned with putting an end to a specific conflict; it aims to eradicate the root causes of conflict, whether social, political, or economic.’111 As such, the EU had established a reputation as a normative actor in BiH through its aims of promoting good governance, democracy and human rights.

Although the EU has been an important actor in supporting democratic

111 ibid., 98.
reforms in BiH since 1995 it was not until ten years later that civil society was incorporated into this process. From 2005 the EU has paid attention to the developments of civil society in all its progress reports. However, it was not until 2007 that funding for civil societies through EU instruments really started. This, of course, coincides with the establishment of the IPA and as well, as the EIDHR. From 2007 to 2009 the EU allocated over EUR 9.5 Million to CSOs in BiH and in the period between 2011 and 2013 another EUR 8.5 Million were dedicated for the same cause. The CSOs have benefitted from EU funding vary in thematic focus. Based on the 2015 and 2016 funding charts, the receiving CSOs focused on everything from anti-corruption to education as well as unemployment and freedom of expression. The focus on the importance of securing funding for civil society movements is still a top concern of the EU towards BiH. The progress report from 2016 on BiH reveals that the EU is willing to invest more in this specific sector. ‘An empowered civil society is a crucial component of any democratic system and should be recognised and treated as such by the institutions.’ In spite the fact that both the EIDHR and the IPA ensure funding for CSOs in BiH yearly, the Commission wishes to strengthen this sector and states that ‘a strategic framework for cooperation with civil society needs to be developed.’ Thus, since the signing of the DPA, the role of the EU has gradually become more important in BiH. As democracy promoters the EU plays a crucial part in attempting to both ensure technical assistance through the SAp and framework for civil society engagement. Hence, the focus on supporting civil society as a tool to ensure democratic reforms has been at the forefront of EU’s agenda to BiH since 2007.

Just as in Kosovo, the civil society assistance instruments of the EU in BiH have not escaped criticism. Juncić makes it clear that the EU is not an altruistic actor in BiH and its attempts at promoting democracy and human rights are indeed a part of a self-interest politics. ‘Even if it does appreciate the merits of these values per se, the

113 Ibid.,
116 Ibid.,
EU is fully aware of the benefits associated with the promotion of human rights and democracy in terms of stability and security, in particular, in the European continent.\textsuperscript{117} The EU is aware of the fact that future conflicts in the region must be avoided in terms of establishing stability in not just the Western Balkans but as well as the rest of Europe. Sandra Pogodda \textit{et al.} (2014) also offer a critique of EU’s civil society-focused democracy agenda in BiH and other post-conflict countries. Pogodda argues that: ‘Sponsoring isolated programmes of governance reform does not add up to effective democracy promotion if EU budget support simultaneously helps to keep unelected elites in power,’ \textsuperscript{118} Pogodda \textit{et al.} further argue that the EU’s democratization efforts are suffering from both ineffectiveness as well as normative inconsistency. ‘Despite its rhetorical and normative stance that democratisation promotes conflict resolution, the EU often refrains from throwing its weight behind the democratisation process in conflict countries.’ \textsuperscript{119} Thus, EU’s democratization efforts in both BiH and Kosovo suffer from similar critique, namely the fact that the objectives of the instruments, as established in chapter 3, claim to be free of politics but may not uphold this principle in reality.

In addition to Juncos and Pogodda \textit{et al.}, other scholars offer their view of the EU and BiH are also interesting for a Foucauldian reading of its role. ‘In the Western Balkans, the EU’s actions are more in line with those of a strategic actor ready to apply pressure on third parties, if its power of attraction and persuasion fails to achieve its preferred outcomes.’\textsuperscript{120} Gergana Noutcheva states that EU’s role in the Western Balkans are strategic in nature. This falls in line with the discourse of how important the third-sector is in neoliberal societies. As both BiH and Kosovo are a part of the pre-accession instruments of the EU, they both are subjected to the pressure of conditionality from the EU. Thus, if the local governments fail to comply to EU’s advice, the Union can encourage civil society movements to operate as a watchdog and either report on failed request or put pressure on local authorities to

\textsuperscript{117} Juncos, “The EU’s Post-Conflict Intervention in Bosnia and Herzegovina, 100.
\textsuperscript{119} Ibid.,
succumb to EU’s pressure. As such, the EU may not come across as an ‘hegemonic actor’ ‘but it has created a set of opportunities, setting civil society organisations free to decide the modalities of their reciprocal interactions.’\(^{121}\) This notion that the EU, through its funding instruments, is providing a sphere where civil society becomes free of power falls in line with the concept of governmentality. However, the issue is to make the receiving CSO believe that it is free of governance in order for the EU to maximize its power and as such, affluence. Thus, the idea of governing through administration instead of the use of force is a way to understand the EU’s logic behind investing in these civil society-focused democracy promotion instruments.

Nevertheless, the critique of EU’s role as democracy promoter in both BiH and Kosovo contributes to the aim of answering the research question of this analysis. Albeit, that this piece does not wish to embark upon the debate whether or not the EU is a reliable democracy promoter in Kosovo and BiH. Instead, the aim is to seek if there exists a hidden socio-economic agenda behind these civil society-focused democracy promotion instruments of the EU. The analysis of the objectives of the EIDHR and IPA indicated that there are clear signs that these instruments are not free of external power. Further, a brief look at how the EU is channelling funds to BiH and Kosovo reveals that there is a lack of strategy behind the ‘soft’ edge democracy policies. However, this should not be mistaken with the fact that there is an underlying socio-economic vision ultimately gearing the EIDHR and as well, those parts of the IPA that focus on democracy promotion. The case studies of BiH and Kosovo are interesting to examine when applying a Foucauldian reading to EU’s role in these countries. The countries are both a part of the enlargement policies of the Union thus, the relationship between the EU and the two units is extremely technical. The overall aim by the EU, through these instruments, is to promote civil society. But, this is not done without retaining some influence within these countries. As such, it is arguable whether the EU is really a promoter or rather, is achieving governance under this guise.

5: Conclusion

It has been the aim of this analysis to highlight that democracy promotion has become an important aspect of EU’s external affairs. Although, the Union itself is considered a late bloomer in terms of international institutions, it has established itself among the most influential actors in promoting democracy beyond its borders. The growth of the EU as a promoter of democracy has altered academic discourse and has paved the way for alternative interpretations of IR. The EU’s place within the global arena of democracy promoters often belongs in the normative column of the debate. Unlike other political players on the international stage the EU is an actor that often uses ‘soft’ methods. Thus, its objectives are characterised as being depoliticized. Such is the case for its democracy promotion agenda and its focus on empowering civil society. Assistance to civil society projects generally bears positive connotations. However, it is important to highlight that despite the laudable attempt of the EU to foster democratic values from ‘below’ its approach is not entirely free of power. Accordingly, this analysis sought to explore whether there are signs of neo-liberal agendas hidden below the altruistic rhetoric of EU’s democracy promotion instruments. By analysing the objectives of EU’s democracy instrument it is possible to see the underlying power dynamics behind its façade. Hence, it can be argued that the EU’s funding of democratic processes, channelled through specific civil society-focused instruments, works as a power-tool that is not free of self-interest. As such, these instruments are not as depoliticized as they are otherwise portrayed to be.

Foucault’s concepts of governmentality aided in establishing a theoretical foundation in which to better understand the motifs of EU democracy promotion. A Foucauldian perspective allows for a way to critically address the pluralistic objectives behind the EIDHR and the IPA. Applying the concept of governmentality to a EU framework offers an alternative way to examine its foreign relations; one that is more critical and aims to look at the root of the problem. The normative and ‘soft’ edged reputation that the EU has gained is being challenged when it is examined through the lens of governmentality. Regardless of the potency that a Foucauldian reading offers to alternative understandings of EU’s democracy promotion, its presence within this academic field is scattered. As such, this analysis has offered a novel approach to make better sense of the pluralistic, and often ‘vague’ objectives of EU’s democratization objectives.
Furthermore, the scarce academic literature on the implementations of the EIDHR and IPA in BiH and Kosovo proved to be disadvantageous for a detailed examination of its affect. Instead, a tentative analysis of the presence of these instruments in BiH and Kosovo was offered. In spite of the lack of scholarly debate surrounding the EIDHR, as well as the democracy promotion proponent of the IPA this analysis is still relevant. It opens the dialogue for greater academic engagement within the subject. Which has the aim to illuminate an overlooked area of critical study surrounding the EU and its external agenda. The EU has been active in enabling democratic reforms in both BiH and Kosovo for several years. As such, the EIDHR and the IPA have been important parts of the democratization efforts in both of the candidate countries. Yet, there seems to lack a debate concerning the role that these two instruments have in the democratic reforms in the potential candidate countries. Overlooking key components of the EU’s role as a democracy promoter is short sided as such, the need for greater exploration is paramount. Thus, future research could delve further into the effectiveness of these instruments in addressing the power politics behind them.

Moreover, the attempt to look at power dynamics between the EU and its potential candidate countries might have its limitations. The relations between the Union and BiH and Kosovo is far deeper than that of democratization. Thus, to detach the democracy promotion of the IPA from the rest of the components might result in a skewed outcome. However, this is still useful particularly when considering the fact that funding for civil society has experienced a proliferation since the IPA was launched as a successor to previous funding instruments of the EU. The focus on empowering civil society has been at the forefront of EU’s agenda in BiH and Kosovo for a decade. Regardless of this, the EU’s role as a democracy promoter on a grassroots level is still contested in the region, as there is still a long way to go in order to secure a healthy civil society.

Regardless, that the EU’s efforts of funding CSOs in BiH and Kosovo has gained a lot of criticism, it is not the aim of this analysis to evaluate whether or not these policies are fruitful. Instead, this critique has aimed at highlighting that EU’s democracy promotion tools show signs of being socio-economic in nature. The objectives behind the instruments might confess to be benevolent and ‘soft’, however
upon a closer look this assumption can be challenged. Thus, it is important to be aware of the underlying agenda that is hidden behind its altruistic façade. When analysing EU’s role as a democracy promoter it is not enough to solely measure it through whether it is a success or not. Instead, it is equally as important to attempt to understand the logic behind the democracy promotion policies of the EU. As Foucault suggests: ‘My point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad’.122 The EU’s role as a democracy promoter is fraught with self-interest but that in itself is not necessary evil. By promoting notions such as civil engagement and human rights, the EU is attempting to better the lives of individuals. However, there is still a need to retain influence and as a result, power over these states. This could be precarious and the academic field needs further exploration of this subject as highlighted by this analysis.

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