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The Logic of Practicality¹: An Inquiry into the Nature of the EU's Practice of International Peace Mediation

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Abstract: In the paper, the authors use the practice approach to untangle the nature of the EU's practice of international peace mediation (IPM). Drawing on the recent practice turn in international relations scholarship, Bourdieu's well-known concept of *habitus* is employed in order to elicit the background knowledge and values that constitute and transform this practice. In this regard, the EU's practice of international peace mediation is examined through the lens of general peace mediation norms, as well as through the rules, norms, identity and culture that are specific to the European Union. Three cases are used for this endeavor: (1) the EU support for the Aceh peace process in Indonesia (2004–2008); (2) the EU engagement in the Russian-Georgian war (2008–2012); and (3) the mediating role which the EU has undertaken in the recent dialogue between Kosovo and Serbia (2011–2013).

Keywords: The EU, international peace mediation, practice theory, *habitus*

Introduction

Over the last two decades, the European Union (EU) has developed a comprehensive set of tools for conflict resolution and crisis management. One of these tools is international peace mediation (IPM). Although the EU has performed mediation services on numerous occasions (in the Russian–Georgian war, in the Aceh crises in Indonesia, in Yemen, Nepal, Sri Lanka, as well as in the recent dialogue between Serbia and Kosovo, to name just a few), the institutionalization, standardization and professionalization of this practice is

1 In order to highlight the theoretical distinctiveness of practice theory, Vincent Pouliot advances the “logic of practicality” concept in order to set it apart from conceptually well-established logics: “logic of consequence”, “logic of appropriates” and “logic of arguing”, see: Pouliot 2008. An earlier version was given as a paper at the Belgrade Security Forum in September 2013 and we are grateful to panel participants for their comments. Also, we thank Predrag Petrović for his insightful comments on that earlier draft and the Journal's reviewers for their suggestions.

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still very much in the nascent phase. The same applies to the scholarship on the EU's IPM practice, as well as to the general scholarship on peace mediation. This is the field to which we hope to contribute with the present study. In general, we hope to elicit the characteristics and the nature of the EU's practice of IPM. In particular, we are interested in examining how it compares to practices which are generally conceived as IPM, while simultaneously making an inquiry into the influences that shape and transform it. The case studies we have chosen to help us in this endeavor include: (1) the EU's support for the Aceh peace process in Indonesia (2004–2008); (2) its engagement in the Russian-Georgian war (2008–2012); and (3) the mediating role it plays in the recent dialogue between Kosovo and Serbia (2011–2013). These cases were chosen because of the different relationship between the parties of these conflicts and the EU: while Serbia and Kosovo hope to become members of the EU, and Georgia is a part of the EU's neighboring policy, Indonesia (and Aceh) is a distant region that has no institutionalized relationship with the EU.

We plan to do our analysis with the help of practice theory, which has recently entered the discipline of International Relations. Drawing on sociologists such as Michel Foucault, Pierre Bourdieu and Anthony Giddens, many international scholars argue that various international practices need closer examination. They argue that the advantage of this approach lies in the unique ontological position of practices. Practices are, they believe, situated at an intersection between agents and structures (they are neither agents nor structures) and between material reality and ideas (they are neither completely material nor solely dependent on social meanings and discourses). If this is indeed the case, then the overwhelming value of the practice approach rests in its ability to transcend these deeply rooted paradigmatic cleavages within the field of IR. Having all this in mind, we plan to proceed as follows. First, in order to lay the ground for the subsequent analyses, we briefly revisit the development of the practice approach in IR. In the second section, we examine IPM in general while defining and framing it in terms of the practice approach. In the third section, we define our main analytical concepts along the lines of Bourdieu's approach to practices. Namely, we draw on his concept of *habitus*. These are then used in the fourth section, where we carry out the empirical analyses and look at the three above-mentioned cases.

Practice Perspective and International Relations

The practice turn has made its way into the study of IR and it promises to yield many good results.² An increasing number of scholars are ready to recognize it as one of the most serious approaches capable of encouraging dialogue among the discipline's contrasting paradigms. It should be borne in mind, however, as Adler and Pouliot point out, that there is no such thing as a single "theory of practice", but rather a variety of theories which place their focus on numerous international practices.³

Iver B. Neumann was among the first IR scholars who, drawing on the similar practice movement in the social theory, issued a call for the discipline to turn towards the study of practices. In his 2002 article, he observed that too much analytical attention has been paid to narrative practices, whereas scholars have largely neglected the study of concrete social actions.⁴ This realization has turned him into an avid advocate of the "return of practice to the linguistic turn".⁵ Accordingly, while studying the change of Norwegian diplomacy, he focused on the interplay between discourses and practice, arguing for their mutually reinforcing relationship.⁶

The next impetus towards anchoring the practice approach into the study of IR came in 2008. This time the social practice itself came to dominate the analyses, leaving little or no space for discourses. In this regard, Emanuel Adler used the practice approach to demonstrate how the characteristics and actions of communities of practice influence the spread of security communities.⁷ Although also focusing on the practices of security communities, Vincent Pouliot, has attempted to elicit the characteristics and the nature of logic of practicality in a theoretically more crisp way.⁸ Pouliot centered his attention

2 The turn to practice in IR can be traced back to the late 1980s when poststructuralists such as James Der Derian, Michael Shapiro and Richard Doty set out to approach the world politics through the lens of Foucauldian "discursive practices". The trend continued when another French sociologist, Pierre Bourdieu, began to inspire IR scholars. As a result, Richard Ashley, Didier Bigo, Stefano Guzzini, Jef Huysmans and many others started to place international practices at the center of their analyses. However, we can only speak of "practice turn" in IR as of the early 2000s when, drawing on the similar developments in social theory, Iver B. Neumann issued a call to "return practices to the linguistic turn." Many scholars responded, creating thus far an admirable body of work. Emanuel Adler and Vincent Pouliot saw the practice approach as an opportunity to cast a fresh eye on the security communities, as well as to contribute significantly to the theoretical development of the concept. Jennifer Mitzen found useful analytical tool in the concept of ontological security of Anthony Giddens who also preferred to place analytical focus on "doing".

3 See: Adler and Pouliot 2011a.

4 See: Neumann 2002.

5 Neumann 2002, 627.

6 Ibid, 651.

7 See: Adler 2008.

8 See: Pouliot 2008.

on *mètis*⁹ – a background knowledge that is an inseparable part of any practice.¹⁰ He conceptualized *metis* as tacit, inarticulate and automatic knowledge which is located within practices, rather than behind them. However, by subscribing to this rigid understanding of background knowledge, Pouliot significantly narrowed the empirical space that can be accounted for with the practice approach. The impression is that his theoretical model, although strong in presenting the philosophical background of practice approach, is well suited only for highly repetitive and routinized practices. As we will see, IPM is not such a practice.

A greater theoretical sophistication of practice approach was developed in Adler and Pouliot's joint works.¹¹ They have offered a convincing definition of practice as well as an analytical apparatus for its empirical examination. Furthermore, the two scholars have also engaged in the question of practice transformation, since they recognize that there is tension between patterned recurrence or practice and the possibility for its change. Recognizing the analytical value of their joint contribution, in the subsequent sections we examine it in greater detail and partly rely on it to develop our own theoretical argument and to conduct the empirical analyses.

Defining IPM within the Logic of Practicality

Bearing in mind that in forty-six percent of all post-Cold War crises the role of the third party mediator was substantial, it becomes clear that IPM represents a recognized and useful way of settling international disputes.¹² Although the UN and individual states are seen as traditional mediators, the value of IPM is now also being acknowledged within the framework of the EU's foreign policy.¹³ However, the literature does not provide us with a clear definition of IPM. On this issue, Jacob Bercovitch notices that each case of IPM differs and thus the phenomenon cannot be effectively analyzed in a systematic manner.¹⁴ Nonetheless, he offers a compelling definition which sees IPM as “a process of conflict management, related to but distinct from the parties' own negotiations, where those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organization, a group, or a state) to change their perceptions or behavior, and to do so without resorting to physical force or invoking the authority of law.”¹⁵

9 Pouliot borrows the term *mètis*, as well as the conceptual baggage behind it, from James C. Scott. See: Scott 1998; Pouliot 2008,

10 Pouliot 2008, 270

11 See: Adler and Pouliot 2011a, b.

12 Beardsley *et al.* 2006, 58–59.

13 Varela 2011, 4.

14 Bercovitch 2009, 340.

15 *Ibid*, 341.

In order to conceive of IPM within the logic of practicality, we draw on Adler and Pouliot's concept of *competent performances* which they define as "socially meaningful patterns of action, which, in being performed more or less competently, simultaneously embody, act out, and possibly reify background knowledge and discourses in and on the material world."¹⁶ Accordingly, we look at IPM through five aspects which they suggest are essential for the definition of any practice. These are (1) the performative aspect; (2) the patterned aspect; (3) the competent or incompetent performance; (4) reliance on background knowledge; and (5) the discursive (ideational) and material aspect.

The performative aspect refers to a process of doing something, or to an action without which that something would not otherwise exist.¹⁷ In the case of IPM, this is best exemplified through the actions that take place before, during, and after mediating processes. Usually, these are: enabling communication channels, drafting the negotiating agenda, opening ceremonies, negotiation sessions, reaching a settlement, as well as closing press conferences and the implementation of the agreement.

The patterned aspect refers to the reproduction of similar behaviors with the same meanings within the same social context. Adler and Pouliot argue that "iteration is a key characteristic of practices – and the condition of possibility for their social existence"¹⁸. However, since there is no distinct community of international peace mediators, patterned recurrences of IPM cannot be observed.

The third aspect refers to practices being performed either competently or incompetently, whereby the public is 'the success rate judge.' The research shows that participants in IPM are well aware of the role of the public and that tend to pay significant attention to it, especially if the peace negotiations are regarded as those of a high level.

Background knowledge, the fourth aspect of practice, refers to an "unspoken know-how learned in and through practice."¹⁹ Since IPM is not a patterned, professionalized practice, it is difficult to refer to one general pool of background knowledge that constitutes it. Therefore, we argue that each case of IPM requires an examination of the multilayered "unspoken know-how" that structures the mediator's performance.

The fifth aspect brings together the ideational and material sides of practice. On the one hand, it is hard to dispute that the material capability of both the mediator and the conflicting parties matters greatly in all phases of IPM; on the other, the mediating process unfolds in the framework of either shared or imposed meanings, values and ideas.

16 Adler and Pouliot 2011b, 4.

17 Ibid, 6.

18 Ibid.

19 Pouliot 2008, 270.

To summarize, while IPM subscribes to three aspects of Adler and Pouliot's analytical framework (performative, ideational and material aspects and competent or incompetent performance) it does not square well with their requirement of patterned recurrence of practice or the background knowledge behind it. This analytical problem will be addressed in more detail further below in the article.

Theoretical Approach: Tracing of the Habitus

Overall, we can distinguish between two types of international practices. On the one hand, there are those practices the actors of which can be viewed as composing a certain community. Members of these communities jointly and regularly (every day, every month, every year etc.) engage in the patterned execution of different practices. These would include, for example, numerous practices that have been developed and are routinely performed by various international bureaucracies. Adler's community of practice, which is engaged in the functioning and the spread of security community in Europe, can be understood in these terms.²⁰ On the other hand, there are practices the actors of which do not form a distinct community. Although the actors of these practices engage in similar doings and are informed by similar "background knowledge", they are independent from one another. Diplomacy, with IPM as one of its possible forms, can be seen as such a practice. These types of practices possess a set of "core" characteristics that remain constant regardless of who engages in them, or when they take place. However, there are also a number of important differences and idiosyncrasies in how actors perform them, and we argue that, without accounting for these differences, the EU's IPM practice cannot be properly understood.

The constitutive role of the "core" characteristics of practices can be better understood through Lene Hansen's distinction between "general practices" and "specific practices".²¹ Drawing largely on Foucault's idea of "discursive practices", Hansen has asserted that specific practices are always performed in relation to and measured against general practices. In fact, general practices are "given" structures of meanings upon which specific practices tend to draw.²² That being said, there is no material reality to general practices. They only "live" through specific practices that channel and reproduce them. In essence, general practices refer to a pool of "core criteria" in relation to which concrete practices are performed, and equally important, recognized as "such and such" practice. However, the specific practices never fully mirror or exhaust general practices. Instead, there are many other influences and "residuals" that inform specific practices, without which they cannot be successfully accounted for.

20 See: Adler 2008.

21 Hansen 2011, 281.

22 Ibid.

By referring to Pierre Bourdieu's conceptual apparatus, namely to his notion of *habitus*, we endeavor to shed light on these "core" and "residual" influences that inform the EU's practice of IPM and distinguish it from the way other international actors engage in it. Before proceeding, two important issues need to be clarified. First of all, throughout the paper we use the collocation "the EU's IPM practice", thus giving an impression to a reader that the EU is taken as a unitary actor engaging in mediation practice. This, however, is not our contention. The anthropomorphization of collective entities is a pending problem in IR theory and it can be approached in more than one way.²³ For our present purposes, we will employ a strategy similar to the one Brent Steele used with respect to the problem of state personification whereby he regards "agents as states."²⁴ What this means is that state agents are the embodiment of the state, or in Steele's words, "because they represent their states, state agents are the state."²⁵ The same can be said for the mediators who perform this practice "in the name" of the EU. In this way, we believe, it becomes possible to use the concept of *habitus* with respect to a collective entity such as the EU, although Bourdieu conceptualized it as a property of individuals. However, this does not justify our initial choice to employ the concept of *habitus*.

Indeed, practice scholars have advanced different concepts to account for "that" which gives practice its shape and form. Accordingly, James Scott used the concept of "*mètis*", Theodore Schatzki²⁶ preferred the idea of "background knowledge" coupled with the notion of "sites", Andreas Reckwitz²⁷ defined it in terms of "understanding, know-how, states of emotion and motivational knowledge", while Bourdieu²⁸ famously labeled it as *habitus*. However, although these scholars have presented us with elaborate and robust concepts, their employment for the purpose of scientific inquiry has proven to be a challenging task. Nonetheless, Bourdieu's analytical "kit" consisting of *habitus*, *field* and *practical sense* has been empirically operationalized many times, producing noteworthy research results. Therefore, embedding our research in this tradition of practice theory allows us both to draw on this rich scholarship as well as to contribute to its further development. Although we acknowledge that proper understanding of a certain practice in Bourdieu's terms requires an interrelated employment of all three of his concepts, due to the broad scope but short limited length of this article we will focus our attention only on the concept of *habitus*. We believe that, even though this will provide us with incomplete picture of the EU's practice of IPM, it will create an important impetus for its further study.

23 See: Wendt 2004; Mitzen 2006; Steele 2008.

24 Steele developed this notion by drawing on Anton Lang and English School. For more detail see: Steele 2008, 19.

25 Steele 2008, 19.

26 See: Schatzki 2002, 2005.

27 Reckwitz 2002, 249.

28 See: Bourdieu 1977.

Bourdieu's concept of *habitus* refers to a "system of durable, transposable dispositions which integrates past experiences and functions at every moment as a matrix of perceptions, appreciations, and action, making possible the accomplishment of infinitely different tasks".²⁹ As Pouliot observed, for the successful operationalization of the concept of *habitus*, four of its main dimensions need to be emphasized.³⁰ First, *habitus* is historical. This means that people acquire dispositions upon which they engage in social behavior through socialization, imitation and exposure to symbolic power relations. In essence, people do what they do because "that is how things are done", based on collective and individual experiences of the social group to which they belong. Second, *habitus* consists of practical knowledge that is not easy to articulate since it stems from the process of doing rather than from its reflexive discursive representation. Third, in Bourdieu's words, *habitus* represents "the internalization of externalities"³¹ in the sense that it exists as a structure within the agent. The subjective level is thus the place where *habitus* finds its embodiment, although it is mainly comprised of intersubjective meanings.³² Fourth, and lastly, *habitus* is dispositional, meaning that it does not determine specific practices but rather inclines (or disposes) agents to do certain things in a certain manner.

What this means for the study of the EU's practice of IPM is that untangling its *habitus* is much more complicated than just comparing it with general diplomatic and IPM rules. In other words, the *habitus* which structures the EU's practice of IPM cannot be equated only with the "core" characteristics of this practice. What we observe when looking at individual instances of the EU's IPM is that while it is the means by which the EU assists conflicting parties to reach an agreement, settlement or even peace (we thus recognize this practice as international mediation), there are still many dimensions to it that cannot be accounted for solely through an appeal to a usual IPM conduct. Accordingly, our proposition is that more than one *habitus* must be "at work" when the EU engages in the practice of IPM. We also argue that these alternative *habitu*ses are responsible for the specific nature, development and change of the EU's IPM.

Our subsequent empirical analyses will consist of an attempt to elicit the characteristics of two *habitu*ses whose mixed influence, we propose, have decisive influence on the EU's practice of IPM. These are: (1) the "diplomatic/mediation *habitus*" seen as general international rules, norms and culture of diplomatic practice; and (2) the *habitus* that is an aggregation of the rules, norms, identity and culture specific to the EU.³³

29 Bourdieu 2001, 261.

30 Pouliot 2008, 272–273.

31 Bourdieu 2001, 262.

32 Pouliot 2008, 276.

33 We recognize that, in order to create a full image of the EU's practice of IPM the third *habitus* might need to be introduced, the *habitus* that stems from diplomatic and related rules, norms and culture of the country to which the individual negotiator belongs, However, due to the limited scope of this research, this third *habitus* will not be addressed.

The First Habitus: The Impact of the Normative Framework of IPM on the EU's IPM Practices

We previously suggested that if some of the peacebuilding activities can be recognized as IPM, then the general normative framework of IPM must have an influence on the way in which the EU performs these activities. In line with the practice approach, we have labeled this influence as the first *habitus* of the EU's peace mediation practice. Tracing this *habitus*, however, was not an easy task due to the fact that there is no internationally recognized general normative framework of IPM. Since in terms of institutionalization, standardization and professionalization IPM is still very much a young practice, concrete examples of it can take many different forms. However, some core aspects of IPM are still widely recognized, and in the remainder of this section we examine their impact on the EU's practice of IPM. In order to do this, we rely on three key questions emphasized by Bercovitch: (1) the question of impartiality, (2) the question of flexibility, and (3) the question of applied strategy. We use Bercovitch as a "coping strategy"³⁴ for an indirect access and reconstruction of *habitus* that pertains to the core IPM characteristic, since this practice lacks standardization and thus concrete artifacts upon which to draw.

The principle of impartiality is a condition *sine qua non* in domestic mediation; however, in case of IPM this is not as clear. In IR scholarship two camps can be identified. First, there are those who emphasize that IPM is, above all, a neutral assistance.³⁵ Christopher Moore thus argues that peace mediation is "the intervention into a dispute or negotiation by an acceptable, impartial and neutral third party who has no authoritative decision-making power to assist disputing parties in voluntarily reaching their own mutually acceptable settlement of issues in dispute."³⁶ Second, there are those who stress that, since IPM is used for settling political rather than legal disputes, pursuing the requirement of impartiality represents a futile activity.³⁷

The second principle against which we suggest that concrete cases of IPM should be measured is flexibility. Again, since IPM is used for political rather than legal disputes, it is generally accepted that too much regulation would hinder the mediator's creativity and, consequently, the overall success of the mediation. This is not to say that mediators should not be prepared and trained for the endeavor which they are undertaking; however, their strict following of the rules could hamper their ability to successfully react in unpredictable situations. Thus, as argued by Zartman and Touval, IPM is and should be an *ad hoc*, non-coercive and enabling activity.³⁸

34 Bueger 2013, 7.

35 Bercovitch 2009, 340.

36 Moore 1986, 14.

37 Young 1967, 34.

38 Zartman and Touval 1996, 45–462.

Mediators employ different strategies depending on the nature of the conflict at hand.³⁹ A widely accepted typology of the IPM strategies is outlined by Bercovitch, who differentiates between three fundamental mediation strategies.⁴⁰ The first is a communication-facilitation strategy, also known as an interest-based and problem-solving mediation, and it implies that the mediator channels information to the parties and enables cooperation but has no control over the substance of mediation. The role of the mediator is thus more facilitative and leans towards promoting the ownership of the process by the parties themselves.⁴¹ The second, more interfering type is a procedural strategy. The mediator here has formal control over the process of mediation in such a way that it is he who determines the structure of the meetings, the distribution of information, the communication processes and the situational power of the parties' resources.⁴² The third is the directive strategy or power-based, deal-brokering mediation. Here, the mediator brings his own power to the fore by providing incentives for the conflicting sides to compromise, or by threatening them with punishments and promising rewards.⁴³ There is also a fourth strategy, often mentioned in the Medieur⁴⁴ papers, labeled as transformative or long-term mediation. In this model, the aim of the mediator is to intervene in order to change the relationship between the parties as well as their perception of themselves and the other party. According to this logic, conflict resolution is a long-term process which happens through the empowerment and recognition of a broad variety of actors in conflict societies.

In the remainder of this section we examine how all these core aspects of IPM are reflected in the EU's peace mediation in three cases: Indonesia (Aceh) 2004–2008 Georgia 2008–2012, and Kosovo–Serbia 2010–2013.

The Case of the Aceh Province

The EU did not have any explicit intention of becoming involved in the dispute between the Government of Indonesia and the GMA – the separatist movement for the independence of the Aceh province. Initially, parties to the conflict requested unofficial, informal and independent mediation services from the Crisis Management Initiative (CMI)⁴⁵ and one of its founders, Martti Ahtisaari. Only after the devastating 2004 tsunami, while channeling funds to the Multi-Donor Trust Fund (MDTF) did the EU become more closely involved

39 Bercovitch and Gartner 2007, 338.

40 Bercovitch 2009, 345–346.

41 Herrberg, et al. 2009, 12–13.

42 Bercovitch 2009, 345.

43 Bercovitch 2009, 338–339.

44 Mediateur is an independent European forum for mediation and dialogue. See: <http://www.mediationnet.eu/about-mediateur/our-service>. Also see: Folger and Bush 1994.

45 Crisis Management Initiative (CMI) is an independent, non-governmental organization that works to resolve international conflicts and build sustainable peace. CMI has offices in Helsinki and Brussels and activities in Liberia, Ethiopia, the Black Sea region, Middle East and Aceh.

in the Aceh conflict. The EU's role gradually increased when a small number of European Commission officials started arguing for combining humanitarian assistance with more engaging political support in facilitating peace.

For the EU, the Aceh peace process was a good opportunity to project power beyond its geographical scope and immediate neighborhood. Nonetheless, the EU's mediating endeavors were largely impartial, since the primary aim of the EU was to provide funds for the peace process and to be present in the region, rather than to intervene in the outcome of the settlement. In this regard, the Commission provided a grant for a period of six months in order to facilitate the peace talks that ultimately led to the signing of the Memorandum of Understanding.

The agenda of the mediation was left fairly loose and a great deal of space for creativity was made available to the mediators. Additionally, as well as engaging in the formal negotiating process, the EU initiated many informal talks.⁴⁶ It was also active in the follow-up phase of the peace settlement, through the improvement of communication channels and the consolidation of existing conciliation mechanisms.⁴⁷

As for the strategies applied, the EU mediation practices in Aceh are perhaps best explained as a combination of interest-based, procedural and long-term mediation. The overall amount of intervention by the EU in relation to the conflicting parties was not extensive. The EU provided channels of communication between the conflicting sides through substantial financial support and other similar means. Although the EU did not take an active part in the shaping of the final settlement of the dispute, it did support the more intrusive mediation style of Mr. Ahtisaari. Additionally, by engaging in the post-settlement process, the EU also adopted a long-term mediation strategy.

The Case of the Russian-Georgian War

Although the EU already had already undertaken conflict prevention activities in the region, it was not able to do much when the Russian-Georgian war broke out in 2008. Nevertheless, the EU soon took on the role of mediator: it offered humanitarian assistance, set up a civilian monitoring mission, and provided substantial financial support. The lead mediator was the then President of France, Nicolas Sarkozy, and his endeavors, supported by the EU High Representative Xavier Solana, resulted in the six-point plan followed by the EU Monitoring Mission aimed at building local confidence.⁴⁸

The question of the EU's impartiality in this case is complicated by a number of issues. First of all, since one of the conflicting sides was Russia, Georgia perceived the EU as a

46 Gourlay 2011, 3.

47 ECDPM 2011, 9.

48 Ibid, 6.

security guarantor rather than an impartial mediator.⁴⁹ This, however, was not far from the truth, considering that the EU has a strong bias in favor of Georgia's territorial integrity. Nonetheless, close strategic relations between the EU and Georgia gave the EU significant leverage to influence the Georgian's negotiating position by conditioning it in areas of trade and visas. Therefore, it is clear that the EU's vested interest in the Caucasus region precluded it from assuming an impartial position during the mediation.

The complicated nature of the Russian-Georgian dispute forced the EU to employ as many tools as were at its disposal in order to ensure the success of the peace process. The peace talks were both multilateral and bilateral, allowing for the EU (and the US) to conduct separate talks with Russia and Georgia, as well as with representatives of Abkhazia and South Ossetia.⁵⁰ Furthermore, the EU also operated outside the official dialogue channels through the Instrument for Stability (IfS) in Abkhazia, thus promoting peace activities at different levels.⁵¹

As for the strategy applied, the EU mainly adhered to the power-based logic of mediation. The main reasons for this can be explained by different relations between the EU member states and Russia, and by the EU's heavily biased position towards Georgian territorial integrity. For all these reasons, there is not much evidence that the EU promoted local ownership of the peace process. On the other hand, the support for unofficial peacebuilding efforts, developed mainly on the local level, forced the EU to adopt elements of interest-based and long-term mediation strategies.⁵²

The Case of Serbia–Kosovo Dialogue

The opportunity for the EU's first "consciously labeled"⁵³ peace mediation appeared in 2010 when the UN General Assembly adopted the Resolution⁵⁴ to set up talks between Serbia and Kosovo. Officially, the talks started in 2011 and they were imagined as a dialogue on technical issues aimed at incrementally reaching peaceful solutions for the ongoing tensions. As for the EU, the negotiation process was seen as an opportunity for greater stabilization of the Western Balkans. From the analytical perspective of this study, it is important to highlight that the possibility of accession to the EU, of both Serbia and Kosovo, constitutes an important factor in the overall mediating process.

49 ECDPM 2011, 7.

50 ECDPM 2011, 6.

51 Ibid.

52 Grono 2010, 21.

53 Herrberg 2012b, 22.

54 UN 9 September 2010.

To date,⁵⁵ there have been a total of twenty five rounds of talks between Serbia and Kosovo. In nine of these, parties to the conflict have negotiated through specially appointed officials, while the EU has assigned the role of mediator to an independent personality, Sir Robert Cooper. However, the profile of the dialogue was elevated after the Serbian 2012 elections. The High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, was appointed leading mediator, while the conflicting parties chose to be represented by their respective Prime Ministers. They have met in this formation sixteen times. The issues that have been discussed and agreed upon range from the problem of registry and cadaster books, recognition of university diplomas to politically more sensitive issues such as telecommunication, regional trade and freedom of movement.

If we examine this case of the EU's IPM through the lens of the principle of impartiality, the following can be observed. On the one hand, both parties have a special relationship with the mediator. Down the road, both Serbia and Kosovo hope to become EU member states. To a large extent, it is this political orientation of the conflicting parties that has determined their willingness to engage in the peace process as well as their readiness to accept specific types of settlements. The EU, on the other hand, is well aware of these circumstances, and it uses them as a leverage tool in its mediating endeavors. Additionally, for its own political and security reasons, the EU has a vested interest in seeing these two parties reach a lasting settlement. The EUHR Ashton pointed out that "the objective of this dialogue is to help both parties achieve progress on their path to Europe."⁵⁶

Not least important is also the fact that 23 out of 28 EU member states recognized Kosovo as an independent state, whereas Serbia still regards it as an integral part of its territory. For all these reasons, it is difficult to perceive the EU as an impartial mediator in the negotiation process between Kosovo and Serbia.

Formally, the EU has presented its mediating role between Pristina and Belgrade along the lines of an interest-based, problem-solving mediation model. Since the negotiations were supposed to be limited to technical issues rather than to deal with hard political questions, the EU has officially limited its role to providing a negotiating table in Brussels. And indeed, there is no strong evidence that the EU's has suggested any concrete solution. When the parties reached agreements on certain issues, this was presented as the result of their own good will. Nonetheless, it was clear from the outset that all agreements had to be within the confines of the EU legal framework. To illustrate, after the fifth round of talks, when the initial agreement was reached on the issue of civil registry, freedom of movement and recognition of university diplomas, Mr. Cooper emphasized that "there are a few issues that are ready or very close to agreement, agreements that would be fully in accordance with the EU *aquis* and in line with international standards".⁵⁷ After

55 This article was submitted in September 2013.

56 European Commission, 24 February 2012.

57 Council of the European Union, 2 July 2011.

the seventh round it was stated that the parties “agreed to return to the issue at their next meeting with a view to reaching an agreement, in the context of the EU’s overall strategy for the region.”⁵⁸ Furthermore, the agreement reached during the ninth round on the regional representation and cooperation was represented as proof that “both parties confirm their commitment to the fundamental EU values of effective, inclusive and representative regional cooperation.”

It is thus clear that, although not explicitly, the EU’s inherent bias in performing IPM directed its strategy in the Serbia–Kosovo dialogue towards a procedural and power-based mediation. This is particularly obvious in its use of the soft carrots and sticks strategy – the EU tied the progress in negotiations to the progress of both sides on their respective roads towards EU membership. When, in April 2012, the sides reached the historical agreement on the issues of integrated border management, representation of Kosovo in regional organizations and the protection of religious and cultural sites, the Commission issued a recommendation to the EU member states that negotiation be opened with Serbia on EU accession and with Kosovo on Stabilization and Association Agreement. In June, also as a reward for reaching a mutual agreement, the EU decided to open the talks within these frameworks.

Because of the highly institutionalized relationship between the EU and the conflicting parties, it can be argued that the EU also employs the transformative mediation strategy. It intervenes with the aim of long-term transformation of the parties, of their perception of one another and thus of their relationship. Of course, the broader framework of this transformation is that of EU’s norms, values and culture.

On the issue of flexibility, little can be said without closer insight into the concrete process of negotiation. However, by conditioning the agreement between the parties with their prospective membership in the EU it cannot be said that the EU was overly flexible. On the other hand, the EU has demonstrated patience over the course of negotiations and its readiness to elevate their level once it was certain that no further progress could be made. Additionally, smaller working groups were encouraged to give their input as well as to suggest and work out the details of the agreements.

The Second Habitus: The Analyses of the Concept on Strengthening EU Mediation and Dialogue Capacities

Over the last decade, EU institutions have become increasingly active in peacemaking operations in general, and IPM in particular. The EU’s approach to IPM was developed within the framework of Common Foreign and Security Policy (CFSP) and Common Security and Defense Policy (CSDP). However, there was no focused attention on this peace instrument until 2009, when the EU adapted The Concept on Strengthening EU

58 Council of the European Union, 22 November 2011.

Mediation and Dialogue Capacities. Before this document, only an oblique reference to IPM was made in the EU's official meetings and documents.

In this section, we analyze the Concept and point out the specificities of EU mediation. Accordingly, we use the Concept as the first entry point into the analysis of the EU's "second" IPM *habitus*. We conceptualize the *habitus* as the aggregation of rules, norms, identity and culture specific to the EU. We first look at the text because it brings to the fore the discursive element integral to the practice in general, and *habitus* in particular, and because we believe that the way in which practice is imagined and understood makes a strong impact on how it is practiced and rationalized. In the words of practice theory, we use the Concept as an artifact – a material aspect of practice that assists its constitution and development.⁵⁹

From the first glance at the Concept, it is clear that the EU approaches IPM through the prism of its own historical experience, more precisely, through the values developed in its integration process. Accordingly, its opening sentence provides as follows:

The EU, as a global actor committed to the promotion of peace, democracy, human rights and sustainable development, is generally seen as a credible and ethical actor in situations of instability and conflict and is thus well placed to mediate, facilitate or support mediation and dialogue processes.⁶⁰

It can be argued that the EU's peace mediation is "infected" with two inherent biases (constitutive of its second *habitus*): (1) willingness to engage in IPM is the result of the EU's endeavors to further its political and economic influence, interest and related gains; (2) the concrete practices of mediation are often burdened with the EU's strong normative commitment to human rights and the general approach to peace in positive terms, as something more than mere absence of war. These biases are reflected in the Concept's definition of mediation: "Mediation is usually based on a formal mandate from the parties to a conflict, *and the mediator gets involved both in the process and substance of the negotiations by making suggestions and proposals* (emphasis added)."⁶¹ Mediation is thus consciously defined within the conceptual confines of power-based and interest-based strategies, allowing the mediators to conduct it with EU's interests and values in mind. Furthermore, in order to institutionalize this kind of understanding of IPM, facilitation - where the role of mediator is diminished and the impartiality is increased - is defined as a distinct peacebuilding activity.

From the vantage point of this study, perhaps the most interesting section of the Concept is the one dealing with the guiding principles behind the EU's approach to IPM.⁶² There

59 Bueger 2011, 182.

60 The Concept 2009, 2.

61 Ibid, 3.

62 Ibid, 6.

are five of these principles: (1) coherence; (2) comprehensiveness; (3) assessment of risk; (4) promotion of transitional justice and human rights; (5) promotion of the participation of women. These principles are not constructed in relation to certain universal impartial values necessary for the resolution of sensitive issues among conflicting sides. Rather, all of them are tailored with the EU's interest and values in mind. The principle of coherence thus refers to IPM being conducted in the broader context of the EU's policy objectives and external relations. Comprehensiveness requires that it be part of the EU's broad toolbox in the area of conflict prevention and crisis management. As for the assessment of risk, the Concept explicitly suggests that, in the situation where the EU's credibility might be compromised by the tensions between its commitment in the area of human rights and international law and short-term conflict management objectives, other actors might be better positioned to address the conflict in question. Furthermore, the promotion of transitional justice requires that EU mediation efforts be fully in line with principles of international human rights and humanitarian laws, and that they contribute to fighting impunity for human rights. The principle of promoting the participation of women in the practice of IPM is also specific to the values that the EU upholds, and thus reflects the internal efforts of the EU to have more gender-balanced bureaucracy more than any universal principle of IPM.

Conclusion

In order to enhance its international standing, over the past two decades the EU has embarked on the process of developing various tools for conflict resolution and crisis management. International peace mediation (IPM) is one of them. However, this peace practice is still very much in its nascent phase, lacking more comprehensive institutional grounding as well as higher level of standardization and professionalization. Also, the IR scholarship rarely touches upon this issue.

With this in mind, the aim of this article was to elicit the characteristics and the nature of the EU's IPM practice. By relying on the practice approach, which has recently been introduced into IR, the study examined the following three cases: (1) the EU's support for the Aceh peace process in Indonesia (2004–2008); (2) its engagement in Russian–Georgian war (2008–2012); and (3) the mediating role it performs in the current dialogue between Kosovo and Serbia (2011–2013). The overall conclusion is that the EU's practice of IPM varies significantly from case to case. It is never fully impartial and the level of impartiality varies depending on the EU's prior relations with the conflicting sides and its overall interest in the region. The same goes for the mediating strategies it applies and the level of negotiating flexibility it permits. Theoretically, this high level of variance represents an interesting case for the practice approach, since, thus far, it was mainly focused on highly routinized international practices. With this study, we have attempted to account for this discrepancy between non-routinized practices and the current theoretical framework of practice approach; however, much more work remains to be done.

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