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LETTER FROM THE EDITOR

Dear Readers,

I am delighted to introduce the third annual edition of the Amsterdam Review of European Affairs (AREA) Journal. This peer-reviewed journal continues to highlight exceptional student work on European and transatlantic affairs. As the Director of Research & Publications for the European Horizons (EuH) Amsterdam Chapter, it is my privilege to present this latest edition, which celebrates the dedication of students passionate about these critical issues.

In this issue of the AREA Journal, you will discover a collection of papers that delve into various critical topics affecting European and transatlantic relations. This year, our contributors have examined topics such as democratic decline, EU legitimacy, the Russia-Ukraine war, and other significant issues. The journal includes research papers, policy papers, and the four best short paper essays written by our members throughout the academic year.

I can proudly highlight that a number of papers included in this journal are authored by talented members of the European Horizons Amsterdam Chapter. Their dedication to research is evident in the quality of their work. This year, we have included three exceptional papers from the Chapter's Long Paper Committee, whose members have dedicated countless hours throughout the year to produce original and insightful contributions. These papers are marked within the journal and are certainly worth your attention.

Moreover, there are many journal contributors who deserve congratulations and my sincere gratitude. First, I extend my deepest thanks to the editors of the EuH Short and Long Paper Committees. They have worked tirelessly throughout the year, ensuring the highest quality of the journal through their meticulous editing and strong team effort.

I would also like to extend a very special thank you to the Editor-in-Chiefs of the Long and Short Paper Committees. I am grateful to Long Paper Editor-in-

Chief Michalina Nowakowska for her outstanding work in coordinating and delegating tasks to the editors throughout the journal process. She has provided unparalleled insight and attention to detail. I also thank Short Paper Editor-in-Chief Mihnea Calin Loi for his essential assistance with additional tasks for the journal.

In closing, I extend my sincere congratulations to all the authors featured in this edition. The AREA Journal stands as a beacon of your unwavering commitment to scholarly excellence. Your work not only inspires but also enhances our student community, and for that, I express my profound gratitude.

It is my aspiration that this journal will serve as a dynamic forum for the exchange of ideas and promote intellectual development among our members. We proudly present the Amsterdam Review of European Affairs (AREA) Journal for the 2023-2024 academic year.

David Daniël Spitkovskyi
Director of Research & Publications
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Long Papers

Guardian of Justice: Unleashing Global Power for Accountability

The absence of a practical application of the clear definition of the crime of aggression, as highlighted by Imoedemhe (2023), positions Ukraine as a significant case that not only warrants examination but also challenges international law and the global community. The International Centre for the Prosecution of the Crime of Aggression (ICPA), a recent initiative from the European Commission, was designed with the promise that the crime of aggression would no longer go unpunished in the case of Ukraine.

The ICPA, embedded in the European Union Agency for Criminal Justice Cooperation (Eurojust), aims to support national investigations into the crime of aggression related to the war in Ukraine (Eurojust, n.d.). Yet, due to its recent establishment and a dearth of reports on its activities, coupled with a lack of scholarly literature on the subject, the precise impact of the ICPA within the framework of EU policies remains uncertain. Equally unclear is its relationship with the prospective special tribunal designated for addressing the crime of aggression in the Ukrainian case.

The International Criminal Court (ICC), established by the Rome Statute (1998), plays a pivotal role in investigating, prosecuting, and penalizing individuals for international crimes, closing impunity gaps, and ensuring accountability (Imoedemhe, 2023). The ICC emerged as a light of hope for Ukraine in the aftermath of the full-scale Russian invasion that shattered its territorial integrity, political independence, and sovereignty on February 24, 2022 (Fedorenko, V., & Fedorenko, M., 2022). The ensuing human catastrophe, marked by thousands of deaths, tortures, displacements, immense suffering, and human rights violations (Office of the High Commissioner for Human Rights, 2023), provided a potential legal basis for the ICC to investigate and prosecute those responsible for such grave offenses.

Defined by the Nuremberg and United Nations (UN) charters, along with United Nations General Assembly (UNGA) resolution 3314, reaffirmed at the 2010 Kampala conference, the crime of aggression - one of the most mysterious of the famous 'four' core international crimes, retains its initial definition:

The planning, preparation, initiation, or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity, and scale,

constitutes a manifest violation of the Charter of the United Nations. (UN General Assembly, 1998, Article 8 *bis*)

Will the ICC be able to prosecute the crime of aggression in the Ukrainian case? While the ICC serves as the initial locus for seeking justice for Ukraine – with 43 countries referring the situation to the ICC and the prosecutor, Karim Khan, starting off the investigations – there are regrettable limitations in the court's mandate and its political influence in this particular situation (Imoedemhe, 2023). The ICC must navigate challenges in punishing the atrocities committed, not only for the evolution of international crime law but also for the cause of international peace and global criminal justice (Pollman, 2023). In line with the ICC's call for justice, European institutions reacted to the Russian invasion of Ukraine through various means, including financial measures and sanctions, as well as exclusions from significant organizations like the Council of Europe (Council of Europe, 2023). Yet these actions fall short of addressing the fundamental issue of holding Russia legally accountable for the war crimes it committed. It is the moment where the ICPA could prove its importance in solving this problem.

This paper seeks to bridge existing gaps by exploring the problem through the following research question: How does the International Centre for the Prosecution of the Crime of Aggression against Ukraine contribute to the EU's efforts to establish a tribunal for holding Russia accountable for the war crime of aggression in the 2022 invasion of Ukraine? The analysis will focus on the ICPA as an object of European Union policy, addressing issues in international law, in particular, complementing the jurisdiction of the ICC; responding to the war crime of aggression within the EU policy framework; navigating jurisdictional differences among member states and limited possibilities for individual member states to investigate, collect evidence, and prosecute on the crime of aggression; and fostering international cooperation in establishing a special tribunal for the crime of aggression. Each dimension will be examined in turn, leading to a conclusive answer to the research question and a policy proposal.

History of the ICPA

The establishment of the International Centre for the Prosecution of the Crime of Aggression within Eurojust is a noteworthy response to the war crimes committed during Russia's invasion of Ukraine. This section delves into the ICPA's formation, its role in coordination with Eurojust, and its significance within the broader EU policy context.

European Commission President Ursula von der Leyen announced the creation of the ICPA on February 2, 2023 (*Statement by President, 2023*). The ICPA's primary objective is to support investigations into the crime of aggression by facilitating the collection of crucial evidence at an early stage.

Eurojust plays an important role in supporting the ICPA. Its commitment includes providing legal, operational, and logistical support to ensure the effective functioning of the ICPA, especially in coordination with the Joint Investigation Team (JIT) (*History in the Making, 2023*).

During the United for Justice Conference on March 3-5, 2023, the ICPA's role was formalized through amendments to the JIT agreement (*ICPA Made Official, 2023*). The ICPA, as part of the support structure for the JIT, focuses on enhancing investigations into the crime of aggression. The conference's outcomes solidified Eurojust's role in supporting the ICPA and clarified the additional support available to JIT partner countries.

Core International Crimes Evidence Database (CICED)

Eurojust's introduction of the Core International Crimes Evidence Database (CICED) is an essential component in preserving, storing, and analyzing evidence related to core international crimes (*Start of Operations, 2023*). The approach of CICED is to centralize the international efforts and enhance collaboration in national and international investigations by facilitating the exchange of critical evidence.

On July 3, 2023, the ICPA officially commenced operations at Eurojust (*ICPA Starts Operations, 2023*). Notable figures, including European Commissioner for Justice Didier Reynders, emphasized the EU's commitment to contribute in ensuring accountability for international crimes committed during Russia's war against Ukraine.

International support - U.S. financial contribution

The U.S. Department of State's announcement of a financial contribution to the ICPA demonstrates the efforts of international collaboration in achieving justice for Ukraine (*Eurojust Welcomes U.S. Financial Support, 2023*). The Memorandum of Understanding with JIT Ukraine and the submission of crucial evidence to the CICED highlight the efforts to enhance collaboration and collection of relevant evidence.

This section shows the collaborative efforts within the EU framework and beyond to create a suitable instrument to ensure accountability for the crime of aggression. The integration of the ICPA into Eurojust's operations is an important development in EU

policy history, which underscores the EU's commitment to a coordinated and effective response to war crimes, ensuring justice for the victims of these atrocities.

Navigating International Challenges: ICPA's Role in Complementing ICC Jurisdiction

This section delves into the challenges encountered by the ICC in prosecuting the crime of aggression and the pivotal role played by the recently instituted ICPA in addressing the international law riddles.

International law is challenged by the Ukrainian-Russian conflict

The crime of aggression, rooted in customary international law and initially prosecuted as 'crimes against peace' at Nuremberg (1945-1946) and Tokyo (1945-1948) Military Tribunals, has seen a resurgence in the context of the Russian invasion of Ukraine. The actions of Russian President Putin against Ukraine are considered a clear instance of aggression, demanding accountability in line with the objectives of the Rome Statute, where perpetrators of international crimes should not escape justice (N'Zatioula Grovogui, 2023; Imoedemhe, 2023; Lewis, 2019).

On December 15, 2017, the Assembly of States Parties adopted a resolution activating the ICC's jurisdiction over the crime of aggression from July 17, 2018 (Kreß, 2018). However, the ICC faces a jurisdictional challenge in the current conflict between Russia and Ukraine (Hosseini & Salari, 2023). The Rome Statute requires both the state of the alleged perpetrators and the victim state to have ratified the statute for the ICC to prosecute the crime of aggression (McDougall, 2021). Since neither Ukraine nor Russia have ratified the Rome Statute, the ICC lacks jurisdiction over this crime in the ongoing conflict (Imoedemhe, 2023). Despite Ukraine's attempts to accept the ICC's jurisdiction through Article 12(3) Declarations in 2014 and later, the lack of ratification by the concerned states hampers the ICC's authority (Imoedemhe, 2023). Notably, Russia withdrew its signature from the Rome Statute in 2016, limiting ICC jurisdiction (Moxley, 2022).

The ICC's jurisdiction in this conflict is further limited to war crimes, crimes against humanity, and genocide (Imoedemhe, 2023). While Chief Prosecutor Karim Khan initiated investigations into war crimes and crimes against humanity in Ukraine on April 1, 2022, the ICC's jurisdiction does not cover the crime of aggression in this conflict (Hosseini & Salari, 2023). Unfortunately, while the ICC's commendable efforts in the investigation are recognised by scholars, these efforts are practically offset by the limits

of the ICC's jurisdiction over the crime of aggression in the case of Ukraine (Hosseini & Salari, 2023).

However, even with such limitations, the ICC retains the authority to prosecute individuals, including Russian nationals, for crimes within its jurisdiction triggered by a UN Security Council referral (Imoedemhe, 2023). There is a consensus that top Russian officials bear the greatest responsibility for the aggression (Iashchenko & Balynska, 2022; Vasetsky, 2022). In the current situation, the case has not been referred to the ICC through the UN Security Council. This poses significant barriers to ICC prosecution, creating challenges in bringing those responsible for the crime of aggression in the Russian-Ukrainian conflict to justice. The political complexities and diplomatic considerations within the Security Council contribute to the impasse (Hehir & Lang, 2015; Imoedemhe, 2023). As a result, the international community faces hurdles in utilizing the ICC as a primary mechanism for addressing the crime of aggression in this particular context.

Role of ICPA - Complementarity Principle

In response to the limitations faced by the ICC, European Commission President Ursula von der Leyen called for the establishment of the ICPA. This center, supported by the European Union, the United States, and a JIT for Ukraine, serves as a critical adjunct to the ICC, aiming to bridge the legal gap and facilitate accountability for the crime of aggression (Eurojust, n.d.). Therefore, this section will delve into the role of the ICPA with regard to the complementarity principle, important within the framework of international law.

The complementarity principle is pivotal in addressing the jurisdictional gaps of the ICC (Benzing, 2003). The complementarity principle, enshrined in the Rome Statute, underscores the necessity for states to take national measures to address international crimes and eliminate impunity (Jurdi, 2010). Recognizing the limitations of the ICC in prosecuting the crime of aggression in the Russian-Ukrainian conflict, the establishment of the ICPA aligns with the complementarity principle. While the ICC plays a complementary role, the ICPA aims to work alongside the ICC, bridging legal gaps and supporting the Joint Investigation Team for Ukraine. The ICP serves to support national investigations into the crime of aggression related to the war in Ukraine; coordinate evidence collection; and facilitate early-stage case building (Eurojust, n.d.). Its role is crucial in complementing the efforts of the ICC and ensuring that accountability for the crime of aggression is pursued at both international and national levels.

Furthermore, the ICPA is expected to be a forerunner of a special tribunal for aggression. Ukraine's Prosecutor General, Andriy Kostin, expresses optimism about the ICPA yielding results in the coming months, setting the stage for potential proceedings against top government and military officials (Deutsch & van den Berg, 2023). While the exact legal framework of a future tribunal targeting top government and military officials is under discussion, the ICPA emerges as a practical and necessary step towards addressing the crime of aggression in the context of the Ukrainian case (Deutsch & van den Berg, 2023). The center's establishment reflects international solidarity in the pursuit of justice and accountability for heinous acts committed during the conflict.

In the face of jurisdictional challenges encountered by the ICC in prosecuting the crime of aggression in the Russian-Ukrainian conflict, the establishment of the ICPA emerges as a significant development. Aligned with the complementarity principle, the ICPA serves for uniting the national efforts to hold perpetrators accountable for international crimes. While the ICC continues investigation into war crimes and crimes against humanity, the ICPA represents a possibility of collaboration between the members, so that unique legal challenges posed by the crime of aggression in the ongoing conflict could be already addressed.

Assessment of Existing Policies and Challenges

The EU has taken a robust stance against Russia's war of aggression on Ukraine, condemning both the invasion and the illegal annexation of Ukrainian territories (*EU Response*, n.d.). This section examines the EU's multifaceted response, including diplomatic actions, sanctions against Russia and Belarus, and support for Ukraine. Additionally, it addresses the economic and humanitarian impact of the conflict on global markets. This section also provides how the newly established ICPA addresses the issues within the EU policy framework.

Approach of the EU

On the diplomatic field, The EU, along with its member states, strongly condemns Russia's aggression and the annexation of Ukrainian territories (*EU Response*, n.d.). European Council conclusions from February 9, 2023, underscore EU leaders' demands for an immediate cessation of military actions, withdrawal of forces from Ukraine, and respect for Ukraine's territorial integrity (*EU Response*, n.d.). The EU expresses

solidarity with Ukraine, supporting its right to determine its destiny and commending the Ukrainian people's courage (*EU Solidarity*, 2022).

Furthermore, the EU has employed sanctions as a powerful tool to respond to the war of aggression. A series of packages, implemented since February 2022, include measures targeting individuals, economic sectors, and entities involved in the conflict (*Sanctions Adopted*, n.d.). Sanctions against Russia and Belarus aim to weaken their economic bases, restrict access to critical technologies, and curb their ability to wage war (*Sanctions Adopted*, n.d.). The EU has demonstrated unity and strength in adopting unprecedented restrictive measures (*The EU in 2022*, n.d.).

Moreover, the EU supports Ukraine, providing humanitarian, political, financial, and military assistance (*EU Support*, n.d.). The European Council's commitment, as expressed by President Charles Michel on February 3, 2023, emphasizes the EU's enduring partnership with Ukraine in rebuilding a modern and prosperous nation (*Remarks by President Charles Michel*, 2023). The EU coordinates efforts with international partners, such as the UN, OSCE, NATO, and the G7, to address the refugee crisis and condemn indiscriminate attacks on civilians (*Collaboration With International Organisations*, n.d.).

Addressing Energy and Global Food Crises

The Russian invasion has disrupted global markets, leading to soaring prices for key commodities (Jagtap et al., 2022). The EU has responded to the energy crisis by phasing out dependency on Russian fossil fuel imports (*State of the Energy Union*, 2023). Member states collaborate to secure gas supplies, reduce gas demand, and accelerate the transition to clean energy. The EU is actively working on proposals for energy solidarity, renewables deployment, and a market correction mechanism for gas prices to mitigate the impact on households and businesses.

The EU's response to the global food crisis involves providing emergency relief, supporting sustainable food production in developing countries, and promoting open and barrier-free trade (*Food Security and Affordability*, 2023). The EU's 'solidarity lanes' have facilitated the export of grain and oilseed from Ukraine, aiding countries in need (*European Commission to Establish*, 2022). European Council President Michel's leadership in the global food security summit underscores the EU's commitment to international cooperation and partnership initiatives (*Leaders' Summit*, n.d.).

ICPA's Role in Addressing Legal Accountability in the EU Policy Framework

While diplomatic and economic measures have tangible consequences for targeting Russian aggression, their primary impact is on political and economic levels (Hunter, 1991). These measures, though effective in exerting pressure on Russia, do not directly address the legal responsibility for war crimes committed during the invasion (Connolly, 2018). A dedicated legal framework, therefore, is essential to achieve accountability.

The ICPA emerges as a critical component within the EU policy framework to bridge this legal gap. Established following the activation of the ICC's jurisdiction over the crime of aggression, the ICPA operates independently, focusing specifically on the legal aspects of acts of aggression. It stands uniquely positioned to pursue legal accountability for war crimes, complementing the broader diplomatic and economic efforts of the EU.

While the EU's response to Russia's aggression on Ukraine has been comprehensive in diplomatic, economic, and humanitarian dimensions, addressing legal accountability requires a nuanced approach. The ICPA emerges as a pivotal component within the EU policy framework to fill this legal void. By focusing on the crime of aggression and operating independently, the ICPA ensures a dedicated and specialized pursuit of legal justice, complementing the broader efforts of the EU in responding to this grave violation of international law.

Uniting Power of the ICPA

The 'crime of aggression' in the context of the Russia-Ukraine conflict poses a unique challenge to the existing international judicial landscape (Pollman, 2023). The absence of a court exercising jurisdiction over this specific crime creates a significant gap in accountability (Reinisch, 2014). This section explores how the ICPA strategically addresses the jurisdictional complexities faced by individual countries seeking to prosecute this crime.

The embedding of the ICPA within Eurojust offers a strategic advantage in navigating jurisdictional complexities. Eurojust, renowned for its role in coordinating efforts against cross-border crimes, serves as a blueprint for the ICPA's potential functionality (*Eurojust and the War*, n.d.). Given that core international crimes often transcend borders, Eurojust's experience, particularly through its Genocide Network, becomes invaluable (Brière, 2019). This network supports national investigations

related to genocide, crimes against humanity, and war crimes, acknowledging the direct impact on European Union Member States (*Genocide Network*, n.d.).

The ongoing Russian invasion prompted crucial changes to Eurojust's mandate. Recognizing the challenges posed by the conflict, amendments to the Eurojust Regulation, effective from June 1, 2022, empower Eurojust to collect, analyze, and preserve evidence related to core international crimes (*Eurojust Legal Framework*, n.d.). This enhanced role allows Eurojust to store evidence more permanently, cooperate directly with international judicial authorities, and establish automated data management and storage facilities.

Enhancing cooperation and evidence exchange

At the core of the ICPA's contribution is the daily collaboration it fosters among prosecutors (Eurojust, n.d.). This collaborative effort transcends routine information exchange, representing a concerted platform for the development of a common strategy. By convening legal experts from diverse jurisdictions, the ICPA ensures a seamless alignment of investigative and prosecution approaches (Eurojust, n.d.). This alignment is pivotal for addressing the intricate nuances inherent in the 'crime of aggression' and, in turn, ensuring a robust and comprehensive legal response to the ongoing conflict.

The integration of the ICPA into Eurojust, coupled with amendments to the Eurojust Regulation, exemplifies the European Union's dynamic response to jurisdictional challenges in the context of the 'crime of aggression.' These measures underscore a commitment to accountability, ensuring that legal frameworks evolve to effectively address contemporary conflicts and crimes. Ultimately, this contributes to the restoration of global security and the upholding of the rule of law in the face of complex international challenges.

Building the Framework for a Special Tribunal to Address the Crime of Aggression

The establishment of a special tribunal to address the crime of aggression in the context of the Russian invasion of Ukraine faces several challenges, including the lack of jurisdiction by the ICC, Security Council obstacles, and the unprecedented nature of prosecuting the crime of aggression (Imoedemhe, 2023). The unique circumstances require international cooperation and innovative approaches to ensure accountability (Jusufaj, 2023). This section explores how the ICPA plays a pivotal role in fostering global cooperation to pave the way for a special tribunal.

International collaboration

The collaboration between the ICC and Eurojust in a JIT represents a landmark in international cooperation. This partnership, involving the ICC in a JIT for the first time, signals a collective effort to gather evidence on core international crimes committed in Ukraine (Negishi, 2023). Leveraging the expertise of the ICC and Eurojust, including operational, analytical, legal, and financial support, enhances the effectiveness of investigations (Joint Investigation Team, n.d.).

International cooperation extends beyond the borders of Europe, involving the United States in a joint effort to address crimes of aggression. This collaboration entails the sharing of crucial evidence and financial support, underscoring the global commitment to a collective response in addressing the Russian invasion (*U.S. Assistance, 2023*).

ICPA as a Forerunner to a Special Tribunal

Major European countries, the European Union, and the Council of Europe have endorsed Ukraine's request to prosecute Russia for the crime of aggression (Brown, 2023). Lithuania, through its president, have called for the establishment of a special tribunal for the crime of aggression against Ukraine. The President emphasizes the need for such a tribunal to complement the role of the International Criminal Court and bring Russia to justice (*According to the President, 2023*). Former British Prime Minister Gordon Brown's declaration, supported by European countries, emphasizes the importance of a special tribunal to complement existing international courts, including the ICC, ICJ, and ECtHR (*Press Release: Calling for the Creation, 2022*).

The Parliamentary Assembly of the Council of Europe (PACE) has actively supported the establishment of an ad hoc international criminal tribunal (*PACE Calls, 2022*). Recommendations include encouraging member states' participation, providing logistical and technical assistance, and exploring ways for the Council of Europe to be actively involved in setting up and operating such a tribunal (*Global Impact, n.d.*).

The European Union has been proactive in supporting the creation of a special tribunal. The European Parliament's resolution calls for the swift establishment of a tribunal, urging support from multilateral forums such as the UN and the Council of Europe (*Global Impact, n.d.*). The European Commission's proposals offer options for a specialized independent international tribunal or a hybrid court integrated into national justice systems (*Press Corner, n.d.*).

In-depth analyses from the European Parliament's Subcommittee on Human Rights (DROI) and the Council of Europe Secretary General acknowledge the challenges in establishing a tribunal directly through the UN (*Global Impact*, n.d.). The reports suggest exploring alternatives, such as agreements between Ukraine and international organizations or between states.

Considering all the abovementioned developments and the complexity of the issue evolving around the tribunal establishment, the ICPA emerges as a promising ad hoc solution. It appears as a first concrete step of the European Union in the journey towards a special tribunal. Indeed, the ICPA plays a vital role in building a comprehensive case file that could be presented in court (Eurojust, n.d.).

The efforts to establish a special tribunal for the crime of aggression against Ukraine involve a complex web of international cooperation, aiming to address political and legal challenges. The collaboration with the ICC, Eurojust, the United States, and various international organizations reflects a collective commitment to addressing the unprecedented challenges posed by the conflict. The emergence of the ICPA as a forerunner to a potential tribunal, coupled with endorsements from major European countries and institutions, underscores the determination to pursue justice and accountability in the face of grave international crimes.

Policy Proposal: Strengthening the Mechanism of Accountability Objective

The purpose of this policy proposal is to enhance international efforts to hold Russia accountable for the invasion of Ukraine and crimes of aggression through improved transparency, collaboration, evidence gathering, and active involvement of victims in the case-building process, with a specific focus on the activities of the ICPA.

Transparency Enhancement

To enhance transparency, it is imperative to consistently publish detailed activities and progress reports of the ICPA on Eurojust's official website. Additionally, comprehensive summaries of ICPA's contributions should be integrated into Eurojust's annual report, offering relevant stakeholders a comprehensive overview of its endeavors. Robust public engagement strategies, such as the dissemination of press releases and conducting briefings, should be implemented to ensure that the global community remains well-informed about the ongoing efforts of the ICPA (*Trust and Public Policy*, 2017).

Access to Information

To improve access to information, it is recommended to integrate documents related to the ICPA into Eurojust's public register. This measure ensures that citizens, legal entities, and scholars can easily access relevant information. Furthermore, a dedicated section on Eurojust's website should be developed specifically for accessing ICPA-related documents, ensuring a user-friendly navigation.

International collaboration efforts enhancement

International collaboration is important in the context of international law, and particularly, when the international law has certain legal 'gaps', such as in the Ukrainian case. International cooperation is crucial in holding perpetrators of war crimes accountable, as it can help to secure the effective collaborative approach of individual states in prosecuting accused persons (Wald, 2012). To enhance international collaboration efforts, it is proposed to establish regular consultative forums that involve Eurojust, the ICPA, the ICC, and member states. These forums will serve as platforms for open dialogue, information sharing, and the coordination of efforts to address the crime of aggression.

Moreover, member states are encouraged to enter into legal cooperation agreements with the ICPA, which will facilitate the establishment of a special tribunal dedicated to addressing the crime of aggression. This would ensure a smooth, coordinated response to the challenges posed by this crime.

In addition, member states are urged to establish national mechanisms for evidence gathering, with a specific emphasis on actively involving victims of war crimes in the process. This inclusive approach recognizes the importance of victim participation in building cases against perpetrators of crimes of aggression.

Active involvement of victims

To actively involve victims in the process, it is recommended to establish victim participation panels within the framework of the ICPA. These panels will ensure the direct involvement of victims in the case-building process, providing them with a platform to contribute their stories. To further support victims, the implementation of mechanisms such as legal counsel and mental health support is of grave importance. These support systems aim to address the diverse needs of victims, recognizing the emotional and legal challenges they may face throughout the legal proceedings. Additionally, ensuring that victims have access to relevant information and providing different opportunities for them to contribute to the evidence-collection process is

essential. This inclusive approach empowers victims and acknowledges their vital role in ensuring accountability for the crime of aggression.

Monitoring and evaluation

From a legal perspective, while proposing amendments to Eurojust's legal framework, it is essential to clearly define ICPA's responsibilities, reporting mechanisms, and procedures for assessing the ICPA activities. This step will help streamline operations and enhance the overall efficiency of ICPA.

To ensure continuous monitoring and evaluation of the ICPA, it is recommended to establish an independent oversight committee. This committee will be tasked with monitoring and evaluating the effectiveness of ICPA's initiatives, thereby enhancing accountability and transparency in its operations. Furthermore, an annual impact assessment of ICPA's activities should be conducted to provide stakeholders with a comprehensive understanding of the outcomes achieved. To enrich the discourse surrounding ICPA activities, it is also recommended to actively involve legal scholars in monitoring and evaluation of the ICPA. Their participation will bring diverse perspectives to the table, contributing to the holistic way of evaluation of the ICPA's effectiveness.

This policy proposal aims to fortify global accountability measures against Russia's aggression by promoting transparency, inter-state collaboration, and access to information. Active involvement of victims in the case-building process ensures a more comprehensive and victim-centered approach. Continuous monitoring of the ICPA will help to keep track of the ICPA's activities and successes and ultimately contribute to fostering international involvement.

Conclusion

In conclusion, the establishment of the International Centre for the Prosecution of the Crime of Aggression within Eurojust signifies an important step in addressing the challenges posed by the Russian invasion of Ukraine. The multifaceted approach outlined in this analysis underscores the significance of international cooperation, legal accountability, and victim participation in ensuring justice for the grave international crimes committed.

Within the European Union policy framework, the EU's comprehensive response to the Russian invasion includes diplomatic condemnation, economic sanctions, and humanitarian support for Ukraine. The ICPA stands out as a dedicated legal framework, complementing these efforts by ensuring a nuanced approach to legal accountability

for war crimes. Furthermore, the ICPA integration into Eurojust, supported by the Core International Crimes Evidence Database, reflects the EU's commitment to a coordinated and effective response to war crimes, aligning with the complementarity principle to bridge the gaps left by the limited jurisdiction of the ICC. By operating independently and focusing specifically on the crime of aggression, the ICPA aims to fill the accountability gap left by jurisdictional limitations.

Navigating jurisdictional differences among member states and the limited possibilities for individual member states to prosecute the crime of aggression, the ICPA strategically leverages Eurojust's expertise. Amendments to Eurojust's mandate empower it to preserve evidence related to core international crimes, fostering cooperation and evidence exchange among member states. Moreover, in fostering international cooperation for the establishment of a special tribunal, the ICPA acts as a forerunner. While the EU, major European countries, and international organizations endorse the establishment of a special tribunal, the ICPA, operating on the basis of Eurojust, in collaboration with the ICC, and supported by the United States, already at an early stage, contributes to building a comprehensive case file for potential proceedings.

The proposed policy aims to strengthen the mechanism of accountability for the crime of aggression in the Ukrainian case. By enhancing transparency, facilitating access to information, promoting international collaboration, actively involving victims, and ensuring continuous monitoring and evaluation, the policy seeks to fortify global accountability measures against Russia's aggression. In light of the ongoing offenses and the recent significant missile attack, it is imperative for the civilized world to assert that the Russian state and its people must assume both international legal and moral responsibility for the war against Ukraine (*Russia Unleashes*, 2023).

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Internal Rebordering in the Schengen Area: The Weakening of EU Integration

The European Union (EU) has witnessed a rise in waves of immigrants in the past several years and consequently, an increase in border controls across the Member States (MS) of the Schengen Area (Colombeau, 2020). This paper aims to demonstrate that this recent rise of border controls negatively impacts the process of EU integration and fuels Eurosceptic sentiments supported by radical right-wing parties.

The Schengen area includes the territories of 27 countries, among which all EU members, except for Ireland and Cyprus (European Commission, 2023). Romania and Bulgaria have recently been approved to enter Schengen, beginning in March 2024, while Norway and Switzerland are the only Schengen Area states that are not EU members. Although the Schengen Agreement intends to achieve free movement of people, the area it covers has not been border control-free for over seven years (De Somer, 2020). Between 2006 and 2019, internal borders were reinstated more than 100 times by reintroducing normal control checks at national borders (Nikolić & Pevcin, 2021). Over ten new temporary border controls were reintroduced in the past year and are fixed to last for 2024 as well (European Commission, 2023). The wars in Ukraine and Gaza, happening in the proximity of the EU, only increase the probability of future high flows of migrants wanting to enter the MS, adding to the existing high waves of migration (Mikheieva & Jaroszewicz, 2023).

Concomitantly, the EU is confronted with a rise of right-wing extremist national parties and populist regimes that use the anti-migrant discourse as a tool to gain support in their praise of Euroscepticism (Petrović et al., 2023). National populist

radical right parties such as the Italian Northern League (LN - Lega Nord), the Austrian Freedom Party (FPÖ – Freiheitliche Partei Österreichs), and the Dutch Party for Freedom (PVV - Partij voor de Vrijheid) have continuously expressed their rejection of EU-internal immigration and used their stance towards EU migration policies to receive popular support (Heinisch et al., 2021). Currently, eight EU states have at least a 15% share of seats in their national parliament held by extreme-right parties (Statista, 2023). Hence, migrant waves affect current EU border regulations, while also fuelling right-wing discourses which can further impact the trajectory of pro-EU sentiments and EU integration.

The fact that MS decided to override the regulations set by the Schengen Agreement only seems to confirm that illegal migrations are considered national threats and hence support some of the sentiments populist regimes instil regarding immigrant issues (Van der Woude & Van Berlo, 2015). The thorough investigation of such a topic addresses the current gap in the academic literature focused on EU integration and internal rebordering. Defined as 'long standing derogations from the Schengen regime', internal rebordering refers to the reinstatement of border checks or controls within a certain area, in this case within the territories shared by the MS of the Schengen Area (Gruszczak, 2022, p.246). While there are vast bodies of literature examining both topics, no piece has questioned the effects that the increasingly changing environment of border regulation has on EU integration, sentiments, and people's attitudes toward the future of the Union. This research might prove instrumental in identifying potential factors that influence Euroscepticism trends, as well as popular opinions towards the Schengen Area and EU policies, internal and external. Therefore, to better understand how MS' responses to migration flow drive possible changes in people's attitudes towards the EU, this paper aims to answer the following research question: How does internal rebordering within the Schengen Area affect EU integration?

This essay argues that internal rebordering within the Schengen Area negatively impacts the integration of the EU. This will be proved by firstly showing how restricted movement within the Schengen Area decreases the sense of EU identity and belonging. Secondly, it will be assessed how credibility towards the EU diminishes due to the low legitimacy attributed to the Schengen Agreement, by both EU institutions and by the MS. Thirdly, it will be argued that border enforcement serves to nation-building, which prevents EU integration, physically and culturally. Lastly, the

discussion section would weigh the disadvantages created by internal rebordering against the potential benefits they might have, namely increased levels of security and better police networking and cooperation among the MS.

Theoretical Framework & Policy Context

To properly assess the effects that internal rebordering has on the EU, this paper engages with the current Schengen Borders Code, as adopted by the EU, and with notions and theories of European Integration, as proposed by European Union scholars (Cini & Pérez-Solórzano Borragán, 2019). Inter-state cooperation and integration are the goals that the founding members had in mind when establishing the European Community (EC). What is now referred to as 'integration' encompassed multiple factors, from supranational institutions overlooking MS' decisions, and common policies, to economic and political integration. Being limited to only six MS in the early stages of the EC (Belgium, France, West Germany, Italy, Luxembourg and The Netherlands), in the 1950s, integration gradually expanded to more countries once the EU was founded based on the EC, through the Treaty on European Union in 1992.

Several theories exist to explain EC, and later - EU integration, the most prominent ones being intergovernmentalism and neo-functionalism (Cini & Pérez-Solórzano Borragán, 2019). While intergovernmentalism dictates that MS have total sovereignty and interests to cooperate at a European level, neo-functionalism says that supranational institutions' interests can sometimes override those of the MS. Furthermore, neo-functionalism considers political integration to follow from economic integration, which has the effect of strengthening the MS. This theory is founded on the basis of the spill-over effects, which refer to the creation of new goals for a community, as a result of the political cooperation developed for achieving previous goals. Therefore, while working on certain aims regarding integration in a specific field, opportunities for cooperation and integration in another area arise and are followed to better integrate that community.

One main element of the EC integration project was the Schengen Agreement, currently functional within the EU (Cini & Pérez-Solórzano Borragán, 2019). In 1985, Belgium, The Netherlands, Luxembourg, Germany, France and Italy decided to eliminate border controls, a decision formalised through the 1985 Schengen Agreement, and the 1990 Schengen Implementation Convention. The objective of the agreement was to strengthen the EC's external borders and to remove the internal

borders to ensure the smooth flow of production factors, capital, and human labour that would establish the economic integration envisioned through the Single Market project. Physical barriers were one of the three kinds to be removed internally within the EU, along with technical and fiscal barriers. Developed beginning with 1984, the Single Market project became a pillar of EU integration, through its main aim of establishing 'free movement of goods, services, capital, and people' (Cini & Pérez-Solórzano Borragán, 2019, p.19). As the neo-functionalist theory of EU integration suggests, 'pressures for integration spilled over from the efforts' to remove physical borders and integration became a goal for the EU larger than economic benefits, aiming for social and cultural ones as well (p.19).

Later, Schengen was implemented within the EU regulations through the Amsterdam Treaty. The Schengen Borders Code (SBC) is the document that dictates the procedures MS need to follow when controlling the movement of people across Schengen borders, internal and external (Van der Woude & Van Berlo, 2015). Despite the initial economic purposes, the absence of physical borders led to the cultural and social integration of the EU's citizens as well.

Under Title III of the SBC, concerning internal borders, Article 22 mentions that 'Internal borders may be crossed at any point without a border check on persons, irrespective of their nationality, being carried out' (SBC, p. 36). Nevertheless, phenomena such as high numbers of migrants wanting to enter the EU, both legally and illegally, have motivated multiple MS to defy SBC's Article 22 and introduce what scholars have called 'internal rebordering' (Gruszczack, 2022, p.246). While the SBC mentions that countries are allowed to reintroduce internal borders to promote the internal security of certain areas, the document explicitly and repeatedly mentions how this measure should be a last resort in terms of security concerns (SBC, p.3).

The more profound involvement of the Union in its MS policies, specifically through the Single Market and the Schengen Agreement initiatives, along with the uncertainty created by continuous waves of migrants into the EU are the factors which led people and political leaders to question the legitimacy, stability and the need of the EU. This questioning of the EU's status is termed 'Euroscepticism', which refers to voiced 'opposition to closer integration' of the EU (Usherwood & Startin, 2013, p.1). Opposing pro-EU sentiments, the concept of 'nation-building' will be used in this essay to refer to the process of preferring national identity, integration policies, security, culture and

ideologies, in contrast to European or international ones (Harris, 2017). The following section will analyse the extent to which the derogation from the SBC impacts the current state of EU integration, as well as the valence of this impact and its fuelling of Eurosceptic support.

Analysis

Decreasing EU identity

Internal rebordering has a detrimental impact on EU integration as its restriction of movement decreases people's identification with the Union and their EU-belonging sentiments. The introduction of temporary internal borders implies a reduction of the free movement and mobility granted by the Schengen agreement to the people of the EU (Gruszczak, 2022). Nevertheless, as mentioned in the SBC itself, ensuring free movement across internal borders is 'one of the main achievements of the Union' (SBC, p3). This therefore promotes one of the main principles of the EU, namely the freedom of the people. Additionally, several polls suggest that EU citizens believed this achievement to be the EU's most important one, hence overshadowing the accomplishment of creating peace among the MS (De Somer, 2020).

While removing borders fosters freedom and liberty, which are essential values that maintain the prosperity of the EU, rebordering represents a reversed action, having a protectionist character (Gruszczak, 2022). Therefore, a reduced ability to freely move within the Union goes against citizens' beliefs and most valued principles, leading to fewer reasons for nourishing EU-belonging sentiments.

Second, internal rebordering disincentives inter-state travelling, which further adds to a decrease in levels of European identity. Salomon and Rijpma (2023) claim that EU citizens who are highly mobile and travel across the Union 'feel more European' than those who are less mobile (p.284). They continue to argue that not only is the abolition of border controls beneficial for free movement purposes, but also it is instrumental in 'identity formation' (p.284). They thus conclude that EU citizens' identification with the Union is negatively affected by the 'partial suspension' of the SBC (p.303). Hence, the action of re-introducing such controls might show opposite consequences, specifically identity fragmentation. Losing the ability to be highly mobile can hence lead to decreased levels of feeling European, which can further impact the orientation people have towards EU policies, leading to more proneness to Euroscepticism.

Therefore, as EU citizens enjoy the chance to free movement and find this to reflect the benefits of EU membership, it can be deduced that maintenance of control-free borders encourages the formation of stronger pro-EU sentiments, whereas internal rebordering promotes the opposite. Furthermore, the reintroduction of borders reduces inter-state travelling, which leads to lower citizen mobility and hence reduced European identity.

Diminishing EU Credibility

Internal rebordering negatively impacts the EU's credibility among its MS as it reduces the Union's levels of legitimacy. This happens because of the lesser importance given to the SBC by the European countries and because of the limited actions performed by the EU's institutions in making sure the agreement is properly followed by the MS. Derogating from the SBC damages EU credibility as this document is crucial for the Union's integration through its laying down of the free mobility agreement. Reintroduction of national borders is permitted by the SBC in the exceptional cases of 'threats to public policy or internal Security in a Member State' (SBC, Article 25(1)). Salomon and Rijpma (2023) emphasise that the SBC foresees derogations from control-free borders only as a last-resort method for protecting a state, and for a duration that must 'not exceed what is strictly necessary' (p.284). Additionally, exemptions from the SBC can be made if there is any 'serious ground to public policy or internal security to the overall functioning of the Schengen area', that might result because of improper management of the external borders (SBC, Article 29). While most of the fourteen countries which currently hold internal border controls evoke terrorist, espionage or human smuggling fears as reasons for their internal rebordering, three of them (Austria, Czechia and France) also mention a deterioration of the external Schengen borders security (European Commission, 2023). All these fears are fuelled by the current wars in Eastern Europe and the Middle East and while they are geographically detached from the Union, they already affect the EU's most important policies, such as the SBC.

Salomon and Rijpma (2021) discuss how despite the 'temporary' aspect of internal rebordering, the European Commission (EC) has not taken action to reinforce the main rules of the SBC. They strongly claim that, as the main theories of European integration also dictate, the removal of border controls within the Schengen Area is a crucial aspect of integration. They further add that, when an EU law covering such an important area of European integration, such as the free movement of people, is

infringed, the EC usually enforces its powers to oppose the infringement. This should more urgently happen if the main law is not followed for a longer period.

Nevertheless, at the moment, the EC has not performed specific action to widely re-enforce the SBC, nor has it opposed the phenomenon of internal rebordering.

Furthermore, the EC has not conducted systematic evaluations of most of the border reinstatements, nor has it initiated any 'infringement proceedings' against the MS which introduced internal rebordering (Salomon & Rijpma, 2021, p.286). The actions the EC has nevertheless performed range from encouragements for MS to use police checks within their territory rather than border checks to various minor recommendations, but no stricter measures.

MS part of the Schengen Agreement no longer seems to completely trust external borders to prevent illegal migrants and potential terrorists from entering their territory, which is why they choose to reinstate national control checks. Fears of trafficking and criminal networks entering the EU have exacerbated MS' wishes for internal rebordering (European Commission, 2023). Thus, exceptions from the SBC start to become the norm among the MS, enforcing more fears regarding Schengen borders and the security of the people within the EU. Ultimately, these shift the focus of MS from following the SBC's main regulations to finding suitable exemptions, to allegedly maintain a high level of national security. Finally, prioritising national interests and condemning Schengen's security performance threatens the sense of EU legitimacy now overshadowed by potential external menaces.

The choice of following SBC's exemptions' criteria rather than its main goal further negatively impacts EU credibility as this shifts the focus from a free and secure Union to the national interests of people's preservation in the face of threats that cannot be properly overcome at the borders of the Schengen Area. Additionally, it can be seen that in the case of internal rebordering, the EC seems to accommodate the preferences of the MS rather than take more actions to enforce the main provisions of the SBC. This clearly denotes the supremacy of MS policies on internal borders and immigration over the EU's legislation, a fact that hence decreases the EU's legitimacy, and is a crucial issue, as De Somer (2020) notes: 'a Europe without Schengen, or with a weakened Schengen, would entail fundamental legitimacy risks for the European project as a whole' (p.182). Consequently, this encourages the idea of immigration threats being serious dangers to MS's security, possibly strengthening

the populist debates condemning free movement within the EU, and discouraging the EU's desire for maintenance or improvement of EU integration.

Nation-Building Preventing EU Integration

Enforcement of internal borders promotes nation-building, which deters further actions for preserving and continuing EU integration. Nationalist sentiments disproportionately lessen EU-belonging and EU-identification ones. Van der Woude (2020) explains how national identity is established solely through 'contradictions and exclusions' as borders or border zones 'delineate who belongs and who does not', further serving to 'nation-building and identity establishing' (p.125). Accordingly, the reinstatement of borders within the EU makes external borders and identity less prominent, as they accentuate the differences between the MS.

Exemptions from the SBC becoming a norm may also support the framing of the Schengen Area as something detrimental to nation-building, contrarily to internal borders. This would further validate the discourses fostering anti-EU sentiments, repeatedly voiced by radical right-wing leaders. These discourses focus on valuing the people, rather than the elites of society, comparisons being made with the EU as a globalist elite or imperialistic organisation, in contrast to the national states (Petrović et al., 2022). Hence, internal rebordering has an element of national identity preservation which works against the EU identities, decreasing the sense of an integrated community. Moreover, it indirectly supports the preference of nation-states to the Union, which is easily reframed by EU opposers as an elite-led organisation that does not act in the interest of the people.

Discussion

The main point that can be raised to combat the idea that internal rebordering is detrimental to EU integration relates to the security advantages this policy brings to the MS. As previously mentioned several times, reinforcements of internal borders have been applied due to certain countries' fears of criminal activities that might endanger national securities. As stated by the European Commission (2023), these fears range from 'new terrorist threats' and 'risk of possible terrorist infiltration' to 'high migratory pressure', 'threat of espionage from foreign state intelligence' and 'significant threat to public policy and internal security'.

Van der Woude (2020) discusses how cross-border collaborations between police forces have widened because of the Schengen agreement, along with the border controls. Therefore, internal rebordering is argued to improve the exchange of data

necessary in criminal investigations, which is now internationally possible due to the SBC. Nevertheless, this aspect seems to focus on collaboration and integration of certain institutions such as the police, rather than visualise the wider image of EU integration.

While exchanges of information could still continue if internal rebordering is replaced with more police-conducted checks within national territories, EU integration and pro-EU sentiments would be positively impacted if free movement would become less restrained within the Schengen Area. These would be consequences of allowing EU citizens to become more mobile, associate themselves more with the Union and create a sense of nation-building within the Schengen borders, rather than the national ones. Furthermore, discouraging internal rebordering would not only promote EU integration but may also reduce the security fears faced by the MS, if a deeper focus on external border controls and policies is applied by EU institutions.

Conclusion

European integration has been one of the main if not the most important goals of the EU since its early days. The extent to which EU citizens identify with the Union, the credibility and legitimacy they attribute to EU-made laws and decisions, and the sense of Union-building, rather than nation-building are all vital indicators of the progress that EU integration has and the trajectory it follows. This paper has argued that internal rebordering negatively impacts all these factors, despite the apparent benefits that it might bring to individual MS in the Union. Adhering to the exemption cases, rather than the main provisions of the SBC reduces the free movement of EU citizens within the Schengen area, hence decreasing their sentiments of belonging to the EU and supporting its policies. Having multiple consistent derogations from the agreement brings a lack of legitimacy to the Union, whose own institutions seem to favour the exceptional measure of rebordering to the normal course of following the SBC. Lastly, reintroducing internal physical borders lessens the salience that EU borders have against national ones, therefore leading to an increased sense and need for nation-building rather than EU membership. These ultimately sustain the wide-embraced discourse of national radical right populist parties across the EU which may aim for a less integrated European Community and more isolated national ones, while also appealing to a rebirth of national sovereignty and supremacy over globalisation and the liberal values promoted by the Union.

As preserving the EU is instrumental for our society, especially during the current times of geopolitical imbalance, policies targeting immigration and internal rebordering have to be rethought. Further research might be needed to understand how the EU's external borders are better secured and how internal rebordering and derogations from the SBC can be discouraged. If States continue to use Article 29 of the SBC for constant rather than temporary reinstatement of internal borders, the balance of the EU might shift, as well as the relations between its MS, let alone those with foreign actors. The unpredictability of these potential shifts is another topic worth investigating.

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Clear Skies Ahead: How to Decarbonise European Aviation?

Commercial aviation has fueled European integration, mobility, and interconnectedness for decades, particularly since the establishment of the single aviation market in the 1990s (Modarress Fathi et al., 2023; European Commission [EC], n.d.-a). Despite its importance for European and global economic prosperity, rapid aviation growth took an unprecedented toll on the environment. While climate concerns appear to be at the forefront of policy negotiations across most industries, particularly in Europe, aviation pollution remains overlooked.

As one of the highest energy-intensive consumer behaviours (Gössling & Humpe, 2020), air travel is the second largest transport polluter in the EU (EC, n.d.-b). Since the 1990s, CO₂ emissions from commercial aviation have increased almost twofold yearly (Overton, 2022). By 2050, aviation could account for one-fifth of global emissions (EEA, 2017). Despite this, there is a significant lack of global measures to address this (Transport & Environment [T&E], n.d.-a). The EU remains no exception, as most of its carbon policies fail to address the impact of kerosene on the environment, highlighting a significant gap in regulation. While the Union has taken the necessary first step towards decarbonising aviation by adopting ReFuelEU, its largest-to-date sustainable fuel mandate for aviation (Laude, 2023), the question remains if such initiatives are sufficient for achieving the EU carbon neutrality target by 2050.

For decades, aviation has enjoyed a privileged position in both EU and global policymaking. Through kerosene tax breaks, generous subsidies, and the absence of rigid CO₂ efficiency standards, this sector still remains underregulated, over-subsidised, and undertaxed (T&E, n.d.-b). While some industries grapple with meeting environmental regulations due to financial constraints, airlines continue to receive tens of billions of euros in subsidies each year. Further, flight tickets continue to be exempted from VAT, and airlines pay zero duty on kerosene, a privilege exclusive to aviation within the transport sector (T&E, n.d.-b). Though these tax breaks were introduced in 1944 to stimulate the postwar economy (Schultz, 2019), the exemption still holds 80 years later.

In light of rising public concern over the environmental ramifications of aviation (Cohen & Higham, 2011), one might argue that persuading individuals to give up on their desire to travel could represent a simpler, more direct measure. However, altering flying habits has proven to be one of the most difficult behaviours to address (Higham

et al., 2014), particularly as pro-environmental beliefs do not always translate to behavioural outcomes.

Regardless of the chosen approach, the expected growth in fuel demand and aviation emissions cannot be mitigated through technology improvements alone (T&E, 2018). This indicates that the EU needs to take a firmer stance in addressing the lack of decarbonisation in this sector. Given the pressing need to find a solution that effectively mitigates the environmental impact of European aviation while balancing social and economic concerns, the question that this paper aims to answer is: *What measures should the European Union adopt to effectively facilitate the decarbonisation of the aviation sector?*

Legislative framework and policy overview

Competencies in the European Union

Prior to assessing the EU legal framework concerning aviation, it is paramount to outline the extent of the EU's legislative and implementation authority. According to the Treaty of Lisbon, the three types of competencies in the EU are exclusive (the EU alone can legislate and adopt legally binding measures), shared (if the EU has not put across legally binding acts in certain areas, Member States [MS] are able to do it themselves) and supporting (the EU adopts legislation that complements and supports policies legislated by the MS) (Pavy, 2023). While transportation is a shared competency, taxation mainly remains a supporting one (Roels, 2022). Nevertheless, there are some areas where harmonising taxation among the MS is possible, such as VAT and tax on energy products (European Environmental Bureau [EEB], 2021). As this legislation requires unanimity, some MS have vetoed a European-level carbon tax in the past, contributing to the delayed implementation of this policy in the EU.

EU Emission Trading System [ETS]

The EU ETS is the largest market mechanism for addressing GHG emissions (Appunn & Wettengel, 2023). ETS follows a cap-and-trade approach: the maximum CO₂ emissions per year are set by the EU, and companies have to obtain allowances for every tonne of CO₂ they emit. Companies either buy or receive the allowances from the EU directly, and they are also allowed to trade the allowances with each other. While the ETS covers aviation emissions, this scheme only applies to flights within the EU. Therefore, this scheme fails to adequately evaluate over 60% of total aviation emissions as international aviation is not covered by the policy (T&E, n.d.-c).

Chicago Convention

The Chicago Convention mandated international kerosene tax exemption in 1944 (Ryan, 2023). Although it is often thought that the agreement prohibits kerosene taxation entirely, the Convention only regulates the taxation of fuel onboard, indicating that fuel can still be taxed 'on land' (T&E, 2023). Such interpretation may require renegotiation of international aviation agreements. Furthermore, the convention does not ban domestic taxation (Otley, 2022).

Carbon Offsetting and Reduction Scheme for International Aviation [CORSA]

Adopted in 2016, CORSIA is a global offsetting scheme introduced by the International Civil Aviation Organisation [ICAO] (Aviation Benefits Beyond Borders, n.d.). Its primary objective is achieving carbon-neutral growth of aviation emissions. Applied to international flights, this policy requires aircraft operators to offset any CO₂ emissions growth above the 2020 baseline. Although ICAO aims to make CORSIA mandatory in 2027, it is uncertain whether all countries that initially signed up for the scheme will enforce it (Rao, 2024).

Carbon tax

Carbon tax is a market-based pricing mechanism aiming to combat the external cost of carbon emissions by setting a tax rate on them (World Bank, n.d.). This policy seeks to reduce emissions by making carbon-intensive goods more expensive, lowering demand for these goods and nudging producers to divert away from polluting fuels and technologies (Tax Foundation, n.d.; Manta et al., 2023). Regardless of its effectiveness, the carbon tax has thus far received little support, making it one of the least popular climate policy instruments (Hagmann et al., 2019). While this is partly due to an overall aversion to taxes among people, carbon taxes are particularly undesirable as the subsequent price increases burden consumers.

Kerosene tax

Article 24 of the Chicago Convention states that kerosene onboard international flights cannot be taxed by either the departure or the arrival state (Ryan, 2023). Countries may unilaterally tax kerosene, but they run a high risk of tankering- an aviation practice where aircrafts load more fuel than necessary for a trip to take advantage of lower fuel prices at the airport of origin (Tyers, 2020). The European Union remains a tax-free zone for kerosene, which explains why tickets for intra-European flights are relatively cheaper than other travel options operating on similar routes. As current pricing policies only capture around 15% of the total revenues that could have been collected if the sector had been adequately taxed, failing to put a

price on aviation emissions will only increase the existing tax gap in Europe (T&E, 2023).

Analysis

Path 1: Individual behavioural shift

Using the classification of environmentally relevant behaviours (Stern, 2020), air travel can be seen as a form of high-impact behaviour that can be modified through individual behaviour changes or supporting relevant policies (Berneiser et al., 2022).

Nevertheless, contemporary society's deeply ingrained nature of leisure travel explains why people are reluctant to adapt their aeromobility practices (Higham et al., 2014). This reluctance is also observed among people who have adopted sustainable behavioural practices outside their flying behaviour (Árnadóttir et al., 2021). To understand why this occurs, I will briefly outline the psychological mechanisms behind one's decision to (not) fly.

People often fail to practise what they preach, and air travel is no exception (Stone & Fernandez, 2008). Flyers' Dilemma represents this internal conflict between the personal desire to fly and concern over the environmental consequences of air travel (Higham et al., 2014). When people are aware of this misalignment, cognitive dissonance may be evoked, prompting individuals to modify either behaviour or beliefs (Festinger, 1957). Due to people possessing an intrinsic need for consistency, acknowledging this attitude-behaviour gap causes internal discomfort that they ought to resolve. Instead of flying less, most people alter their cognitions about flying by downplaying its environmental impact. When confronted with individual responsibility, people also avoid holding themselves accountable by activating several denial mechanisms. Some include shifting the focus to businesses and governments (Hares et al., 2010), seeing climate change as a remote threat (Jacobson et al., 2020) and believing that technology will mitigate the issue (Lorenzoni et al., 2007). Ultimately, many consider travelling an essential form of freedom that should not be restricted (Young et al., 2014).

While reducing the demand for carbon-intensive goods and services cannot occur without changing consumption patterns, it is evident that our flying habits remain deeply ingrained in social norms, creating significant challenges to their possible alteration. In other words, the required level of public behavioural shift is unlikely to occur without regulatory interventions. As flying habits are rooted in attitudes, beliefs, and social norms, regulatory interventions must target these psychological

underpinnings to evoke desired change effectively. The EU may implement informational campaigns that frame flying as undesirable, emphasising its consequences and inducing hypocrisy among highly mobile consumers. Drawing inspiration from anti-tobacco campaigns, policymakers could frame excessive flying as highly addictive behaviour, arousing guilt among consumers through slogans such as “warming: flying causes harm to yourself and others.”

Path 2: Utilising current legislation (the ETS and CORSIA)

Currently, the ETS remains the EU’s most comprehensive market mechanism for achieving its climate ambitions (Mai, 2021). While this cap-and-trade scheme initially included all departing and arriving flights to and from the European Economic Area, the EU has since reduced its scope to EU-based airlines only due to stakeholder pressure (Evans, 2016). To address this regulation gap, ICAO introduced CORSIA, an international scheme to facilitate carbon-neutral growth through emissions offsetting (Aviation Benefits Beyond Borders, n.d.). The geographic scope of CORSIA appears promising, as it aims to harmonise global efforts in decarbonising aviation. Nevertheless, its implementation in the EU remains an issue, given its legislative overlap with the ETS system (Cammeo, 2022). This raises an important question: Should the EU prioritise global measures such as CORSIA over its internal ETS measures to address aviation decarbonisation more effectively?

Given its reliance on offsets and less stringent targets compared to the ETS, integrating CORSIA into EU law in a way that replaces existing mechanisms would diminish the Union’s overarching climate ambitions (T&E, 2019). Although CORSIA could be considered the primary mitigation tool for international aviation emissions, its shortfalls extend beyond the ETS. Firstly, as CORSIA only applies to international flights, this policy fails to account for almost 40% of the contribution to global aviation emissions caused by domestic traffic (World Bank, 2016). Additionally, this mechanism will not be able to achieve an absolute reduction in emissions since it is only applied to aviation emissions surpassing the 2020 level. Thus, airlines will not incur any costs for emissions below this threshold. Most importantly, CORSIA’s reliance on carbon offsets not only fails to address the root source of emissions but also fails to incentivise airlines to transition to using sustainable fuels.

Unlike what the EU can achieve with the ETS, ICAO as an organisation lacks robust enforcement mechanisms for CORSIA and its other regulations. This highlights one of the most pressing international climate policy issues- the inability to enforce

most agreed-upon measures. In contrast, the EU has the legal power to mandate, implement and enforce internal policies such as the ETS. In light of that, CORSIA should be regarded as a complementary regulation rather than a replacement for the ETS. Among several possibilities, the most efficient implementation scenario would be to keep intra-EU flights within the scope of ETS while applying CORSIA to flights to and from non-EU destinations, as suggested by Scheelhaase and colleagues (2018). The dual approach would allow the EU to leverage its internal regulatory power effectively while encouraging global emission reduction efforts.

Through this scenario, the EU could maintain control over its within-border emissions. Simultaneously, the complementary regulation through CORSIA would ensure that international flights, which otherwise fall out of the scope of EU regulation, are also accounted for. Utilising both legal frameworks would extend the impact of EU decarbonisation policies beyond its borders, ensuring a more comprehensive strategy towards mitigating aviation's environmental impact.

Path 3: Implementing kerosene taxation

Effective pollution pricing is considered a necessary step towards decarbonising aviation (T&E, 2023). The EU's approach to environmental policy is underpinned by the Polluter Pays Principle, mandating that environmental degradation costs need to be borne by polluters rather than citizens (OECD, 2022). However, as kerosene remains untaxed, this principle is yet to be implemented in aviation. This raises ethical questions about kerosene's privileged position within the legal framework. In a society where taxes are imposed on everything from petrol to menstrual products, the kerosene tax break stands out as a historical anomaly with far-reaching social, environmental and economic consequences.

In 2022, European governments suffered a monetary loss of almost 35 billion EUR due to the aviation tax gap (T&E, 2023). The money raised through kerosene taxation could redirect these funds towards greener transportation alternatives. For example, allocating it towards rail companies would help lower ticket prices and improve high-speed railroads, making trains more competitive. By narrowing the price and convenience gap between the two transport options, this shift would likely encourage more individuals to choose trains over planes. Alternatively, kerosene taxation can address distributional problems through revenue recycling (Teusch & Ribansky, 2021). Higher-income households tend to fly significantly more than lower-income households (Gössling & Humpe, 2020), so frequent flyers would bear the most

significant tax burden. In order to address equity concerns, this tax revenue could be used to subsidise public transport, making it more affordable for lower-income households.

Despite the clear economic and social benefits of kerosene taxation, the question remains if the public would accept such a policy. While no research thus far has assessed the level of public support for this policy on an EU level, Douenne and Fabre (2020) have conducted a study on a sample of the French population, revealing that the large majority would favour kerosene taxation. Higher levels of public acceptance for this policy compared to other forms of carbon pricing, such as petrol tax, could stem from the perceived fairness. Unlike the petrol tax, which indiscriminately impacts people of all socioeconomic backgrounds, the kerosene tax targets a more discretionary, luxury activity. Thus, taxing jet fuel burdens those who choose to fly, sparing individuals who opt not to engage in air travel due to economic circumstances or personal preferences. This suggests that the absence of kerosene tax is not due to public disapproval but the deliberate decision of policymakers to exclude aviation from more rigid decarbonisation policies. In other words, the existing legal framework prioritises the aviation industry's growth over social and environmental concerns.

Discussion

In addressing the complex challenge of aviation decarbonisation, three perspectives offer distinct approaches: focusing on individual behavioural change, enhancing existing policies like the ETS and CORSIA, and introducing kerosene taxation.

The first perspective focuses on individual behavioural change, making a case for regulatory interventions addressing norms, attitudes and beliefs regarding flying. Effective strategies could include informational campaigns aiming to elicit guilt among individuals by highlighting discrepancies between their attitudes and behaviour. However, this method requires existing environmental consciousness among consumers, which may not be universally present. Although guilt can be a powerful tool for social influence, it may also evoke negative responses (Hibbert et al., 2007). While consumer choices are impactful, relying on behavioural shifts alone is insufficient to achieve aviation decarbonisation, particularly as aeroplane ticket prices remain artificially low. Shifting social norms regarding aeromobility practices could require years, if not decades, as flying remains ingrained in contemporary lifestyles.

The second perspective assesses how existing policies, namely the ETS and CORSIA, could be simultaneously implemented in the EU to ensure a more comprehensive, practical approach to aviation decarbonisation. The ETS is a more rigid policy with stringent enforcement within the EU borders. Meanwhile, international aviation emissions falling out of its scope can be addressed by CORSIA. The two policies function complementarily rather than competitively, filling regulatory gaps where the individual policies fall short. As these instruments are already in place, they have the potential to facilitate a rapid transition towards a decarbonised Europe. However, neither has significantly decreased aviation emissions due to their inherent shortcomings. Both instruments fail to address aviation's non-CO₂ effects, such as nitrous oxides, soot, and water, representing over 65% of the sector's impact on climate (T&E, 2023). Given their significant contribution to global warming, it is crucial to expand these frameworks to address these effects rigorously. Considering this shortcoming, the third perspective of introducing a kerosene tax emerges as a compelling alternative.

So, is taxing kerosene in Europe possible? The European Tax Directive [ETD] already allows for EU countries to implement this tax on between-member-states flights through bilateral agreements (T&E, 2020). As the top 6 emitters within the EU account for 72% of intra-EU emissions, bilateral taxation agreements between these countries would be the fastest and most effective way to introduce European kerosene taxation (T&E, 2020). Nevertheless, the decision-making process could still be slow as many bilateral agreements would be required, especially if the aim is to cover all aviation emissions within the EU.

In the long run, implementing an EU-wide fuel tax would further accelerate Europe's path towards climate neutrality. However, this would necessitate a revision of the ETD and a unanimous decision among all MS. It is highly probable that economies reliant on aviation, such as countries dependent on tourism, would veto this decision. This explains why aviation tax exemption still persists despite the lack of legal impediments preventing a kerosene tax. To achieve its climate ambitions, the EU must extend its efforts in aviation by taking a firm stance against kerosene tax exemption. These goals cannot be met without European-wide policies. For the change to occur, kerosene taxation needs to receive greater attention on the political agenda of EU institutions through internal initiatives or public pressure.

Conclusion

Individuals, businesses, and governments all share the responsibility of mitigating the impact of climate change. Shifting the blame from one party to the other provides an incomplete narrative of the problem. In this paper, I argued that kerosene taxation represents the most direct approach that could mitigate aviation pollution effectively, act as a redistributive policy, and garner sufficient public support. Nonetheless, relying solely on this approach could lead to regulatory gaps and insufficient emissions reduction. A robust decarbonisation strategy must include a blend of all three approaches, leveraging the strengths of each to create resilient and sustainable outcomes. As each path addresses different aspects of the problem, their combined utilisation would ensure contributions on all three levels - individual, corporate and government.

We often hear that global problems demand global solutions. However, the international cooperation needed to combat climate change is consistently undermined by complexities surrounding climate, accountability and enforcement. As the impacts of climate change have only worsened over time, most international climate negotiations in the past three decades have been nothing more than failures. The pressure of powerful vested interests, such as the fossil fuel industry, implies that solely relying on global agreements may be insufficient. Nevertheless, regional authorities such as the EU not only have the legal power to implement and enforce the necessary decarbonisation measures but also lead by example. Through its commitments to global climate change efforts, the EU has positioned itself as an international leader in climate action (Oberthür & Dupont, 2021). By implementing an EU-wide fuel tax, this institution holds the potential to accelerate decarbonisation efforts worldwide by inspiring other countries to adopt similar measures. Such an initiative would reaffirm the EU's role as a frontrunner in climate action and set a powerful precedent for enhanced international cooperation across various environmental domains.

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External Contributions

Why Do Liberals Believe in Political Misinformation? The Role of Need for Cognitive Closure

Abstract

Past elections show that misinformation can aid candidates with populist ideals. The Lay Epistemic Theory (LET) explains this: increased anxiety from ambiguous information drives the need for cognitive closure (NCC), leading to quick, superficial evaluation of information. NCC is often seen in conservatives, making them more likely to believe political misinformation, but liberals with high NCC can exhibit similar tendencies. In a study of 198 participants, results confirmed that higher NCC correlates with belief in political misinformation. However, no significant negative relationship was found between liberal ideology and belief in misinformation, nor did NCC significantly moderate this relationship. Limitations include insufficient power and potential transfer effects from other scales. Future research should address these issues to better understand NCC's role in misinformation, particularly among liberals, impacting future elections and democratic processes.

Introduction

In the age of social media, political information has become readily accessible. A quick look at Twitter briefly informs individuals about the world's current political state. Everyone is able to share their opinion and knowledge with others. However, the benefit of accessibility in digital media comes with the cost of misinformation. *Misinformation* refers to the (un)intentional sharing of false information, often pop-culturally termed *fake news* (Pantazi et al., 2021). Misinformation has become a pressing issue regarding political information since it distorts information accuracy and consequently political views or behavior (Flynn et al., 2017). For instance, during the 2016 United States (US) presidential election, misinformation influenced candidates' reputations leading to favor of a candidate with populist ideals (Adams et al., 2023). Thus, it provides populist and extremist forces a platform that represents a threat to democracy (Bergmann, 2020; Shehi, 2022; Ruth-Lovell & Grahn, 2023).

The belief in political misinformation is not a phenomenon that applies to populists only, as it is linked to various streams of political ideology (Baptista et al.,

2021). *Ideology* refers to a system of beliefs often associated with an individual's membership of a political party (partisanship; Thompson, 2023). Individuals tend to believe information that is in line with their political ideology, disregarding empirical evidence (Bavel & Pereira, 2018). For instance, in discussions about the financial consequences of a minimum wage increase, liberals might embrace misinformation aligned with their ideology, overlooking empirical evidence such as potential job losses or other negative consequences associated with wage increase. This research aims to improve the understanding of these processes by looking at the relationship between political ideology and the belief in political misinformation. More specifically, it questions why liberals believe misinformation, incorporating underlying epistemic motives, namely the *need for cognitive closure* (NCC), which refers to the desire for clear answers to complex solutions (Kruglanski & Fishman, 2009). It is expected that NCC weakens the negative relationship between liberal ideology and the belief in political misinformation.

This relationship can be explained by the *Lay Epistemic Theory* (LET; Kruglanski, 1990). According to the LET, individuals are generating hypotheses, are trying to validate them with evidence, and are thereby gathering knowledge. This process, which is also called *epistemology*, depends on the accessibility and availability of knowledge structures. Epistemology requires resources in the form of epistemic motivation. *Epistemic motivation* depicts the motivation to gather accurate information, which is evaluated by empirical evidence (Garret & Weeks, 2017). In the LET, epistemic motivation is expressed through NCC, which represents avoiding ambiguity, demanding predictability, and being generally closed-minded. When faced with uncertainty or ambiguous information, uncertainty arises and with that anxiety. NCC then activates behavior whose function it is to seize closure and resolve this uncertainty, thereby establishing a state of control over the situation (Kruglanski & Webster, 1996). According to the LET, NCC varies across context, time, or individuals and its degree is determined by potential cost or benefits in a specific situation. To avoid costs or when there are not enough resources available, individuals high in NCC rely on heuristics and easily available information when evaluating evidence to receive a firm solution to their problem. This insufficient processing can lead to belief in misinformation, since easily available information rarely represents the most accurate (Jost et al., 2003; Kruglanski, 1990; Roets, 2017). For example, individuals high in NCC fail to question controversial statements adequately and rather rely on previous

schemas and prototypes, which are often in line with their political ideology (Michael & Breaux, 2021). Hence, high NCC might increase the reliance on schemas that are in line with individual political ideology when evaluating ambiguous information. That means that the availability of established political beliefs can override accurate epistemology in individuals high in NCC (Roets et al., 2015). Consequently, NCC may be an underlying mechanism in explaining the belief in misinformation in line with individual political ideology.

Previous research concerning political misinformation indicated that individuals who follow a conservative ideology are more likely to believe misinformation online and are also more susceptible to misinformation in general in comparison to liberals (Guess et al., 2018; Baptista & Gradim, 2022). It has been established that political conservatism is positively associated with variables such as intolerance of ambiguity or lack of uncertainty tolerance, and therefore NCC in general (Chernikova et al., 2017; Staszak et al., 2022). Applying the LET to this context explains conservatives' higher susceptibility to misinformation, as they generally score higher on NCC and are consequently more likely to rely on cognitive heuristics in line with their political ideology when processing political information (Jost & Krochik, 2014).

Often neglected by research but equally important is the relationship between liberalism and belief in political misinformation. Liberalism is characterized as an accepting attitude toward alternative ways of thinking, thereby challenging the status quo (APA, 2018). It has been stated as the driving force in protecting democratic processes due to its emphasis on peaceful and diplomatic communication (Owen, 1994), highlighting the importance of investigating liberalism in the context of political misinformation (Owen, 1994). Compared to conservatives, self-described liberals are less likely to believe in (political) misinformation (Jost et al., 2018). This is further substantiated as liberal ideology is positively associated with the consideration of scientific evidence, open-mindedness, uncertainty tolerance, and the need for cognition (systematic processing; Jost & Krochik, 2014; Stewart et al., 2019). Nonetheless, NCC does not exclusively occur among conservatives, but is also expressed among liberals (Federico et al., 2012). Thus, it may be expected that liberals high in NCC possibly also shift from systematic processing to superficial processing in line with their ideology when faced with uncertain information. Consequently, NCC might change the typical negative relationship between liberalism and belief in political misinformation. This specific mechanism has not been researched yet.

Liberals with high NCC are associated with following policies that are typically endorsed by conservatives (Federico et al., 2012). This is in line with the finding that liberals high in NCC express moral foundations typically endorsed by conservatives (Baldner et al., 2018). Agreement to conservative policies and adapting conservative moral foundations are core concepts in conservatism (Baptista et al., 2021; Kozyreva et al., 2023). Liberals high in NCC thus share substantial qualities with conservatism and therefore might adopt the cognitive thinking style typically observed in conservatives with high NCC (Jost et al., 2003). It can therefore be assumed that liberals high in NCC would be likely to believe misinformation regardless of their ideological content.

This research aims to explore these ideas as it investigates the role of NCC in the relationship between belief in political misinformation and liberalism. Firstly, in line with the LET, it is hypothesized that there is a direct positive relationship between NCC and belief in political misinformation, as its function is to receive closure in the most cost-effective way possible, resulting in superficial processing (Kruglanski & Webster, 1996). Secondly, it is hypothesized that the higher the identification with liberal ideology, the more negative the association with belief in political misinformation becomes, as typically liberals are more likely to systematically review evidence and therefore avoid believing in political misinformation (Jost & Krochik, 2014). Lastly, it is hypothesized that, according to the LET, a high NCC will moderate this negative relationship, as liberals high in NCC may rely more on cognitive heuristics and thereby process information potentially more superficially (Kruglanski, 1990). This could be because liberals high in NCC adopt a typical conservative thinking style where seizing closure is more important than evaluating information correctly regardless of ideological content (Baldner et al., 2018; Baptista et al., 2021). Consequently, NCC potentially weakens the relationship between liberal ideology and the belief in political misinformation.

Methods

Participants

Participants were conveniently sampled within the social network of the researcher due to financial and time constraints. The sample mainly consisted of close contacts of the researcher, including relatives, friends, and classmates, who mainly study psychology at the University of Amsterdam. Invitations to participate were

distributed on social media platforms such as WhatsApp, Instagram, and LinkedIn. Furthermore, this research also used a snowball sampling technique, as participants were encouraged to distribute the link within their social network. Inclusion criteria for the research include English language proficiency and a minimum age of 17 years. Although 366 participants took part in the study, some of the data had to be excluded. A total of 207 participants completed the entire online survey, out of which only 202 gave consent to participate in the research. Four participants did not meet the inclusion criteria, making the total sample size 198 participants ($n = 198$).

Materials

Political Misinformation Measure

Political misinformation was assessed by exposing participants to six headlines that presented political misinformation. All headlines were generated using an online fake news generator and fact-checked with empirical evidence to ensure that the information was truly false (Amsterdam, 2024; Auerbach & Pierson, 2021; European Commission, 2021; Nagelhout et al., 2023; RIVM, 2023; Taylor, 2022; WHO, 2021). The headlines were presented in an online news outlet format and were accompanied by a picture as well as a subtitle. The pictures were not suggestive and in line with the headline to avoid potential influence. Two headlines each were consistent with conservative ideology, liberal ideology, and no specific ideology respectively to make sure that ideological consistency does not influence the results. The selection of headlines was based on previous research and the Ideological Consistency Scale which indicates topics typically associated with conservative and liberal ideology (Pennycook & Rand, 2013; Geiger, 2021). Participants had to indicate on a four-point Likert scale to what extent they believed the headline to be accurate. The scores ranged from 1 (*not accurate*) to 4 (*accurate*). The higher the corresponding score, the higher the belief in political misinformation.

Liberal Ideology

Liberal ideology was measured using a single-item measure of social identification (SISI). This was due to time constraints and to avoid potential attrition due to a long questionnaire. Participants had to indicate on a one-item 7-point Likert scale to what extent they identify with liberal ideology ("I identify with liberal ideology"). The scores ranged from 1 (*strongly disagree*) to 7 (*strongly agree*). A higher score on the SISI indicates higher identification with liberal ideology. Although

previously questioned, there is evidence that one-item scales can reliably and validly capture constructs regarding social identification. Furthermore, the SISI is highly correlated to multiple-item measures of social identity (Postmes et al., 2013; Reysen et al., 2013). Since identifying with liberal ideology can be considered a social identity, the SISI is an adequate measure of the construct.

NCC

For measuring NCC, a shortened version of the Need for Cognitive Closure Scale (NCCS) was used (Pierro & Kruglanski, 2005; Roets & Van Hiel, 2007; Webster & Kruglanski, 1994). The two main dimensions of the concept are defined as urgency and permanence. Both the reliability and validity of the NCCS are good and the questionnaire correlates well with other measures of NCC (Jaume et al., 2022). The original questionnaire was shortened in order to keep the length of the questionnaire low and thereby maintain participation. Since this research used a shortened version of this scale, a reliability analysis will be needed. Each dimension encompasses three items, making it a total of six items, which are each quantified in the form of a 6-point Likert scale. The lower the score, the lower the indication of NCC.

Procedure

The research had a non-experimental, repeated measures design. All variables were assessed using a self-report questionnaire resulting in correlational data. The data collection of this research was conducted online by sending a survey to the participants via a participation link. After clicking on the link, participants were redirected to an online Qualtrics survey. To increase participation, the survey of this research was incorporated in a bigger questionnaire which included other research projects that also investigated the role of social and epistemic motives in the formation of beliefs. This also included an experimental vignette that was either placed right at the beginning of the research or right at the end. The rest of the questionnaires, including the ones from this research, were presented in randomized order. In the beginning, participants were asked to consent that they partake in the research voluntarily and could stop whenever they wanted. At the end of the survey, participants provided demographic information including gender, age, and educational status. Afterward, participants were debriefed about the research and informed that the provided information in the experiment and headlines was entirely fictional.

Data Analysis Plan

The statistical analysis of the data will be performed using SPSS 28. Statistical significance will be determined with an alpha level below $p < .05$. Missing values, encompassing incomplete responses, lack of consent, and failure to meet inclusion criteria, will be systematically removed. The dataset will be graphically analyzed using a box plot to identify and potentially remove outliers. Reliability analysis of the shortened NCCS will be run to assure adequate internal reliability. Prior to the main analysis, assumptions for the multiple regression analysis will be tested. These assessments include normality testing through a Shapiro–Wilk test with a significance level set at $p > .05$ for assuming normality. Homoscedasticity will be assumed if the plotted data exhibits a cloud-like shape, while linearity will be presumed in the absence of curves but a clear linear relationship in the data. The assumption of multicollinearity will be checked using the variance inflation factor (VIF), with the assumption met if the VIF is below 10. To investigate the hypothesis of this research, a multiple regression moderation analysis will be conducted employing Hayes Process model 1. This analysis examines the relationship between scores on the SISI (predictor variable) and scores on the misinformation measure (dependent variable). Additionally, a direct relationship between scores on the NCCS (moderator) and the misinformation measure will be analyzed. Finally, the interaction between scores of the SISI and NCCS is assessed to detect a potential moderation. All variables will be standardized to ensure comparability across different scales, and no variables will be statistically controlled for.

Results

Out of all participants, 120 were female (60.6%), 74 were male (37.4%), one person identified as non-binary (0.5%), and three participants preferred not to reveal their gender (1.5%). Most participants held a university degree (see Table 1). The mean age was 30.48 ($SD = 13.75$).

Factor analysis of the shortened version of the NCCS revealed overall sufficient reliability ($\alpha = 0.67$). Next, graphical scanning for outliers by plotting each variable on a boxplot, revealed an extreme score on the political misinformation measure. After careful consideration, it was still included in the main analysis, as the score still fell within the range of reasonable answers. Consequently, no participants were further removed. Prior to conducting the analysis, the assumptions for a multiple regression moderation analysis were checked. Both homoscedasticity and linearity can be assumed after graphing the data on a scatter plot. The Shapiro–Wilk Test yielded non-

significant results ($W = 0.99$, $p = .067$). Thus, normality can be assumed. Lastly, multicollinearity between independent variables was not detected as the VIF was below 10 (VIF = 1.00).

Multiple regression moderation analysis suggested that the overall model did not attain statistical significance, $F^2 = .03$, $F(3, 194) = 1.85$, $p = .140$. Nonetheless, the analysis revealed that scores on the NCCS demonstrated a significant positive association with scores on the misinformation measure, $t(195) = 2.04$, $p = .043$, 95% CI [0.01, 0.19]. This implied that higher scores on the NCCS were associated with higher scores on the political misinformation measure.

Changes in scores on the SISI appeared not to be statistically associated with scores on the political misinformation measure, $t(195) = -1.11$, $p = .267$, 95% CI [-0.11, 0.03]. This indicated that changes in scores on the SISI were not statistically related to changes on the political misinformation measure. In addition, the interaction between scores on the SISI and scores on the NCCS did not attain statistical significance in predicting scores on the political misinformation measure, suggesting that the relationship between scores on the SISI and scores on the misinformation measure did not vary at different levels of the NCCS, ($t(195) = -0.64$, $p = .526$, 95% CI [-0.15, 0.08]).

Discussion

The analysis revealed that high NCC is related to higher belief in political misinformation. The first hypothesis is thus supported. This finding is in line with the LET that mentions an increase in NCC is linked to more superficial processing, which in turn increases belief in political misinformation (Kruglanski, 1990). This research thus provides further support for the LET and the relationship between NCC and belief in political misinformation. There is even indirect support for the general research question as descriptive analysis revealed that this sample had a tendency towards identification with liberal ideology (see Table 2). Thus, the relationship between higher NCC and belief in political misinformation was discovered in a liberal-leaning sample. This finding highlights the importance of considering NCC in the broader landscape of misinformation research, not only among a general population but more specifically liberals.

Contradictory to the main hypothesis and previous research, this study secondly indicated that greater identification with liberal ideology is not associated with fewer beliefs in political misinformation. The predicted main effect was thus not

supported. Previous research suggested that individuals who identify with liberal ideology are in general more likely to evaluate empirical evidence and systematically process information (Jost & Krochik, 2014). These are key components in the evaluation of political misinformation, potentially diminishing the inclination to believe it. However, not all liberals follow the same cognitive processes. Liberalism is a multifaceted ideology that not only represents but is in itself defined by plurality and a variety of perspectives and expressions across individuals (Fedirko et al., 2021). What it means to be liberal is highly subjective and depends on the interpretation of its definition. While some people would consider themselves liberal by endorsing economic liberalism, simultaneously disregarding scientific evidence, others would interpret liberalism as critically questioning established norms. When measured on a unidimensional scale, these individuals might be considered equally liberal although they might differ significantly when it comes to their political evaluations. This is substantiated by previous research which suggests that there are significant intragroup differences among self-described liberals when it comes to the evaluation of public policies and information (McLamore et al., 2022; Weber & Federico, 2013). Some liberals would follow prototypical conservative policies, whereas others would not. These intragroup differences in information processing might also apply to misinformation, suggesting intragroup differences among liberals when it comes to the evaluation and consequently belief of political misinformation. Liberal ideology in this sample was assessed using a unidimensional scale due to time constraints, potentially disregarding the heterogeneity of the construct and therefore information evaluation. Furthermore, since this sample mainly consisted of liberals as participants on average identified with liberal ideology (see Table 2), the heterogeneity of information evaluation across liberals might play a role in the non-significant relationship between liberal ideology and belief in political misinformation. Because the variation within liberal ideology was not assessed, the resulting fluctuations in evaluating political misinformation permit a clear pattern of responses across the sample. This does not necessarily disregard the LET, which states that the intensity of epistemic motivation is context-specific and varies across individuals (Kruglanski, 1990).

The current study supported the notion that the relationship between liberal ideology and the belief in political misinformation is not moderated by NCC. Having a high NCC did not weaken the relationship between liberal ideology and belief in

political misinformation. The second hypothesis is thus not supported. A potential explanation for this contradicting finding might be unveiled by highlighting the importance of external variables that could have changed the impact NCC has on the relationship between liberal ideology and political misinformation. According to previous research, liberal ideology is associated with tolerance of uncertainty (Stewart et al., 2019). Misinformation is related to uncertainty since it is unclear whether or not the information can be considered true or false. Higher uncertainty is associated with an increase in NCC, which is in line with the LET (Kruglanski, 1990). Because liberals might be more likely to tolerate uncertainty, this could change the potential impact of NCC among individuals high in uncertainty tolerance on misinformation evaluation. Although this possibility is in line with the LET, it might also highlight the importance of ideologically driven variables in misinformation evaluation.

The inconsistencies between the expectations and results of this study brought attention to potential concerns related to the research design. Expanding on this, the primary limitation of this research is the lack of statistical power this research exhibited. Lack of power increases the error rate and represents a severe threat to the statistical validity of a study by drawing inaccurate conclusions about the population at hand (Parker, 1990). Statistical power is partly dependent on the sample size. The bigger the sample size, the more accurately it represents the population under investigation and thus the higher the likelihood of detecting accurate effects (Lakens, 2022). This is especially important for interactions, as previous research has shown that most interaction effects have been detected with underpowered samples, questioning the validity of the results (Sommet et al., 2023).

This research hypothesized that high NCC would weaken the relationship between liberal ideology and belief in political misinformation, but failed to find a significant effect. Although the sample in this research consisted of 198 participants, previous research suggests that, to achieve sufficient power for statistical analyses with two predictors and a small expected effect size, a minimum sample size of 475 participants is required (Green, 1991). When looking at prior research investigating the moderating effect of NCC, most sample sizes were bigger than the ones reported in this research (De Dreu et al., 1999; Pierro et al., 2005). Comparing these previous findings to the present research design, it might be possible that an inflated type II error, due to lack of power, could have misrepresented the true effect underlying the phenomena. One way to account for this limitation would be to increase the sample

size. Possible suggestions include modifying the sampling strategy by gathering participants via online platforms. This has been shown to cost-efficiently increase representative participants in a short time (Peer et al., 2017). This increase could be further enhanced by providing incentives in the form of a monetary price for participating in the research. Direct payments or lotteries where participants could potentially win money have been shown to effectively increase research participation (Abdelazeem et al., 2023).

Another design error that might have limited the strength of this research were carry-over effects of other questionnaires used in this study. This research was part of a larger consortium of studies that investigated various factors of epistemic motivation and misinformation such as need for cognition, need for evidence, or science skepticism. All these variables are correlated with critical thinking (Normand, 2008; Stedman et al., 2009). Critical thinking refers to effectively analyzing and translating information into action (Moore, 2013). Although all questionnaires appeared in randomized order, this could have still primed participants to evaluate the misinformation survey more critically, leading to higher processing abilities which potentially could lead to an improved evaluation of the political misinformation items, regardless of levels of NCC. To avoid this potential pitfall, future research should investigate the relationship between NCC and other variables directly while isolating other constructs from different research to receive clearer and possibly more precise results.

This research underlined the importance of investigating NCC in misinformation research. Moreover, the findings also presented vital implications for social and political processes. NCC may have an impact on the processing of misinformation and thus potentially on voting behavior. When looking at the upcoming presidential election in the US it is likely that Donald Trump will once again represent the republican party (Nadeem, 2023). Thus, a candidate is trying to become president of the US again with not only populist ideals, but also the reputation to spread misinformation to attract voters (Sanderson et al., 2021). This impacts especially the so-called *swing states*, which contain mostly undecided voters, that are the make-or-break of most election campaigns (Clayton, 2019). During previous elections, the distribution of misinformation was especially high in these swing states, which increased the risk of exposure (Howard et al., 2018). Research suggests that undecided voters are generally more susceptible to engage and potentially believe false

information (Samuel-Azran et al., 2022). This susceptibility in combination with increased circulation of misinformation could have vital consequences for the outcome of this upcoming election.

Conclusion

In conclusion, this study explored the dynamics between liberal ideology and belief in political misinformation, regarding the role of NCC within this relationship. Although the expected main effect and the interaction effect did not reach significance, the theoretical framework incorporating the LET still holds as the importance of NCC in misinformation research was further supported. Limitations such as lack of power and transfer effects from other scales could potentially reduce the strength of the results, raising the importance of methodological modifications to explore the relationship between liberal ideology, beliefs in political misinformation, and NCC in more depth. Future research should address these limitations to gain a more nuanced understanding of the interplay of ideological and psychological processes when it comes to misinformation. This is of high importance since misinformation may not only affect the upcoming presidential election in the US, but potentially democratic processes in general.

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Workplace Democracy in Practice: The Case of the Mondragón Cooperatives

Liberal representative government in the 21st century is in crisis. It has now been more than thirty years since the historical triumph of liberal democracy over the Eastern Bloc with Francis Fukuyama (1992) famously declaring it to be the final form of government, the end of history. However, ever since, it has been confronted with a set of grand challenges. Liberal democracy faces not just a resurgence of authoritarianism and democratic backsliding across the world, but a crisis of disillusionment. While democracy is still a popular value, many people are dissatisfied with the effectiveness and participatory possibilities of liberal democracy and favour reforms (Wike & Fetterolf, 2021). One approach is that of democratic deepening, meaning that increasing participation in processes of governance might address the lacking effectiveness and opportunities for citizen influence of centralised elite rule (Roussopoulos & Benello, 2017; Tharamangalam & Chathukulam, 2022). Furthermore, many authors extend this call for more participation to the workplace, arguing that if democracy is the only legitimate form of government, it is important to extend it to such an important area of life (Landemore & Ferreras, 2016). However, despite powerful conceptual arguments in its favour, democratisation of the workplace, defined as a substantial shift of power to all workers (Nightingale, 1982), is a rare phenomenon in most modern economies, with hierarchical organisational structures prevailing. Despite this there is one specific case that the literature commonly heralds as a successful example of workplace democratisation: The case of the Mondragón Cooperatives in Spain (Cheney, 2002).

Mondragón is a collection of over ninety cooperatives situated in the Basque Country, a region in the north of Spain. It successfully provides a variety of services and products in the areas of finance, industry, retail and knowledge, making it one of Spain's largest companies by asset turnover and employee size (Romeo, 2022). Its cooperative structure is said to resemble a form of workplace democracy, as its workers are simultaneously owners and elect the firms' management (Romeo, 2022; Whyte & Whyte, 2014).

The relative success ascribed to Mondragón in a world economy that is still dominated by traditional hierarchies more than sixty years after its founding is intriguing. It might offer interesting lessons on why and how workplace democratisation occurs and why this process might not have happened in other places. This paper thus intends to explore the following research question: *What can the case of Mondragón teach about workplace democratisation processes?*

To find meaningful answers to this research interest and learn something about democratisation, it is important to embrace the case in all its complexities. To this end, this paper will provide a case study of Mondragón's formative years. The story does not end with its founding and current (de-)democratization process, as, despite their insightful nature, I focus only on its founding for a more comprehensive assessment. (Bretos & Errasti, 2016).

After telling the story of Mondragón's formative years, I then provide an analysis of what one can learn from this case study and what this might imply for the future of democracy.

The Case

Mondragón, the cooperative's place of origin, is a small town in the Basque Country. This mountainous region in the north of Spain is known for its distinct culture and language, which it has defended against Spanish domination for centuries (Whyte & Whyte, 2014). In antiquity, communal organisation already became an important cornerstone of Basque culture, with neighbourhoods organising popular assemblies and shared resource ownership. In early modern history, strong communal guilds emerged that did not just exhibit democratic features but also took care of its workers' welfare, exhibiting early stages of 'economic democracy' (Renteria-Uriarte & Las Heras, 2022).

Due to increasing Spanish dominance, a struggle for Basque autonomy ensued that lasts to this day. In an effort to quell this movement, Spanish rulers have largely allowed the Basque people to continue their democratic and egalitarian traditions. The region industrialised relatively early, as ship-building and steel works became important economic sectors, which made such crafty professions highly respected. In this environment, the first modern cooperatives were created as early as 1884. Such organisations emerged throughout all of Spain and were supported by regionalists, socialists and the catholic church, which was searching for a "third way" between capitalism and socialism (Whyte & Whyte, 2014). During the Spanish civil war in the 1930s, cooperatives reached their high point, when anarchist groups established hundreds of different producer and consumer cooperatives. When the civil war was won by Franco's fascist military government, the new regime cracked down on these organisations in its efforts of centralisation (Garner, 2022). This also led to most of the Basque country's autonomy being taken away. The only non-governmental

organisation that was left some freedom of action was the catholic church (Whyte & Whyte, 2014).

Into this picture steps in the catholic priest Jose Maria Arizmendiarieta (hereby: Arizmendi), who believed in a radical social vision of christian democracy which would embrace co-operative ownership to combat the “evils” of capitalist exploitation without embracing socialist authoritarianism. Arizmendi had a history of sociological education which inspired and informed his beliefs and led him to develop a concrete strategy on how to implement such a social vision (Molina & Miguez, 2008). After the war, he was dispatched to the small Basque town of Mondragón. At the time it was dominated by the steel manufacturer *Union Cerrajera*, which had a history of breaking strikes and harsh management that did not allow blue-collar workers to rise up the ranks, stirring up an atmosphere of class antagonism (Whyte & Whyte, 2014). After his arrival, Arizmendi intended to reform this company to fit his social vision but such proposals were rejected, despite the firm’s own commitment to catholic social policies. The priest thus decided that a new co-operative organisation was necessary. At first, he intended to create an educational basis for his vision, which came in the form of the *Escuela Politecnica Profesional*, a polytechnical school for the local population. After an intensive fundraising campaign, every individual that contributed to the building of this school was allowed to elect the school board. Its graduates did not just learn important technical skills but were also infused with Arizmendi’s vision (Molina & Miguez, 2008).

Five engineers that attended this school then entered the workforce of local companies but quickly realised they did not feel at home in traditional structures and came to Arizmendi to devise plans for a new cooperative. Without having laid out a plan of what the company will even produce yet, the men started pitching the idea of a co-operative to the local population and with this alone were able to raise over three hundred thousand dollars in funds. The second hurdle the group had to cross was the restrictive legal framework. In its attempts to deter cooperatives, Franco’s government made it very difficult to establish such an organisation. In the end, they took over a bankrupt company, so they did not have to register as a cooperative but instead filed as a company under individual ownership. This marked the founding of the first cooperative in Mondragón, *Ulgor*, on the 12th of November 1956 (Whyte & Whyte, 2014).

This new company produced household appliances using butane gas, which was revolutionary in the Spanish market at the time. The weak and isolated economy of

Franco's Spain did not offer much competition and Ulgor thus garnered quick commercial success. De-jure, the company acted as if it was owned by an individual for the first few years until Arizmendi presented his proposal for a constitution, which the company's worker-owners adopted in 1959. It became the bedrock of all future Mondragón cooperatives (Molina & Miguez, 2008). Through this founding document every worker at Ulgor also became an owner, not by acquiring stock but by paying an "entry fee", which will remain a capital account at the firm in their name. This is the same approach Arizmendi already took with the school: Everyone who financially contributed became an "owner".

Ulgor's structure consisted of four organs. First, every worker-owner is represented in the *general assembly (asamblea general)*, which meets at least once a year. These workers are obliged to elect the *governing council (junta rectora)* that can only consist of workers. This organ makes all key personnel decisions and thus appoints the *management council*, consisting of department leaders and the general manager. This *manager (gerente)* holds a four year term but they may be re-appointment afterwards. The workers also elect an *audit committee* that provides a check on management and its finances. Lastly, wages were organised so that the highest wage could only be three times larger than the lowest. This initial structure exists to this day but the cooperatives would make certain additions and amendments over time (Whyte & Whyte, 2014).

The biggest change to this structure was the addition of an innovative concept by Arizmendi - the *social council*. Recognising that workers would remain passive on many management decisions, he envisioned it as an organ that would involve workers in issues that concern them directly. Every ten workers would elect a representative to such a council, which the governing council was mandated to listen to. Over the years the social council negotiated higher wages and lower work hours, acting almost like a union (Campbell, 2011; Whyte & Whyte, 2014). Over the next few years, the worker-owners would vote to increase the pay ratio, so that the highest wage could be six times as high as the lowest and abolish discriminatory policies towards women (Whyte & Whyte, 2014).

Due to Ulgor's financial success, three more cooperatives, Arrasate, Copreci and Ederland, were founded by 1963. They would mainly produce parts necessary for Ulgor's home appliance manufacturing (Molina & Miguez, 2008). Afterwards, the cooperative family was joined by the first "second-level cooperatives", so

organisations that would support the businesses. Firstly, believing that private investors would not lend money to their organisations, the cooperatives founded their own bank, the *Caja Laboral Popular*. Due to a special legal rule that encouraged savings of blue-collar workers, the bank was able to offer much better rates than its competitors and grew quickly. Secondly, when the cooperatives legally registered with the government, they were excluded from the national health care system, due to a policy designed to discourage such organisations. This led to them founding their own health care provider, *Lagun-Aro*, which was able to adjust to the specific conditions of the workers in that area and therefore provided better coverage at lower cost. In the coming years these were followed by cooperatives for housing, construction, education and research (Whyte & Whyte, 2014). All of this culminated in the cooperatives joining together to form *Ulcor*, a cooperative complex with joint management that featured representatives of all of its subsidiaries (Molina & Miguez, 2008).

Over the next decades, many more firms were created but the structure remained the same in principle. Today, over ninety cooperatives make up the Mondragón Corporation, including one of Spain's largest supermarkets, world-leading manufacturing businesses and highly recognised knowledge institutions (Romeo, 2022). The corporation is facing debates of democratic regression and an erosion of its values, which are points of contention in the academic community (see: Wolff, 2014; Kasmir, 1996; Cheney, 2002; Bretos & Errasti, 2016). However, the story of Mondragón's founding years can be said to conclude here.

Analysis

The main research interest of this paper are the implications the story of Mondragón's founding has on democratisation processes. This necessitates understanding if this even constitutes a case of successful democratisation. To understand this fundamental question, I found Robin Archer's (1995) framework on economic democracy particularly useful. Archer argues that democracy is based on the principle of equal liberty, meaning that authority may only be exercised over a subject if the choices of the authority are identical to those of the subject. As there are many people in a society whose freedom also needs to be protected, shared control over the authority's decisions is integral to democracy. Firms are such authorities that exercise direct control from which workers find it difficult to escape as their livelihoods are often built on their employment. For Archer democracy therefore extends to firms. He calls this "economic democracy", defined as a company governed by those that work for it.

For Mondragón to be considered democratic, its workers would thus be in direct control of its governance. I believe this condition is fulfilled, as they indirectly elect every key position of authority in the firm through the general assembly and the governing council, solely consisting of workers. In practice, if a majority was in favour of a certain policy, like a shorter work day, this usually led to its implementation through these mechanisms. As most workers in the town previously worked in firms like Union Cerrajera which did not offer such an organisation, this constitutes a process of successful economic democratisation in the region.

This leaves open the question why such democratisation occurred in this case but failed to materialise in most other economies. One possible explanation concerns the context in which this democratisation took place. Basque culture exhibited a unique mixture of values, emphasising democracy, collaboration and autonomy, which might have been ideal for the development of a cooperative. In his 1982 book on workplace democracy, Donald Nightingale provides an insight into the influence of societal values on the practices of an organisation, as they reflect the values managers encounter in their upbringing. The actions of the organisation simultaneously have a reciprocal effect on the values of society. His theory of congruence thus argues that “the values embraced by the modern work organisation cannot depart substantially from the values of the larger society” (Nightingale, 1982, page 66). For him the level of this congruence of values depends on how much an organisation is connected to society.

In the case of Mondragón, Basque democratic values already originate in ancient history and have influenced the communal approaches to organisation in the region, which in turn affect societal values again. Arizmendi’s polytechnical school was an expression of such societal values, being inspired by previous implementations and patterns of thoughts, but also had a reciprocal effect on society, as its graduates in turn saw cooperative ownerships as essential. George Cheney (2002) provides further examples of the influence of values on Mondragón, stating that repression by Franco’s government solidified the firm’s values as a social movement against oppression, encouraging active participation by the workers’ in its democratic institutions. The catholic church also had an important role, with its teachings on worker emancipation at the time greatly influencing both Arizmendi’s thought as well as social values in the deeply catholic Basque country (Cheney, 2002). Lastly, the close relationship between the cooperatives and local communities may have increased these effects of reciprocity. A first lesson from this case is therefore that the values in this specific societal context

encouraged such democratic practices. As they were implemented the “world talked back”, further influencing Mondragón’s democratic practices.

A second important lesson concerns the distinct organisational structure of the cooperatives. It is important to recognise that such a structure is the result of the societal values it emerged from. If the members of an organisation would not believe in its democratic values, there is a risk of it becoming a dead dogma, leading to a long term degeneration of democratic processes (Whyte & Whyte, 2014). However, one may draw interesting insights on how the cooperative structure was sustained over many years. Cheney (2002) sees Mondragón’s second-level cooperatives as especially important. By providing financial, educational and welfare services, they shielded the firms from degenerative influences of the market and society, allowing the cooperatives to prosper in the long run. Furthermore, its dynamic system of representative government, active participation and intensive internal communication may have increased democratic awareness of workers and the commitment of management to retain democratic values (Cheney, 2002).

A third insight from this case may be described as the “importance of action”. Societal values may have been ideal but the cooperatives emerged through the action of dedicated individuals, spearheaded by Father Arizmendi and his innovative vision. Keefer (2009) describes the phenomenon of democratisation often not occurring through popular action despite social conditions being ripe, due to a lack of organisation on behalf of the masses. Arizmendi's extensive sociological and legal knowledge made him a capable, charismatic leader so he likely provided the decisive spark to the cooperative movement in the region (Cheney, 2002).

Lastly, other social conditions at the time also played an influential role in Mondragón’s success. Spain’s weak economy allowed Ulgor to prosper, as it did not face strong capital-driven competition. And some of Franco’s policies like the unintended support for the Caja Laboral Popular’s saving rates helped boost their financial possibilities. Such factors may not seem decisive individually but could cumulatively determine the success of the cooperatives.

Conclusion

I started the essay with the intention of exploring a possible solution to the crisis of liberal democracy. The approach of workplace democracy might seem promising but features a distinct lack of successful practical implementation. This case study explored one of the few implementations with the intention of learning how Mondragón’s

founding worked and what this might imply for workplace democratisation. This learning process provided me with some key insights. One is that Mondragón exhibits a case of successful democratisation. Another one is that societal values of democracy and cooperation are vital for a company to develop democratic and cooperative practices. A third insight is that a structure of representation and participation, as well as a robust foundation that limits degenerative influences can ensure that those democratic practices remain over time. Lastly, this case showed how, no matter the context, individual agency and action is crucial in achieving successful democratisation. This might imply that cooperatives require certain conditions to prosper but also that individual action and organisational practices can go a long way in establishing fitting conditions regardless. Other cases may not have these optimal conditions but the story of Mondragón might present lessons and inspiration necessary to attempt workplace democracy in more places in the future.

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The crisis of EU credibility as a Normative Power in the context of the Ukrainian vs. 2015 Refugee Crisis

The European Union (EU) has been the recipient of several refugee waves over the past few years. Many refugees fleeing war and civil unrest have been attracted by the EU's self-proclaimed values of equality, solidarity, and respect for human rights (TEU, 2012, Article 2), prompting them to undertake the dangerous voyage to the EU in hopes of a better life. Much to their dismay, however, the treatment of refugees rarely aligns with these values, with the difference in responses being heavily based on their country of origin.

In this paper, I argue that the EU's response as a Normative Power in the context of migration policy is highly dependent on the refugees' 'Europeanness', and that this directly contradicts its values and norms, thereby questioning its credibility as a Normative Power. To illustrate this, I will refer to the difference in response to the 2015 Refugee Crisis and the Ukrainian Refugee Crisis. The EU's credibility as a Normative Power being questioned carries significant implications for its role as a global political actor, therefore this research is crucial. I aim to illustrate the discrepancy in EU's responses and expose contradictions in its Normative identity – I will lean on the available secondary academic discourse on the topic, alongside various non-academic sources to do so.

In the subsequent sections, I will start by introducing the theory of crisis, followed by the analysis of EU competences in the context of migration policy, comparing responses to the 2015 Refugee Crisis with the Ukrainian Refugee Crisis to argue the EU's lack of credibility as a Normative Power. Lastly, I will discuss recommendations for EU crisis management and conclude by summarizing key insights.

Theoretical Understanding of 'Crisis'

Social constructivism posits that crises are not objective events but are socially constructed through the subjective interpretation of events (Cross, 2020). In the context of the EU's response to refugee crises, this framework highlights the importance of identity, norms, and perceptions in shaping the Union's actions and policies. By analyzing how the EU constructs and interprets its identity and norms in

response to different crises, we gain insights into its role as a Normative Power and its consistency of norm application.

Indeed, in the cases of the 2015 Refugee Crisis and the Ukrainian conflict, the framing of the crises played a pivotal role in shaping the responses. The arrival of Syrian refugees was framed as a potential threat to the long-standing notion of 'European identity', challenging established conceptions of culture, religion, and social cohesion. This framing influenced policy responses and public reactions, revealing how perceptions of identity played a substantial role in the crisis. On the other hand, the Ukrainian crisis was framed as a test of the EU's ability to defend 'European values' and, by extension, the broader European identity. This framing not only guided the EU's response but also highlighted how the construction of 'European values' is a crucial component of European identity, affecting the Union's actions in times of crisis. The social constructivist perspective thus underscores the role of identity and Normative constructs in shaping responses to crises, shedding light on the intricate dynamics that unfolded during these critical events.

With a similar connection to identity, the EU's role as a Normative Power seeks to shape international relations through the promotion of its values and norms, including democracy, human rights, and the rule of law, among others (Zengin, 2017). Accordingly, the concept of a 'crisis' under the Normative Power Europe (NPE) theory takes on a distinct dimension – it revolves around situations wherein these foundational values of the EU are under threat (Manners, 2011). This is best exemplified in the context of the Ukraine conflict, where the EU has consistently framed the crisis as a clash over 'our' values. However, the complexity arises when we examine the EU's response – or the lack thereof – in other crises, such as the 2015 Refugee wave. It then becomes apparent that the EU's selective assertion of its role as a Normative Power is heavily contingent on the perceived 'Europeanness' of the individuals affected by the violation of these 'European' norms. This selective approach underscores the EU's unique engagement with crises, wherein the dynamics of identity and perception are inextricably intertwined with Normative claims and responses.

To establish the connection between these two theoretical frameworks and the ongoing crisis of EU credibility as a Normative Power, it becomes evident that the EU's approach to this crisis is profoundly molded by perceptions of identity and Normative constructs. The way the EU responds to different refugee groups is intrinsically linked to the framing of them in the context of European identity and values.

Comparing Responses to the 2015 vs. Ukraine Refugee Crisis

In this section, I examine the EU's competencies in migration policy, comparing the responses to the 2015 and Ukrainian refugee crises, shedding light on its role as a Normative Power and the selective application of norms based on the perceived 'Europeanness' of refugees.

EU Competences

When discussing EU Refugee Crises responses, the Dublin Regulation and the Temporary Protection Directive are particularly crucial. However, it is worth examining its competencies more generally. The EU's authority to address external migration matters primarily stems from Article 79(3) of the Treaty on the Functioning of the European Union (TFEU, 2012). This enables the EU to tackle migration issues related to freedom, security, and justice, including the negotiation of agreements with third countries for migrant returns. However, the EU's role becomes notably more limited when discussing external asylum cooperation, as its role is implied rather than explicitly stated in Article 78(2)(g) of the TFEU (García Andrade, 2018).

Especially pivotal when discussing refugee waves, however, is the *implied powers doctrine*, which dictates the EU can exercise power in external matters when these matters affect its internal policies. This way, the EU can adopt agreements in areas such as short-term visas, border control, legal migration, and fighting illegal immigration. This is particularly relevant when analyzing the response to the 2015 Refugee Crisis (García Andrade, 2018).

Response to the 2015 Refugee Crisis

Up until the invasion of Ukraine, most external migrants to Europe came from the Middle East – people fleeing civil unrest, largely the consequence of the Arab Spring. The number of irregular refugees peaked in 2015, with over 1 million people seeking asylum (Esdras & Namia, 2015). With the number of refugees skyrocketing and with insufficient measures in place, the situation was beginning to get harder to control. This resulted in the establishment of makeshift refugee camps, which were often under fire for human rights violations. Nonetheless, even making it to the camps is a challenge, as the journey across the sea can be hazardous; roughly 4,000 people are believed to have drowned in attempting to complete the route during the 2015 influx (BBC, 2016) – the numbers have since risen significantly.

Most relevant for the 2015 Refugee Crisis is the Dublin Regulation. It was designed to allow refugees to apply for asylum only in the country the applicant

entered the EU through. However, as most refugees arrived in countries next to the Mediterranean, the crisis pressures were not equally distributed, resulting in a lack of a common response – Germany was the first Member State to admit the Dublin Regulation was inefficient. While some Member States were pro-refugee (such as Sweden and Germany), there were also many discriminatory regulations in place. For example, Slovakia, the Czech Republic, Hungary, and Poland all expressed the willingness to take in only non-Muslim refugees (Dagi, 2017). Some Member States along the route had also closed their borders, and Austria temporarily suspended the Schengen visa policy (BBC, 2016). Additionally, the EU signed an agreement with Turkey, stating it would keep irregular immigrants from the EU, in exchange for roughly 6 billion euros to help accommodation. European police and immigration service have also come under fire for human rights violations and were accused of collaborating with organizations known for '*sacrificing human rights for the sake of stopping migration*' (Zoomers, van Noorloos, & van Liempt, 2018, p. 5).

One notices the dichotomy between the self-proclaimed values of respect for human rights, solidarity, non-discrimination, and tolerance, and the reality of the response towards non-European refugees. As will become clearer in the next section, the EU only respects these values when it comes to European crises, whereas external catastrophes are often met with efforts to *keep* them external, rather than the drive to propagate its values.

Response to the Ukraine Crisis

At the beginning of 2022, Russia launched its full invasion of Ukraine, leading to a mass number of Ukrainian refugees fleeing to the EU. As of November 2023, there have been 4.2 million Ukrainian refugees registered in various EU Member States (Consilium Europea, 2023).

Most notable, however, was the EU's prompt response to the conflict. Russia immediately faced sanctions from the EU, and Ukrainian refugees were widely accepted by Member States. Crucial was the activation of the Temporary Protection Directive (Council of the European Union, 2001), which offers Ukrainians access to healthcare, employment, and education within the EU equal to that of the Member State's nationals. It was originally to be in force until March 2024, however in October 2023, its validity was extended until March 2025. Due to the conflict accelerating in the wake of the COVID-19 pandemic, a special emphasis was placed on healthcare – in addition to Ukrainians having full access to free healthcare, many Member States

implemented ‘Ukrainian Medical Points’, where refugees could see nationally licensed Ukrainian physicians and healthcare providers (Spiegel, 2022).

The EU’s response to the Ukrainian Refugee Crisis clearly demonstrated its values of respect for human rights and solidarity. The EU has been significantly more accepting of Ukrainian refugees than of those from the Middle East. There have been many proposed reasons for this, such as the proximity of the conflict – in both the geographical sense, and cultural, ethnic, and identity-based proximity (Moise, Dennison, & Kriesi, 2023). The latter will be explored further in the following section.

Comparison of Narratives and its Effect on EU Credibility

Illustrating how societal perceptions shape the EU’s responses to refugee crises is crucial for understanding its role as a Normative Power and its selective application of norms based on the perceived ‘Europeanness’ of refugees. The narrative surrounding Ukrainians in the media was highly racialized. Kelly Cobiella, a reporter for NBC said *“To put it bluntly, these are not refugees from Syria. These are refugees from neighboring Ukraine. These are Christians and whites. They are very similar to people living in Poland”*. Similarly, a commenter from BBC stated *“I see blue-eyed Europeans and blond-haired children being killed by Putin’s missiles every day. These are prosperous middle-class people, not refugees trying to flee areas of the Middle East that are still in a state of the great war. Nor are these people trying to move away from areas in North Africa”* (Sipahioglu, 2023, p. 196).

When approaching these statements from the perspective of social constructivism, it becomes apparent that the framing of the crisis greatly influences the EU’s responses to it, and as a result, its credibility as a Normative Power. The statements above prove that European values of solidarity and respect for human rights are indeed highly influenced by the victims’ ‘Europeanness’. Ukrainians are not seen as a threat to the European identity, whereas Middle Easterners or Northern Africans are. The importance of racial Europeanness is also especially relevant when discussing non-white Ukrainian refugees. Many Black refugees fleeing Ukraine were denied access to trains leaving Kyiv, despite there being seats available.

Furthermore, when the influx of refugees from the Middle East first began, the Union did briefly consider activating the Temporary Protection Directive. This never materialized, however, as many Member States expressed fear of creating a ‘pull factor’ (Ineli-Ciger, 2015), essentially referring to potentially attracting refugees to a certain host country. Additionally, some EU leaders expressed safety concerns, with

Orban going as far as saying that “*every single migrant [from the Middle East] poses a public security and terror risk*” (The Guardian, 2016). This rhetoric is not only Islamophobic but also reflects a skewed understanding of Middle Eastern refugees, heavily influenced by xenophobic views.

The EU’s failure to activate the Temporary Protection Directive in 2015, despite citing reasons like ‘safety concerns’, highlights its selective application of norms and values. Indeed, the argument of ‘safety’ reveals an inconsistency in the EU’s stance: if refugees and immigrants were generally considered a ‘safety risk’, the EU would not have adopted a Temporary Protection mechanism in the first place. Notably, the EU adopted the Directive in response to a *European* crisis, namely the Yugoslav wars, and activated it solely in response to the war in Ukraine. This pattern clearly illustrates the selective nature of norm application (Sales, 2023).

Even though the EU never *explicitly* relied on the notion of a ‘European identity’ when dictating its responses, its policies ultimately marginalized non-European refugees, portraying them as a ‘security risk’ rather than recognizing their plight. This inconsistency calls into question the EU’s credibility as a Normative Power, as it selectively applies its values and norms based on cultural proximity.

Upon examining these facts, it becomes apparent that the EU only utilizes its values and norms when it comes to conflicts in close cultural proximity to Europe and are not universally applied to all refugees. This makes the EU contradict itself – while it claims to uphold the values of respect for human rights, equality, and solidarity, it is clear it only does so selectively and as a result, often uses these values as a non-direct way of alienating others (Prideaux de Lacy, 2023). By doing so, it calls its credibility as a Normative Power into question, with its role as a global political actor growing increasingly uncertain and unreliable. It appears that European norms and values serve more as a façade to protect its own interests and maintain a political moral high ground, rather than being consistently applied to address humanitarian crises.

Recommendations for the Future Handling of the Crisis

The dichotomy between the EU’s responses to the Syrian and Ukrainian Refugee Crises must be adequately addressed for the EU to maintain its credibility as a Normative Power. I recommend starting by addressing the following areas. Firstly, the consistency in applying norms is essential to restore the EU’s credibility as a Normative Power. It must ensure its commitment to upholding its values is not selective. To achieve this, it must embrace a non-discriminatory approach in its policies

and practices, striving for standardized asylum procedures across the Union to ensure fair treatment for all asylum seekers, regardless of their country of origin. Additionally, it must establish mechanisms to monitor and hold Member States accountable for their treatment of refugees. Secondly, and perhaps most importantly when discussing the EU as a Normative Power, it must adopt a Human Rights centered approach to its migration policy. It should ensure all refugees have access to legal protections, including asylum. Particularly, this means respecting the principle of non-refoulement, providing access to essential services, humane living conditions, and protection against violence and exploitation. Additionally, it must align its policies to international standards and conventions, such as the Universal Declaration of Human Rights and the Convention on the Rights of the Child. By doing so, it can maintain its credibility as a Normative Power.

Lastly, approaching the issue of credibility from the perspective of social constructivism, the EU must place a greater emphasis on media and public relations. As became clear with the analysis of the Syrian and Ukrainian Refugee Crises, public perception and societal narratives around non-European refugees must be fundamentally reassessed. The EU can make several adjustments to ensure the framing of refugees is not discriminatory or biased. It can develop educational campaigns, aimed at providing accurate information about migration, helping reduce negative misconceptions and biases. Additionally, it can create cultural exchange programs, which could help with alleviating cultural anxiety surrounding non-European refugees. Furthermore, fostering community involvement may help facilitate collaboration and support between refugees and host communities.

In general, the EU should aim to address these policy areas to maintain its credibility as a Normative Power. Will it fail to do so, its position as a global political actor will become increasingly uncertain, with the selectivity of upholding its norms and values becoming more and more apparent.

Conclusion

In this paper, I aim to address the question of how the difference in the EU's response to the 2015 Refugee Crisis and the Ukrainian Refugee Crisis calls its credibility as a Normative Power into question. I initially hypothesized that the EU's drive to uphold its values and norms depends heavily on the victims' 'Europeanness'.

By approaching this question through the lens of social constructivism, one indeed notices the connection between 'Europeanness' and the difference in

treatment. Social constructivism dictates that crises are subjective, mere interpretations of events. This perspective is particularly useful when analyzing the difference in societal narratives that accompanied each crisis. Ukrainian refugees are seen as 'one of us', with the conflict being framed as a conflict of ideals – the 'European freedom' ideal versus Russian, oppressive thought. In contrast, the 2015 Refugee Crisis was framed as a crisis of European identity – the narrative was often accompanied by xenophobic and Islamophobic views, posing the refugees as a threat to European values. As a result, these crises were met with vastly different policy responses – in the case of Ukraine, the EU did indeed act as a Normative Power when discussing its treatment of refugees, providing them with legal protections, access to healthcare and education, among others. The issue of credibility comes into play when comparing this response to its response in 2015. Refugees from the Middle East and North Africa faced inhumane conditions in the refugee camps, did not receive access to healthcare or employment, let alone integration programs, despite the crisis being relatively similar in nature. This further supports my hypothesis of the EU's upholding of norms being highly influenced by the victims' cultural and ethnic proximity to Europe.

The implications of this research findings underscore the need for fundamental shifts in the European Union's approach to refugee crises. Firstly, the EU's weakened credibility as a Normative Power undermines its claims of upholding principles such as equality and human rights, questioning its moral standing and diminishing its influence and reliability globally, potentially gravely affecting its geopolitical relations. Secondly, this inconsistency in norm application has humanitarian consequences, perpetuating cycles of marginalization and suffering for refugees, directly opposing the EU's self-proclaimed norms.

I provided several recommendations that would help the EU reinstate its credibility as a Normative Power, generally including consistency in the application of norms, fostering a Human Rights centered approach, and addressing the role of media and public relations in forming the societal perception of refugees, and by extension, in dictating its policy responses.

Worth noting, however, is that while this research found there to be a link between Europeanness and the EU's commitment to upholding its values, this paper only analyzed its Normative dichotomy and credibility from an internal perspective. A potential area for further research could be how this selectivity of application of norms affects its diplomatic relations, along with any geopolitical repercussions. Additionally,

exploring the unresolved tensions between the interests of Member States and EU norms can help further illustrate the challenges of the EU as a Normative Power.

In conclusion, the EU's claims to be a Normative Power come into question when analyzing its divergent responses to the refugee crises in recent years. If it wants to maintain its credibility, it must enhance its commitment to upholding norms, changing societal narratives, and promoting the universal respect of Human Rights. By doing so, it can defend its position as a Normative Power, and continue occupying the place in global politics that it has consistently been claiming to.

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The Russia-Ukraine Conflict and the Evolution of EU Expansion Policies: A Focus on the Western Balkans

The Russia-Ukraine conflict has influenced the European Union's (EU) external relations, reshaping its policies and priorities, including the context of its expansion policy. This essay delves into the implications of the conflict for the EU, with a focused examination of its impact on the EU accession criteria in the Western Balkans. Namely, I argue that the conflict has prompted an urgency in EU expansion. Paradoxically, however, this urgency has not led to a shift in the approach to the WB6; instead, it has persisted as highly technical, failing to garner deep political and societal transformation. I contend that this results in a paradigm shift in the EU's expansion policy, moving away from the traditional emphasis on liberal democratic norms and towards a strategic alignment driven by geopolitical considerations. Through an analysis of the WB6, with a specific focus on Bosnia and Herzegovina and Serbia, this essay aims to illustrate how this shift manifests in the establishment of a new governance model in the region – a stabilitocracy.

I will begin the essay by providing a brief overview of Russian and EU presence in the region, followed by an analysis of the New Growth Plan for the Western Balkans – the EU's direct response to the Ukraine conflict in the WB6 region. Using this policy report, I will illustrate the shortcomings of the EU's approach to region reform, and its role in promoting a stabilitocracy. Furthermore, I will explore the consequences of this altered approach, asserting that it not only risks internal divides within the EU but also challenges the Union's fundamental principles, raising critical questions about its long-term sustainability and credibility as a normative force in international relations. By critically examining the EU's response, this essay seeks to underscore the necessity for a more nuanced and context-specific approach in navigating the complexities of the Western Balkans, lest the EU compromise its democratic ideals in the pursuit of geopolitical influence.

Russian and EU presence in the Western Balkans

The onset of the Russian invasion of Ukraine in early 2022 had an immediate impact on the Western Balkans (WB6), revealing the longstanding Russian economic and cultural influence in the region. Recent years have underscored the geopolitical significance of the Western Balkans, serving as a crucial periphery of the EU where Russia can assert its influence vis-à-vis the West (Mahmutaj, 2022). This influence has been notably economic, exemplified by the 2017 bilateral agreement between Russia and Serbia, wherein Russia provided Serbia with 2.2 billion cubic meters of gas. This strategic partnership signaled to the region that Russia was, in many cases, more willing to support its development than the EU (Mahmutaj, 2022). This influence becomes particularly evident in the WB6's response to the Russian invasion. Most notably, Serbia refrained from imposing sanctions on Russia, unofficially referencing its own historical experience with international sanctions in the 1990s to argue they are not effective, and at times even counterproductive (Uvalić, 2023). Importantly, however, the WB6 has been cautious not to take steps directly impacting its EU accession prospects, leaving the region caught between two spheres of influence and emphasizing an urgent need for EU expansion.

Similar to Russia, the EU has also maintained a presence in the Western Balkans, with its role becoming particularly notable during the 1990s Yugoslav Wars, where the EU, UN, and NATO played crucial roles in the political developments of the region. Post-wars, the EU continued to emphasize the WB6's importance, stating that *'the EU is not complete without the Western Balkans'* (European Western Balkans, 2020, np). This importance culminated in various EU-Western Balkan summits, with the last one taking place in Tirana in 2022; however, despite these interactions, the EU's approach has been gradual, expanding only to include Slovenia and Croatia since 2004. These summits generally aim to address regional development in the WB6, and while there is some variation in the approaches, the EU's common logic across these interactions involves treating WB6 countries as fragile entities, demanding profound system transformations before offering realistic EU membership prospects (Lika, 2023). The Russian invasion of Ukraine, however, triggered a fundamental shift in the EU's expansion approach in the Western Balkans. It now sees solidifying its influence in the WB6 as an integral part of its security and external policy, with the stability in the region being given utmost importance, and normative convergence taking on a secondary role. I argue that while it now sees expansion into the WB6 as pivotal, it is

still not changing its strategy in the region, persisting with a highly technical approach. This will be further illustrated using the New Growth Plan for the Western Balkans.

New Growth Plan for the Western Balkans

The EU introduced the New Growth Plan for the Western Balkans in November 2023, directly responding to the Ukraine conflict. Despite its intentions, the plan falls short of addressing the comprehensive reforms necessary for normative convergence with the EU. While it acknowledges the goal of bringing the Western Balkans closer to the Union, it emphasizes the region's geopolitical significance in the context of the conflict, and the plan primarily adopts a technical approach (European Commission, 2023). It aims at achieving stability through four main pillars: *'enhancing economic integration with the EU's single market, boosting economic integration within the Western Balkans via the Common Regional Market, accelerating fundamental reforms for the Western Balkans' EU membership path, and increasing financial assistance through a Reform and Growth Facility.'* (European Commission, 2023, p. 2). Despite its somewhat multi-faceted strategy, my argument contends that this mirrors previous EU initiatives and proves inefficient. Firstly, it is excessively focused on technical and financial support – the EU provides financial assistance to the WB6 as a way to impose its norms instead of tackling corruption and clientelism. Consequently, the plan falls short of fostering the deep societal and political transformations crucial for the region's progress (Wouter Zweers et al., 2022). Furthermore, I argue the plan is inherently leader-oriented, which exacerbates concerns about the formation of political elites. High-ranking EU officials engage directly with leaders of Western Balkan countries to discuss EU investments, a practice that tends to prioritize political elites over broader societal interests. This is underscored by instances where EU officials offer unwarranted praise to Western Balkan leaders, even when their leadership contradicts democratic norms, the rule of law, and media freedom. Notably, Donald Tusk's labeling of Serbian President Aleksandar Vučić as a *'soulmate'* and *'strong patriot'* stands out, despite Vučić's leadership undermining fundamental democratic principles (Wouters Zweers et al., 2022).

The combination of these factors gives rise to a novel form of governance within the WB6 – stabilocracy. This regime involves significant democratic shortcomings, while still enjoying external legitimacy by offering 'stability'. The Russian invasion of Ukraine has instigated a heightened sense of urgency in EU expansion within the region. However, it appears that the EU's focus is not on

instigating profound societal reforms in the WB6; rather, its primary concern lies in the geopolitical battle for influence. The unveiling of plans such as the New Growth Plan, crafted in response to the conflict, underscores the EU's apparent lack of intent to enforce adherence to its fundamental norms within the WB6 governments. This shift in emphasis towards stability and influence holds significant implications, marking a departure from the EU's historical approach to expansion that prioritized liberal democracy (Bieber, 2018). The role of the EU in fostering stabilitocracies within the WB6 signals a broader structural and normative weakening, with democratic backsliding becoming an increasingly prevalent trend. The role of the EU in promoting such a system and its consequences will be explored in greater depth using the examples of Bosnia and Herzegovina and Serbia.

EU Strategies in Bosnia and Herzegovina and Serbia

Bosnia and Herzegovina (BiH), and Serbia are textbook examples of stabilitocracies, and are particularly useful in illustrating the changing of EU accession criteria. In December of 2022, the European Council granted Bosnia and Herzegovina with an EU candidacy status, as an obvious response to the Russian invasion. The leader-oriented approach, however, is particularly apparent in BiH. Most of the relevant accession talks take place between EU officials and the president, or the representatives of political parties and fail to include the national parliament and civil society organizations. Moreover, there is a clear lack of transparency, with the meetings often taking place behind closed doors, and therefore evading public scrutiny. Additionally, a sort of informality has become a staple of these talks. A notable example is the meeting between the former head of EU Delegation in BiH, an EU Special Representative, and the leaders of the two biggest political parties in BiH being held in a restaurant in East Sarajevo, in a highly informal setting, discussing remarkably critical topics of EU involvement and investment in the country. This kind of meeting is not uncommon in EU-WB6 relations, and it is highly consequential – undermining the roles of other state actors and institutions, as well as obstructing the possibility of progress, reforms, and integration (Wouter Zweers et al., 2022).

This is connected directly to the second critique of its approach, namely being too technical. Financial aid does not facilitate cooperation between the three ethnic groups in the country (Croats, Bosniaks, and Serbs), and it fails to foster any political development or reform. The EU Commission did point out that BiH's complicated institutions, directly connected with ethnic identities, create structural issues within the

country, disrupting the system's functionality. Nevertheless, the EU's approach to reform is often not context-specific, failing to acknowledge the complicated histories and identities underpinning BiH's political moves. Additionally, any reforms the EU does impose on the country often fail to garner concrete results, showcasing that the EU cares more about the technicality of pushing for reforms than their actual substance and implementation. Particularly relevant is the role of the IOM (International Organization for Migration) in the country, as it is an international organization sponsored by the EU to exercise roles usually covered by the state – the EU is concerned with providing short-term stability, rather than providing BiH institutions with the democratic tools necessary for effective crisis management (Wouter Zweers et al., 2022). This showcases the shift of the EU, moving away from its democratic norms, and focusing on strategic expansion.

The consequences of EU intervention can also be seen clearly in Serbia. Serbia, unlike Bosnia and Herzegovina, has held EU candidate status since 2012. However, akin to BiH, the invasion of Ukraine renewed the EU's interest in Serbia's inclusion in the Union. The EU's strategy in Serbia mirrors that in BiH, characterized by a highly technical focus. The EU's primary concern revolves around the status of Kosovo and the imperative to instill stability and safety in the region. Outlined in the New Growth Plan for the Western Balkans, the EU underscores the need for Serbia and Kosovo to *'engage constructively in the normalization of their relations'* (European Commission, 2023, p. 8) yet remains vague on what that entails. This failure to acknowledge the intricate political reality in Serbia and Kosovo, shaped by historical violence and lingering fears associated with the separatist movement, hinders the likelihood of fundamental political reforms. Indeed, rather than fostering democratic progress and equipping Serbia to combat autocracy, the EU's emphasis leans heavily towards stability. This stability-centric approach manifests itself in a leader-oriented model, wherein the EU supports pro-European political elites. Notably, Serbian President Aleksandar Vučić has emerged as a valuable ally of the EU, consistently advocating for Europeanization and promising stability, albeit at the cost of compromising principles such as fair political competition, separation of powers, and media freedom. Despite these concerns, however, some EU leaders, including Angela Merkel, commend Vučić, asserting that he *'does not make false promises but tries to implement them'* (European Western Balkans, 2021, np). This reveals the EU's leader-oriented approach,

portraying the Serbian government through an almost glorifying lens (Wouter Zweers et al., 2022). This makes the country's normative convergence with the EU unlikely.

The cases of Bosnia and Herzegovina and Serbia provide crucial insights into the evolving governance model in the WB6 and the EU's role in shaping it. It becomes evident that the conflict in Ukraine shifted the EU's primary focus from *actually* upholding democratic norms to the technicality of pushing for them. Despite being aware of the governance challenges in the region, the EU's unchanged technical approach contributes to non-democratic practices by exclusively engaging with political elites. This reflects the EU's newfound emphasis on securing influence, stability, and maintaining the appearance of commitment to reforms. By selectively interacting with pro-European political parties, the EU effectively sidesteps the violations of its own norms occurring within these countries. The consequence is a strategic, yet concerning, alignment with political elites, allowing the EU to pursue its objectives of expansion while overlooking deviations from democratic principles. The implications of this will be further explored in the following section.

Consequences of the Changing Criteria and Recommendations for the EU

The ramifications of the EU's actions in the WB6 are profoundly significant, particularly amid escalating internal divisions within the Union. The Russia-Ukraine conflict substantially accelerated the expansion process, significantly increasing the likelihood of the WB6's inclusion in the Union. This holds drastic implications – should the EU successfully integrate the WB6 in its current state, it would lead to a significant structural weakening of the EU, questioning its credibility and long-term sustainability, along with its ability to remain a united international political actor. Namely, French President Emmanuel Macron illustrated this by pointing out the frequency of the EU's unanimity requirement, alongside the difficulties that would arise by increasing the number of veto players (Anghel & Džankić, 2023).

Nonetheless, some have argued that stability *should* be the priority in an area such as the WB6. It is worth noting, however, that these countries provide *external* stability, while its internal actions continuously undermine democratic ideals. In the case of Serbia, for example, Vučić has consistently been using threats of conflict escalation with Kosovo to maintain political power (Euronews, 2024). This fosters 'stability' in the sense that it ensures continuity of power among the same political elites, undermining EU's accession criteria of democracy and rule of law in doing so. Therefore, the EU must carefully weigh the trade-off between abandoning norms in its

expansion policy for regional geopolitical influence. Such a shift would transform the EU from a normative body into a strictly strategic political actor, untethered from the principles upon which it was built (Anghel & Džankić, 2023). This would not only undermine the EU's normative authority but also set a dangerous precedent for future enlargement processes and erode the trust of citizens both within and outside the Union.

Indeed, the EU must fundamentally reassess its approach. Most importantly, it must engage with bottom-up initiatives in the WB6, focusing on gaining popular support for integration with the EU, stepping away from engaging exclusively with political elites. To do this, it should hold press conferences to maintain transparency, and provide the relevant documentation in the local languages. This can ensure trust between the WB6 populations and the EU. Additionally, it must be more precise when making reform recommendations to the countries, and hold them accountable if they do not adhere to the agreed upon timelines (Wouter Zweers et al., 2022). Furthermore, while financial aid is helpful, its allocation should be discussed with political party leaders, both in the coalition and the opposition. This ensures taking country-specific contexts into account, avoiding perpetuating existing power dynamics and, by extension, a 'stabilitocracy'. By engaging in these recommendations, the EU can push for long-term, sustainable democratization, rather than deviating from its principles to gain geopolitical influence, risking its own long-term stability in the process.

Conclusion

In conclusion, the Russia-Ukraine conflict has prompted a significant recalibration of the European Union's external relations, particularly evident in its evolving expansion policy in the Western Balkans.

In this essay, I highlighted a paradigm shift towards prioritizing stability and geopolitical influence over traditional liberal democratic norms. I illustrated this shift using the consequences of the EU's expansion strategies such as the NGPWB, and its role in promoting stabilitocracies, particularly focusing on BiH and Serbia. I argued that while the EU's strategic response may be seen as a pragmatic necessity amid the Ukraine conflict's urgency, the persistent technical focus risks neglecting the complexities of the WB6 nations' political landscapes. By primarily engaging with political elites, the EU, often knowingly, contributes to the emergence of non-democratic practices, potentially compromising its fundamental principles.

As the EU accelerates its Western Balkans expansion, it faces a delicate balancing act. While geopolitical considerations are pivotal, a myopic focus on stability and influence at the expense of democratic norms risks eroding the EU's credibility and unity. The accelerated expansion, intensified by the Russia-Ukraine conflict, demands a less reactive and technical, more nuanced approach that acknowledges the region's complexities. I provided recommendations for the EU, mainly focusing on fostering a bottom-up approach engaging with local populations directly, along with holding WB6 governments accountable. Additionally, I recommended cooperating with coalitions and oppositions to discuss funds allocation, thereby taking country-specific contexts into account.

It is crucial for the EU to redefine its role not merely as a strategic political actor but as a beacon for democracy, even amidst pressing geopolitical imperatives. The potential integration of the Western Balkans should not be viewed as a crisis to be resolved but as an opportunity to fortify democratic values within the Union. Ultimately, the EU's approach in this critical juncture will shape not only the Western Balkans' future, but also the character and resilience of the European Union itself.

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Brave New Voices: An Examination of Citizens' Assemblies' Future in the EU

Abstract

The Conference on the Future of Europe (CoFE) concluded in May 2022, introducing various proposals aimed at shaping the developmental trajectory of the European Union. Among these was a suggestion to expand the use of citizens' assemblies (CAs) as a means to address the EU's democratic deficit. The following essay investigates the potential effects of this proposal by employing a qualitative approach informed by the relevant literature on EU history and institutions. The analysis centres on three factors of democratic legitimacy: the public sphere, European identity, and contestation. Taking into account the historical background of CAs in the EU, the status quo, and the specifics of the CoFE's recommendations, it is concluded that while CAs have a certain potential to enhance deliberative democracy and foster European identity, possible negatives arise in their not stimulating a shared European public sphere and their potential to reduce political contestation. Ultimately, the implementation of CAs alone will probably have, at most, a highly marginal impact on the EU's democratic deficit, contingent upon their role within a broader context of institutional reforms.

Introduction

In May 2022 the Conference on the Future of Europe (CoFE) was concluded, bringing forth a long list of proposals intended as a guide for the future development of the EU. One of the postulates of the conference was the expansion of the use of citizens' assemblies (CAs), as a method to include ordinary citizens in policy making. A citizens' assembly is a body of citizens, usually a few hundred in size,, selected randomly (to mirror the public at large) and invited to deliberate on political issues. The resulting conclusions are then forwarded to higher authorities that can act on them. According to Vrydagh (2023), the key principles of a CA are deliberation, inclusion, and public influence. Other terms for this concept include citizens' panel, citizens' forum, deliberative poll, etc. (Vrydagh, 2023). As the CoFE's conclusions may

one day become reality, it is relevant to examine how successful the proposal is likely to be. In particular, the present work analyses how the implementation of the proposal might impact the so-called “democratic deficit” of the European Union.

The democratic deficit is a term commonly used in discussions on the EU, which denotes the perceived lack of democratic legitimacy behind the EU’s mandate (Smismans, 2022). There are a multitude of different theoretical perspectives and explanations for the deficit (Jensen, 2009); however, this essay focuses on three factors, singled out for their relevance to the dimension of citizen participation in EU policy: the public sphere, European identity, and contestation. First, the **lack of a shared public sphere** within Europe is associated with the fragmentation of its discourse- and information-space: iThe EU being divided into national media landscapes, there is no shared European sphere where common issues are discussed. This makes political discourse predominantly national, depriving the EU of a key legitimisation mechanism (Sifft et al., 2007). Secondly, de Beus (2021) emphasises the necessity of Europeans developing a common European identity: identifying themselves with their countries of origins as well as civic patriots within a pan-European polity, with common interests and values. This European identity is therefore not necessarily cultural, as national identities usually are, but rather constitutes a common political identity and sense of personal belonging to the EU. A different approach is that of Follesdal and Hix (2006): They agree on the importance of creating a public sphere and common identity, but their emphasis is on achieving this through greater **contestation** of EU politics. They claim that consensus-based decision-making is detrimental to EU legitimacy, as every policy has winners and losers, and the focus on consensus effectively eliminates the voice of those disadvantaged without generating wide interest in the policy process, due to the lack of clear “sides.” The authors believe that increased contestation of policy would mobilise citizens, increase awareness of the EU’s importance, and drive engagement in EU politics, in turn leading to the creation of a public sphere and a spreading European identity (Follesdal & Hix, 2006).

The present essay employs a qualitative approach to examine the effect of greater use of citizen’s assemblies to advise EU policy on the democratic deficit, conceptualised through the lens of the factors delineated above. The relevant literature on the EU’s history and institutions is used to provide the necessary context of the analysis and make predictions on how the implementation of CoFE’s proposal is

likely to change the status quo. In examining this change, previous research on CAs and the EU's democratic deficit is used to identify the likely effects on the Union's perceived legitimacy.

Background

Direct citizen participation in the European project was highly limited for a long time. Up until the mid-1980s, a permissive consensus by the public towards integration meant that they were largely excluded from direct involvement in European affairs, but mainly represented by elected officials and interest groups or consulted in referenda. However, as more power was transferred to the European level, so grew the demands for more democratic influence from the citizens of Europe (Guerra and Trenz, 2022). Many reforms have been instituted to create democratic legitimacy for the EU: Such as parliamentarization, increased engagement with civil society and new venues of direct participation, such as the European Citizens' Initiative. Yet, even then, the critique has remained (Smismans, 2022). Since 2005 and the 'period of reflection' that followed the rejection of the EU Constitutional Treaty, a new approach entered the scene. The EU institutions supported experiments directly involving ordinary citizens in proposing policy through the 6th EU Framework Programme. This method was then expanded upon and given more support by the EU institutions, creating deliberative polls and citizens' consultations to gauge the public's opinions on several issues (Fiket, 2023; Abels, 2009). It is worth noting that the few citizens' assemblies that were so far conducted in the EU were all initiated by the decision of EU actors desiring public input. As these bodies can shape the assemblies however they like, they are only accountable to the CAs to the degree they themselves decide.

By far the most notable use of CAs in the EU was during the Conference on the Future of Europe, which was launched by a joint decision of the Commission, Parliament and Council of the EU in 2021 as a way for citizens of the EU to directly influence the future policy of Europe through a massive project of deliberation (Council of the European Union, General Secretariat of the Council, 2022). Relevant to this essay, four EU-wide and six national citizens' panels were held as one of the main features of the Conference, selecting ordinary citizens and giving them an opportunity to jointly deliberate on proposals for the EU's future (Council of the European Union, General Secretariat of the Council, 2022). While it is too early for the effects of the

CoFE to be determined, the Conference has, despite criticism for its many flaws (Oleart, 2023; Ballangé, 2023), set a framework and a precedent for how EU CAs can function and be organised in the future. The final report of the Conference, under proposal 36, advocates “Holding Citizens’ assemblies periodically, on the basis of legally binding EU law” (Council of the European Union, General Secretariat of the Council, 2022, pp. 79). This is followed by a few rules for the assemblies’ functioning, notably the stipulation that due justification be necessary should their recommendations be rejected. Lastly, the proposal emphasises that citizen participation should only complement existing representative democracy.

While it is not of strict importance for this essay how exactly this proposal will be realised, the changes in comparison to the status quo still need to be identified. With legal requirements specifying when they should be held and how other institutions are responsible to act on their proposals, the CAs would become institutionalised in the EU’s policy process: They would take place regularly and could not be overlooked. The policy process in question can be summarised as consisting of five stages, of which two—agenda setting and policy formulation—are relevant to future CAs. Agenda setting is the identification of a problem which needs to be solved and the decision to act. Policy formulation is the process of reaching a proposal of how exactly to deal with the problem at hand. These two roles are chiefly filled by the European Commission, with the Council setting the big picture agenda of the Union (Best, 2022). Per the definition of a CA, their purpose would be to deliberate to reach rough policy proposals and forward them to other authorities to further elaborate and decide upon, clearly involving them in the stage of policy formulation. As for the stage of agenda setting, the degree of the CAs’ relevance would depend on whether the assemblies would be awarded the right to set their own agenda or if they would be set up to deliberate on problems specified by other institutions. If the latter were the case, they would be entirely within the policy formulation area and presumably act under the Commission as a consultative body. On the other hand, with the power to set their own agendas, the CAs would presumably have a greater degree of independence and influence, as they could address problems and solutions without a decision from the Commission or Council being necessary. Additionally, as established law would guide the creation of future CAs, they would no longer depend on the political will of other actors of the EU to be called and constructed. Therefore, it seems reasonable that CAs would also be more independent actors under the

CoFE proposal than they have previously been. Assuming that the implications of the proposal would indeed lead to more institutionalised, common and independent CAs, the following section will examine the effects thereof.

Effects of the Proposal

Public Sphere

Previous examples of and research on CAs point in the direction of them contributing positively to the public sphere. This is because the CA can act as a miniature of an ideal public sphere, which might inspire the citizenry and draw greater attention to the questions deliberated upon. However, this is highly conditional on the public being aware of the assemblies and their deliberations, which becomes a problem as the media often lack interest in covering them (Rountree & Curato, 2023). This caveat of public awareness and media attention could be an Achilles' heel of EU CAs, as the virtual non-existence of a common European public sphere makes it very hard for any future assemblies to "strengthen" it. In the nationalised media landscape of Europe, European issues get little attention to begin with (Guerra and Trenz, 2022). This can easily be exemplified by the CoFE, which had very little media coverage (Oleart, 2023; Ballangé, 2023). It seems unlikely that institutionalised CAs – which would mainly deal with more common EU policy than the CoFE did – would garner more attention. Hence, the possibilities of CAs effectively contributing to the creation of a public sphere seem very slim.

European Identity

Previous research has shown that participants in inter-European deliberative polls (a process very similar to that of CAs) form a stronger sense of belonging to a European polity. Jointly deliberating on common issues with other Europeans to some degree reinforces or creates a sense of common interests and identity. A shift from identifying as solely national to identifying as national AND European was particularly clear (Fiket, Olsen, & Trenz, 2014; Di Mauro & Fiket, 2017). It can be assumed that the increased proliferation of CAs would lead to an increased spread in European identity alongside national identity among the participants, like De Beus (2021) advocates. Additionally, this spread would involve a diverse group of Europeans, rather than being limited to just one or a few social or national groups, as CAs are meant to include a representative sample of the population. However, this impact is likely to be minimal, as a typical CA consists of a few hundred citizens, and so most of the nearly

half a billion Europeans are unlikely to ever be invited to an assembly, even if they should become a very common feature.

Contestation

The deliberative process of CAs has often been credited as a means to effectively reach conclusions on contentious issues, as the process encourages the participants to moderate their opinions and find common ground (OECD, 2020). While the above can oftentimes be desirable in a society, from the perspective of contestation, it actually risks furthering the EU's democratic deficit. According to Hix and Follesdal (2006), public debate with clear contestation of policy and the competition of opinions is necessary to drive citizen's engagement. In contrast, when intrinsically controversial issues would be handled by the CAs, this would likely be done in a way to minimise clashes and reach broad compromise. There is even a risk that the CAs could be used by the EU institutions to "unload" controversial issues from their own agendas to avoid criticism for the conclusions they themselves would reach. Should this happen, it would actively harm the democracy of the EU, as the amount of contestation compared with the status quo would decrease.

Conclusion

The effects discussed above all have slightly different implications. Institutionalised CAs are highly unlikely to significantly contribute to forming a public sphere, might only to a very limited extent spread a European identity, and might risk reducing the contestation within EU politics (although they are still more likely to make no significant impact there, either.) Of course, it is important to note that the present analysis is limited to only three of the multitudes of perspectives on the democratic deficit and is conditional on their accuracy. Furthermore, there is no certainty that the CoFE proposal will become reality and, if so, whether it will be implemented along the same lines as sketched above. Nonetheless, given the high conditionality of all the effects presented – conditionality both on the other EU actors and on theory – a conclusion can be drawn that the CAs, on their own, will probably have a very small impact. Only as a part of a larger series of reforms may they influence the democratic deficit of the EU.

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“Of the People, By the People, For the People”: What Does Former Polish Ruling Party (PiS) Teach Us About Eroding Liberal Democracy

At the end of 2023, Poland opened a new political chapter - millions of people went out to vote in parliamentary elections to end the 2015-2023 cadence of right-wing ruling party Prawo i Sprawiedliwość (PiS, eng. Law and Justice) (Fella, 2024). Plenty of protests were organised, petitioning for regime change. Although the opposition parties coalition won the elections, with Koalicja Obywatelska (KO, eng. Civic Coalition) on the lead, due to permanent changes PiS had made - unconstitutional reforms, violating the rule of law, weakening judiciary independence, unfair electoral process, or media dependence on the government - Poland experienced a swift democratic decline (Sadurski, 2019; Wolne Sądy, 2023).

But if Polish citizens stood up to PiS rule so strongly in 2023, it seems paradoxical that PiS won the 2015 elections and sustained its rule for 8 years. To explain this politically relevant phenomenon, the essay examines *how did the PiS government maintain the legitimacy of its electorate while simultaneously eroding liberal democracy?* It employs the case study as a method, to study a detailed story and learn more general lessons from it. First, using Canovan's (1999) theory, the essay shows that PiS appealed to the redemptive face of democracy while eroding the pragmatic one. Next, the analysis explains this mechanism in three sub-sections: 1) how PiS used dissatisfaction with previous ruling parties, provided social welfare benefits, and redefined "Polish citizen" to legitimise its rule, 2) how manipulating the election rules and media bias helped PiS to conceal the erosion of liberal democracy, and 3) how PiS made institutions dependent on the ruling party to reinforce its power while making an impression of delivering the will of the people. It concludes by illustrating what Poland and other states can learn from this experience and how it helps to understand the pragmatic-redemptive tension in democracy (Canovan, 1999). Particularly, we learn that democracy is eroded gradually. Moreover, although electoral legitimacy is needed to sustain democratic rule, when the promise of salvation through politics is emphasised too much, it conceals the erosion of the pragmatic pillar of democracy.

Theory

PiS has been widely identified as a populist party (Sadurski, 2019; Fella, 2024; Grzymala-Busse, 2018). Canovan (1999) argues that populism is not a symptom of backwardness, but rather a "shadow cast by democracy itself" (p.3). Populism favours

direct popular voice, underlining that governments often dismiss popular demands. As a solution, populism offers direct democracy with decision-making via referenda or popular initiatives. As Canovan underlines, populism is dangerous, because it is illiberal. Through its emphasis on direct rule, it may violate personal freedoms and erode the rule of law, which holds the state accountable for its actions. These characteristics contrast with liberal democracy.

To explain how populism occurs, Canovan (1999) argues that democracy has two faces: redemptive and pragmatic. The redemptive face emphasises that the government is “of the people, by the people, for the people” (p.10), and that democracy brings salvation by translating citizens’ demands into action. The government’s legitimacy flows only from the people. Conversely, the pragmatic face entails liberal democratic values such as peaceful, rule-abiding conflict resolution in a pluralist society. Thus, democracy in this view is a form of government with representative institutions facilitating social compromise. Canovan underlines that the tension between the two faces is that from a pragmatic perspective, democracy necessitates a multiparty system, free elections, and multiple interest groups. However, a redemptive face promising secular salvation is needed to legitimise the existence of a pragmatic face, giving it political meaning. However, when a gap between the promise of salvation and the day-to-day business of politics develops, populism succeeds in promising political renewal in place of a “dirty world of party maneuvering” (p.11). Reciprocally, a pragmatic face sustains the redemptive side, as only through effective institutions the promise of political redemption can be conveyed.

In Poland, PiS employs this tension to appeal to the nation and get more power. However, an excessive prioritisation of salvation through politics undermines the importance of liberal democratic, pragmatic, values.

Analysis

PiS promised political redemption by voicing popular demands. This section examines how PiS maintained electoral legitimacy while eroding liberal democratic values and gaining more power. It will employ Canovan’s (1999) democratic tension to examine PiS’s strategy of 1) social welfare benefits and redefinition of a Polish citizen, 2) manipulation of the electoral process, and 3) centralisation of power over politically dependent institutions.

Social Welfare for True Citizens

PiS, as a response to previous governments' neglect of the redemptive face of democracy, provided social welfare benefits as materialised promise of salvation, facilitating the party's victory in 2015. However, PiS rhetoric, redefining Poles as better and worse sorts, legitimised giving money only to those who will vote for PiS. This eroded the liberal value of citizen equality.

To understand why PiS was primarily elected in 2015, it is important to focus on Canovan's (1999) pragmatic-redemptive tension that occurred already before the party's rule.

Specifically, in post-communist Poland, democracy has existed only since 1989 (Grzymala-Busse, 2018). It did not develop adequately differentiated parties that all citizens could identify with. Although elite consensus was achieved around most reforms in newly democratic Poland, it left a huge, less privileged social stratum underrepresented and silenced. This exposed the weakness of the pre-PiS-era parties: they were too focused on chasing the European ideal of liberal democracy with the rule of law and establishing constitutional checks to guide Polish politics. Mainstream parties that argued for a pragmatic face - pro-European, liberal policies - exhausted the ways to keep the support of their electorate. They neglected the appeal to the redemptive side. For example, KO became known for the "politics of warm water", which means that they assumed that if society's basic needs and political stability are sustained, there is no need to introduce new initiatives that would keep the electorate interested (Grzymala-Busse, 2018). Consequently, by 2015, PiS was the most appealing political alternative. With its promise of political salvation through voicing the true popular will, PiS seemed perfect to finally allow the people to rule (see also Canovan, 1999).

However, the provisions quickly became the subject of social segregation, undermining the liberal ideal of citizens' equality. PiS president, Jarosław Kaczyński, claimed that there are two sorts of Poles: worse sort, which contains "elites" or opposition-supporters, and better sort - conservative, big families with basic education and lowest income, faithful to the ruling party (Grzymala-Busse, 2018; Sadurski, 2019). This was not perceived as inequality-generating rhetoric, because all individuals opposing the two-sorts-idea would be called worse sort and thus excluded from the category of true Poles. And since they are not true, they have no right to speak about what they wish Polish politics to be. Therefore, the redemption that PiS

promised helped the party to get electoral legitimacy by manipulating the “better” people into believing they were directly in charge of their fate and it paid off (see also Canovan, 1999). Social benefits provided by PiS seemed like the most tangible evidence, especially for the most economically disadvantaged parts of society: if you elect PiS, you get money. You gain power through democracy, and that power has monetary consequences.

Therefore, legitimising social segregation led to uninclusive institutions, thus undermining liberal democracy. Moreover, while Canovan’s (1999) pragmatic face stands for political pluralism, populist employment of the redemptive face opposes it - only the homogenous interest of the “true” citizens counts, and only PiS supporters are the carriers of the truth (Sadurski, 2019). So the concept of popular democracy as a nation's sovereignty to decide directly about its fate is redefined into a certain strata of people, politically convenient for populist leaders.

(II) Legal Elections

Winning elections is another way of legitimising the rule of PiS. Subtle manipulation of election rules made citizens overlook the erosion of an important liberal democratic value the fair electoral process. Democracy cannot survive only with a redemptive face (Canovan, 1999). It needs liberal rights and institutions protected by the rule of law, provided by the pragmatic face. Without a strong pragmatic side, PiS implicitly eroded democracy, to the point that opposition parties were perceived as illegitimate to compete for power (Sadurski, 2019). This section demonstrates that from a pragmatic perspective, elections are a non-violent way of distributing power (Canovan, 1999). From the redemptive side - they provide a ritual of national political renewal. However, excessive emphasis on a better future can overshadow the consideration of fair democratic power transfer.

Drawing on the previous example, social welfare bargaining is one way PiS “buys” the votes by promising economic improvement. This play on the verge of legality, also by introducing 13th, 14th, and 15th monthly retirement payments (NB: a year consists of 12 months), conceals erosion of liberal fairness of elections (Kostrzewski, 2022). It distracts the electorate from the importance of the party’s legal accountability and free elections.

Another crucial element of PiS’s manipulation of election results is media bias. Using constitutionally impartial national television to spread party propaganda weakens the pragmatic face of democracy by downplaying fair political debate

(Radkowski, 2021). For example, on July 3rd, 2021 during a daily news broadcast, Polish National Television (TVP), showed a graph depicting that in 2014, during the KO rule, minimum pay was 0 PLN/h, while in 2021, thanks to PiS, it grew to 18.30 PLN/h. TVP summarised this untrue graph saying that KO has sold Poland. Thus, PiS propaganda manipulates potential voters, framing PiS as the only party serving the national interest. Moreover, it undermines the need for a pragmatic face of democracy because the PiS electorate sees the information as saving the truth from the corrupt elites (see also Canovan, 1999). As Smeltzer (2023) delineated, media bias “adversely impacted the opportunity of voters to make an informed choice. [...] That contest was also stained by extreme and discriminatory discourse”. Citizens thus overlook threats to liberal democracy and, instead, appreciate that their views are voiced. PiS, by biasing national media delegitimised the opposition and, again, underlined the financial redemption they offer to citizens in return for electoral support. Most importantly, this pro-governmental propaganda politicised national media that should stay independent and free to facilitate pluralist discussion (see also Canovan, 1999).

Financial bargaining and media bias tie back to PiS successfully obtaining the legitimacy of its electorate. This allowed for “Polish gerrymandering” - Smeltzer (2023) reports that before the 2023 elections, PiS amended the electoral code to provide free transport to voting stations for older individuals and people village inhabitants. Although greater accessibility generally benefits voters, PiS introduced the changes in key areas with the demographics of a typical PiS electorate. So PiS employed accessibility improvement to increase their chances of winning the elections. Moreover, the changes were not consulted with other parties openly and were introduced shortly before the elections started. Another rushed change that Grzymala-Busse (2018) mentions is reconfiguring Warsaw’s (strong opposition to PiS) electoral districts to incorporate more rural areas leaning to vote for PiS. This shows that having prior electoral legitimacy allows for some degree of legal manipulation. It facilitates tolerance of erosion of the fair and unmanipulated electoral process, crucial for the pragmatic face of democracy (Canovan, 1999).

Thus, if the government controls the media and the election rules, voting becomes just a plebiscite to legitimise further ruling. It is veiled in the redemptive demonstration of how well PiS serves the people. To a great extent, PiS rule is indeed legitimised by its electorate. However, PiS overuses this legitimacy: there is no responsibility and subordination of the government to the liberal values of the

Constitution. Thus, voting becomes a deal: the people will tolerate violating media independence and free elections in exchange for attractive social welfare benefits.

A Stronger State to Serve the People

The final step of PiS to solidify its rule was strengthening the executive, as the redemptive promise of “bringing power” to the people can only be done via institutions (see also Canovan, 1999). However, this is inconvenient to PiS - representative institutions inhibit the direct participation of the citizens, which goes against the promise of salvation through politics. That is why, in the face of the pragmatic necessity for institutional effectiveness, it is easier for PiS to make institutions politically dependent. If the institutions speak with the same voice as PiS, they can exercise “the will of the people”. It effectively appeals to the electorate - institutions work only to pass the laws the nation wishes for.

The assumption of homogenous “true” Polish people, already exemplified by the two sorts of Polish citizens, demonstrates that any decentralisation of power is unfeasible for PiS this would mean that different nodes of the Polish institutional network could raise various concerns about decisions made in the state (see also Sadurski, 2019). Instead, the “sorts” legitimise PiS's disregard for the opposition, neglect of the representative system, and sustain an illusion of bringing redemption to the true nation. For example, PiS perceives representative institutions as dangerous, as they serve the elite, instead of “common people's” interests (Sadurski, 2019). In their place, they offer a Central Institution of Political Disposition (pol. Centralny Ośrodek Dyspozycji Politycznej) (Osiecki, 2017). This institution would function on an extra-constitutional basis and omit representative procedures to make faster, strategic political decisions, with PiS chairmen in power. However, making decisions only coherent with PiS postulates excludes those who disagree with them. It undermines the liberal right to political participation and democratic consensus (see also Sadurski, 2019).

Another way of strengthening PiS's executive was by undermining the judiciary. As Smeltzer (2023) summarises, PiS has managed to secure an unfair advantage by skirting electoral rules and undermining judicial independence: “Since taking office, PiS has curbed the power of top courts, placed pro-government judges on the benches, and scrutinised or reassigned those who display independence.” Although it violates the tripartite division of power, it simultaneously demonstrates to the electorate that the party will bring the judiciary to make decisions that true Polish

people want (Grzymala-Busse, 2018). For example, since the majority of PiS supporters are strongly conservative, it was convenient to make the Constitutional Tribunal dependent on the party and declare abortion unconstitutional even though it was not considered unconstitutional in the past ("Niemal całkowity", 2021). PiS significantly constrained abortion rights during its cadency, partly to appeal with it to its conservative electorate. Therefore, this redemptive promise to voice the will of the "true" people (PiS supporters) neglects the pragmatic face that grants institutions securing fair political debate and justice (see also Canovan, 1999).

Thus, PiS strengthened the executive and violated judicial independence to funnel the demands of the ruling party identified with the will of the true nation. To restate, liberal democracy and its pragmatic face are needed to sustain pluralism, individual rights and constitutional application of law (Canovan, 1999). PiS eroded this face and instead advocated only for the redemptive side.

Conclusion

Having analysed the populist strategy of PiS, namely: 1) employment of social welfare benefits and redefinition of true Polish citizens, 2) manipulation of the fair electoral process, and 3) institutional and judicial dependence on the ruling party, we see that it effectively maintained legitimacy while eroding liberal democratic values in Poland. More precisely, thanks to the unfavourable attitudes of Polish citizens toward previous ruling parties and by offering social welfare benefits, PiS bargained for electoral support and legitimacy. The effect of this transaction was strengthened by the definition of better and worse sorts of Poles, which emphasised the populist appeal of PiS at the cost of social discrimination. Having legitimacy, further violations of electoral rules and media bias were tolerated - the electorate believed the changes were introduced to serve the people and show them the political truth. Finally, after granting themselves a sufficiently stable regime without serious opposition, PiS focused on centralising its power over the executive and judiciary, dependent on party decisions and ideology. These changes, again, were legitimised by consistency with the conservative electorate's views and perceived as an effective, direct decision-making process.

These insights are embedded in Canovan's (1999) tension between the redemptive and pragmatic faces of democracy. In Poland, PiS prioritised the redemptive face - effective and strong institutions legitimately served "true" Polish citizens, finally taking charge of the political process. In turn, it concealed the erosion

of the pragmatic face, making peaceful conflict resolution and social consensus impossible - PiS neglected liberal democratic values such as equality, free media, fair elections, an independent judiciary, and political pluralism.

Concerning the observed tension, we can draw two lessons, relevant to protecting liberal democracy in various countries.

First, the erosion of democracy need not be abrupt. Second, the concept of legitimacy is nuanced - it can be successfully employed to covertly centralise the ruling party's power, excused by realising the national interest. The case illustrates that the erosion of liberal democratic values happens gradually, often out of public sight. Only after some time, the tipping point is reached, usually after major violations occur, such as with scandalous pro-governmental propaganda in TVP (Radkowski, 2021). Moreover, we can learn that thanks to gradualism, theoretically beneficial policies such as social welfare benefits, or improving voting accessibility, may be employed covertly, in small steps, to serve the interest of the ruling party. For broader context, it means that, especially in democratic states with supposedly effective constitutional checks and the rule of law, citizens must take the greatest care to ensure they respond to the smallest traces of democratic backsliding.

Second, we learn that democratic backsliding does not always entail great political discontent and public mass response. After all, it is not that the PiS rule was socially unaccepted. All the rule-breaking occurred in covert, legitimate circumstances, which explains why initially PiS was elected and successfully survived two cadencies. Although the redemptive, promissory face of democracy led to the neglect of the pragmatic one, the former, in the form of citizens' legitimacy granted to the government, is crucial for effective rule. The Polish case warns us to be careful about legitimacy - it successfully sustains the illusion that democratic processes are intact, while the rule of law and liberal rights are severely violated. This case is a cautionary example of how autocratic tendencies can hide behind the facade of electoral legitimacy. Indeed, money cannot buy happiness, but it can buy legitimacy.

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Sleep Tight, FNI is Watching Over!

On the background of a quaint piano melody, there is a young family sleeping blissfully. Then, there is a shot of a man dozing off on the couch, with a hand on his loyal golden retriever. Lastly, there is a glimpse of two grandparents enjoying a relaxing slumber in their well-decorated bedroom. The camera pans over to the moon, with a warm, encouraging voice saying "Sleep tight, FNI is watching over..."

This 30-second advertisement was shown on every Romanian television channel in the late 1990s, urging the population to place their money in the National Fund of Investments (FNI), one of the biggest Ponzi schemes in national history. Launched in 1995, FNI was not the first Ponzi scheme to occur in post-communist Romania. However, it managed to attract over 300,000 investors. Against the backdrop of a complicated democratization process, rampant corruption of the political elites, rising rates of poverty, and a lack of socio-political and economic literacy, ordinary people were drawn to the promise of quick class mobility, in the hopes of winning the capitalist game that had begun half a decade earlier.

In light of these events, this paper aims to explore the relationship between democracy and capitalism by attempting to answer the research question of why FNI was so successful. To achieve its goal, the present work will first employ a case study research method, which consists of first explaining, and then analyzing the historical events that led up to the formation, functioning, and eventual collapse of the National Fund of Investments. Secondly, to establish the link between FNI, capitalism, and democracy, the theoretical framework of this paper is based on three principles: a) the heterodox economic approach towards developmental political economy, based on

Nunn's (2009) empirical work; b) Lipset's (1959) thesis on social prerequisites for economic and political development; and c) Sen's (1999) approach towards democracy as a universal value. Lastly, the paper concludes with a diagnosis of the case, providing an answer to the research question.

Case Study

In December 1989, after 42 years of communism and 24 years under Nicolae Ceausescu's brutal regime, characterized by ideological orthodoxy, intrusion in the private lives of citizens through the repressive Securitate, and a cult of personality (Britannica, n.d.), Romanians put an end to authoritarianism by executing the Ceausescu spouses after a mock trial. The Front of National Salvation (FSN), aided by the military, took preliminary control of the state until 1992, when, following the first national elections, Ion Iliescu, former Communist Party member and leader of the FSN, became president. Following the Revolution, Iliescu and his party implemented consequential constitutional changes, such as ensuring rights to freedom of speech, assembly, and religious expression, allowing for multi-party elections, and transitioning from a centrally-planned, socialist economy, to a market-based, capitalist model.

These changes enabled a wave of innovations in the Romanian market, ranging from the foundation of the first private enterprises to the popularization of Western media and products. Despite the positive impact of globalization and liberalization on the Romanian ethos, the repressive state apparatus was still present, with violent suppression of protests, a 30% increase in absolute poverty during the first decade of the democratic transition (Precupetu & Precupetu, 2014), and the formation of an oligarchic class, constituted by the former members of the Communist Youth Union (Copilaş, 2021) and former members of the Securitate.

One individual who was part of the newly founded oligarchy was Sorin Ovidiu Vântu, a businessman and former collaborator of the Securitate. Following his arrest in 1983 for embezzlement (Tapalaga & Prisacariu, 2010), Vântu was tasked by the Securitate with gaining information about other inmates, as well as about their savings accounts, thus using the skills he had gained during his professional career as an accountant. He was released from prison in 1985 while continuing his collaboration with the Securitate for two more years. Afterward, he is released from his duties as an informant, based on his 'inappropriate' association with Roma people, alcoholics, and petty businesspeople, as well as his declining health, caused by poliomyelitis (Tapalaga & Prisacariu, 2010).

Following the Revolution, Vântu opened a clothing store in his hometown of Roman, specializing in the commercialization of jeans. Five years later, on October 19th, 1995, Vântu officially launched the National Fund of Investments, which functioned as a Ponzi scheme, similar to its predecessors: Caritas and the Mutual Fund of Businesspeople (FOMA).

Ponzi schemes are a form of investment fraud, in which investors are promised high returns at little or no risk (Chen, 2024). Furthermore, according to Chen (2024), the money received is not actually invested, but the point of the scheme is to attract new investors, to pay the earlier bidders, while a majority of the funds are pocketed by the owners. The cycle continues until no more investors can be convinced to join, which leads to the collapse of the scheme.

These principles were also present in FNI's modus operandi, with two key distinctions: FNI was legally backed by the National Commission of Mobile Goods (CNVM), and it employed complex accounting systems to evade the law. On the one hand, the backing from CNVM meant that the firm was legally allowed to function and that it was safe to invest in, thus providing legitimacy to FNI, which attracted over 300,000 investors. On the other hand, the backing from CNVM was only possible due to the way in which financial laws were broken by the accounting systems of FNI. One of these systems was based on investing FNI funds in companies that were not listed on the stock market, which means that there was no quoted price on the exchange market for them. In turn, this suggests that the value of the investments could be recalculated arbitrarily, based on the interests of Vântu and his partners (Capital, 2010). The estimated value of assets attributed by Vântu and his collaborators through this method is 350 million euros.

The National Fund of Investments eventually collapsed in the year 2000, leaving behind hundreds of thousands of people without their life savings and subsequently disillusioned with the free market (Capital, 2010). Ioana Maria Vlas, the president of the administrator firm of FNI was sentenced to 10 years in jail, while Sorin Ovidiu Vântu managed to escape imprisonment due to the charges passing their prescriptive period. Vântu became one of the richest people in Romania during the 2000s, with an estimated net worth of 800 million euros. He was arrested in 2016, however, for embezzlement and money laundering, but in a case unrelated to FNI (Regional Anti-Corruption Initiative, 2016). Vântu is now widely regarded as one of the most important oligarchs of the 1990s and 2000s in Romania, owning a wide network of media outlets and having

ties with multiple political figures. Although the democratization process of Romania is now mostly complete, being regarded as a 'flawed democracy' (The Economist Intelligence Unit, 2024), the events that transpired in the late 1990s and early 2000s have permanently altered the perception of democracy in the national ethos of Romania, shedding light on the difficulty of internalizing liberal values for a post-communist country.

Analysis

In order to achieve this paper's aim, namely to determine why FNI was so successful, the case study is analyzed through three theoretical lenses. Firstly, from a heterodox economic perspective (Nunn, 2009), FNI was the result of historical determinism. Nunn (2009) argues that economic development is deeply related to the long-term effects of historical events, manifested through institutions, culture, knowledge, and technology. As such, there are two aspects that contributed to the success of the Ponzi scheme, namely transitional economic policies and the formation of a new cultural zeitgeist. On the one hand, the institutional and technological components were manifested in the economic policies of the early 1990s, which were characterized by late privatization, especially of unproductive factories, and a lack of Romanian capital to boost the economy. Late privatization occurred mostly as a political decision, given that closing down and selling the factories that were not productive anymore would have led to a spike in unemployment, which, in turn, would have contributed to the already dissatisfied population. An electorate that was unhappy with the State's economic policies would have voted against President Iliescu, excluding him from holding power. Therefore, in an attempt to remain favorable in the public eye, Iliescu's mass-privatization project came to an end only in 1997 (Mischie & ŝchiopu, 2020). Moreover, the lack of national capital, partially due to a lack of productive industry under a market-based system, meant that, in order to boost the Romanian economy, foreign investments were needed. On the other hand, the newly formed national ethos, which was favorable towards self-autonomy and a capitalistic impulse, was also characterized by a strong disdain towards foreign capital. Here, the variables of culture and knowledge become relevant, as, on a cultural level, the disdain was motivated by a lack of shared struggle with Western capitalists. Knowledge-wise, the mostly economically illiterate population of Romania was incapable of managing private enterprises in the early years of capitalism, thus further impeding economic development in the country. As a result, given the politically sensible, but economically

damaging development policies of the State, the need for foreign capital, but cultural opposition towards it, and the lack of necessary knowledge to boost local economies, Romania's transition towards capitalism was unsatisfactory, with reported wages falling even behind African economies (Cernat, 2016). Therefore, under uncertainty and rising rates of poverty, the promise of five-fold returns on investments, as FNI was claiming, represented a mode of class mobility that the average Romanian was striving for.

Secondly, the democratic struggle posed by the emergence of FNI under the barely regulated and ineffective transition towards capitalism may be explained by Lipset's (1959) framework for economic and political prerequisites for development. Lipset (1959) argues that, for democracy to prevail, there is a need for the adoption of four criteria: Modernization, Wealth, Legitimacy, and Effectiveness. From the perspective of modernization, which relates to education, industrialization, and urbanization, Romania was already a modernized nation. Despite its discontent, communism improved the rates of literacy, heavily urbanized the country, and placed major emphasis on the state-owned industry as a symbol of national pride (Tismăneanu et. al, 2006). Wealth, however, which is considered a key driver of democracy (Lipset, 1959), was one of the factors missing from the Romanian landscape of the 1990s. As a former communist society, Romania had managed to diminish class differences, reaching equality levels similar to that of Sweden by 1990 (Precupetu & Precupetu, 2014). Consequently, though, a lack of local wealth necessitated foreign investments, which were frowned upon, thus impeding the democratic transition. On the topic of legitimacy, while the Revolution itself was seen as a legitimate transfer of power and systematic change, the inability of the early democratic institutions of Romania to deliver public services, safety, or economic growth further fueled distrust and uncertainty. Lastly, with the failure of public institutions to fulfill their roles, as well as with the lack of a tradition of civic engagement and political pluralism, the democratic transition of Romania was arduous and slow. Considering these aspects, the emergence and success of FNI may be explained by a national wish for economic and political development, but a lack of better alternatives to achieve these aims.

Lastly, Romanian democracy was not perceived as a universal value, as it is proposed by Sen (1999). In her work, Sen (1999) argues that democracy rests upon its instrumental, intrinsic, and constructive value. Instrumentally, democracy offers power to the governed, which is achieved through the means of elections. However, two factors undermined this value in Romania: the late Presidential elections, which were

held two years after the Revolution, thus delegitimizing the provisional executive; and the formation of an oligarchical power structure, based on the former Securitate and Communist Party members (Copilaş, 2021). The latter upheld the previous power dynamic through class, rather than just the authority of the state. Intrinsically, Sen (1999) argues that democracy fosters individual, positive liberty through participation in political life. Although voting was universal, and freedom of speech was granted by the Constitution, opposition towards the ruling class was met with violent repression from the State. An illustrative example is the case of the *Mineriada*, when, in June 1990, thousands of miners were called by President Iliescu to crush anti-government protests in Bucharest, resulting in 6 deaths and hundreds of injuries (Barbera, 2020). Constructively, Sen (1999) argues that democracy fosters the foundation of societal ideals and principles through dialogue and open debate, which was somewhat accurate for the Romanian population. However, due to the brutalizing effect of Ceausescu's regime, the early democratic cultural ethos was founded on a disdain towards Westerners, motivated by a lack of shared struggle, thus further impeding the democratic transition of the country. Therefore, in a society where democracy had not reached the standard of a universal value, mainly due to how the State continued to suppress democratic impulses, a vacuum of millennial hopes (Lipset, 1959) was created, which was filled by the promise of class mobility granted by Ponzi schemes such as FNI.

Consequently, the Romanian transition towards liberal democracy, which is dependent on free-market capitalism, was characterized by three main factors: a lack of economic development, caused by historical circumstances, which manifest themselves through institutions, culture, knowledge, and technology; a lack of economic and political prerequisites for development, due to ineffective institutions, reduced wealth, and non-existent traditions of pluralism and civic engagement; and an inability to adopt democracy as a universal value, caused by a repressive state apparatus. Taking into account this context, this paper argues that the emergence of FNI and its subsequent success was a means of compensating for these shortcomings.

From Nunn's (2009) perspective of historical determinism, the institutions of democracy were not only functioning on the same structures as their communist predecessors, but they were also ineffective in dealing with market liberalization. Technologically, the antiquated and unproductive Romanian industry was unable to meet the demands of the free market. Therefore, these two factors contributed to small

wages and a rise in unemployment, thus opening up the space for FNI to deceive people into investing in a get-rich-quick scheme. Culturally and knowledge-wise, the negative views on foreign capital and lack of economic literacy prompted the people to rely on self-sufficiency and self-autonomy, which were principles that contributed to the false promises of FNI. Stemming from Lipset's approach (1959), despite the urbanization, high literacy rate, and communist industrialization, the absence of local wealth and a tradition of civic engagement, as well as the ineffectiveness of public institutions, contributed to under-development and distrust in the new system, which was then capitalized on by Ponzi schemes such as FNI. Lastly, based on Sen's (1999) framework, the repressive state apparatus, which impeded the process of democracy becoming a universal value, further delegitimized the new regime, thus urging people to turn to alternatives in the free market, an example of which was FNI.

Discussion

The three theoretical frameworks previously provided suggest that the success of Ponzi schemes is linked to a lack of technical knowledge, to historical, cultural, and socio-economic factors, and to democracy not being upheld as a universal value. Although this approach is rooted in empirical research and normative principles, one may argue that the real reason behind FNI's success can be explained solely by the people's wish for class mobility.

While this reasoning holds true to a certain extent, given that the allure of Ponzi schemes is specifically that of quick upwards class mobility (Chen, 2024), this paper claims that limiting the explanation of such a complex phenomenon to a single point means ignoring the context in which the events unfolded.

Considering that, as previously mentioned, FNI was not the first Ponzi scheme to penetrate the post-communist Romanian market. Given the popularity of its predecessors, such as Caritas, which went bankrupt in 1994 with a debt of 450 million dollars (Dumitru, 2022), it is reasonable to assume that the Romanian people could have been aware of the high risk of investing in such a scheme. However, the fact that FNI still amassed over 300 000 investors illustrates that its success is not only based on the wish of the people to build liquid assets, but also by the general public's inability to fully comprehend the socio-economic mechanisms behind the scheme's operation.

Therefore, Nunn's (2009), Sen's (1999) and Lipset's (1959) theses provide the explanation of the context which FNI capitalized off of, in order to attract investors. While upwards class mobility may have been the salient reason for investing, the lack

of liberal institutions and technological knowledge, the repressive state apparatus, and the shortage of wealth, legitimacy and effectiveness are more accurate predictors of FNI's success.

Lessons

This paper has taken into account the historical context before and during FNI's operations; the societal, economic, political, ideological and institutional challenges that the Romanian population were facing; and the theoretical frameworks that provide both empirical and normative explanations to the post-communist, democratic transition of Romania. Consequently, the present work finds two relevant takeaways:

On the one hand, an unstable society paves the way for Ponzi schemes to emerge. In the context of few market regulations and institutional failure to provide the population with economic and political support, the people will look for alternative ways to meet their needs, one of which is financial stability. In this case, the alternative was FNI.

On the other hand, predatory market tactics, such as Ponzi schemes, operate very efficiently during the transitory period towards democracy. In a country that still has a repressive state apparatus which denies the formation of instrumental, intrinsic and constructive values Sen (1999), people will attempt to fill the ideological vacuum with pragmatic solutions, such as class mobility. In Romania, the Mineriada, the Iliescu Administration, and the new oligarch class were thus responsible for the success of FNI.

Conclusion

To conclude, the National Fund of Investments, founded by Sorin Ovidiu Vântu, a former collaborator of the Securitate, was one of the biggest Ponzi schemes in Romanian history, characterized by complex accounting systems used to evade the law, while also benefiting from the legal protection of the CNVM as a guarantor for the scheme's legitimacy. Taking place in a complicated and disheartening context, the Ponzi scheme gained massive success, amassing over 300,000 investors who ended up bankrupt, as FNI collapsed in 2000. This paper argues that, based on three theoretical frameworks, the success of FNI was attributed to the repressive state apparatus, a lack of national wealth and legitimate institutions, and a newly formed cultural ethos. The discontent of the democratic transition led to increased self-autonomy and self-sufficiency, as well as to the need for upward class mobility as a countermeasure to increasing poverty and rising unemployment. FNI managed to

capitalize on these feelings and needs of the people, while also leading to the general population facing another disappointment: the very system that the Revolution brought about.

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Reinforced Schengen Information System: data protection issues

The recent years have seen an increasing usage of modern security technologies in the management of borders and the movement of people within the developed world (Martins & Jumbert, 2022). The development of tools, such as facial recognition or advanced biometrics, has allowed the governing authorities to exercise ever more oversight over the individuals present within their borders (Martins & Jumbert, 2022). The institutions introducing such changes justify them by the increasing migratory pressures (European Commission, 2023), as well as the aim to combat terrorism and serious crime (Thym, 2023). However, this expansion has been hotly contested, with some claiming that the underlying goal is one of social control, which has been the primary aim of nation-states ever since their inception, and now can be achieved through such modern technologies (Tilly, 1994).

As such, the opponents of the newfound measures have labelled them as a manifestation of 'function creep' (Thym, 2023), a phenomenon which can be defined as an imperceptibly transformative and therewith contestable change in a data-processing system's proper activity (Koops, 2021). In particular, three specific aspects are important to understand this complex phenomenon: the creation of new databases, the collection of an increasing number of personal data, and extended access for law enforcement (Thym, 2023, p. 225). According to critics, such processes have led to a sudden (Koops, 2021), unilateral, and unjustified erosion of personal privacy, which they have not been consulted on and agreed to (Borak, 2024).

The European Union (EU) has also participated in this trend, gradually increasing the complexity of its systems of control, all the while giving its authorities additional tools based on the collection of personal data (Thym, 2023, p. 225). This trend has been particularly visible since the beginning of the 'War on Terror', following the 9/11 attacks in the US. It was then further accelerated by the combined migration and terrorism crises in Europe during 2015-16 (Thym, 2023, p. 225).

In particular, March 7th, 2023 saw the launch of the renewed Schengen Information System (SIS) (European Commission, 2023), which introduced a wide variety of new measures matching the aforementioned threefold characteristics of function creep. The changes included within the upgraded SIS were the implementation of biometric data, enhanced access to the databases for authorities, and the introduction of new databases, based on which relevant alerts can be issued

(Thym, 2023, p. 225). The new measures have sparked anxieties, with many claiming that they infringe the fundamental rights guaranteed by the EU (Statewatch, 2023).

Thus, the research question examined within this essay is- *In what ways do the new features within the renewed Schengen Information System affect the fundamental rights within Articles 7, 8, and 19 of the Charter of Fundamental Rights of the EU?*

The most important fundamental right concerned within this paper is contained within Article 8 of the Charter of the Fundamental Rights of the EU (Charter) – the right to the protection of personal data (CFREU, 2012). The supplementary sections considered within this paper will also be Article 7 – the right to respect private and family life, home, and communications; as well as Article 19 – protection in the event of removal, expulsion, or extradition (CFREU, 2012)..

Accordingly, this paper will argue that the latest features within the SIS violate the fundamental rights provided within the Charter, namely in Article 8. They also put at risk a potential breach of its Articles 7 and 19 (CFREU, 2012). This is further amplified by the data protection efforts being wholly inadequate to deal with the extensive intrusion into personal data resulting from these newfound measures. Finally, the investigation will conclude with a recommendation for the Court of Justice of the European Union (CJEU) to examine the proportionality of the new features in light of their objectives and their adherence to EU fundamental rights (European Commission, 2023).

Biometric data

Perhaps the most significant change introduced by the renewed SIS is the collection of biometric data within its database (European Commission, 2023). Biometrics are information technologies that permit the measurement and analysis of human body characteristics (Lyon, 2008). The definition further provided within the SIS Regulation reads: “personal data resulting from specific technical processing relating to the physical or physiological characteristics of a natural person, which allow or confirm the unique identification of that natural person” (European Parliament, 2018).

As of March 2023, the following biometrics are entered into the SIS – photographs, palmprints, fingerprints, finger-marks, palm-marks, and DNA records (only concerning missing persons) (European Commission, 2023). The introduction of biometrics to SIS presents a threefold problem regarding the protection of personal data.

Firstly, the existence of false positives and negatives could result in incorrect identification or mistreatment from the authorities (Bellanova et al., 2022). Secondly, crimes could be committed using forged biometric traits, which may lead the authorities to pursue the wrong perpetrator. This would lead to issuing alerts searching for innocent individuals, unnecessarily and unjustly intruding within their lives. Such measures could thus result in significant violations of Article 7 of the Charter.

Finally, the extensive gathering of biometric data may lead to unwarranted surveillance, as the authorities could be able to track the movement of individuals based on their personal identifiers (Bellanova et al., 2022, p. 6-7). This is an especially justified concern, given the propensity of law enforcement agencies to abuse their surveillance power (NLTimes, 2023).

Alerts

Among other measures, the reinforced SIS expanded the use of alerts on a wide range of criminal offences (European Commission, 2023). In doing so, it aimed at curbing irregular migration, and terrorism and protecting vulnerable persons. However, critical problems arise regarding the practical implementation of these rules, which may lead to violations of EU fundamental rights.

Terrorism and serious crime; Missing and vulnerable persons

The incorrect issuing of an alert on terrorism will necessarily lead the authorities to collect additional targeted information on an innocent suspect, which will then be stored within SIS (European Commission, 2023). However, even if the individual is cleared of suspicions, they may not be removed from the system due to misconduct from the authorities (Autoriteit Persoonsgegevens, 2023). Thus, there is a potential for unjust restrictions based on the violation of the right to protection of personal information (CFREU, 2012).

A similar logic follows regarding alerts on vulnerable persons. Incorrect targeting in this case may lead to an intrusive intervention into an individual's home life and family situation. This might then result in a violation of the right to respect private and family life, home and communications (CFREU, 2012).

Return decision

As the new features include the placement of return decisions into SIS (European Parliament, 2018), this change may inadvertently lead to increased risks of refoulement (Jeanty, 2022). This is due to some countries having significantly higher rates of refoulement than others, because their subjective criteria of what constitutes a

safe country and lack of information specific for the considered individual (Jeanty, 2022). Therefore, considering the track record of some EU countries on the issue (Jeanty, 2022), there is an increased risk of violation of Article 19 of the Charter.

Enhanced access to data

A particular source of concern regarding the protection of personal data within the reinforced SIS is the expanded access to data for both EU agencies and national authorities. The more institutions that have access to personal information, the bigger the chance of the system being ultimately compromised, or violations being committed. Such circulation of data can further increase the likelihood of unwarranted surveillance.

Among the new changes from March 7th 2023, Europol and national immigration authorities now have access to all alert categories in the SIS under Article 35 (European Parliament, 2018). Furthermore, the operational teams within the European Border and Coast Guard Agency (Frontex) have now been granted access to SIS databases under Article 36 (European Parliament, 2018).

Granting access to personal data to law enforcement institutions should always come with increased awareness of potential risks and abuses of power. Consequently, considering the widespread reports of institutional misconduct at Frontex revealed by its leaked 2021 OLAF Report (European Parliament, 2018), this extension of powers raises significant risks of EU fundamental rights violations.

Although the European Commission is obliged to carry out the evaluations of use of SIS by Europe and Frontex (European Parliament, 2018), they are required at least every five years. This is a wholly inadequate timeframe, considering the scope of potential violations and the likelihood of law enforcement agencies committing them.

Finally, recent reports of the relevant authorities sharing personal data with third countries, even based on explicit consent of a Member State, issues concerns regarding whether an individual's personal data contained within SIS can be leaked.

Insufficient data protection

In terms of data protection, the responsibilities are divided evenly between the Union authorities and Member States (European Parliament, 2018). The Central SIS, which is managed operationally by eu-LISA, stores all of the relevant information, while being in charge of its security and coordination (European Parliament, 2018). Those activities are monitored by the European Data Protection Supervisor (EDPS) (European Parliament, 2018). Correspondingly, the relevant national authorities (N.SIS)

supervise the application of the data protection rules in their countries (European Parliament, 2018). Authorities on both the national and Union level then cooperate to ensure proper supervision (European Parliament, 2018).

However, such an oversight structure cannot successfully ensure data safety, as the authorities are merely capable of responding to the abusive actions of an entire network of interoperable law enforcement agencies (European Commission, 2023). Thus, any positive developments for data privacy are effectively a drop in the bucket against a wide range of violations. This is further amplified by the hostile response of law enforcement agencies to any investigative actions, which further hinders regulatory efforts (Autoriteit Persoonsgegevens, 2023).

The highlighted phenomenon has been recently visualised by a report by the Dutch Data Protection Authority (DPA), the data privacy authority for the Netherlands, on the use of SIS by the Dutch National Police (Autoriteit Persoonsgegevens, 2023). It highlighted many examples of data privacy violations. The investigation revealed a broad range of abuses- including inaccurate or incomplete information about individuals, alerts being retained longer than the necessary period, lack of verification of the alerts' accuracy or incorrect registration of individuals within SIS for inappropriate reasons. Such violations have led to unnecessary detentions and unjust refusals of border crossings (Autoriteit Persoonsgegevens, 2023).

Despite the initial non-response by the Police, this case eventually resulted in measures to tackle the problem, markedly – only after the DPA threatened penalties (Autoriteit Persoonsgegevens, 2023). Consequently, reports like that present a clear pattern of abuse of the newfound powers, with further hostile attempts at legitimising their own actions. This is further compounded by the relatively short timeframe since the inception of the reinforced SIS, which should have been a period of particular awareness for any potential violations.

Even though the system guarantees the right to access, correct or delete the data stored in the SIS such procedures are complicated and require requesting such data from specific national authorities (European Parliament, 2018). In addition, they require the explicit knowledge that such information is being handled by SIS (Autoriteit Persoonsgegevens, 2023). Therefore, one can reasonably expect that the majority of the individuals whose data are present in the system are not aware of this circumstance (NLTimes, 2023). As a result, the level of protection offered is essentially

flawed. It relies on the proactivity and knowledge of an individual on how to protect himself from unwarranted surveillance, instead of providing a public safeguard.

Thus, the claim of solely targeting individuals wanted within the Schengen Area is simply not realised at this moment (European Commission, 2023). This is due to there being no significant protection from gathering personal information from the majority of people.

The level of data security guaranteed within the new measures is inadequate to the severity of the introduced surveillance features, particularly considering the greatly expanded access and information-sharing capabilities. This critical deficiency is especially relevant considering the highly sensitive information contained within biometric databases, which can be used to access personal smart technologies or bank accounts.

Crucially, as the new features have only been introduced in 2023, there has not yet been a sufficient legal test of the introduced measures. Therefore, one can conclude that judicial control in this domain has been weak. However, there is a need for the CJEU to step in and examine the adherence of the introduced measures to EU fundamental rights, as well as the proportionality in light of their stated objectives of combatting criminality and deterring irregular migration (European Commission, 2023).

The CJEU could follow in the footsteps of the *Ligue des droits humains* ruling (CJEU, 2022), where it interpreted the Passenger Name Records Directive (PNR), defining the allowed scope and scale of data gathering. Such an approach would be particularly relevant, as this judgment considered the PNR Directive against Articles 7 and 8 of the Charter – same as suggested within this paper.

All things considered, the protection of personal data gathered within the SIS is wholly inadequate considering the extent of intrusion into the individual's privacy resulting from the new measures.

Conclusion

Ultimately, the features present within the Schengen Information System from March 7th 2023 violate the right to the protection of personal data, as guaranteed by Article 8 of the Charter (CFREU, 2012). They also put at risk the potential breach of the right to respect for private and family life, home, and communications; as well as protection in the event of removal, exclusion or extradition - contained within Articles 7 and 19 of the Charter (CFREU, 2012).

This inference was based on a close examination of the wide spectrum of introduced measures. In particular, this investigation revealed a persistent pattern of insufficient data protection, a troubling extent of access to personal information, and a potential for the new databases to be used for vast surveillance

It remains to be seen how the CJEU would rule on the proportionality of the newfound measures, as well as their adherence to the aforementioned fundamental rights of the EU. Nevertheless, a thorough scrutiny of the basis for the new measures and real-life examples of misconduct display a significant potential for abuse of the newfound powers by national and Union authorities.

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The Cyprus Problem: (Un)united State

In the Mediterranean island of Cyprus, we can find today the last divided capital of the world, Nicosia (Zaman & Hall, 2023; Güları & Zecca, 2021). Cyprus has a unique geographic location, at the crossroad of three continents and their commercial routes- Europe, Africa, and Asia (Yiangou & Heraclidou, 2018; Güları & Zecca, 2021). As such, the island has a long history of imperial and colonial rule, ranging from the Byzantines in the year 688 all the way to the British in 1878 (Encyclopedia Britannica, 2024). A major turning point for Cyprus under British rule was the gradual transition to an independent state. The Greek-Cypriots (majority population) were at the time fuelled by sentiments of political union with Greece, which also heightened concerns by the Turkish-Cypriots about their future in the country (Yiangou & Heraclidou, 2018). As a response, Turkey began increasing the divisions between the two communities and Turkish-Cypriots began seeking assistance from Turkey rather than Britain. It was only in 1960 that Cyprus was declared independent with its own constitution, although Britain retained its sovereign military bases (Bibó, 2013; Yiangou & Heraclidou, 2018).

Tracing the relationships between Greek and Turkish Cypriots, for over 400 years they had lived in mixed villages peacefully (Zaman & Hall, 2023). However, the Greek revolution against the Ottoman Empire, and conflict between Greece and Turkey during WWI exacerbated intercommunal violence in Cyprus, reducing the amount of mixed villages from 43% in 1878 to 10% in 1970. Due to the increasing divisions and violence between the two communities, the United Nations established a buffer zone in 1963, partitioning the capital Nicosia, and the island itself (Güları & Zecca, 2021; Yiangou & Heraclidou, 2018; Zaman & Hall, 2023; Herta, 2012). Finally, the conflict reached its climax when a Greek military-led junta tried to overthrow the president of Cyprus, which triggered the Turkish invasion of 1974 and marked the division of the island in two territories; driving Greek-Cypriots to migrate to the south and Turkish-Cypriots to the north (Güları & Zecca, 2021; Zaman & Hall, 2023).

At this point, the formally known Cyprus Problem has developed. A relatively new democracy, The Republic of Cyprus, is trying to survive with one third of its territory annexed after a foreign invasion. Meanwhile, in the north, the government of the self-proclaimed Turkish Republic of Northern Cyprus (TRNC) was established, not formally recognized by any other state in the world except for Turkey (Urea, 2019; Kanol & Köprülü, 2017; Krasniqi, 2019). The tensions between the two sides are still highly prevalent and no formal agreement has been made for the unification of the country. Therefore, this makes the state of democracy in Cyprus particularly intriguing. This paper aims to tackle the research question of 'How does the Cyprus problem define democracy in Cyprus?'. This is done by first examining the different types of existing governments in the country and then the inter-communal implications of unification. Moreover, the international order and its role in Cyprus will be explored. Lastly, the failed attempts to form agreements between the north and the south will be analyzed.

Democracy in (Un)recognized Territories

The TRNC has established some type of state sovereignty, understood as the ability of a state to control its borders and to exert jurisdictional authority within them (Krasniqi, 2019). There exists a centralized government, a multi-party political system, and control over claimed territories. Nonetheless, the economic dependency on the state of Turkey reaches concerning levels as the TRNC cannot sustain itself (Kanol & Köprülü, 2017). Whether or not the unrecognized state of the TRNC can be considered a functioning democracy is what needs to be better understood.

Understanding democracy from the work of Sen (1999), there are three values which are central to this postulate: (1) Instrumental value; (2) Intrinsic value; (3) Constructive value. We can determine that TRNC has established certain civil and political rights which allow the people to voice out their problems and use their power to vote in somewhat free electoral processes (Freedom House, 2002). Moreover, there exists a relatively strong liberty to personal autonomy also allowing for participatory and organizational rights. Finally, there exist examples of protests pushing the government to listen to the people's demands, for example 2009 anti-UBP policy protests (Kanol & Köprülü, 2017). The three values are thus met considering the aforementioned points respectively.

Nonetheless, a contrasting picture of the democratization of the TRNC can also be taken. Tilly (2000), identified four markers to democracy which can help explain why

the TRNC may not fit into this category. More specifically, the importance for political influence by citizens onto the governing body and its decisions. In the TRNC, a 'settler recruitment program' was established, leading to an overwhelming increase in the number of Turkish settlers (Krasniqi, 2019). Out of about 220,000 people, 115,000 are estimated to be settlers, compared to less than 90,000 Turkish-Cypriots (Krasniqi, 2019). Therefore, it is reasonable to question how this shift in demographics hinders political influence that is true to the Turkish-Cypriot cause when the majority (i.e., Turkish settlers) cannot, and does not share the same exact culture, language, and grievances (Kotsidis, 2022). Furthermore, Tilly (2000) emphasizes state integration as another defining characteristic to democracy, for instance through the provision of citizenship. TRNC citizenship is not recognized by any country except Turkey, and holds little power (Kotsidis, 2022). This condition led to an increasing popularity amongst citizens of the TRNC to obtain the passport of the Republic of Cyprus (RoC), to which the TRNC responded by threatening to confiscate passports and jail individuals whilst also preventing access across the Buffer Zone – commonly known as 'Green Line' (Kotsidis, 2022). These existing conditions make it rather questionable to identify the TRNC as a democracy.

The RoC has had a very different governmental development to that of the TRNC. Unlike the northern counterpart, Cyprus has established autonomy of its ruling and decision-making, without explicit influence from Greece (Bishku, 1991). Breaking away from colonial rule and joining the commonwealth, Cyprus established sovereignty. More importantly, the country officially joined the European Union (EU) in 2004 (Yiangou & Heraclidou, 2018). This integration into a supranational body officially integrates the whole territory of Cyprus in the EU, but restricts EU jurisdiction to areas controlled by the RoC (European Union, n.d.). Overall, since its independence, Cyprus as a recognized state has established not only self-determination, but also stable democratic politics, as well as an economy based on free-market ideals (Yiangou & Heraclidou, 2018).

Fenced Communication

Since the Turkish invasion of Cyprus in 1974, there have been certain lines of communication mediated by the United Nations (UN) to reconcile the South and the North into one central governing body (Urea, 2019). However, each side set completely different goals; the Turkish-Cypriots emphasized the importance of political equality and the formation of a new bi-lateral state whereas the Greek-Cypriots highlighted

property rights, freedom of movement and upholding the current republic (Urea, 2019). Unfortunately, all the efforts have been futile, from the Annan Plan calling for a new state in a referendum, being rejected in 2004 (Amaral, 2018; Zaman & Hall, 2023; Michael, 2013), to the Crans Montana negotiations failing in 2017 (Crisis Group, 2024).

For 29 years, the borders between the two parts of the island had been closed off (Zaman & Hall, 2023). It was only in 2003 that they had opened, allowing for people from both sides to cross for the first time, and for lines of communication to be established (Urea, 2019). Not only have about four decades of UN efforts been successful (Crisis Group, 2024), but the establishment of a buffer zone has exacerbated the divisions of Cypriots (Greek and Turkish), and impeded notions unification (Zaman & Hall, 2023; Herta, 2012; Bolukbasi, 1998). The borders themselves have significant impact on the people of Cyprus as they transcend their physical materialism and become symbols of division, conflict, and illustrating the unattainable succession to unison (Zaman & Hall, 2023).

Cypriots of both parties have been unable to form a collective identity (Zaman & Hall, 2023). It is possible to identify that the solidification of borders and failed communications amplify the difficulties in reaching consensus. These two issues have created multifaceted impasse. For instance, both sides have created opposing narratives on the Cyprus Problem (Zaman & Hall, 2023) and people of both sides have been receiving tremendously distinct forms of education (Güları & Zecca, 2021). Therefore, the border has only helped to accentuate the contrast between the two sides. For example, one being more Christian leaning and the other more Islam leaning (Zaman & Hall, 2023). Furthermore, shifting rationals from one of governmental consolidation, to priority setting on what is to be gained, and what is to be lost by Greek-Cypriots and Turkish-Cypriots has made it very difficult to see eye-to-eye (Michael, 2013).

International Dimensions

It is imperative to consider how the Cyprus Problem is not solely a domestic issue as it is inherently an international one (Bibó, 2013). Greek-Cypriots have always been looking for support from their Greek counterpart, whereas Turkish-Cypriots have had to seek the support of Turkey in protecting themselves (Yiangou & Heraclidou, 2018). Tracing these links back to the Treaty of Guarantee, Britain, Turkey, and Greece have been, since the founding stages of the RoC, considered as the guarantor states to this transition to independence (Bishku, 1991). Therefore, the Cyprus Problem has

never existed in itself as a problem of merely Cypriots but has pertained to the 'intrusion' of the Greek and Turkish political, military, and economic motives.

Furthermore, this conflict has involved actors such as the United States as well as the overall body of the European Union since Cyprus' inclusion in the European Union in 2004. American-led efforts to mediate the conflict dated back to 1964 in the rule of President Johnson. The Turkish government had initially warned the United States that if they prevented Turkey in protecting Turkish-Cypriots, there would be grave consequences (Guneş, 2004). Thus, America had continued supervising developments in a so-called quiet diplomacy maintaining active communication between the two sides. Moreover, Cyprus as a European Union Member State has also created concerns for Turkey. The possibility that Turkish-Cypriots could be considered European citizens meant that there may be an increasing alienation from Turkey (Yiangou & Heraclidou, 2018). Overall, membership to the EU translates the problem of Cyprus to a broader international context which expands the dimensions of the conflict even more.

The United Nations formed the United Nations Force in Cyprus (UNFICYP) by sending peacekeeping troops to the island in 1964 (McGarry, 2021). There are indeed some positive attributes to the UN intervention in the Cyprus Problem. For instance, it has tried to establish communication channels towards unification by constructing the Annan Plan or other bi-communal projects. In addition, it has continuously shown efforts in enabling contact between Greek and Turkish Cypriots because intergroup communication has proven to increase desire for coexistence (McGarry, 2021). However, its biggest weakness has been the impossibility to force the parties to form a resolution and shifting its role to merely providing oral comments on proposals of either side.

Cypriot Identity

Despite all the efforts and negotiations between the RoC and the TRNC in almost five decades, an underlying factor which hinders the possibility for unification under one democracy for all Cypriots, is the shift in identities. Under the TRNC, Turkish-Cypriots are practically an unrecognized peoples' in the global order (İlter, 2014). The escalation of conflict in Cyprus over the years had forced Turkish nationalism upon Turkish-Cypriots as a reaction to the strong Greek nationalistic views that Greek-Cypriots embodied. Social Identity Theory (SIT) can be used to understand the

implications of shifting identities in Cyprus; how these impede progress and how a united future can be truly conceivable (Tajfel & Turner, 1979).

The overall demographics of the Northern part of Cyprus have changed drastically, with an influx of Turkish immigrants after Turkey's invasion of 1974 (İlter, 2014). The initial relations between Turkey and TRNC establishing Turkey as a savior of the Turkish-Cypriot population has somewhat changed to that of a neo-colonial possession. Since 1974, the Turkish-Cypriot population has once again become a minority group subjugated to a stronger power – Turkey. Thus, Turkish initiatives in the North of Cyprus are currently stripping away most of the independent rule that Turkish-Cypriots have on their own possessions as well as ways of life (İlter, 2014).

On the other hand, the Greek-Cypriot population that has been fuelled in the past by sentiments of union with Greece is witnessed (Papadogiannis, 2021). The Greek roots of Greek-Cypriots have remained prevalent in today's RoC, with Greek being the official language taught in school and the celebration of Greek holidays in the country. Furthermore, the religion of Greek-Cypriots has strong implications for a completely alternate perspective on Cypriot identity; linked to Christianity and not to Islam.

The human species is an inherently social being with a fundamental need for interpersonal relationships (Baumeister & Leary, 1995). The social connections that we form can help create unity but also enhance division between in-groups and out-groups. By turning to SIT, we can better understand the importance of group-membership in affecting well-being and behaviour (Tajfel & Turner, 1979), more precisely in the case of the Cyprus Problem. Based on the work of McKeown et al., (2016), we can infer that as long as Turkish-Cypriots and Greek-Cypriots remain so strongly divided in their religious belief structures and with beliefs of unification being suppressed, the overall Cypriot identity is lost. The distinctions of these two communities are being strengthened which further impedes the possibility of establishing common ground and potentially a commonly agreed democratic system.

Conclusion

The Cyprus Problem is an extremely complex conflict with its roots reaching centuries in the past. The current political situation of Cyprus provides an interesting case study about the relations of two territories – one internationally recognized and the other not – and their historic attempts to establish a unified state. There are implications for what democracy means in the context of Cyprus; whether or not the

TRNC can be considered a democracy. Furthermore, both sides have been working on imagining a future together, marked by compromise and negotiations.

The story of Cyprus since 1974 is not just a story of war and inter-communal conflict. It has become a story of communicative struggles. Since the 1960s, despite all the efforts to establish common ground, there have been no successful negotiations between the RoC and the TRNC. The growing increase in Turkish settlers in the north can raise questions about the legitimacy of elections and of representation. The Turkish-Cypriots are once again a minority, and are seemingly stripped away of their true voice in decision-making and in their struggle as it is being engulfed by Turkish nationalist ideals.

Moreover, the Cyprus Dispute represents a conflict not just between the two bodies of the TRNC and the RoC, but also of international actors such as, but not limited to: Greece, Turkey, Great Britain, and the United Nations, the United States. Bringing global powers into this conflict makes it harder to find solutions when each party tries to look after their own interests. Therefore, it is possible to establish an even more complex network of events to this conflict which cannot be exhaustively covered in this paper.

In conclusion, when we talk about Turkish-Cypriots and Greek-Cypriots, the common thread, 'Cypriot' is being consistently lost. If physical and spiritual divisions continue to exist or grow at the current rate for the past five decades, it is difficult to envision a future democracy incorporating these two sides. This case study should not become a pessimistic view on inter-communal unification; instead, it should push Cypriots to expand their efforts in envisioning a democracy for all Cypriots alike.

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E is for Education: Early Childhood Education and Care in the EU

Early Childhood Education and Care (ECEC) has been identified as a pivotal component of children's development by science and politics, and the EU has committed itself to providing accessible and high-quality ECEC to all EU citizens. While important progress has been made through existing frameworks, work to address the issues preventing ECEC from being high-quality and accessible has been slow and inefficient. The Commission's competencies are limited, but nevertheless, the EU has thus far not made use of all the available tools. The following policy proposal will

showcase the need for the EU to make ECEC free for all citizens to ensure its accessibility and provide educators with Continuous Professional Development, adequate benefits and support, and a gender-inclusive work environment to make the profession more attractive and guarantee children receive high-quality care that benefits their development.

Problem Definition

Access to quality and inclusive education has been a fundamental goal of the EU since its founding and is enshrined in the European Pillar of Social Rights. The European Union (EU) has long emphasized the importance of and its commitment to providing high-quality education to all EU citizens and ensuring the cohesiveness of said education across all EU member states (*Education and Training – EU Support / European Union*, n.d.). Education is vital in all stages of life, but it is particularly Early Childhood Education and Care (ECEC) that is decisive in shaping people's lives.

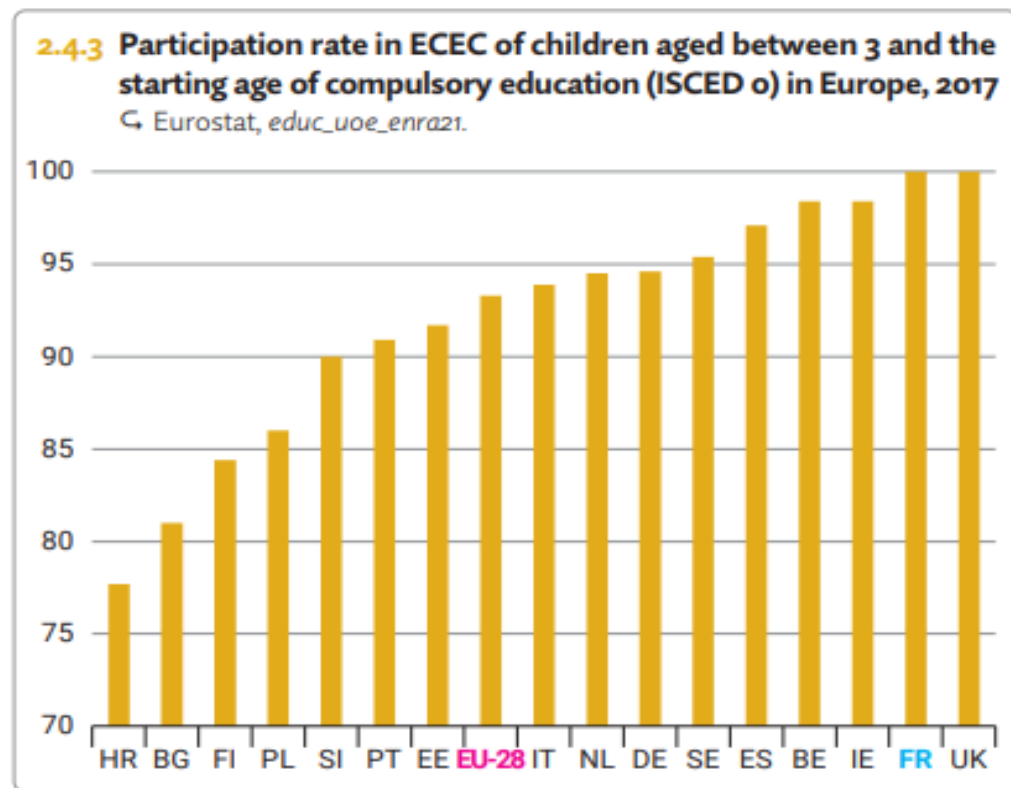
Research has proven the importance of ECEC in fostering social and emotional learning in young children, which will persist in their adult lives and thus affect their professional and social development (Tabroni et al., 2022). Early learning and the environments in which it takes place play a major role in children's future abilities (Niklas & Schneider, 2014), and competencies gained in kindergarten have tremendous effects on future employment, criminal activity, and mental health (Jones et al., 2015). ECEC is consistently found to improve children's cognitive development and language skills, particularly for children from disadvantaged backgrounds and in socio-economic hardship (Davies et al., 2021).

These effects are also dependent on the quality of ECEC provided; low levels of education in ECEC staff mitigate the positive effects ECEC has on children (West et al., 2020), while Continuous Professional Development (CPD) for educators is important and beneficial, not only to children but also to the educators themselves (Bove et al., 2018).

However, the EU is currently permeated with large differences in all these categories: enrolment of children in pre-primary education between the ages of 3 and the start of compulsory education has double-digit differences across EU countries, and the enrolment difference only gets larger when one looks at children below the age of 3 (Figure 1).

Figure 1

Participation rate in ECEC of children aged between 3 and the starting age of compulsory education, 2017 (Directorate of Evaluation, Forecasting and Performance



monitoring)

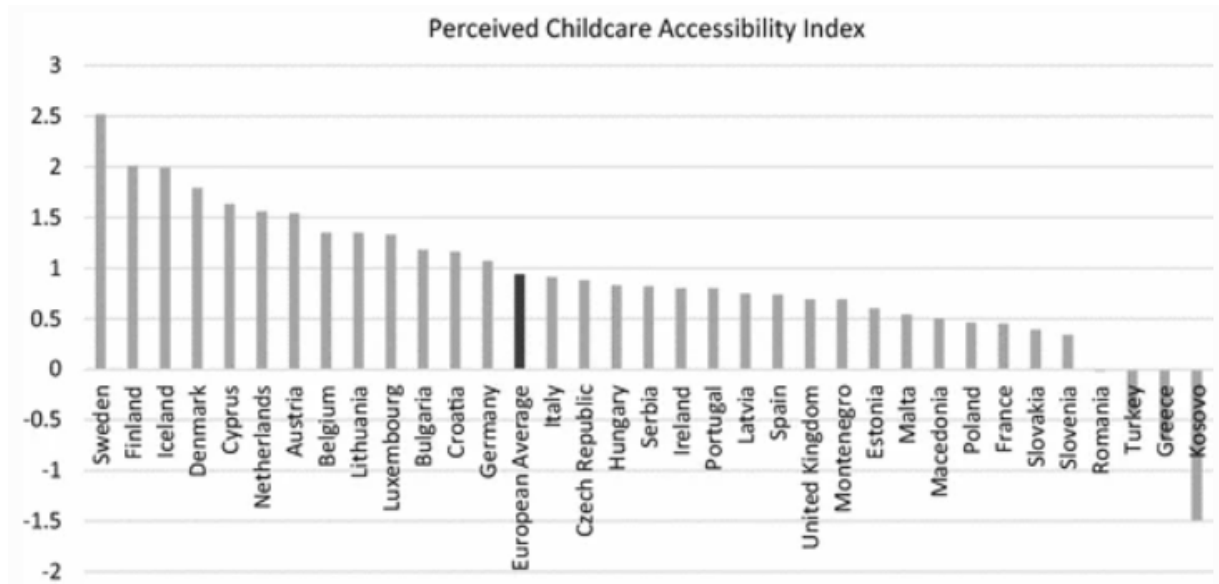
Perceived accessibility of ECEC is also wildly different across EU members. Childcare appears the most accessible in Nordic countries and the least in more recent members like Romania, additionally strongly correlating with parents' socioeconomic status and income (Figure 2).

Figure 2

Perceived Childcare Accessibility across EU member states (Ünver et al., 2018)

The role of income becomes clearer when analysing the costs of childcare across EU members: systematised in percentage terms of the mother's income, childcare costs range from 0% of the mother's income all the way to over 40%, making the financial costs of ECEC unbearable in certain countries, particularly for lone mothers

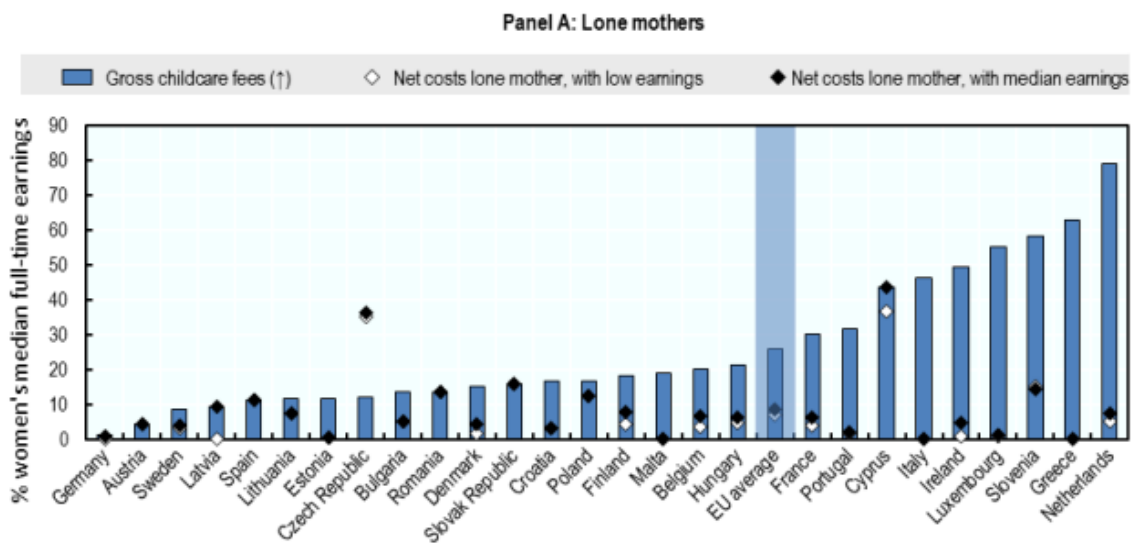
with multiple children



The role of income becomes clearer when analysing the costs of childcare across EU members: systematised in percentage terms of the mother’s income, childcare costs range from 0% of the mother’s income all the way to over 40%, making the financial costs of ECEC unbearable in certain countries, particularly for lone mothers with multiple children (Figure 3).

Figure 3

Childcare costs as a percentage of women’s median full-time earnings across different EU countries (Net Childcare Costs in EU Countries, 2021)



Comparing the costs, enrollment, and perceived accessibility, some data appear inconsistent, such as Germany has the lowest costs but not the highest accessibility. This is due to the availability of spots and the funding system: firstly, ECEC in Germany is not free but subsidised, wherefore the amount parents pay depends on their income. This is insofar an issue as it disincentivises the return to work for many women, for whom this would hardly make a difference in their financial situation, as with increased income, the childcare fees would also increase (*Net Childcare Costs in EU Countries, 2021, 2022*).

Additionally, countries with affordable and accessible childcare end up facing other issues: a lack of kindergarten spots, understaffed childcare centres, and as a result a decrease in quality. Similarly as in Germany, childcare is also subsidised in Hungary, but waiting times are long and oftentimes children do not get a spot due to the insufficient facilities and a shortage in educators (Euronews, 2023; Kertesi & Kézdi, 2014).

Particularly, the shortage of ECEC teachers is hitting many EU states hard. Educators feel undervalued, underpaid, and burnt out, leading to a high drop-out rate in the profession and a continuing decline in new educators (Euronews, 2022). Additionally, only a very low percentage of educators are men and non-women, limiting the quality and inclusivity of ECEC further (Koch & Farquhar, 2015). And since pedagogy education is highly variable across EU member states, educators struggle to transfer to other countries, leading to a lack in professional mobility many pedagogy students regret (European Commission et al., 2014). The resulting rise in the child-to-teacher ratio decreases the quality of education in many ECEC centres, increasing the pressure on educators and worsening the overall condition for teachers and children in ECEC.

Cohesive, high-quality, and accessible ECEC across the EU requires decisive and quick action from the Commission and EU ministers to ensure children have the best possible start in life and to mitigate the inequality of opportunities spanning across member states and preventing European integration from a young age.

Current Policies and Their Limitations

The EU and its bodies have long committed themselves to ensuring equal, high-quality education across the EU and have created multiple frameworks and guidelines to follow said aim.

European Education Area

The most famous such framework is the European Education Area (EEA). Endorsed in 2017 for the first time, it aims to improve the quality of education, ensure inclusivity, and make educational professions more attractive, among many other things (*EUR-Lex - European_Education_Area - EN - EUR-Lex*, n.d.). According to the Treaty on the Functioning of the European Union (1956) (TFEU), Art. 165, education is up to the member states' discretion, meaning the EU has no competencies to mandate any changes in individual member states. It is, therefore, limited to an advisory and supporting role, wherefore the EEA aims not to enforce certain policies but to foster collaboration between member states to achieve more equitable and inclusive education across the EU (*European Education Area Explained*, n.d.). It does so by conducting research, consulting with and between countries, and sponsoring many working groups that together aim to integrate the education systems. While only fostering cooperation, the EEA has achieved significant successes over the years: 80% of Erasmus+ graduates are employed within 3 months after graduation, over 40% of young adults are acquiring higher education, and, of particular interest for this paper, almost 95% of children from the age of 4 are attending some form of ECEC (*European Education Area Explained*, n.d.).

While these achievements are certainly commendable and vital to European educational integration, they unfortunately do not address the problems with ECEC in particular, as outlined above. While the council recommendations and research have helped countries improve their ECEC, the issues of unequal costs across member states, insufficient accessibility, endangered quality, and a shortage in educators and educator mobility remain and are hard to address by fostering collaboration only. While EU action regarding education is limited due to the TFEU, it has competencies beyond researching and fostering collaboration, such as financially supporting countries in the improvement of their education systems and promoting more opportunities for closer collaboration. Additionally, the current system of the EEA is slow to act and while progress is made, it is not made quickly enough. The EEA's next

goal, namely a 96% enrollment of children 3 years old and above in ECEC, is only to be achieved by 2030 - seven years from now, meaning children needing ECEC right now will be unaffected. Swifter action is needed as ECEC is highly time-sensitive and needed.

European Child Guarantee

The European Child Guarantee (ECG) is another attempt by the Commission to foster inclusivity and equality in ECEC by targeting children at risk of poverty and social exclusion and aiming to guarantee them free education, healthcare, healthy nutrition, and adequate housing (*European Child Guarantee*, n.d.). This action has already been adopted into a recommendation by the council in 2021 and more concrete steps have been described and mandated to be taken by the member states by 2030 (*European Child Guarantee*, n.d.). While this guarantee is much more decisive than the EEA (mostly because the TFEU does not limit its competencies) and member states have already developed action plans to achieve the described goals, these plans span over all four aims of the guarantee, which are all of importance, but which limits the efficacy of actions targeting ECEC specifically. Additionally, no country's action plan addresses the quality of ECEC or the role educators play in guaranteeing it.

However, a homogenising of education systems across the EU is not only not possible in light of the TFEU, but potentially not even desirable, as different cultural traditions are not easily homogenised and not all children and cultures benefit from a unified education system, potentially creating more educational harm than good (Kascak & Koch, 2022).

In light of the EEA and ECG's shortcomings, I will suggest further EU actions to address the cost, accessibility, and quality of ECEC for children and educators within the EU.

Policy Recommendation

In light of the above-described problem definition and the shortcomings, as well as the strengths, of the existing policies aimed at ECEC, I am proposing a plan that consists of three main features: (1) making ECEC free for all children 3 years and older, (2) investing in CPD for ECEC educators, and (3) attracting more people into ECEC professions through (a) higher mobility, (b) more benefits, and (c) more male hires.

1. Free Early Childhood Education and Care

As elaborated above, childcare costs are one of the most striking differences in ECEC across EU members and are highly connected to the perceived and actual accessibility of childcare. This consequently also discriminates against children from low-income families, going directly against the European Child Guarantee. While subsidising childcare does make it more accessible, it can also disincentivise parents' return to the labour force as an increased income would mean increased childcare costs, and the difference would not be worth it for many parents. Therefore, completely free ECEC is the only way to make childcare and supported childhood development accessible to children from all economic backgrounds while at the same time providing parents with a viable and attractive opportunity to return to work, thus further contributing to the EU's market and GDP. The EU, therefore, has not only a moral but also a financial interest in financing ECEC in all EU member states. As analyses conducted for the European Child Guarantee have already shown, the costs of guaranteeing childcare to children at risk of social exclusion are more than coverable by member states (European Commission, 2021), and with financial support from the EU and the European Social Fund Plus (ESF+), which is dedicated to providing education (*European Social Fund Plus*, n.d.), free childcare could become a reality for many families in need. Financial support also stays within the EU's competencies as described in the TFEU, making it not only effective, but possible within the limits set on EU action.

2. Continuous Professional Development for Early Childhood Educators

Having made ECEC accessible to all EU families, one must also address the quality of said care and ensure it benefits the children. As elaborated, the quality is highly dependent on the qualifications of educators, but these qualifications vary greatly across the EU (which will be addressed in the next part) and so do the opportunities for CPD throughout educators' careers. At the same time, not only have studies supported the importance of CPD in ensuring high-quality ECEC (Bove et al., 2018; Peeters et al., 2018; West et al., 2020), but the EU itself recognises this importance and has committed itself to provide said training (*Education and Training – EU Support / European Union*, n.d.). While here, too, the EU's competencies are limited, it can provide financial support to member states, who can develop their own CPD programs adapted to their education systems.

Simultaneously, EU sponsored development of CPD would not only increase the quality of ECEC and make training more accessible to educators, but it would allow these new developments to be more cohesive across EU members by facilitating cooperation, similarly to the current EEA framework. This would make ECEC more equal in terms of quality for all EU children, as currently, EU countries have very different requirements for becoming educators (*Teaching Careers in the EU*, 2019).

Additionally, financing EU-wide CPD would create more professional mobility for educators, which leads to the next recommendation.

3. Increasing Attractiveness of ECEC Professions

a. Increasing Professional Mobility

A major hindrance in the quality and accessibility of ECEC is the shortage of educators. This is caused by teachers feeling underpaid, undervalued, and overworked, as mentioned in the problem definition.

With the previous step of financing and supporting collaboration in the creation of CPD programs for educators in EU member states, their continuing professional development would be more aligned with other countries, therefore increasing mobility in their career; educators would no longer be tied to the country in which they gained their education and could gather experience abroad, improving their skills and fostering European integration. Since particularly young people value professional mobility, it would make the ECEC educator profession more attractive and increase the number of skilled teachers.

However, this increased mobility would create the risk of educators moving to and working in other EU countries, where they might receive higher pay and more benefits. The following recommendation will counter this possible side effect.

b. Increased support and benefits

Since another factor contributing to the low number of current and new educators is the high stress and burn-out level associated with the profession, member states should provide their teachers and educators with more support, offering and subsidising things such as stress-management courses, psychological support, and more paid-time-off to prevent burn-out. Such support and benefits would make the profession more attractive to citizens, therefore decreasing the child-to-teacher ratio

and improving the quality of education, as well as the working environment of educators.

Additionally, the new mobility guaranteed through EU-sponsored CPD would also cause countries to compete for the best teachers, incentivising them to provide such support and benefits—as well as potentially higher wages in the long run—to attract educators. Thanks to EU funding, this would be made easier for economically less prosperous countries.

c. Attract male educators

Lastly, one vital step in increasing ECEC quality and decreasing its inequality is a greater gender balance in the associated profession. Low male involvement is due to the low pay and high stress of the profession, as well as deeply held gender beliefs and stereotypes that characterise women as more nurturing and inherently suited to childcare (Peeters et al., 2015).

While increasing benefits and mobility - and eventually hopefully pay - would already make the profession more attractive to men, a change in public attitudes and opinions regarding gender roles is needed to foster male participation. Considering EU members have very different education systems and cultures, it is not recommended to create an EU-wide campaign to challenge these gender stereotypes. Instead, the EU should cooperate with individual member states to help them create personalised campaigns to address gender perceptions hindering men from entering the childcare profession and support them financially in implementing said campaigns. For this collaboration, existing net- and frameworks from the EEA can be used to foster communication and culture-sensitivity.

Concluding Statement

In light of the immense importance and impact Early Childhood Education and Care have on children, their development, their adult lives, and, by extension, the functioning and well-being of the EU and its society, it is critical that every child from every EU member state has access to adequate, quality ECEC.

The EU has not yet made full use of its competencies to address the issues making ECEC inaccessible and low-quality. This proposal demonstrated how the EU can expand beyond its current frameworks and support member states in making ECEC

free and high-quality by financially supporting countries, providing educators with Continuous Professional Development and appropriate support and benefits during their professional careers, and attracting skilled, diverse persons to the profession by making it more attractive. These steps would ensure every EU family can access care to foster children's development from an early age and guarantee them the greatest and most equal bandwidth of opportunities in their future lives.

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Transcending American Influence: The Analysis of South Korean Democratization Case

Freedom House's recent report (2024) assessed South Korean democracy with 83 points out of 100, marking it as a free country. It received the same number of points as the United States (U.S.). As there are only a handful of established democracies in Asia, the case of South Korea appears to be an exception in this region, worthy of analysis. Despite the successful sustenance of democracy nowadays, the Korean democratization path was far from simple: coups, authoritarian backslides, and parliament dissolutions rendered establishing its democracy a volatile process.

A significant aspect of Korean democratization was the United States (U.S.)'s influence on it. After the Japanese surrender in 1945, Korean territory was divided by the 38th parallel between the U.S. and the Soviet Union, two superpowers at that moment, with the modern area of South Korea being under the American sphere of influence (Park, 2021). Although the U.S. did not intervene in South Korean politics much (Brazinsky, 2007), it set the basis for liberal institutions and democratic values there, exporting its understanding of democracy. Hence, in its essence, it was still a direct involvement in a new nation-state or a country building by an actor whose power very much prevailed over that of just-post-colonial Korea. This raises the key research question: what was the role of America in South Korean democratization? Was this democratic imposition successful and why?

This paper aims to present and analyze the case of South Korean democratization, particularly considering its internal path dependencies and external U.S. influence. It strives to understand how Korean people established a democratic government with or without the help of the West. The investigation will start with describing the details of the case, employing not only history recollection but also U.S. intelligence reports. Then, this paper will move on to the analysis of the case, using the case description as the fundament for building argumentation. The research will end with a comparison between current South Korean and American democracies. Finally, the conclusion will answer the lingering questions on South Korea's democracy building.

The description of South Korean Democratization Case

Baby Steps: South Korea's First Encounter with American Democracy

In 1945, the modern territory of South Korea was under the American sphere of influence following the Second World War (Park, 2021). The U.S. Military Government (USAMGIK) aimed at assisting the new nation in establishing democratic institutions, crucially a party system and general elections). This was when the future South Korea became first involved in a relationship with the global superpower. In 1948, two critical junctures took place: the enactment of the first constitution and the National Assembly election. USAMGIK, although being dissolved the same year, left its traces in both events that set the initial conditions for Korean democracy. Firstly, it was the main constitution draftee, basing it mainly on the U.S. Constitution (Park, 2021; National Museum of Korean Contemporary History, n.d.). Secondly, USAMGIK, pursuing establishing conditions for decolonization and in line with the anti-communist , suppressed several major parties – notably, the Korean Independence Party (KIP) – from participation in the general election. The peculiarity of this decision lies in the KIP leader, Kim Gu, who was in the Korean Provisional Government (KPG) during the Japanese rule and spent most of his life fighting for Korea's independence (Park, 2021). As the constitution claimed the ROK to be the successor of the KPG, the absence of KIP in the elections hindered political system in the eyes of the public. Overall, the U.S. influence on the first steps of the developing Korean democracy set a strong basis for further public view on government, relations with the U.S and politics in general.

The weakness of the Korean political system and the craving for democracy created a need for strong leadership. The first president of the ROK, Syngman Rhee, seemed to be exactly what the Korean nation asked for. Taking the liberation of the U.S. from British rule for example, he promoted liberal democracy, a free market, and the American "spirit of independence" in Korean politics. (Lee, 2011, p. 36). Rhee's positive attitude towards the U.S., labeled by many experts as "toadyism" and "unconditional praise" (Lee, 2011, p. 36)) established rapport between the ROK and the U.S., building a fundament for beneficial relationships between the two. For example, U.S. military forces indirectly assisted Rhee and did not prevent his anti-communist massacres in 1950 and 1951, which resulted in at least 60000 allegedly leftists killed or imprisoned (The Observers- France24, 2008; Kim, 2004). However, this harmony did not last long. As the Korean War approached its end and America started

ceasefire talks, Rhee, motivated by strong anti-communist sentiment, continued his push for the unification of Korea (Lee, 2011). Such capriciousness led to the loss of support from Washington. The United Nations, supported by the U.S., went as far as to plan the removal of Syngman Rhee from office (Park, 2021). However, this was not carried out due to a lack of alternative presidential candidates (Park, 2021). Moreover, Washington made efforts to ingrain democratic values into students and intellectuals who were considered the key groups towards building a future rebellion against autocracy (Brazinsky, 2007). These attempts worked out in the long run, however, they did not show immediate results. As such, Rhee continued to hold office.

Despite the absence of visible civil unrest, in 1952, the National Assembly embraced a more vocal discontent with Rhee. The large-scale brutality and disorganization during the Korean War, further hindered Rhee's chances for re-election (Buzo, 2007). To save his position, the president proposed a constitutional amendment, introducing direct popular presidential elections. When The National Assembly rejected it, in return Rhee ordered mass arrests of his political opponents in the Assembly. In July of the same year, as a result of intimidation, the amendment was passed and, several months later, Rhee was re-elected. This event is crucial for the path of Rhee's presidency: he asserted his power over the legislative branch of the government, which allowed changing the constitution once again in 1954 to allow him to run for an unlimited number of terms (Park, 2021). With the help of his party, Syngman Rhee won presidential elections in 1952 and 1956, further consolidating an autocratic system.

The presidential election in 1960 provided a further point of tension. The public was ravaged by the inefficiency and authoritarianism of Rhee's regime (Park, 2021). The U.S., despite formally remaining the ROK's ally, was once again alarmed by Rhee's capricious conduct. According to the U.S. Central Intelligence Agency (1958, p. 9), "the Rhee government will object vigorously to any action which would appear to represent a softening or compromising U.S. attitude regarding the Communist World". It also claims that Syngman Rhee and his office are not "receptive to U.S. guidance" (United States Central Intelligence Agency, 1958). The report, hence, concludes that the contemporary ROK regime cannot be overthrown unless Rhee dies, not mentioning any type of U.S. intervention in Korean politics. Contrary to this estimate, Rhee's regime fell after the April 19 Revolution – massive student protests across the whole country, triggered by election fraud in 1960. It appears that the

previous U.S. attempts to ingrain democratic values onto the ROK intellectuals paid off in the end.

American democracy rejection?: Park's Presidency and Yusin Regime

After Rhee's regime fell, the country was in a state of poverty and societal unrest. Although the newly established government was trying to correct all mistakes made by previous offices, it was obvious that it would fall soon as well (Park, 2021). This is exactly what happened: in 1961, the Korean military under the command of Park Chung-Hee established a military junta government through a coup d'état (Kim, 2004). In 1963, due to the junta's successes in reconstructing the economy, Park was elected and stepped into presidential office.

Park Chung Hee's regime is known as "administrative democracy": he wanted to establish a system able to work with "social and political reality, and not to establish unworkable West European democracy" (Park Chung Hee, 1962, as cited in Kim, 2004, p. 72). This approach to politics was supported by the majority: despite the threat of the rise of another authoritarian leader, the public asked for strong internal leadership. President Park met this requirement: his economic strategy known as the *tiger economy* revived the Korean economy (KOCIS, n.d.). This success also improved ROK-U.S. relations, despite Park's voiced discontent with U.S.-based democracy imposition in Korea. As such, Presidents Johnson and Park agreed on the prolongation of U.S. economic and military aid as a result of the improved ties (United States Department of State, n.d). This relationship was also useful for the U.S. in the Vietnam War, as South Korea provided armed forces to the U.S (Cha & Katz, 2021). Therefore, the relations between Korea and the U.S proved beneficial for both parties.

The ROK-U.S. relations started deteriorating in the 1970s, triggered by Nixon's visit to China to reconcile and reduce tensions (Park, 2021). As a result of these talks, America agreed to decrease its military power in Asia, including reducing the number of troops in the ROK. President Park interpreted this downsizing as Washington abandoning its commitments, further considering it as a security breach (Park, 2021; Cha & Katz, 2021). Consequently, the government felt the need to impose the Emergency Measure of 1971 - a martial law that limited basic liberal freedoms - which essentially paved the way for the establishment of the Yusin Regime. A new constitution was enacted, allowing Park to run unlimited terms and giving him total control over the legislative branch of the government (Breem, 2010; Park, 2021). President, hence, re-instituted a dictatorship, consolidating all power in his hands.

For the U.S., South Korea once again becoming authoritarian became a significant policy problem. Three American presidents (i.e. Nixon, Ford, and Carter) advocated the restoration of democracy and abolition of nuclear developments in Korea (which were Park's solutions to the security breach problem), but there were no active attempts to do something despite talks with Park (Park, 2021). In the end, these ventures brought no effective results. The U.S. was unable to support the regime as it intended Korea to adopt. However, the students and intellectuals once again mobilized social unrest in Busan and Masan in 1965, leading to the end of Yushin and Park's regimes.

Last Hurdle: Who is the villain, Chun Doo-Hwan or the U.S.?

The end of the Yushin Regime left Korea in an unstable political climate, from which Hanahoe - a secret club out of military officers, founded under the patronage of Park Chung Hee - planned to benefit (Park, 2021). Although the media and politicians did not believe in the capability of this club to seize power, Hanahoe recruited people of influence (both Korean and American). It built its political profile slowly and soon overpowered the contemporary president. In December 1979, Hanahoe leader, Chun Doo-Hwan, and his associates performed a coup d'état and took control of the military completely (Britannica, 2024). As Choe (2021) cites the Korean general, "It was a dirty rebellion that served no other purpose than to satisfy Chun Doo-hwan's personal greed". Using the control of the military branch of government, Chun declared martial law, suppressing democratic demonstrations with force. Most notably, the Kwangju became the bloodiest in Korean contemporary history, as more than 140 civilians were killed (Britannica, 2024; Britannica, n.d.).

Next year, Chun Doo-hwan quit the military and became the new president of Korea. His style of governance did not differ much from the Yushin Regime, although, according to the U.S. Intelligence (1981), it was even more authoritarian and controlling than Park's. His regime had two distinctive attributes that differentiated it from previous autocracies. Firstly, Chun becoming president created an unprecedentedly huge cleavage in Korean society. While the working class supported the strong leadership of both Park and Chun, students were protesting not only against Chun but also for a truly democratic system (United States Central Intelligence Agency, 1981). Secondly, while during Rhee and Park's presidencies civil society did not have specific opinions about the ROK-U.S. relations, Chun gaining power planted a seed of resentment towards America (Park, 2021). Anti-U.S. sentiment's core was the belief

that the U.S. was supporting Chun and previous authoritarian regimes instead of defending democracy. This notion was upheld by the history of the U.S. not taking steps to overthrow either Rhee's or Park's regimes. In 1987, the public finally consolidated in non-approval of the Chun administration's actions, resulting in the June Democratic Struggle – students were finally joined by the mass public to overthrow the regime (Park, 2021). Their actions brought a political reply - the June 29 Declaration which was a promise from Roh Tae-woo, Chun's appointed successor, to revise the constitution, not punish the protestors, and restore democracy in Korea . This promise was held, and the 6th Republic of Korea was established in 1988, which holds to this day (Park, 2021).

Analysis

The case study of South Korean democratization raises a question: why did South Korean democratization need three autocrats to finally reach democracy? All three authoritarian regimes discussed previously were not functionally opposed by either most of the population or the U.S., but *why*? In this part, this paper will discuss the ideological features of Korean society, America's stance on the ROK, and how the U.S. contributed to the progress or stagnation of democratization.

Was the public nihilism to blame?

Amartya Sen (1999), viewing democracy as a universal value, defined it as having intrinsic value. Democracy to him is essential to human life and dignity as it entails positive liberty – it gives the value of freedom for its own sake. As he writes, "To be prevented from participation in the political life of the community is a major deprivation." (Sen, 1999, p 10), as then the public has a right to be involved in the decisions that directly affect their lives. However, it appears that in the case of South Korea, this value was not acknowledged by the majority, who adopted a form of political nihilism and took away from the opposition. Firstly, although the U.S. was striving to foster democratic values among Koreans from the 1940s, the attempts were only partially successful. Even though all three autocracies fell after student democratic protests, these regimes were still supported by the majority not because they promised freedom and democratic flourishing but because they wanted a strong leader (Park, 2021). Democratic values *per se* became more popular only at the end of Chun's regime, with religious leaders and worker-class citizens joining students in their protest activity (Brazinsky, 2007). Secondly, the main strategy of the Korean autocrats to remain in power was to suppress the opposition. Among many such occurrences,

Rhee's anti-communist pursuit and Park's Emergency Measure are valid illustrations. To conclude, there was a great imbalance between governmental power and responsiveness, which prevented public political participation, while the majority of Koreans themselves did not recognize their right to it. This created a relative standstill in the democratization for more than 25 years of Korean politics.

Was the U.S. to blame?

The American government, although actively instilling democracy in Korea in the 1950s, was passive towards the autocracies of the first five Korean republics. It is a mistake to say that the actions of USAMGIK did not lay a baseline for Korean democracy. However, The U.S. became less and less capable and determined to intervene in ROK regimes over time (Brazinsky, 2007). There are two main reasons which contributed to this line of conduct. Firstly, South Korea was one of the most powerful allies of the U.S. in Asia: during the Korean and Vietnam Wars, the ROK supported American forces with military aid, fighting by their side. Strong U.S. intervention in Korean political sovereignty might have created hurdles for sustaining this alliance. Secondly, Washington appeared to underestimate the powers of the authoritarian governments of Korea. Especially the Nixon and Ford administrations assigned low priority to South Korean democratization (Brazinsky, 2007). Park's successful economic revitalization made American politicians see the risk of human rights abuse in Korea as low, which was a mistake. Only President Carter brought the topic of human and political rights discourse in Korea back to the agenda. However, U.S. diplomats in Korea found it nearly impossible to implement his programs (Brazinsky, 2007). The American non-involvement in Korean politics created a strong basis for anti-U.S. sentiment in the ROK in the 1980s, which in turn augmented the idea of self-determination within Korean opposition groups, culminating in the June Democratic Struggle. To wrap up, the passive stance of Washington on ROK autocracies powered the Korean opposition's exasperation, leading to the establishment of Korean democracy as it is known now.

Unexpected Consequences: How Did Korean Democratization Work Out?

The previous analysis suggests that external democratic imposition (i.e. democratic states exerting influence to promote and build democratic regimes in different countries and areas) in the case of South Korea worked, but not how it is intended to. Lerner's ideas of democratization revolved around the idea that exposure to Western values is enough to transform regimes into democratic ones (Shah, 2011).

Certainly, intellectual elites in the ROK learned and embraced American democratic ideals, however, it was not the case for the population majority. The U.S., instead of being a disseminator of ideas, became the reason and target for public grievance and rage. Importantly, Koreans formed a strong negative sentiment towards the U.S. but not towards the ideas of freedom and independence. Hence, the developing nation-state's relations with the U.S. were the defining feature of Korean democratization. However, it was not that of a teacher and a student.

To conclude, it appears that there are three main features of Korean democratization: the power of the governmental apparatus, the political nihilism of the majority, and the relative passiveness of the superpower ally. While the two first aspects hindered the democratization process, the latter empowered the opposition. The initial democracy imposition and installation by the U.S. had some beneficial results, they were not the key leverage for the establishment of democracy in the ROK.

Ties between modernity and the past: What is South Korean politics now?

According to Nilsson-Wright (2022), the current South Korean political system is a participatory democracy whose core is the civil population's involvement in decision-making processes. However, there have been several challenges to the current reign of democracy. One of them is the rise of identity politics, which is borderline populist. For instance, Roh Moo-Hyun, who held presidential office from 2002 to 2004, mobilized his electorate via anti-elitism, anti-Americanism, and outsider positionality (Nilsson-Wright, 2022). Such development corresponds to the political climate in the U.S. In America, the shift towards identity politics has been influenced by demographic changes, resulting in political tribalism, an increase in hate crimes and a more polarized society (Chua, 2018).

Another challenge lies in persistent adversarial politics. Along with population polarization, there is a hold on democratic consolidation between left and right political parties and fractions (Nilsson-Wright, 2022). Likewise, the American political system, in the form of a two-party structure, inherently preserves confrontation between Democrats and Conservatives due to deep ideological differences. These two systemic issues, according to Nilsson-Wright (2022), lead to problems in institutional integrity, allegations of misconduct that undermine public trust in political opponents, and even deeper polarization. This fragility of democratic norms in both South Korea and the U.S. highlights the need for continued vigilance in safeguarding democratic principles not only *de jure* but also in people's minds.

Conclusion

The reflection on the South Korean democratization gives several lessons about democracy. While the American influence gave a boost to Korean democracy in the 1940s, its role was not to teach the public about democratic values but to be the unifying factor, passively provoking the intellectuals and later the whole society to rebel against authoritarianism. The pathway towards unification was significantly hindered by the government's control over the repressive apparatus and the political disengagement of the majority, who preferred having a strong internal leader to solve their problems, particularly the presidents of the Republic of Korea (ROK). Therefore, the South Korean case poses criticism towards modern democratization theories and expands the history and the field of democracy studies. Moreover, American contemporary democracy is comparable to the Korean one in the challenges they face, despite having different histories and political backgrounds. This paper introduces a new edge to this sphere of academic research, and the latter must continue investigating this case to enrich the understanding of not only Asian democratization but democracies in general.

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Defending Democracies in Peril: Actors Impeding the Democratic Backsliding of Poland

Abstract

In the 21st century, there has been a growing worldwide struggle against resurgent democratic backsliding. At first, the autocraticising tendencies of certain governments were surprising to the citizens and various institutions. However, over time, a coalition of actors emerged to curb the phenomenon. Nowadays, the academic and political debate in many countries is centred around the fight against advancing autocratisation. Still, the current discussion lacks the identification of the oppositional forces, as well as an evaluation of their effectiveness. Therefore, this paper aims to fill such a knowledge gap by posing the question: *"How did the opposing actors contribute to impeding the democratic backsliding of Poland since 2015?"* This investigation will be conducted by exploring the case study of Poland, ever since the beginning of the country's democratic backsliding in 2015. This paper argues that, among a wide network, there are five clearly identifiable actors which work to impede the growing autocratisation: political opposition, European Union institutions, civil society, judiciary and foreign governments. They employ a variety of means and ways to curtail the undemocratic process, often in collaboration and informed by each other. Among them, political opposition, European Union institutions and foreign governments can be considered as more influential, because they have the institutional power or leverage over the incumbent government. The civil society and judiciary are functioning in a more supplementary role, notifying about the undemocratic violations and guarding the persecuted actors.

Introduction

Following the Cold War, there was a prevailing belief in the so-called "end of history" (Fukuyama, 1989, p. 4). According to this idea, the ideological evolution of mankind is at its end point, settling with liberal democracy as the final form of government (Fukuyama, 1989, p. 4). Therefore, citizens worldwide expected to live in ever more democratic countries. However, the opposite occurred as, since the turn of the century, there has been a steady increase in the number of autocratising states (Repucci & Slipowitz, 2022). This trend has especially accelerated in the late 2010s, following a rise of anti-establishment forces worldwide, rocking the political systems

of many democracies. This was largely the result of a shift into longer processes of democratic backsliding from rapid breakdowns (Bermeo, 2016, p. 6-8). At first, such attempts were only lightly contested due to the expectations of an upwards democratising trend (Levitsky & Way, 2002, p. 51). However, over time, a network of actors has largely assembled, attempting to impede autocratisation.

This paper aims to identify the actors and approaches, which played a part in impeding the democratic backsliding of Poland since 2015. Therefore, it focuses on the players opposing incumbents in a competitive authoritarian regime. Specifically, it will key on the political opposition, European Union (EU) institutions, civil society, judiciary and foreign governments. These actors will be defined conceptually in the theoretical framework. Following that, the analysis will explore the methods they employ through case study research. The investigation also aims at ascertaining the level of success of opposing actors, evaluating which of them were able to prevent a significant undemocratic action from taking effect. Thus, this paper explores the central question: *“How did the opposing actors contribute to impeding the democratic backsliding of Poland since 2015?”*.

The academic relevance of this paper lies in it identifying the ways and actors by which democratic backsliding can be stopped. Furthermore, as Poland has become the poster case study of the phenomenon in Europe in recent years, this investigation will add context to the lively discussion on how to prevent such processes most effectively. Crucially so far, there has been no overarching study all involved oppositional actors, which would outline and evaluate their actions. Thus, this paper would take the actors, which are often considered independently, together for analysis. This would be a great addition to the academic discussion, as further research might start focusing on the vast coalition of players, instead of one specific actor. The investigation will conclude with the thesis that the political opposition, EU institutions and foreign governments are the significant actors impeding the democratic backsliding in Poland. The civil society and judiciary serve a supplementary role, as they provide information to those actors, pressure them into action and protect from persecution.

Literature review

The analysis of the established literature allows to point out a gap in the discussion. In the case of overviewing the field of oppositional actors, several researchers have laid the groundwork on the topic. Notably, a distinction between fully

or competitive authoritarian regimes was made, asserting that the former are unable to fully eliminate the opposition or turn (Levitsky & Way, 2002, p. 54-56). Accordingly, four arenas of democratic contestation have been identified: the electoral arena, the legislative arena, the judicial arena and the media (Levitsky & Way, 2002, p. 54-56). Within them, oppositional actors maintain a degree of influence, although greatly diminished because of the uneven playing field (Levitsky & Way, 2002, p. 53).

Importantly, the existing literature explains the methods by which players oppose autocratisation. A particular focus in this regard was set upon the civil society, which was classified into four distinct groupings, based on their characteristics (Bernhard, 2020, p. 341-342). Firstly, the insurgent civil society are the social movements and non-governmental organisations, which are actively resisting growing authoritarianism, by organising on-the-ground opposition and initiating inter-regime splits (Bernhard, 2020, p. 344). Secondly, the institutionalised civil society is the realm of organised interests and activists bolstering democracy through highlighting violations and representing the society (Bernhard, 2020, p. 344-345). Thirdly, the semi-loyal elements of the uncivil society, though having an ambiguous stance towards democracy (Bernhard, 2020, p. 345), can oppose autocratisation by protesting and establishing a counter-culture. Finally, firewall civil society refers to the mobilisation of the civil society to stop authoritarian power grabs, mostly exerting pressure through mass protests (Bernhard, 2020, p. 353).

Furthermore, the academic debate on the protests for judicial independence in Poland has introduced the notion of the 'rule of law from below' (Grabowska-Moroz & Śniadoch, 2021). This concept refers to the maintenance of the legal rules by actors opposed to the government. It involves the constant monitoring of undemocratic violations, reforms and appealing to the European Union (Grabowska-Moroz & Śniadoch, 2021, 66). Thus, it showcases the crucial role played by the civil society in reporting the problems to the institutions with power, as well as the collaboration between various actors.

Further attention is also laid upon the political opposition. Previous research has identified three major factors that affect its level of success: executive–parliament power structure, the vigour of the extra-parliamentary actors, and the opposition party framework (Ilonszki & Dudzińska, 2021, p. 613). Their impact is significant enough to completely change the opposition's behaviour in the political system (Grabowska-Moroz & Śniadoch, 2021, p. 603). This could be particularly seen when comparing the

‘enforced power game’ in Orban’s Hungary and the much more level-playing field in Poland (Grabowska-Moroz & Śniadoch, 2021, p. 603).

Ultimately, no overview of all players opposing democratic backsliding has been made, based upon an in-depth investigation of a case study, as previous studies have mostly focused on a specific actor. Therefore, this paper aims at filling this gap by identifying the entire collaborative coalition of actors. Hence, it may be applicable in further research by shifting the focus of the analysis.

Theoretical framework

In order to fully overview the actions of the oppositional actors, it is necessary to define them. Therefore, the crucial conceptualizations within this paper will concern the political opposition, EU institutions, civil society, the judiciary and foreign governments.

In this paper, the political opposition will be defined as “any organised actor [...] expressing its stance in the public sphere [...] that permanently or punctually checks, informs and criticises the current state of affairs through different non-violent modalities, the target of its critiques being the government and its policies” (Brack & Weinblum 2008, p. 12). Thus, the definition will not only focus on the minority within the national parliament, but will also encompass the various social movements, extra-parliamentary parties and other groupings (Brack & Weinblum, 2011, p. 71). The choice of this conceptualization amplifies the characteristics of the political opposition in Poland, as it is composed of many distinct factions, not merely the political elite.

European Union institutions will be defined in this paper as the seven decision-making bodies of the organisation, which aim to promote its values, advance its objectives and serve the interests of its citizens (European Union, 2002, p. 28). Specifically, they are: the European Parliament, the European Council, the Council of the European Union, the European Commission, the Court of Justice of the European Union, the European Central Bank and the European Court of Auditors (European Union, 2002, p. 28). This definition is based on the Article 13 of the Treaty on European Union, also known as the Maastricht Treaty. Therefore, it is relevant, because of its basis in the foundational document of the EU.

Civil society will be conceptualised as the organised collective activities that are not part of the household, the market (or more general economic production), and the state (Kopecký & Mudde, 2003, p.11). This definition is particularly relevant, because it

includes a wide variety of NGOs, interest groups and activists, which are the main elements of the societal resistance to autocratisation in Poland.

The judiciary will simply be defined as the system of courts responsible for interpreting the laws and administering justice. (Cornell Law School, 2021). Moreover, it is important that the distinction between the judiciary and civil society be made in an instance of judicial activism. For this investigation, the legal decisions made by the judges will be included as the work of the judiciary. On the other hand, activism by judges and lawyers will be classified as a product of civil society. Foreign government will simply be conceptualised as the government of any foreign country (Code of Federal Regulations, 2023), other than Poland.

The key concept explored in this investigation will be the one of democratic backsliding, also known as autocratisation. Democratic backsliding is the “state-led debilitation or elimination of any of the political institutions that sustain an existing democracy” (Bermeo, 2016, 5). This definition is the one most widely employed in the academic discussion, which makes the contributions from this paper more applicable to it. In particular, this inquiry is concerned with the process of executive aggrandisement because of its occurrence in Poland after 2015. This is the process during which elected executives weaken the checks on their power through a series of successive institutional changes, weakening the influence of the opposition to challenge the preferences of the government (Bermeo, 2016, p. 11-12).

A further conceptualization needed to explore the topic is competitive authoritarianism, which is a regime in which democratic institutions are still viewed as the principal means of obtaining and exercising political authority (Levitsky & Way, 2002, p. 52). However, incumbents violate the democratic standards to such an extent that the regime fails to meet the minimum standards for a democracy (Levitsky & Way, 2002, p. 53). Violations of these criteria create an uneven playing field between government and opposition (Levitsky & Way, 2002, p. 53). Although the elections are free of massive fraud, the government greatly abuses its position (Levitsky & Way, 2002, p. 53). Clarifying this notion is crucial, because it accurately represents the political situation in Poland after 2015, in which the oppositional actors have to operate.

Methodology

This investigation employs case study research, specifically looking at Poland since the 2015 rise to unchallenged legislative and executive power of Prawo i

Sprawiedliwość (PiS). The paper explores this occurrence, because it is among the most publicised cases of democratic backsliding in recent years.

Moreover, the case of Poland boasts very high generalizability, because the oppositional actors within the country have to confront similar problems that led to its democratic backsliding as other countries on such paths. This holds especially true within Europe and the USA, as right-wing populism, previous austerity policies and polarisation were its defining originating circumstances (Mudde & Rovira Kaltwasser, 2018, p. 1668).

The information, based on which the identification of the actors, their methods and successes was made, were obtained from newspaper articles, academic journals, reports from human rights organisations, EU documents and other similar sources. Employing this method is applicable for such an inquiry, as the necessary data for an in-depth overview of the field has already been gathered.

The evaluation of the oppositional actors' level of success will be operationalized by looking at whether the actor impeded a significant authoritarian policy from taking place, such as an unconstitutional law or practice. The magnitude of the success will be assessed by comparison across actors. Such an approach is suitable, as there is no clear quantitative way of measuring the effectiveness of the opposition. Therefore, the process is subject to the opinions of the researcher.

Appraising the strengths of the research design, the overview of all the relevant actors is the most notable, because it accurately represents the coalition of actors working to stop autocratisation, instead of just one player. On the contrary, a major limitation of this research design is the lack of a quantitative measure for the effectiveness of the opposition, which does not allow for an objective evaluation.

Analysis

Political opposition

The political opposition has been struggling against democratic backsliding in Poland from the first day since PiS took full control over the legislative and executive branches of government in 2015.

Firstly, when it comes to the electoral arena of contestation (Levitsky & Way, 2002, p. 54-56), all of the elections following 2015 were heavily contested, despite the uneven playing field (Henley & Davies, 2019). The highpoint of those efforts resulted in the takeover of control over the Senate during the 2019 Parliamentary elections, which is able to effectively block new legislation for 30 days (Henley & Davies, 2019). This

proved to be a major game-changer, due to the inability of the government to push through legislation in parliament in one sweep, as often happened before then. This allowed for more scrutiny from the media and gathering of protest, which exerted pressures to withdraw certain measures. As a result, during the second term in power the government had to withdraw from many undemocratic bills, such as the one concerning the impunity of certain public officials (TVN24, 2020). Thus, the political opposition was successful in limiting the democratic backsliding by contesting the electoral arena.

However, the most significant action resulting from this takeover was when the Senate successfully delayed the unconstitutional 2020 Presidential election, which would be held by illegal mail-in ballots (Grzymala-Busse, 2020). Refusing to proceed on the bill for 30 days effectively dismayed any chance of the election going through properly in time (Grzymala-Busse, 2020). Therefore, the electoral successes of the opposition effectively prevented a significantly flawed election from taking place. Overall, the political opposition can be considered as an effective actor, because it blocked significant autocratic actions, particularly the flawed 2020 mail-in election.

European Union Institutions

The EU institutions have begun putting pressure on the government in order to withhold its unconstitutional reforms starting in 2015. In 2016, the European Commission began a three-step investigation into amendments to the laws on the Constitutional Court and public media (Euractiv, 2016). As a result, the European Commission has triggered Article 7 proceeding against Poland in 2017, which can result in suspending the representation of the country within the organisation (Euractiv, 2016). It further referred Poland to the European Court of Justice, which in *Commission vs. Poland* ordered to suspend the laws interfering with the independence of the judiciary (Court of Justice of the European Union, 2019). Those rulings were largely ignored by the Polish government, until not adhering to them jeopardised its participation in the EU coronavirus budgets.

The EU had finally found success in impeding democratic backsliding through the introduction of the Rule-of-Law Conditionality Regulation in two EU budgets created in response to the onset of Covid-19: Next Generation EU and Structural Funds and Cohesion Budget in 2020 (European Commission, 2022). In order to gain access to the funds from any of them, Poland had to scrap its chamber in the Supreme Court

Disciplinary Chamber, which punished judges for speaking out against the new measures of the government (Notes from Poland, 2022).

Finally, the EU's role of monitoring the actions of the governments of immense value for the civil society on the ground (Matthes, 2022, 460), critically regarding the protection of independent judges from persecution (Morijn, 2020). The EU institutions can be considered as effective actors, because they increasingly pressured the ruling regime to withdraw from some unconstitutional reforms to the judiciary. They achieved this through holding budgetary leverage over the regime.

Civil society

The 'firewall' characteristics of the civil society's actions (Bernhard, 2020, 353) were most significantly exemplified by the mass protests in response to the Constitutional Court crisis in 2015, organised by the Committee for the Defence of Democracy (Eriksson, 2016). They aimed at exerting pressure on the government to withdraw from its unconstitutional court-packing (Eriksson, 2016). Although not preventing the changes, they achieved success in widely publicising the government's undemocratic violations, jumpstarting the actions of the EU on the rule-of-law in Poland (Eriksson, 2016).

The work of the institutionalised civil society in Poland is represented by *Iustitia*, an association of Polish judges, whose goal is to monitor the undemocratic violations of the government, publicise them and lobby the decision-makers into action (Davies, 2020). Its most notable action was the 'March of the Thousand Robes', which resounded widely across Europe, pushing the EU officials into harsher actions on the rule-of-law (Davies, 2020)

The actions of individual activists cannot also be overstated. The most notable of them were those of Bart Staszewski, an LGBTQ+ rights activist. He publicised the community's discrimination by putting 'LGBT Free Zone' signs on the entrance of municipalities, which adopted resolutions declaring themselves free from 'LGBT ideology' (Ash, 2020). The stunt attracted international attention, forcing them to get rid of such discriminatory bills due to concerns over a loss of funds from the EU (Euractiv, 2021).

Finally, elements of the semi-loyal uncivil society were crucial in publicising the governmental persecution of minorities. The most significant case was that of Margot, an LGBTQ+ rights activist, whose arrest was widely perceived as a form of political repression (Sokolowski, 2020). The incident sparked protests, dubbed 'Polish

Stonewall', which were brutally thwarted by the Police (Sokolowski, 2020). The crackdown on the activists resonated widely across the Western audiences and intellectuals, contributing to EU actions and further international pressure on the government to stop the harassment (Sokolowski, 2020).

It is clear that the civil society serves a auxiliary role, as it informs and pressures more powerful actors to impede undemocratic actions, as well as providing opposition to them on the ground.

Judiciary

In competitive authoritarian regimes, the government can also be contested in the judicial arena (Levitsky & Way 2002, p. 54-56). Accordingly, the judiciary worked in two ways to contest democratic backsliding in Poland.

Firstly, the judiciary serves as a guardian of the separation of powers. This has manifested itself at most during the 2015 Constitutional Court crisis, when it for over a year contested the appointment of new unconstitutional judges, preventing them from hearing cases (Sadurski, 2019, p. 64). Although the Court was effectively paralyzed when the tenure of the previous President of the Court ended, it successfully slowed down autocratisation for over a year, by striking down various unconstitutional bills passed by the government (Gera, 2016).

Secondly, the courts also impeded democratic backsliding by protecting the various activists and protesters harassed by the government. This was especially important, because, following the merging of the posts of the Justice Minister and Attorney General, prosecutors in Poland were effectively politicised (Mycielski et al., 2022). For instance, when the Supreme Court overturned the unlawful ban on assemblies during the pandemic, the courts proceeded to throw out the cases of activists indicted for protests at that time (Notes from Poland, 2021).

Overall, the judiciary can be seen as a supplementary actor, only limiting the effects of the government's autocratic measures. However, it has a crucial role in protecting against harassment and slowing down unconstitutional reforms.

Foreign Governments

Arguably, the most effective oppositional actors to autocratisation in Poland are the foreign governments, in particular the United States. Their efforts are successful due to two key reasons: holding leverage and exploiting inter-regime splits.

Their influence was seen the most during the lobbying against the 'media bill'. This 2021 law, which aimed at suppressing the main oppositional TV news network TVN24,

would have drastically curtailed media freedom in Poland (Gera, 2021). However, following the passing of the law through the Parliament, the US ambassadors put the President, who could veto the bill, under pressure of a worsened diplomatic relationship in the face of tensions with Russia (Gera, 2021). The bill was then vetoed, as the success was achieved by exploiting the split between President Andrzej Duda and hardliners among PiS (Higgins 2021).

Moreover, the pressure from the US and Israel effectively killed the 2018 'IPN bill', which would have curbed the right to free speech, by penalising the attribution of the responsibility for the Holocaust to the Polish nation (Dachnij, 2018). Subsequent to the passing of the bill, the US Department of State and Embassy heavily lobbied to withdraw it (US Embassy, 2018), which finally happened later that year. On this occurrence, the bill was withdrawn in a U-turn for the entire government, not through a regime split.

Therefore, foreign governments can be considered as effective actors, because they successfully blocked major pieces of legislation, which contributed to Poland's further autocratisation.

Conclusion and Reflection

Overall, the paper has outlined five key actors impeding the democratic backsliding in Poland. Among them, the political opposition, European Union institutions, and foreign governments were the most successful in preventing autocratisation, because they had institutionalised power or leverage over the incumbent government. The civil society and judiciary served a supplementary, nonetheless crucial, role as on-the-ground informers, activists and guardians against persecution.

The paper has realised its aim, successfully indicating the actors limiting democratic backsliding, showcasing their methods and evaluating them. The in-depth analysis of the case study provides value, because it showcases a collaborative network of actors, instead of presenting them separately.

Considering the limitations of the paper, the lack of an effective index or variable measuring the effectiveness of oppositional actors is apparent. Furthermore, the paper has revealed that the lines between the players themselves can be unclear, as some of them can be classified within two categories. Therefore, research on a different case study might find different characteristics of actors, due to the differences of the political system

The paper has contributed to filling the academic gap, as it overviewed and evaluated all relevant actors impeding autocratisation within the scope of a prominent case study. The strength of the conclusions is moderate – while the overview of actors is meaningful, their evaluation is subjective and can thus be questioned. Thus, further research could focus on developing a quantitative measure of effectiveness of the opposition.

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Increasing role of the European Parliament in external relations: addressing the EU's democratic deficit

Ever since the beginning of the European integration process, the foreign policy of the European Union (EU) and its predecessors has mostly been defined by its executive branch (Eckes, 2019). This came about as a result of the Member States being reluctant to give up their sovereignty in the domain of external relations (Brack, 2020). Thus, the EU's original institutional framework was designed to augment this dominance (Eckes, 2019), giving the European Commission (Commission), the European Council and the Council of the European Union (Council) most of the decision-making power in this field.

However, over recent years, the European Parliament (Parliament) has increasingly begun to assert its position in the domain of the EU's external relations (Eckes, 2019). This trend was particularly amplified by the powers given to it by the Lisbon Treaty (Eckes, 2019). The most significant of these reforms was the obligation to obtain the Parliament's consent to conclude international agreements, based on Article 218(6)(a) of TFEU (European Union, 2012). The second such change was its right to be informed and consulted on all such treaties, including the conduct of the Common Foreign and Security Policy (CFSP) (CJEU, 2014). Given these two tools, the Parliament became increasingly able to leverage its position to influence the conduct of the EU foreign policy (Eckes, 2019).

Inevitably, such extensive changes sparked considerable debates about their effects on the internal and external standing of the EU. The proponents of the newfound developments claim they result in the democratisation of the EU's decision-making in external relations (Eckes, 2019), strengthening its overall legitimacy. Conversely, their detractors point out that those changes undermine the unity of the EU as an actor on the global stage (Joyner, 2023).

Thus, aiming to investigate the validity of these arguments, this paper will focus on the following research question: *In what ways has the increased involvement of the European Parliament in external relations strengthened the EU's global image?* This essay will argue that the increased role of the Parliament has positively impacted the EU's internal and external standing by addressing the democratic deficit within its external relations. Such a claim is based on two relevant aspects – representation of political opinions, as well as safeguarding of the institutional framework and transparency. Subsequently, it will examine the validity of the detractors' arguments,

explaining how the weakness perceived by them actually strengthens the legitimacy of the EU. Finally, the conclusion will evaluate both sides of the dispute and give an answer to the research question.

Representation of political opinions

The increased involvement of the Parliament has strengthened the position of the EU, by addressing the widely perceived democratic deficit in its decision-making. The first way in which it did so was by allowing for a political debate to flourish around the conduct of the Union's external relations. As a result, the actions taken by the EU in its external relations have significantly more legitimacy and popular support (Eckes, 2019), strengthening the Union's overall influence. This process was popularized due to the discussions on the Israeli-Palestinian conflict following the October 7th 2023 attacks. The views of European citizens on the matter are highly polarised (De Martino, 2023), as well as continuously evolving due to the escalation of the Israeli offensive in Gaza (Barber, 2024).

The possibility of all political positions being represented within the European Parliament without any suppression of information has allowed the EU to over time develop a common position on the issue (Jones, 2024). The freedom of expression was even given to the more extreme voices. Perhaps the most controversial of them was the statement made by Clare Daly, an Irish MEP, who directly accused the President of the European Commission, Ursula von Der Leyen, of supporting genocide in Gaza (Middle East Monitor, 2023). Such claims are further linked with active disinformation efforts by geopolitical rivals of the EU, which want to undermine the image of the EU as a unified actor (Bielenberg, 2022). The possibility to issue such opinions within the European Parliament showcases the extent of the democratic debate, which legitimizes the decisions issued by the Parliament.

Because of this legitimacy, when the European Parliament finally called for a cease-fire in Gaza, the resolution held much more political weight, as its passing was preceded by an extensive debate on the merits of the case (Jones, 2024). Due to the decision being made in a transparent manner, its outcome can become the basis of a widely accepted EU policy. While before the Lisbon Treaty, the EU's foreign policy was mostly directed behind closed doors by the executive branch (Eckes, 2019), this new approach allows for a broader array of voices to be heard. Crucially, citizens' movements can further influence the conclusion of certain agreements by pressuring MEPs, which is what happened with the rejection of ACTA (Eckes, 2019).

Foreign actors also have to consider the general views of European citizens when conducting international agreements with the EU, which further boosts the community's soft power as a standard-bearer for human rights and democracy. A recent example of this was the Obama Administration's acknowledgement of the Parliament's views on data protection during the renegotiation of the 2007 PNR agreement (Eckes, 2019).

In conclusion, by turning the European Parliament into an arena for political discussions, it has gained legitimacy on par with national parliaments while positively addressing the EU's democratic deficit. However, the Parliament needs to shift from a merely oppositional to a governing role (Eckes, 2019) in the field of external relations if the EU is to become a political union fully embraced by its citizens. This is because citizens lose trust and do not support institutions whose decision-making processes are unbeknownst to them, in addition to disregarding their political preferences and opinions. Consequently, to tackle the perceived democratic deficit, it needs to democratise its management of external policies.

Safeguarding of the institutional framework and transparency

The other way in which the increased involvement of the Parliament strengthens the global image of the EU and addresses its democratic deficit is by safeguarding the institutional framework of the Union.

While the Lisbon Treaty necessitated the Parliament to give its consent to all standard international agreements (European Union, 2012) within the field of the CFSP, it only has the right to be informed about the proceedings (CJEU, 2012). This critical lack of competence for such a significant domain of EU external action has led to significant abuses of power. In an effort to circumvent the European Parliament, instances of treaties being concluded under the wrongful CFSP legal basis have occurred, notably the *Partnership and Cooperation Agreement (PCA) with Kazakhstan* case (CJEU, 2018).

Regarding such cases, the Parliament exercises its rights and accordingly asks the CJEU to annul such acts based on their wrong legal basis. One example where it did so, although unsuccessfully, was in the *Taliban* case (CJEU, 2012). Thus, it aims to protect the institutional framework of the Union, ensuring adherence to the principles of institutional balance and sincere cooperation. Such actions are key to ensuring that

the EU's agreements are concluded strictly according to the Treaties. In doing so, this enhances the democratic nature of the Union, combatting its democratic deficit.

Moreover, the Parliament acts to ensure transparency in decision-making in the field of external relations. Whenever it feels that the information requirements were not met, it asks the CJEU to annul the relevant agreement. Notably, the *Mauritius* case has confirmed that the right of the European Parliament to be informed is of general application to all international agreements concluded by the EU, including those in the field of the CFSP (CJEU, 2014). Consequently, the EU's external action is being watched by a democratically elected institution, which guarantees that all steps within the relevant processes are explained, lawful and properly substantiated. Ensuring the correct following of all procedures is conducive to an increase in the democratic credentials of such decision-making, in addition to allowing the EU citizens an insight into the previously concealed reasons for external action.

Undermining the unity of the EU as an actor in external relations

While many arguments can be made on how the involvement of the Parliament positively addresses the democratic deficit of the EU, there are those who believe that it weakens the image as a unified actor in external relations (Eckes, 2019).

This can be most recently seen over the EU's response to the Israel-Hamas War, which has exposed the juxtaposition of opinions of European citizens and states on how to conduct the EU's foreign policy (Barber, 2024). The lack of a coordinated response from the European institutions has negatively reverberated, as the EU has largely been portrayed in international headlines as an indecisive actor who is incapable of following a coherent policy agreed upon by all Member States. Moreover, with MEPs from states such as the Czech Republic and Spain strongly supporting different sides of the conflict in Parliament, the intra-EU divisions have been publicised worldwide (Barber, 2024).

However, while such visible disagreements may hurt the EU's international prestige on the surface, a lack of them would be a sign of a much larger problem. Allowing for a democratic debate on the conduct of the EU's external relations in Parliament automatically engages the citizens and brings them into the political arena. As a result of this increased 'buy-in' from the citizens, the system strengthens its political legitimacy. Consequently, the international standing of the EU is strengthened

due to the increased internal support and weakened potential arguments of the Eurosceptics.

Furthermore, an inherent aspect of a democratic system is that it allows for public debate to happen on all matters of governance. Putting such decision-making procedures behind closed doors would hurt the EU, which in its founding documents has declared itself as based on democratic values (European Union, 2012). This is especially important, as the EU does not have the inherent legitimacy of a nation-state and relies on the buy-in from the Member States to properly function. If the European citizens were to lose faith that their voice can be heard over the conduct of the EU's foreign policy, it would spark further Euroscepticism and calls for withdrawal from the Union. Ultimately, such a loss in support for the European integration project would more extensively undermine the image of the EU as a unified actor in external relations.

Therefore, any potential drawbacks of this increased involvement of the European Parliament in external relations are still more advantageous than the negative consequences of not being granted such a role. Moreover,, if one wanted to strengthen the international image of the EU, expanding the role of the Parliament in external relations ought to be on top of the political agenda. Such a move would signal on a global stage that despite the internal differences in opinion, once a democratic decision has been made, the EU will carry it out on the basis of a consistent and coherent political stance.

Conclusion

All things considered, the increased involvement of the European Parliament in external relations strengthens the EU's global image as an ever more integrated Union. Despite the differences in opinion, this collective decision-making ensures that one specific policy is followed once it has been decided upon by the relevant institutions.

The aforementioned shift strengthens the EU's internal legitimacy, as its citizens may gradually start to view the European Parliament on par with their national institutions. This process would result from the aspects analysed within this paper: the Parliament being an arena for political opinion on external relations, increased transparency of decision-making, and safeguarding the agreed-upon institutional framework of the EU.

Ultimately, even considering the potential drawbacks of the newfound developments exposing the disagreements within the EU, the increasing involvement of the European Parliament in external relations guarantees higher internal support for the EU. Moreover, it is also a necessary and inevitable step in the progression of the community towards an ever-more integrated political union.

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Amsterdam Policy Prize Winners

How the EU can approach future resource security and the associated shifts within the EU's sphere of influence.

Executive Summary

In this policy memo, we will suggest options for reforming the European Union (EU). We observe inconsistencies between how the EU interacts with foreign partners and its own stated values, we will address ways in which the EU can increase its consistency both with member states and in external treaties. The EU has many avenues to increase its influence with member states and candidates but also geopolitically; especially considering the currently projected resource security crises of the future.

Research Question: *How should the EU manage accession and internal reform in light of EU states not abiding by EU standards and values, while considering the EU's sphere of influence both inside and outside Europe?*

Introduction of Historical Background

The inception of the Council of Europe in 1949 coincided with the unilateral foundations for human rights. Together with the creation of the European Coal and Steel Community in 1951 involving some of the largest industries across Europe, these events truly set the tone for the development of the EU. From accepting new members to furthering open trade with the creation of the European Free Trade Agreement (EFTA), and the signing of treaties like the Yaoundé Convention, the EU rapidly headed towards growth as both an internally and internationally recognised entity. The EU has shown incredible resilience like how it first approached issues of pollution and climate while also tackling human rights issues. On the other hand, looking at the actions and investments of the EU as both a financial and moral union of nations, we see a grave shortcoming of our stated ideals and values. This became especially apparent in the public eye in 2020, both with the plethora of chaos caused by SARS-CoV-2 (Centre for European Reform, 2020). And the public justice outcry following the murder of George Floyd by a US police officer. Public health policies based on science were ignored by major member states like the Netherlands which to

this day have not invested and even divested from stronger crisis responses to pandemics, specifically airborne pandemics. Poland's opting out of certain Human Rights agreements paralleled with Western Europe's stark numbers of immigrant labor abuses. European corporations that have been found to ignore EU standards (Yiannibas, & José, 2018) in their enterprises outside of the EU and then the EU's very own reports on its use of blacklists, puts the European Union in a very different light.

The unequal legacy of post-colonial Europe has enabled globalization to be a form of neo-colonialism, which has extended into international 'safeguard' bodies such as the EU, the UN or other bodies susceptible to lobbying (Brennan, 2018).

Problem Description

The EU has been struggling to develop and maintain a diverse resource supply network. With energy, for example, the EU is largely dependent on Russia (Eurostat, 2020). This has put EU states in a precarious position geopolitically, where it is hard to become independent from superpowers such as Russia and the US. During the Covid crisis, the EU suffered a substantial blow to its supply chain structure and resource security, it also attempted to set out unilateral guidance for public safety and health. However, this was heavily barred by many neo-liberal and rightwing member states like the Netherlands, Poland, and Italy and failed phenomenally (European Council on Foreign Relations, 2020). This furthered damage to the supply chain and public opinion of the EU and public health overall.

An over-reliance on the World Health Organisation and lack of unified sourcing amongst Europe's top Medical scientists resulted in delayed policy creation and a watered-down sense of scientific backing for the measurements that were eventually taken. A prime example of this is how multiple member states and the UK who recently left the EU individually got wrapped up in PPE scandals ranging into millions of wrongfully allocated taxpayer money Politico (2020).

The EU failed to set clear guidelines for member states and how to invest in public utilities. Instead, the EU prioritized the militarization of police forces to combat crime amidst a growing frustration among Europe's citizens, especially over human rights abuses outside of Europe, but also within. All the while European corporations like Shell (Human Rights Watch, 2020), Zara, H&M (Business & Human Rights Resource Centre, 2020), Tony Choconely, TATA Steel and others (Amnesty International, 2016) were off in foreign countries (and even within Europe's borders)

completely disregarding many basic human rights violations taking place during the discourse of their activities.

Committing crimes against humanity and Ecocide almost bi-weekly, many of these events are being proven to have been wilful and with full knowledge of the possible consequences that we are suffering today. An example is Shell's decades-long appropriation of oil reserves in Nigeria (*Global Commodities: Trade, Exploration & Cultural Exchange*, n.d.). Within the current climate of social justice and societal criticism, re-evaluating what we believe the EU's standards for human rights and trade to be and where we should truly draw a line is, what we believe to be one of the most important challenges of our time.

Policy options

1. A financially focused approach to increasing consistency in how the EU conducts itself in trading relations, while also reducing member states dependence on superpowers like the US and Russia.

This policy aims to incentivise both member states and EU-member-applying countries to a greater concern with human rights agreements and European guidelines for ecological protection and conservation. First of all the EU has to recognise how much autonomy and financial independence it has lost by prioritizing corporate interest over financial security, with tech developments far outpacing legislation in most if not all member states, with the abuse of this oversight by corporations it has become obvious that countries need to find a better balance of wealth distribution.

If the EU can begin diversifying its resource reliances for vital industries such as energy and food, then it can both regulate that trade and depend less on current superpowers (Tenev M. 2023). An example of a near-monopolized resource is Russian gas, controlled by a small number of oligarchs (Democratic Initiatives Foundation, n.d.). Parallels can be made to similar influential non-EU member trading partners like Saudi Arabia or our ally the USA but all of these commit a comparable list of international violations. This is where the EU can gain some leverage by codifying penalties around pollution and new construction projects and agriculture, similar to our carbon initiatives but advised to be guided more accurately and with more transparency in the creation of said policies.

The EU's trade policies should protect industries from becoming monopolized and aim to create an even playing field for EU trade companies regardless of size,

influence and lobbying ability, by maintaining a conscious balance in their subsidizing policies and installing market caps on essential industries.

Working towards independence from superpowers for essential resources will help stabilize and secure our resource supply chains. Implementing an EU ministry in charge of financially advising and screening current lawmaking for their actuality, to assess new trade deals and whether they benefit EU citizens and trade interests as opposed to merely resulting from powerful corporate lobbying.

2. A humanitarian resource initiative, to divest from major powers like Russia, the US and SA while simultaneously diversifying the EU resource reliance through humanitarian-focused initiatives.

This approach to reform within Europe, while attempting to maintain a sense of resource security, will truly challenge the current systems of democracy within the EU.

First, the EU will have to work on implementing more systems of direct democracy like internal memorandums guiding a slightly more streamlined opting-out process for existing and applying member states (Amnesty International, 2021). Furthermore, there needs to be a European institute or other body in charge of fact-checking politicians and political parties on their claims and scientific backing for new policies in comparison to stated goals and ideals, both nationally but also from an EU participation standpoint.

From here on out the EU should have enough unilateral goals to start investments in our resource safety by investing in humanitarian infrastructure for these industries our Tech and Agricultural sectors are already heavily dependent on but also exploitative off.

This policy would implore the EU to take a new look at their already existing business relations, for example to what degree can they divest from known industry practices that disregard human rights and lie cross with European standards and values, to then take it a step further and invest into lasting lifelines, which in return will reflect in stronger and mutually beneficial international relations.

For instance, the European Tech industry is heavily reliant on Cobalt and other minerals from the Congo (Oxfam Report 2016), Sudan and more, but the member states involved, while having their industry fully reliant on these countries resource excavation, do nothing effective to further its development of human rights, working conditions and democratic processes. These changes become even more apparent

with developments like the green transition because new technology and electric vehicles will require more of these crucial minerals.

The associated shifts from adhering to this option should both increase and spread our resource avenues while simultaneously improving the EU's integrity concerning the basic human rights of its citizens and those in countries we trade with.

Recommendation

Ideally, the EU would initiate a long-term campaign existing out of multiple phases of reform, starting with looking at existing infrastructure like the EWS, but even more importantly would be addressing the financial burden - the underfunded tax agencies in numerous member states. The Netherlands is a good example, which is a key member of the EU, its tax agency is among those that have stated they cannot claim or go after the higher brackets of tax-evading entities because they lack the funding to do so, this has admittedly resulted in them focusing more on lower scales of tax evasion which don't even reach in the millions, the prospected loss in tax revenue is estimated to be in the billions.

When asked what the EU should focus on when it comes to streamlining law encoded Human Rights across European nations or where it should direct its focus when it comes to a more unified Europe; one cant help but think of the saying "there is no corruption in Europe, only lobbying", truly a worrisome sentiment to have for the citizens of Europe. This will likely pose unique challenges for introducing new levels to lawmaking in Europe when it comes to Ethics of Industry and will be a legal chess match between multibillion-euro corporations and European states deciding who has to take responsibility and to what extent.

One of many popularized ideas for green development is an intersectional approach focused on humanitarian ideals, this means that among many Eco-, Social- and Financial think tanks and initiatives it has become more popular to pool money locally and invest in their projects and organizations like: workers unions or even globally supporting indigenous lead organizations which then work together through donations, organizing together and workshopping (often these initiatives are rooted in the collaboration between independent academia and local grassroots organizations). So this is also where the EU should look for inspiration instead of billion-dollar think tanks and consultancy agencies. What we've seen from many of these projects is awe-inspiring, these most of the time small and barely funded groups, have an efficiency

rate far above that of their conglomerate competition that has always enjoyed the financial backing of Western superpowers and millionaire philanthropists.

The state of late-stage capitalism that most of the world is in has shown that investment groups, think tanks and other collaborative forms of organizing wealth and strategizing are some of the most efficient ways of tackling large-scale problems like climate change or interstate conflicts, this of course includes actions like collaborative divestments and boycotts; aka choosing where money will not go.

Considering everything that happened in 2012 that awoke the EU parliament to resource insecurity and now Nordstrom and everything else coming forth from the Russian invasion of Ukraine, it is imperative that we diversify crucial state reliance but also show a strong moral front as the EU when it comes to crimes of war and invasion. The rapid reaction of the EU in the implementation of its sanctions for Russia alongside its unwavering support for Israel despite the reports by internationally recognised NGOs and human rights groups such as Amnesty International, show a clear moral contradiction in the values of the EU.

From our point of view the similarities between a collaborative solution like this and the historic precedent also within the EU of collaborative efforts should appeal to most member states because it holds a shared burden, both morally and financially.

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Strengthening European Security and Unity in a Scenario After Russian Aggression Towards Ukraine

1. Executive Summary

The conclusion of the war in Ukraine, while a step forward to peace on the continent, will bring its own challenges. Apart from possible tensions between Ukraine and Russia resulting from diplomatic compromise, the European Union (EU) will face economic and security repercussions regarding energy security, economic stability, and safety concerns in states bordering Russia. Thus far, policies have focused on economic sanctions, energy security, and military aid. This proposal offers an alternative approach to post-war Russia relations. Since economy, security, and energy all impact communities, we believe that a bottom-up approach putting communities at the forefront of our policy is a holistic solution.

Focusing on the integral role of local communities in European unity, this policy outlines concrete measures to:

1. Invest in energy security through diversification and strategic foresight
2. Strengthen grassroots security and intelligence capabilities
3. Promote long-term peace through cultural and educational exchanges
4. Revitalize economies affected by the conflict.

2. Introduction

As of May 2024, the EU has imposed 13 sanction packages against Russia. Key sanction measures include individual sanctions against major politicians and oligarchs, the closure of EU airspace, the SWIFT ban for Russian and Belarussian banks, and the prohibition of various resource imports. The drastic decline of gas imports from Russia led to a subsequent energy crisis. To tackle that, the EU has set a goal of cessation of Russian fuel use by 2027, primarily through diversification. Recently, the EU has also approved a €5 billion military aid package for Ukraine, as well as the establishment of the Ukraine Assistance Fund (European Council, 2023).

However, in a post-war Europe, a new approach will be necessary. The invasion of Ukraine has caused much division in the EU, both through the rise of pro-Russian sympathizers, such as those seen in Hungary or Slovakia (Rij, 2024), and anti-Russian sentiment, seen especially in Baltic states (Degutis, 2024). Similarly, to mitigate future chances of Russian aggression, the EU must develop a policy that deals with Russia as

it is—it must address the Kremlin's negative perspective while maintaining a tough stance (Bond, 2023).

3. Problem Description

Before we proceed with outlining the policy options, we must consider the context in which it would enter into force. We foresee the post-war era being a result of de-escalation and subsequent negotiation. The main drivers of de-escalation would be war fatigue and domestic pressures in the conflicting countries. This is because we are already seeing a push for an increase in troop numbers on both sides of the conflict, as well as a mutual struggle in weapon supply. Internal pressures have been especially prevalent in Ukraine, with controversies regarding the firing of Ukraine's top military commander, General Valery Zaluzhny (Sonenshine, 2024), Zelensky's prolonged presidency (Skorkin, 2024), as well as the recent blockage of consular services for military-aged men abroad (Balmforth & Dysa, 2024). While Russia has faced significantly fewer economic repercussions (BBC, 2024) or social unrest (Kolesnikov, 2023), the situation regarding Ukraine is volatile enough and has enough relevant actors that it would be unwise to assume more radical results to the invasion, such as that of Ukraine ceasing to exist.

The main implication of a de-escalation/negotiation scenario is potential stabilization in the Eastern European region but with lingering tensions, especially regarding the contested Crimea, Luhansk, and Donbas regions. A post-war Ukraine would also call for economic recovery efforts, considering the major infrastructural damage caused by Russian strikes. Therefore, it is important to assume that it will be in the EU's interest to contribute to this recovery. Lastly, one must consider the economic and security repercussions within the EU. Energy security has become precarious as the conflict disrupts traditional supplies, prompting an increased reliance on alternative sources, which has led to higher costs and volatility. Economic stability is undermined, with reduced trade and investment slowing regional economic activities and growth.

Additionally, heightened militarization and displacement raise serious safety concerns for communities close to the conflict zone. Key stakeholders include local governments, the EU, North Atlantic Treaty Organization (NATO), local businesses, civic organizations, and the residents of the affected communities. These stakeholders are directly impacted, facing the brunt of economic instability and security threats, necessitating immediate intervention to ensure community well-being and regional

stability. The urgency of addressing these issues is underscored by the potential for prolonged economic downturns and the strategic weakening of NATO's Eastern flank, which could invite further instability. Data supporting these concerns include spikes in energy prices, reduced gross domestic product (GDP) growth, increased unemployment, and heightened military activity near borders. Immediate actions are required to stabilize energy supplies and costs through regional cooperation frameworks, revitalize local economies with investment incentives, and enhance security measures to protect against potential spillover effects of the conflict. Addressing these challenges effectively is crucial not only for the immediate recovery and safety of Eastern European communities but also for maintaining the broader European political and economic stability.

4. Policy Options

In response to the post-conflict challenges faced by Eastern European communities due to the Ukraine conflict, a policy approach is required to address energy security, economic revitalization, and enhanced security measures. These policies, emphasizing political feasibility, aim to ensure a stable and prosperous recovery for the region. This proposal advocates for the establishment of a Regional Energy Cooperation Agreement among Eastern European countries. The aim is to diversify energy sources and reduce dependency on unpredictable suppliers. Key steps include negotiating agreements with alternative energy suppliers, investing in renewable energy infrastructure, and creating an emergency energy reserve system. This initiative is supported by substantial EU funding for renewable energy and the broader EU goal of reducing carbon emissions. Despite concerns about the feasibility of reducing Russian energy dependency rapidly, the shift aligns with the EU's strategic priorities under the Green Deal, making it both politically and financially justifiable.

The creation of an Economic Revitalization Fund would direct EU structural funds to stimulate local economies, supporting businesses, fostering innovation hubs, and subsidizing vital industries. The political will within the EU to stabilize the region provides strong backing for this fund, which promises to rebuild economic capacities more cost-effectively than addressing prolonged instability later. Enhanced cooperation between Eastern European NATO members is proposed to strengthen security measures. This includes increased intelligence sharing, joint security drills, and the establishment of rapid response teams.

Given NATO's interest in maintaining a secure Eastern flank, this initiative is feasible and aligns with existing strategic objectives. The ideal policy solution integrates these three options, leveraging their synergies to provide a comprehensive recovery and stabilization strategy. By simultaneously enhancing energy security, economic stability, and security infrastructure, this approach ensures alignment across political, financial, and structural frameworks, maximizing the impact of EU and NATO support for a robust regional recovery. This comprehensive strategy addresses not only immediate challenges but also fortifies long-term resilience and integration of Eastern Europe within the broader European context.

This proposal would not be complete without a bottom-up policy option – one that invests in a united EU built from the national level. This policy option calls for the creation of a Cross-Cultural Harmony Initiative. The Cross-Cultural Harmony Initiative would be a national-level initiative, primarily organized in Central, Eastern, and Baltic states. The goal of this initiative is striving for unity between Russian ethnic groups and non-Russians. This would be established through:

a. Addressing security, energy, economic, and social concerns by creating open forums for citizens. This goal acknowledges the legitimate concerns of populations in Eastern, Central, and Baltic states regarding Russian aggression. It also brings the community together and, apart from streamlined communication with policy-makers, promotes organized, community-level action.

b. Establishing a platform that can boost voices of academics and change-makers, including those of Russian and Ukrainian origin. Bringing the voices of locals, Russians, and Ukrainians alike aids in an enhanced understanding of the stakes and interests of every stakeholder. Regarding Russia specifically, the engagement of Russian academics serves as an establishment of communication “with Russia”, as well as a method of uplifting the voices of those that might make Russia a better place.

c. Streamlining communication between local populations and local policy makers. Enhanced communication between various levels of decision-making is essential, as on one hand it allows local communities to have stronger influence on policies, and on the other hand, it allows for the policy-makers to better communicate security measures to local groups, thus easing security-related anxieties.

5. Recommendation

5.1 Multilateral Energy Security Pact

To enhance energy security in the aftermath of the Ukraine conflict, the establishment of a Multilateral Energy Security Pact, particularly involving Eastern EU member states and Ukraine, is essential. This pact would serve as a platform for these nations to jointly secure diversified energy sources, significantly reducing their reliance on unpredictable external suppliers. It involves negotiating bulk energy purchase agreements to leverage greater bargaining power, and fostering investments in critical infrastructure such as liquified natural gas terminals and interconnectors to facilitate a broader importation of diverse energy resources.

A core component of this pact would be the creation of a legally binding mutual support agreement. This agreement would establish mechanisms such as a strategic foresight office, which would utilize the EU's academic and modeling capacities to assess and prepare for potential energy shortfall scenarios. Additionally, the agreement would include provisions for ad-hoc coordination among energy ministers to swiftly address and manage emerging energy crises. This collective response framework not only enhances regional resilience against energy supply disruptions, but also strengthens the political and economic stability across Eastern Europe and Ukraine by ensuring a more coordinated and efficient energy management system.

5.2 Community-Based Security Initiatives

The implementation of **Community-Based Security Initiatives** is crucial to strengthen security in communities impacted by the conflict in Eastern EU member states and Ukraine. These initiatives aim to integrate local law enforcement with national military resources, strengthening grassroots security and intelligence capabilities. By training and equipping local police forces, establishing community watch programs, and promoting community outreach, these measures enhance the overall effectiveness of security efforts. An essential addition to these initiatives is the development of general crisis-readiness programs. These programs prepare communities for a variety of potential security threats, enhancing their resilience and ability to respond effectively to emergencies. This preparedness is crucial for ensuring physical safety, as well as for fostering a sense of security and stability within the community. Furthermore, engaging the community in these security and preparedness efforts is essential, as it boosts their awareness of the protective measures in place. Knowledge of how they are being safeguarded directly translates

to an increased feeling of security. This awareness helps mitigate fear and reduce potential stigmatizations or negative sentiments, such as Russophobia, by showing a transparent and proactive approach to community safety. These comprehensive community-based initiatives, therefore, play a dual role: they enhance tangible security measures and strengthen the psychological resilience of the community against potential threats.

5.3 Cultural and Educational Exchanges

To foster regional stability and build a foundation for long-term peace, this policy calls for the initiation of **Cultural and Educational Exchanges** among Eastern European countries. This policy recommendation emphasizes the importance of mutual understanding and reconciliation through educational scholarships and cultural programs. The first aspect of this recommendation is increased support for Ukrainian, Russian, and Belarussian students coming to pursue higher education in the EU. This support would consist of scholarships or grants, a clear visa process, and guaranteed dormitory housing for the duration of their study. By making study abroad more accessible for students from non-EU, conflict-affected areas, they are given the chance to gain diverse perspectives and form cross-border relationships. Moreover, as mentioned in the previous section, it could serve as an investment in people who might make conflict-affected areas a better place.

The second aspect of this recommendation is the organization of academic forums hosted in universities, primarily on topics referring to Eastern European history. Academic forums on such topics are essential to allow students of certain backgrounds to confront their history. Furthermore, by shedding light on historical atrocities, such academic forums serve as a stepping stone for reconciliation between countries.

The third aspect of this recommendation is the organization of cultural festivals that celebrate the diverse heritage of the region. Building on the previous suggestion, this further promotes unity and understanding among communities that may be divided by conflict.

The fourth and final recommendation of this policy is the support of collaborative projects between universities across Eastern Europe. Similarly to the second aspect, this approach helps heal the wounds of conflict and lays down a robust framework for continuous cultural and educational cooperation, which is crucial for the sustainable development of the region.

5.4 Eastern European Economic Recovery Program

To revitalize the economies affected by the conflict, particularly in Eastern EU member states and Ukraine, **the Eastern European Economic Recovery Program** should be implemented. This program, backed by EU funding, would target essential sectors such as agriculture, manufacturing, and technology. It aims to allocate funds for rebuilding infrastructure damaged during the conflict and to stimulate economic activities through tax incentives and grants, designed to attract both local and foreign investments. Special emphasis would be placed on supporting small and medium entrepreneurs (SMEs), critical to boosting employment and fostering economic stability across these regions. However, the viability of this extensive financial initiative must be carefully reconciled with the EU's existing financial capabilities.

While the EU has shown commitment to supporting Ukraine and its Eastern members, the longevity and scale of the required investments could strain EU resources, especially considering ongoing aid packages to Ukraine and potential future commitments. Therefore, this recovery program would need to be adaptable, potentially scaling in response to the fluctuating financial landscape and the duration of post-conflict recovery needs. This adaptive approach ensures that while striving to meet the immediate and long-term needs of the region, the program remains financially sustainable and aligned with the broader fiscal health and strategic priorities of the EU.

6. Closing statement

“There will be no return to the reality of 2021” (Utkin, 2023). Stated by Ivan Timofeev, Director General of the Russian International Affairs Council, this sentiment reflects the profound changes that the conflict has wrought. In this new reality, the EU must adopt a proactive and multifaceted approach to ensure long-term stability and security.

This paper proposes several comprehensive policy measures to address the challenges arising from the conflict:

1. Multilateral Energy Security Pact among Eastern EU member states and Ukraine to diversify energy sources and reduce reliance on unpredictable suppliers through joint agreements and infrastructure investment;
2. Community-Based Security Initiatives to enhance both tangible and psychological security by integrating local law enforcement with national

military resources, community outreach programs, and crisis-readiness initiatives;

3. Cultural and Educational Exchanges to promote long-term peace through increased support for scholarships, academic forums, cultural festivals, and collaborative university projects fostering reconciliation and regional stability;
4. Eastern European Economic Recovery Program to revitalize conflict-affected economies through targeted funding, infrastructure rebuilding, and support for small and medium enterprises, ensuring sustainable development and aligning with the EU's financial capabilities.

By implementing these policy measures, the EU can create a resilient framework for recovery and unity in Eastern Europe. Collaboration, strategic foresight, and a strong stance on economic and security issues are essential to achieving lasting peace and stability on the continent. This comprehensive approach will not only address the immediate challenges but also fortify the long-term resilience and integration of Eastern Europe within the broader European context.

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Balance Between EU Expansion and Internal Reform: A Policy Proposal to Prioritize Bolstering Enforcement Mechanism Regarding Challenge to the Rule of Law

Executive Summary

The European Union is facing a multifaceted predicament that we have not encountered before, including the Russia-Ukraine war, stagnation of eastward expansion, and violation of EU standards and values. Each challenge is so interconnected with each other that every problem becomes thornier. Therefore, this proposal suggests a direction for the EU to overcome these issues. First, it suggests a priority to bolster the enforcement mechanism regarding Member States not abiding by EU standards and values. Second, the EU should keep dedicating itself to supporting Ukraine the way it has been doing already, with an opt-out option available for Member States that hesitate to do so. Last but not least, the accession procedure of new EU members, including Ukraine, should be as careful as possible to ensure the economic and political stability of the Union and readiness for efficient cooperation with new Member States in the future.

Introduction

The EU was created to consolidate European economies and further bring peace to the region and the world. As time goes by, the connections among Member States have deepened, and the EU has grown from the 6 founding members to 27. With the war between Russia and Ukraine ongoing, accessions of new EU members stalled, and challenges to the EU's fundamental values being challenged, the institution should determine a path that can manage both eastward expansion and internal reform, taking the situation in Ukraine into consideration.

Problem Description

Ukraine applied for EU membership in 2022, shortly after the Russian invasion. The prospect of Ukraine joining the EU poses opportunities and challenges to the bloc. With the war between Russia and Ukraine going on, some Member States may hesitate to let Ukraine join, while others advocate for a faster process so that the Union can provide more tangible support for Ukraine. The issue also circles around the economic and political impact Ukraine's accession may bring. Take trading relationships, for example. The EU-Ukraine Deep and Comprehensive Free Trade Area has proved that Ukraine has a lot to offer the Union¹. It is reasonable to assume how

Ukraine may shuffle the economic relationships among current Member States when it joins the EU.

On the border, we have the potential economic and political impact of eastward EU expansion and navigating the post-war relationship with Russia. On the other hand, inside the EU we are facing the challenge to the rule of law, balancing Member States sovereignty with EU-level (Rabinovych, 2022). integration. Therefore, the EU needs to clarify its general direction to overcome each issue while upholding its fundamental values. The problem at hand is how to manage the accession of new Member States and internal reforms within the EU, considering Russian invasion and tensions among each Member State's upholding values.

Policy Options

In terms of accession of Ukraine, it has been suggested that quicker accession of Ukraine would save more lives on the battlefield and bring peace to Ukraine. It is a risky option because, first, if Russia has intel on the accession, they may launch the largest scale of offence before the accession takes place, as they started the war to stop Ukraine from joining NATO. Second, if being in an existential crisis means acceleration of the accession process, it may send a false signal to other candidate countries to, for instance, take a dangerous position against Russia.

One approach that has been an ongoing debate is replacing the requirement of unanimity votes with qualified majority votes. The criterion of unanimity voting ensures that each member has the right to veto certain bills that might influence the sovereignty of their states. It is the boundary between Europeanization² and European integration. In the past few years, we have seen some countries utilize the right to veto quite often, to an extent which it hinders any change. Therefore, it is only reasonable that some other countries support qualified majority votes over unanimity. If qualified majority votes were to be practised, not only would the EU be more likely to implement significant consequences for breach of fundamental values upholder by the EU, but the Union could also accelerate the accession process of Ukraine.

However, unanimity serves as a crucial element in bonding the Member States. First, unanimity voting drives Member States to engage more in negotiation because every single vote can determine the outcome. It leads to more exchange of ideas, more discussion, and stronger solidarity. Most importantly, unanimity voting is the last line of defence of the Member State's sovereignty against Europeanization. Obsoleting unanimity would mean exposing any Member State to infringement of state

sovereignty against their will. It is not what members signed up for. In a way, removing unanimity means leading the EU towards the ideology of a European Federation. Ironically, this very dilemma should require unanimity votes of Member States.

Recommendation

There are signs that the Ukraine-Russia war negatively impacted defence partnerships among EU members by increasing fragmentation and non-EU dependency (Anicetti, 2024). Insisting on speeding up Ukraine's accession regardless of the objection from some Member States might not only worsen fragmentation on defence but also might polarize political relations among Member States. Therefore, we propose that the EU should prioritize bolstering enforcement mechanisms to overcome the challenges to the rule of law and fundamental, democratic values of the Union. As for eastward expansion, including the accession of the EU, any criteria that should be met by a candidate in theory should be met in practice too. It is not only for the good of current Member States but also for the stable growth of future EU (Anicetti, 2024).

The EU has been supporting Ukraine since before the Russian invasion. During the ongoing conflict, the EU has provided Ukraine with non-lethal materials. Support for Ukraine continues despite its EU membership not being granted. For Member States that hesitate to aid Ukraine, they may abstain, citing Article 31 from the Treaty of Lisbon, which lays out the right to constructive abstention: when a member state does not agree with a collective action, it chooses to abstain rather than veto. The action can be approved, and the member state, following a "spirit of mutual solidarity," commits not to interfere (Treaty of Lisbon, 2016).

An international organization that has such strong economic and political ties among Member States should not rush any procedures regarding memberships, for the sake of economic and political stability. It is only understandable that the EU takes steady steps in member accession and enforce its fundamental values among Member States. So that whichever the upcoming new Member State will be, the Union should be ready for an efficient cooperation.

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Short Papers

The Double-Edged Sword of the Fog of War: The Fog of War as a Weapon

A territory plunged into war lives in an atmosphere of general uncertainty. A metaphorical fog covers everything beneath it, both for belligerents and any third parties struggling to monitor or contain the conflict. Combatants at various levels possess radically different information, chains of command and authority are easily disrupted, and the conduct of subordinates oftentimes contravenes the plans and interests of their commanders. But this confusion in itself also tends to be further weaponized. While a warring side tries to “penetrate the fog” over the battlefield, it also seeks to blind the enemy and gain the upper hand in media framing of the situation. When information is obscured, the battle for the most convincing narrative begins. But how useful is this harnessing of uncertainty? The key question is: *to what extent does the Fog of War represent an effective instrument of warfare?* Analysing the tactical, operational, and strategic levels of the recent flare-up of the Israeli-Palestinian conflict, this essay will argue that employing the fog of war in combat leads, at most, to temporary gains as its objectives break down in the interactions between those levels.

Levels of Information Warfare

Before delving into the case study, I would like to situate the instrumentalization of the fog of war within the idea of information warfare. Information warfare (IW) can be broadly defined as a struggle to maintain information and communication advantage (Lewis, 1997). On the whole, two categories of IW can be identified. There is the option to proceed reactively and take the information space as given, collecting information about enemy movements and destroying the opponent’s ability to do the same. But it is also possible to alter or “create” information through propaganda and disinformation. In the reactive approach, a managed fog of war is a goal in itself, serving to conceal and blind; in the proactive approach, it serves as protection and a foundation for other information operations.

While IW is a qualitative category, levels of warfare differ in scope. We can divide each military conflict into its strategic-political, operational, and tactical facets (Rogers, 2006). At the strategic-political level, broad objectives—and campaigns to achieve them—are discussed and designed. Domestic and international support is maintained, favourable narratives are constructed, and the enemy is vilified. This is the

core of the proactive IW under the fog of war. At the operational level, armed forces are coordinated to materialise the key steps in the overall strategy. Here, on the contrary, the fog of war in itself is part of the desired outcome: information about the enemy's movements is gathered, while the opponent's own intelligence capacity is destroyed so that the hostile troops are demoralised due to the lack of effective command (Tuner, 2003). At the tactical level (the sphere of direct combat), friendly units must be kept under the radar and provided with up-to-date information. But crucially, their behaviour needs to align with the framing of the high command if it is to remain credible. This interaction between the proactive approach at the strategic level, the reactive at the operational level, and the passive at the tactical level tends to be the cause of the failure of the militarization of the fog of war.

Hamas Attack on Israel

Having laid the theoretical foundations, we may move our attention to two cases of bloodshed in the recently rekindled Israeli-Hamas war. The casus belli of the current escalation was a Hamas incursion into Israeli kibbutzim (a non-competitive worker community) in the area near the border with Gaza. A carefully planned operation overwhelmed the border defences and more than 1000 civilians were killed, often with considerable brutality (CBS News, 2023). The Israeli government even claimed cases of infants being decapitated (Gavin, 2023). At the strategic level, the violent reality of the atrocities enabled Israel to mobilise the sympathy of the public abroad. The narrative of an unprovoked and bestial attack on a civilian population was, of course, present in the domestic media as well, reinforced by the shock and grief over the loss of loved ones. It is therefore no surprise that, at the tactical level, Israeli soldiers clashing with Hamas see their enemies as little more than animals without any sense of remorse (Pacchiani, 2023). While the strategy to capitalise on Hamasniks' inhumanity rendered some short-time gains, it also gave Israeli soldiers the incentive to effectively treat them as subhumans, undermining the picture of Israel as an innocent victim. Furthermore, as the Israeli authorities have proved unable to substantiate their claims of beheadings (Speri, 2023), it seems that even on the political level, they have overestimated the "freedom with the truth" that the fog of war gives them.

Al-Ahli Arab Hospital Explosion

Before proceeding with a full-scale invasion of Gaza, Israel spent several weeks after the October 7 attack shelling positions of Hamas. Its main goal was to disrupt the group's organisational structure and its ability to mount a coordinated defence. But the intended chaos meant that even the Israeli command had limited information about the ongoing operation. This proved crucial at the moment of the Al-Ahli Arab Hospital explosion that left several hundred dead (Cordesman 2023, Biesecker 2023). Hamas was quick to blame an Israeli airstrike, which was picked up by several international news outlets. Israel, though denying responsibility, was only able to challenge the claim several hours later with inconsistent evidence. By that time, it had lost the initiative (Cordesman 2023). Later analyses have leaned towards a Palestinian missile failure (Biesecker 2023), which indicates that Israel lacked accurate information about the events precisely when it needed it the most. Even if Israel was indeed responsible for the blast, it points to the completely misplaced priorities of the operational command, which lacked either a prepared cover story to deflect the blame (in the case of a deliberate attack) or established crisis mechanisms (in the case of a misfire). Regardless of whether the operational forces lost some of their intelligence capacities in the attempt to paralyse the enemy, or the importance of the public image was not properly communicated to them, the result was identical: the grand narrative of a rightful and necessary defensive campaign was damaged.

The Fog Parted

In the case of both the original Hamas attack and the hospital explosion, we have seen how the incoherence of the goals of information warfare, and perhaps even the lack of understanding of its relevance, have led to the undermining of the attempts to make systematic use of the fog of war. Information has persistently remained just beyond the control of the Israelis. While strategies like mobilising foreign publics or dehumanising opponents may be able to secure momentary benefits, it is only a matter of time before their potential is erased by hardly predictable self-sabotage.

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Democracy and Cyberspace - A New Shift

In 2016, while holding a campaign rally in Virginia, then-US Presidential candidate Hillary Clinton mentioned the phenomenon game Pokemon Go in an attempt to relate to her young voter base: “I don’t know who created Pokemon Go”, she said, “but I’ve tried to figure out how to get them to have Pokemon Go to the polls” (Bromanderinchief, 2016). While it may seem as merely an unsuccessful attempt at humor, Clinton’s reference could also be indicative of a shift in the political locus of American democracy—namely, a shift into the internet. Now, more than ever, the effectiveness of calls to democratic action seems to depend not just on appeals to a sense of civic duty but on emphasizing the necessity to escape cyberspace. This raises the question: how has the growth of the internet impacted the quality of American democracy? To answer this question, the present work will first determine how the internet has become a political locus, then analyze the effects of this process, and lastly assess whether there has been a decline in the democratic order of the US.

To begin with, the concept of a ‘locus’ refers to the space in which political debate and involvement in politics occurs. This space has traditionally been constructed as a public sphere to which only men had access (Smyth, 2008), with women and racial, sexual, and ethnic minorities silenced and relegated to the private sphere. Following the early feminist waves and social justice movements of the 20th century, the inclusion of all sectors of the population into the matters of the public sphere has reconfigured the political locus, thus improving the quality of democracy by granting the right to vote in free and fair elections to all citizens (Herre, 2022), regardless of class, sex or race. Afterward, with the emergence of the internet and social media, the ontology of democracy expanded so as to encompass cyberspace, which has further enabled previously marginalized groups to voice their political concerns (Mehra et. al., 2004). Due to the prevalence of political discourse and the speed at which information can be shared, social media, and cyberspace as a whole, have become the new locus of politics, a new part of the ‘public sphere’. The present work argues that this ontological shift has enabled three relevant changes in democratic practice: a) the intensification of pre-existing social cleavages, b) the commodification of information, and c) the ease with which foreign intervention may be conducted.

Regarding the intensification of pre-existing social cleavages, Ford and Jennings (2020) describe them as being social-structural (concerning large groups with

differing interests), psychological (related to identity and ideology), and organizational (as political parties mobilize the previous two aspects). Ford and Jennings (2020) further explain how the current social cleavage rests on the conflict between Green-Alternative-Liberal and Traditional-Authoritarian-Nationalist values. While the cause for this division goes beyond the scope of this paper, the internet, and social media more specifically, has managed to intensify it through the creation of the so-called “echo chambers”. According to Quattrocio et al. (2016), the latter manifests through the “users’ tendency to promote their favored narratives and hence to form polarized groups”. The algorithms of companies such as Meta further ensure that the polarized groups are cohesive and homogenous, mainly by either presenting information that supports users’ beliefs or presenting dissenting information that increases engagement on a given app.

The aforementioned practices are illustrative of the commodification of information, which generates profit because it streamlines the sale of advertisements (Johnston, 2023). Due to the rise of the general adversity towards state intervention and market regulations in the US since the presidency of Ronald Reagan in the 1980s (Fukuyama, 2022), weak antitrust laws and little legal supervision have made the monopolization of cyberspace possible. Therefore, internet giants such as Google are able to extract their users’ private information and sell it to the highest bidders without any repercussions—bidders who often use this data to promote their political agendas. By accessing this private information, political advertisements are then targeted toward individuals who are prone to interact with them, thus increasing engagement on the social media platform, which, in turn, increases the revenue of the social media company. As such, this vicious circle further divides and polarizes the population.

As polarization occurs both organically (through the users’ tendency to ignore dissenting information and retreat into online echo chambers) as well as artificially (through the functioning of algorithms that extract data and commercialize it for advertisement revenue), the scene is set for the prospect of foreign intervention into the democracy of the United States. Due to the shift of the political locus of American democracy to the internet, the possibility of spreading misinformation and manipulating voters through buying bots arose. The digital expansion of the free-market capitalist system and the neo-liberal agenda that enables the purchase of exposure (and, as exemplified by Elon Musk, even an entire social media platform) created the conditions for major abuses—as exemplified by the Cambridge Analytica

scandal. The case, now settled for 725 million dollars, concerned the unauthorized sale of users' private information by Meta to a British consulting firm, which then used the information for political targeting and profiling on Facebook (Raymond, 2022).

Therefore, considering the intensification of social cleavages, the commodification of information, and the possibility of foreign intervention in elections, how has the quality of American democracy changed after the shift of the political locus to the internet? Speculatively, the polarization of society and desensitization to misinformation are indicative of a democratic backslide. Empirically, indices that measure the quality of democracy show that the United States has been on a downward trend, as illustrated by V-Dem (2023), which argues that the country is undergoing an autocratizing process.

Thus, despite the prospective benefits of almost instantaneous communication and access to information, the shift of the US political locus to encompass cyberspace has proven to have an adverse effect on the quality of American democracy (Wike et al., 2022). Despite the challenges that this change has been posing, it may prove useful for the US, as well as the Western world, to reassess the philosophical backbone that has brought them to this very conundrum. To restore the health of American democracy, it may be necessary to stray away from the tenets of neoliberalism, in favor of its more socially-oriented roots.

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The Moral Imperative of Developed Nations in Supporting Developing Countries: A Case Study of Sweden's Impact on Namibia

Imagine a world where lending a hand is not regarded as just a gesture of goodwill but as a moral imperative; not an act of charity, but a duty—one deeply rooted in global ethics and historical contexts. Unfortunately, this image of universal respect towards international responsibility contrasts starkly with our reality, which often reveals a landscape marked by neglect and disparity. The political tides of one nation ripple across continents, from the ice deserts of the Arctic to the warm sands of Africa, yet their effects often remain unacknowledged. In particular, taking Namibia as the primary case study, the present work examines how Sweden's recent political shift to the right impacts its development aid policies, and how these changes affect movements such as the Children's Movement Namibia.

Shift in Swedish Development Aid: Consequences for Namibia and the Role of the Children's Movement

Sweden, until recently widely recognized for its peacekeeping efforts and progressive stance within the EU (investing 1% of their GNI in development aid; Ashmore, 2024), has experienced a notable governmental shift that is redefining its political objectives (Toremark, 2022). In the general elections in 2022, the right-leaning bloc won, gaining ground in historically leftist areas. One of the major consequences of this political shift has been a change of attitude concerning international aid, with the new government cutting down on investments and effectively compromising the goals set by its predecessors. This has had direct, tangible effects on the countries that have hitherto benefited from considerable monetary interventions.

My decision to dedicate the present essay primarily to the analysis of Namibia was influenced by my first-hand experience of working with the Children's Movement Namibia, an organisation whose purpose is "to Recruit, Train, Educate, In all Essence [...] to Prepare a large group of young people to take leadership in the 21st Century" (The Children's Movement Namibia, n.d.). To accomplish its objectives, the organisation executed various programs, ranging from skill-enhancing workshops (such as those focusing on technology or sewing) to educational sessions aimed at expanding knowledge on topics like sexual health and climate change. Additionally, a significant portion of these activities was designed with a dual purpose: not only to educate the youth but also to organise their time, as many do not have the opportunity to go to school. This approach was intended to steer young people away

from potentially troublesome activities in the streets, thereby promoting their overall well-being and development. Due to limited financial means available to the organisation, the success of its projects heavily relies on sponsors, such as Unga Örnar, a Swedish NGO dedicated to equal education. When the funding was cut due to the recent election in Sweden, the financial constraints faced by the Children's Movement led to the dismissal of all staff and the cessation of all funded projects. The situation profoundly impacted the youth, who lost a vital element of their daily routine—one that offered education, engagement, and diversion from negative influences. What is left is a vision pursued indefatigably by the head of the movement, Kenneth Abrahams, who tries passionately to find alternative ways to go through with the projects and keep making a difference.

Understanding the Moral Obligation for Development Aid

The colonial history of many EU nations, from which Sweden is not exempt, is marked by a legacy of exploitation and injustice, particularly towards present-day developing countries. Frieda J. Asino, a former mentor at the Children's Movement Namibia and a Namibian citizen, argues there is a direct causality between the dynamics of colonialism and the current state of affairs in Namibia. Land in the country was unjustly seized, and the nation suffered a brutal genocide committed by Germany (Gross, 2015). The Namibian people faced relentless ridicule, discrimination, and intimidation. To this day, the descendants of German colonisers, who constitute just 6% of the population, own 70% of the agricultural land (Namibia Fact Check, 2019). This disproportionate ownership is a stark indicator of how the lingering effects of colonialism continue to shape the country's social landscape—a malignant influence that, I posit, necessitates international aid as a moral imperative.

This perspective aligns with Robert Nozick's principle of rectification, which suggests that if property was acquired unjustly—as in the case of colonial powers seizing land and resources—then compensation is necessary to address such wrongs (Nozick, 1974). This approach challenges the notion, oftentimes cited by the extreme right, that development disparities between states emerge due to inherent differences in "civilization" levels. Rather, it acknowledges the role of neocolonial structures, which continue to perpetuate inequality. The form of rectification to be granted, as noted by Frieda J. Asino, can be multifaceted. Monetary compensation, while beneficial, is susceptible to corruption and should be purposefully invested. Another effective strategy that could be employed is sharing knowledge and skills to empower

individuals in developing nations to generate income and progress toward self-reliance. It is crucial to highlight that this argument of moral obligation extends beyond the narrow framework of bilateral reparations, such as the exclusive responsibilities of Germany towards Namibia. Instead, it advocates for the necessity of multilateral reparations, recognizing the collective responsibility of all developed countries that are benefiting from the contemporary neocolonial system. Certainly, the expediency of a long-term reliance on external aid can be reasonably questioned. However, while I posit that self-reliance is the ultimate goal, I must also assert that the time frame until this goal has to be reached is not up to developed countries to set.

Conclusion

In conclusion, Sweden's former dedication to development aid represented a commendable step, but the recent rightward political shift marks a disheartening retreat from these moral commitments. Namibia not only reflects the immediate consequences of such policy shifts but also serves as a poignant reminder of the broader implications for other developing nations. Given this perspective, the rightward political trend within the EU becomes particularly concerning, as it may undermine the development and growth of nations still burdened by neocolonial legacies. These nations risk being further disadvantaged by reduced aid from countries that have historically contributed to their current predicaments. Europe's electoral decisions resonate far beyond its borders, shaping global outcomes; therefore, it is imperative that European policymakers and voters alike carefully consider the impacts of their political choices, ensuring that a commitment to global development and ethical responsibility remains at the forefront of their decision-making.

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The Evolution of Feminism and Social Media Activism in China

In the digital age, social media platforms have emerged as powerful tools for advocacy and social change, offering unprecedented opportunities for global movements to share their messages and mobilize support (Kim, 2023). Among these movements, modern feminism has utilized digital spaces to challenge gender norms, advocate for women's rights, and address issues of systemic injustice. However, the relationship between social media and feminism is not uniform across all contexts: in China, for example, the intersection of social media and feminist activism is influenced by strict censorship measures, which pose challenges to the freedom of expression. This unique context gives rise to an interesting question: In the face of such restrictions, how did feminism evolve in China, and how do feminist movements in the country navigate and contest the boundaries of state-imposed restrictions?

The Historical Context

The evolution of feminism in China can be traced back to the early 20th century, a time marked by a significant rise in social reform and intellectual awakening. Sun Yat-sen, the first president and founding father of the Republic of China, openly acknowledged the crucial role of women in the revolutionary cause (Yu-Ning, 1988, p. 58). One of his groundbreaking steps was the establishment of schools for girls, a radical departure from the traditional Confucian education system that primarily served men (Yifei, 2016). However, after this initial period of reform and optimism, China faced internal divisions, warlordism, and later, the rise of the Nationalist Government (Kuomintang), which had varying priorities and views on social reforms (Lai, 2022). Advocacy for women's participation in politics was rejected and replaced in the press by an emphasis on women's roles as understanding wives and loving mothers (Lai, 2022).

Yet, despite the challenges, intellectual and social movements in China have continued to advocate for women's rights up to contemporary times. The pace of advancement of women's rights experienced a gradual progression following the Communist revolution in 1949 and persisted through the transformative periods of the Cultural Revolution in the 1960s and 70s (Gao, 2017). One of the first major reforms by the newly established People's Republic of China was the enactment of the New Marriage Law in 1950 (Diamant, 2000, p. 171). This legislative initiative was revolutionary in that it abolished arranged and forced marriages, granted women the right to divorce, and promoted monogamy (Diamant, 2000, p. 172). The law was a

direct challenge to the patriarchal and feudal family structures, aiming to elevate women's status in society.

The Contemporary Feminist Movement

As China stepped into the digital age, the landscape of feminist advocacy transformed dramatically. Platforms such as Weibo, WeChat, and Douyin dominate the digital sphere in China (Zhang & Negahban, 2018, pp. 34-36), and some of these are extensively used for online activism: Weibo, often referred to as the Chinese equivalent of Twitter, has been pivotal in raising awareness on gender issues (Zhang & Nagahban, 2018, p. 36). Its structure allows for rapid dissemination of information, enabling activists to raise awareness about women's rights and share news stories that might not receive attention in state-controlled media (Gu and Ye, 2022, pp. 430-431). Notable examples include campaigns against sexual harassment, gender discrimination, and the sharing of personal stories that highlight systemic inequalities (Gu & Ye, 2022, p. 432). The hashtag functionality of Weibo has been particularly useful, allowing for the creation of visible and accessible discussions around specific topics for its 605 million monthly active users (Dixon, 2024).

Nonetheless, the movement is not unopposed. The ruling Chinese Communist Party perceives feminism as a potential challenge to social harmony and traditional values that form the foundation of its rule (Li & Lee, 2022); the Party prioritizes maintaining its grip on power and views any form of organized civil society as a threat to its centralized authority. Thus, the aforementioned feminist developments in cyberspace led the Chinese government to employ rigorous methods of suppression. The "Great Firewall", which refers to China's comprehensive internet censorship system, serves as a great example (Zhang, 2006, p. 272). This system employs a range of technologies and legislative actions designed to control the flow of information that can be accessed, published, or shared online (Zhang, 2006, p. 273). Moreover, cyberbullying, sponsored by the government or carried out by nationalist trolls and anti-feminists, is another tactic used to silence activists (Li & Lee, 2022). Victims of such suppression have faced online harassment, threats, and even "human-flesh search" attacks, in which private information like addresses and ID details is exposed (deLisle, 2016, p. 2). In one reported case, Li Yuan, a former editor of the Wall Street Journal Chinese language website, experienced severe online harassment for being "opinionated" and single (Li & Lee, 2022). This incident is a stark example of how cyberbullying is employed to intimidate and silence feminist voices in China.

Response to Restrictions

In response to such severe restrictions imposed by the Chinese government's censorship, feminist activists have adopted a variety of innovative strategies to continue their advocacy on social media: they often use code words or symbols to discuss sensitive topics. A notable instance was the #MeToo movement, which focuses on raising awareness about sexual harassment and abuse, particularly in the workplace (Amnesty International, 2023). Chinese women participating in the movement strategically used hashtags like #MeToo to share personal stories of sexual harassment and assault, creating a powerful wave of solidarity and visibility (Amnesty International, 2023). A particularly inventive strategy to evade censorship on Chinese social media platforms was the transformation of the #MeToo movement into #RiceBunny (#米兔), which phonetically mimics "Me Too" in Mandarin (Meg Jing Zeng, 2018). This approach fostered a global conversation, bringing to light the prevalence of gender-based violence and pressuring institutions to implement changes.

The Offline Impact of Online Feminism

While online activism is powerful, the translation of feminist efforts from digital platforms to daily life offline is crucial for sustained change. Online campaigns have started to create tangible changes in offline life. For instance, the #MeToo movement in China has led to increased awareness and discussion about sexual harassment in workplaces, schools, and other institutions. There have been reports of institutions implementing stricter anti-harassment policies and providing better support systems for victims of harassment. For example, Peking University responded to online activism by establishing a sexual harassment reporting system and a dedicated support team for victims (PKU News 2018). Additionally, feminist activists have organized offline events, workshops, and support groups. For instance, in 2018, feminist groups organized a series of workshops in Beijing and Shanghai that focused on self-defense training and legal rights education for women (Thomson, 2018). These efforts have fostered a stronger community that can offer both emotional and practical support to women facing gender-based challenges.

Conclusions

The resilience of feminist activists in China exemplifies the transformative power of digital advocacy. Despite government censorship and online harassment, these activists have leveraged social media to raise awareness and challenge systemic inequalities. Platforms like Weibo and creative strategies such as the #RiceBunny

movement have enabled them to circumvent censorship and bring critical issues to light.

However, for sustained change, it is essential to translate online activism into tangible offline actions. The #MeToo movement in China has already led to stricter anti-harassment policies and increased awareness in institutions. Feminist activists have also organized offline events, workshops, and support groups, creating a supportive community for women facing gender-based challenges. A call to action is imperative: the global community must support these efforts by amplifying feminist voices and advocating for policies that protect digital freedoms and gender equality. By bridging the gap between online and offline activism, we can ensure that the momentum gained in digital spaces leads to real-world improvements in women's lives.

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“Europe’s diversity makes it prodigiously rich. This diversity must be preserved, so that it can bear fruit for the common good.”

Jacques Delors (1925-2023)

