University of Economics, Prague
Faculty of International Relations
Research Plan

International Conference of Young Scholars

Crucial Problems of International Relations through the Eyes of Young Scholars

Volume II.
edited by Adam Fireš and Igor Varga

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The authors of the papers are responsible for the content and grammatical correctness of their texts.

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Contents

Volume 1
Foreword of the Editor 7
Jan Masaryk Centre of International Studies 7
Research Plan of the Faculty of International Relations 8
ISTEMI BERK, DAMLA AKTAN 9
   The Chess Board: Turkey as the Bridging Shah

SIBEL ALAMAN ZENGIN 25
   The Mediterranean Policy of the European Union:
   A Capabilities-Expectations Gap Analysis

ALEXANDER BRAND 36
   Beyond Obamania – Change in U.S. Foreign Policy
   and the Consequences for German-American Relations

ALEXANDER BRAND 73
   Lagos is not Lehman – The Differentiated Impact of the
   Global Financial Crisis on Emerging Markets and Developing
   Countries

SUN YOUNG CHANG 104
   Iran, still an active terrorism state-sponsor
   How far is Iran willing to go despite its internal disorder?

CHENG YU CHIN 113
   The true meaning of China’s military strategy

MARCELA CUPALOVÁ 127
   Regulation of Financial Markets - a way to avoid another
   economic crisis?

KONRAD CZERNICHOWSKI 135
   The Roots of Piracy in Somalia

IVAN IVANOV AND JULIA DOBREVA 145
   Sustainable Development and the Provision of EU
   Subsidies for Rural Development: The Case of Bulgaria

315
VLADIMÍR DOLINEC
Perception of the terrorist threat in the 21st century

AGNIESZKA DYBIZBAŃSKA
The process of European monetary integration: euro as a positive impetus in the euro area economy

MARIE FATUROVÁ
France, Czech Republic, Sweden – a Troika of partnership or rivalries?

SOFIYA R. FEDYNA
Transformations of general approach to international relations: new challenges and new values

ADAM FIREŠ
Terrorism and Nuclear, Chemical and Biological Weapons as a Global Threat

MARTIN GRANČAY
International Civil Aviation – All Together or All Against All?

PAVLÍNA IVANOVÁ
Impact of the Economical Growth of China on Unemployment

MARTINA JENÍČKOVÁ
Unity in Latin America in the new millenium?

PETER KÖGLER
Market-Based Action Guidelines to Retain Profitability of Middle-Sized Companies

DOMINIK KOPIŃSKI
Asian giants in Africa: How different is business modus Operandi of the Chinese dragon and the Indian elephant and what it means to African countries?

DOMINIKA MALCHAR-MICHALSKA
Contemporary Transformation of Chinese Agricultural Policy
Volume 2

Foreword of the Editor 319
Jan Masaryk Centre of International Studies 319
Research Plan of the Faculty of International Relations 320

BARTOSZ MICHALSKI 321
The impact of competition law and policy from the perspective of developing countries – clear and obvious?

SAFWAN NASER 338
Democratizing Islamic Countries – Who, How and Why?

LEVENT NEYSE 348
Government as a Religion: Observations from the Bridge Called Turkey

ANDRZEJ POLUS 355
The very meaning of norms and patterns of behaviours in IR. Epistemological and methodological consequences of interparadigm debates.

TOMÁŠ ROHRBACHER 370
Globalization and anti-globalization tendencies: The clash of discourses

ASSEMGUL SHABARBAYEVA 378
Pakistan: The problems of democratization of the country

VERONIKA SKLENKOVA 392
Differentiation as Possible Means of Further European Integration

DAŠA SMETANKOVÁ 420
The cooperation by the EU-access between Slovakia and Hungary (The chance for the south-east Enlargement)

ONDŘEJ ŠRÁMEK 429
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis
MILAN ŠUPLATA
2009 Presidential Election in Iran: analysis of the policy matrix

ILONA ŠVIHLÍKOVÁ
The role of dollar in the global economy

SYLWIA W. ŻECHOWSKA, JAROSŁAW SZOSTAK
Together or Apart: India’s and China’s Energy Policies in the 21st Century

KAROL SZULC
Sides of the Middle East Conflict and Social Perception of The Clash

MONIKA TCHAVDAROVA
The common European energy policy and the role of the European Parliament

LIUBOV TOLKACHEVA
Georgian – Ossetian Conflict 2008

WOJCIECH TYCHOLIZ
China’s ‘going out’ strategy and its consequences for Africa

GALINA VAŠČENKAITĖ
What is the use of making adversaries uncertain? Uncertainty in international relations as a mean of rising structural power

ZUZANA ZELENICKÁ
The Eastern Partnership – the end of the division of Europe?
Foreword of the Editor

Dear colleagues, friends,
It is my pleasure, on behalf of doctoral students of the Jan Masaryk Centre of International Studies, to present you with the proceedings from the XII International Conference of Young Scholars, Prague 2009. This shows again that the conference is a viable event which enables young scholars from all over the world to present the results of their research, as well as to exchange their ideas and opinions.

At this point I would like to thank the institutions which every year enable us to organize the meeting – the Faculty of International Relations of the University of Economics, Prague, the Centre of European Studies, the Konrad-Adenauer Stiftung and the Czech United Nations Association. Without their financial help the conference could only hardly take place. A special gratitude goes to PROF. ING. EVA CIHELKOVÁ, CSC., the vice dean of the Faculty of International Relations, without whose assistance this collection of papers could not be published, and to PROF. PHDR. ZUZANA LEHMANNOVÁ, CSC., the head of the Jan Masaryk Centre of International Studies, for her kind and lasting support.

It is also the participants and their contributions in the form of papers that make this tradition continue. Let me therefore express a wish that with your help, as well as with the help of the above-mentioned supporters the tradition of the International Conferences of Young Scholars in Prague will carry on.

With thanks to all,
ADAM FIREŠ
Editor

Jan Masaryk Centre of International Studies

The Centre was founded in 1991 and named in the honour of Jan Masaryk, a well-known Czech politician who served as a first post-war Minister of Foreign Affairs of Czechoslovakia and was a symbol of democracy in the post-war years.

The Centre takes an interdisciplinary approach toward teaching and training in the field of International Relations. We put stress on a strong theoretical knowledge but we focus also on practical issues the world has to face, with special emphasis on the European Union, globalisation, etc.

The Centre cooperates with a number of institutions and universities throughout the world. We are the founding member of the Central and East European International Studies Association (CEEISA) and a partner school of the International Affairs Network.
Research Plan of the Faculty of International Relations

The Faculty of International Relations of the University of Economics, Prague (FIR) is a pedagogical and scientific institution specialising in international economic relations, including their political and legal aspects. As a matter of fact, the FIR represents an interconnected network of teachers and researchers able to conduct basic, as well as applied research of complex economic, political, social and legal issues. Based on the institutional support granted by the Ministry of Education, Youth and Sports, in the call for research projects of which the FIR proposal succeeded, in January 2007 the faculty has started to conduct the research plan ‘Governance in Context of Globalised Economy and Society’. About 30 experts from the Departments of International Trade, Commercial Enterprise and Business Communication, Company and European Law, Political Science, World Economy and Jan Masaryk Centre of International Studies are involved in its solution. Thus they represent an interdisciplinary team able to capture the complexity of economic and social processes of the current world.

The team is divided into research groups which deal with particular aspects of the changes in governance. The group involved in ‘Economic Governance’ can provide strategic knowledge to entrepreneurs, international businessmen, as well as to those who form economic policies of the Czech Republic and the EU. Determinants of effective and flexible combination of particular levels of governance are studied by the group dealing with ‘Good Governance’. The reality of globalised world is, however, also influenced by supranational entities, on the activities of which focuses a group specialised in ‘International Regimes and Ethics’. The team does not neglect the determinants of a ‘Balanced and Sustainable Development’. Finally, the group focusing on ‘Global Governance’ identifies the prerequisites of a successful involvement of the Czech Republic in global order being currently formed as a matter of globalisation.

The timeliness and availability of complex information on the current trends of global, European and national development, being the aims of the research plan, shall enable the government, private companies and civic society to react in time to the changes in their environment. Combining theoretical approach with its application to the national, regional and global level will create a complex and interconnected mosaic of opinions, impulses and recommendations which will be ready to be applied in economic, foreign, as well as regional policies in the Czech Republic. Subsequently, this will positively influence its active involvement with the EU. A timely and just understanding of and reaction to globalisation opportunities is, indeed, a key factor of national and regional competitiveness and economic success of firms.
The impact of competition law and policy from the perspective of developing countries – clear and obvious?

BARTOSZ MICHALSKI

Key words: developing countries, competition law, competition policy, UNCTAD, economic growth and development, intellectual property rights

Introduction

Existing disproportions in the economic development level in the world are one of the main reasons to considerate and to identify factors which could be recognised as the most suitable explanation of this concern. Not less intellectual efforts are made to determine those key issues which could be also supportive to change this situation. Analysing it on the ground of development economics almost everyone can approve the thesis that stable system of law regulations and institutions play the crucial role for growth and development. This argument, reasoned and justified from the perspective of high-developed countries and even difficult to contest (as a kind of contemporary tenet), because of its complexity and far-reaching consequences, seems to be at the same time not so clear and obvious when one takes into consideration the most essential, short-term interests of developing countries.

The main aim of this paper is a critical examination of the above sketched problem. The author’s deliberation focuses on the law and competition policy as factors making the economies of developing countries more credible actors of international economic relations, in particular improving their investment climate defined as an ability to attract strategic resources determining relatively resistant transition through the particular stages of economic development. It is also

1 To remain intellectually honest, it has to be said that the Author takes the assumption that different peaceful ways of cooperation may serve as a tool shaping area of international relations in order to achieve political and economic interests at national or regional levels.
desirable to prove/falsify the hypothesis whether competition law and policy (with issues related) based on the experiences and expectations of developed countries are a new hidden barrier for the economic growth and development for countries which have not implemented them so far.

The paper provides author’s opinions shaped especially after the analysis of reports and documents issued by the United Nations Conference on Trade and Development (UNCTAD). It is also an aspect of a broader research on the international coordination of competition policy (WTO, OECD, ICN) and building the competition order in the world economy.

United Nations Conference on Trade and Development as a forum representing developing countries

United Nations Conference on Trade and Development was established in 1964 in Geneva (Switzerland) and has been provided with competences relating to international trade, foreign direct investments and other economic and social issues characteristic for developing countries. Activities undertaken by this organisation were (and still are) often recognised as a response to the challenges being the consequence of quickly growing development disproportions in the world economy at that time, process of Africa’s decolonisation and emergence in the very short period of numerous new independent countries\(^2\). At the very beginning they had to cope with the necessity of settling their own economic and political system, but for many reasons were they unable to do it\(^3\). Those countries were meant to get

\(^2\) One may find opinions that establishment of UNCTAD was prevailed by delegations from developing countries in Asia, Africa and Latin America, which had arrived in July 1962 to Cairo (Egypt). They made declaration calling to found such forum within the United Nations Organisation.

\(^3\) At the same time developing countries formed on the 15\(^{th}\) of June, 1964 the Group of 77 (G 77; today consisting from about 130 member states) which was to serve as a forum discussing the common vision of development and preferential solutions related to the particular problems, strengthening in that way their negotiation position on the arena of international politics. The first document, in which the operational framework of G 77 was defined, was the Charter of Algiers. There were identified the most important barriers for development and necessary measures which should have been taken then by the developed countries. For this reason Charter of Algiers became (or may be seen as) another political manifesto of obligations (in the whole 20-page document the verb “should” appears 172 times), symbolising the disability and pretensions of developing countries which
access to the development aid and technical assistance through the support of UNCTAD, influencing its evolution and starting from the assumption that their participation in the international trade and capital flows would strengthen them economically and would integrate them stronger with the world economy.

UNCTAD may also be regarded as a revival of the ideas supporting several years before the efforts to constitute the International Trade Organisation [see more: Havana Charter of 1948 and UNCTAD 2006, 3]. Leading powers formally took the action to achieve this ambitious goal in order to provide the developing countries with the knowledge they lack and to shape social and economic conditions essential for the dynamics of growth and development.

Today UNCTAD serves as a forum of intergovernmental deliberations, consultations and transfers the political and economic experiences together with experts’ cooperation in the selected domains. Furthermore, the very meritorious support for those activities is analytical work provided in the form of in-depth research, reviews of certain areas of economic policies as well as numerous publications and statistic data.

**Competition law and policy issues in the UNCTAD’s activity**

The cooperation in the domain of competition law and policy within the UNCTAD was initiated in the end of 1970’s. The global crisis in the world economy and the ineffectiveness of government restructurisation programmes made the economic paradigm shift necessary and unavoidable. It meant that economic strategies should have been redefined as well. Changes which were introduced aimed through the procompetitive, market-oriented approach at putting the pressure for trade liberalisation and privatisation of state-owned companies [Phase 2 in the UNCTAD’s activity; http://www.unctad.org/Templates/Page.asp?intItemID=3358&lang=1; accessed 03.10.2008]. Developing countries were also insisting in that time to start negotiations on the establishment of a new international economic order which had been a matter of consideration since 1974 [see more: UN General Assembly Resolution 3202 (S-VI) Programme of Action on the Establishment of a New International Economic Order].
The first issue related to the competition policy which should be presented and analysed is the UN General Assembly Resolution 33/153, from the 20th of December 1978. According to its provisions the United Nations Conference on Restrictive Business Practices (UNCRBP) was established for the period September 1978 – April 1980. The adoption of the above mentioned resolution was a consequence of obligations assented for the purposes of the General Assembly Resolution 2626 (XXV) from the 24th of October 1970 on the International Development Strategy for the Second United Nations Development Decade. Its paragraph 37 pointed that restrictive business practices particularly affecting the trade and development of the developing countries would be identified with a view to the consideration of appropriate remedial measures, the aim being to reach concrete and significant results early in the Decade; efforts should have been made before the 31st of December 1972.

The second important legal act was the General Assembly Resolution 3362 (S-VII) from the 16th of September 1975 on Development and International Economic Coordination. Its paragraph 10 provided that restrictive business practices adversely affecting international trade, particularly that of developing countries, should be eliminated and efforts should be made at the national and international levels with the objective of negotiating a set of equitable principles and rules.

Coming back to the Resolution 33/153, the cooperation on particular issues had to be coordinated by the Third Ad Hoc Group of Experts. It was to take all decisions necessary for the adoption of a set of multilaterally agreed equitable principles and rules on restrictive business practices having adverse effect on international trade, particularly that of developing countries, and on the economic development of those countries, including a decision on the legal character of the principles and rules. The Secretary-General was requested to invite especially all the representatives of states participating in the conference, representatives of organisations that had received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices, representatives of the national liberation movements recognised in the region by the Organisation of African Unity. Another request to be fulfilled by the Secretary-General was to endeavour and find ways to facilitate the effective participation of representatives of the least developed countries in the conference by seeking extrabudgetary funds to finance travel expenses of two representatives from each country.

The UNCRBP’s work was completed on time. On the 22nd of April 1980 this body adopted an appropriate resolution: The Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (the Set), approved then by the UN General Assembly on the 5th of December 1980 (UN General Assembly Resolution 35/63 on Restrictive Business Practices). Its authors
were convinced that the Set’s universally applicable provisions aiming to fight restrictive business practices would contribute to a new economic order and would ensure that restrictive business practices would not impede or negate the realisation of benefits that should arise from the liberalisation of tariff and non-tariff barriers affecting world trade. Other goals were to eliminate the disadvantages to trade and development which might result from the restrictive business practices of transnational corporations or other enterprises, and thus help to maximise benefits to international trade (particularly the trade and development of developing countries) as well as to facilitate the adoption and strengthening of laws and policies in this area at the national and regional levels. The benefits for stronger dynamics of economic growth in developing countries were to become real as a result of achieving following goals [UNCTAD 2000, 9]:

- the creation, encouragement and protection of competition,
- control of the concentration of capital and/or economic power,
- encouragement of innovation,
- the protection and promotion of social welfare in general and, in particular, interests of consumers in both developed and developing countries.

The second part of this document encompassed the most important definitions referring to the key terms used in the domain of competition law and policy [UNCTAD 2000, 10]:

- restrictive business practices – acts or behaviour of enterprises which through an abuse or acquisition and abuse of a dominant position of market power limit access to markets or otherwise unduly restrain competition, having or being likely to have adverse effects on international trade, particularly that of developing countries, and on the economic development of these countries or which through formal/informal, written or unwritten agreements or arrangements among enterprises, have the same impact,
- dominant position of market power – a situation where an enterprise, either by itself or acting together with a few other enterprises, is in a position to control the relevant market for a particular good or service or group of goods or services,
- enterprises – firms, partnerships, corporations, companies, other associations, natural or juridical persons, or any combination thereof, irrespective of the mode of creation or control or ownership, private or state, which are engaged in commercial activities, and includes their branches, subsidiaries, affiliates or other entities directly or indirectly controlled by them.
The scope of application was obviously all restrictive business practices irrespective of whether they involved enterprises in one or more countries and applying to all transactions in goods and services. What may seem controversial, exempted were intergovernmental agreements and restrictive business practices caused by them.

In order to make the Set working effectively, few principles had to be agreed. They applied to following problems:

- taking appropriate action in mutually reinforcing manner at national, regional and international levels to eliminate or deal with restrictive business practices,
- establishing and improving the bilateral and multilateral collaboration between governments to facilitate the control of restrictive business practices,
- devising appropriate mechanisms to facilitate exchange and dissemination of information,
- devising mechanisms to facilitate multilateral consultations.

Besides, it was agreed that provisions of the Set should not be understood as justifying conduct by enterprises which is unlawful under applicable national and regional legislation.

Considered resolution introduced also preferential treatment of developing countries. Their interest had always to be taken into account by developed countries for the purposes especially in [UNCTAD 2000, 12]:

- promoting the establishment or development of domestic industries and the economic development of other sectors of the economy,
- encouraging their economic development through regional or global arrangements among developing countries.

The adopted set of principles and rules referred both to enterprises, including transnational corporations, and states (or regional groupings, if the particular issues were also their competence). Enterprises were obliged to conform the restrictive business practices laws, to consult, to cooperate with competent authorities (especially providing information in particular details of restrictive arrangements required for this purpose) and to refrain from practices when, through formal, informal, written or unwritten agreements or arrangements, they limit access to markets or otherwise unduly restrain competition, having or being likely to have adverse effects on international trade, particularly that of developing countries, and on the economic development of these countries [UNCTAD 2000, 13]. Numerous typical anticompetitive practices were indicated: agreements fixing prices, collusive tendering, market or consumer allocation agreements, allocation by quota as to sales and production, concerted refusals to deal, collective denial of access to
The impact of competition law and policy from the perspective of developing countries...

an arrangement or association (which is crucial for competition), predatory behaviour towards competitors, discriminatory pricing, anticompetitive mergers, takeovers, acquisitions and joint ventures, restrictions on importations of goods legitimately marked abroad, making the supply of particular goods or services dependent upon the acceptance of restrictions on the distribution or manufacture of competing or other goods, imposing restrictions concerning where, or to whom, or in what form or quantities, goods supplied or other goods may be resold or exported, making the supply of particular goods or services dependent upon the purchase of other goods or services from the supplier or his designee.

States and regional groupings were obliged to adopt, improve and effectively enforce appropriate legislation and implementing judicial and administrative procedures for the control of restrictive business practices, which should be based on the principle of eliminating or effectively dealing with acts or behaviour of enterprises which, through an abuse or acquisition and abuse of a dominant position of market power, limit access to markets or otherwise unduly restrain competition. The regulations order should provide consequently treatment of enterprises which is fair, equitable, on the same basis to all enterprises, and in accordance with established procedures of law which should be publicly and readily available [UNCTAD 2000, 15]. Other issues which were enumerated in the Set as further necessary steps were:

- to seek appropriate remedial or preventive measures to prevent and/or control the use of restrictive business practices,
- to ensure reasonable safeguards protecting confidentiality of information,
- to institute or improve procedures for obtaining information from enterprises including transnational corporations, necessary for their effective control or restrictive business practices,
- to share their experience with, or otherwise provide technical assistance to other states wishing to develop or improve such systems.

The latter obligation stated that states should, on request, or at their own initiative when the need comes to their attention, supply to other states, particularly developing countries, publicly available information and, to the extent consistent with their laws and established public policy, other information necessary to the receiving interested state for its effective control of restrictive business practices [UNCTAD 2000, 16].

The last part of the Set were provisions relating to the international measures undertaken by UNCTAD. They were aimed to settle how the common approach to the restrictive business practices should look like. States were obliged to deliver annually appropriate information on the steps taken by them and regional groupings and to report on developments in legislation.
Another measure supporting agreed efforts became procedure of consultation held on request of developing countries. In order to elaborate a model competition law in the future, states were also obliged to provide all necessary information and through experience sharing to assist developing countries to develop appropriate system of regulations. The UNCTAD’s task was in consequence to arrange technical assistance in the form of experts’ work, seminars, training programmes, compiling a handbook on restrictive business practices, providing access to any other information (relevant books, manuals, documents), exchange of personnel or international conferences.

Examined resolution established the Intergovernmental Group of Experts on Restrictive Business Practices (IGE-RBP)\(^5\) playing the role of discussion forum, publishing results of research, analysing actions and official documents released by other international organisations and spreading the knowledge related to issues of anticompetitive behaviour.

Assessing the long-term results of the Set’s provisions one may agree with the following opinion: “The Set still constitutes the only universally applicable instrument in the area of antitrust and its validity has been constantly reaffirmed by international conferences organised by UNCTAD, the most recent one being held in 2005. However, the Set’s existence has also been shadowed: first, by its weak legal effect and, second, by the emergence of new international fora for competition policy, such as the Word Trade Organisation and the International Competition Network (ICN)” [see more: Lianos 2007].

**Relationships between law and competition policy and economic problems of developing countries**

Analysing activities of the UNCTAD’s Intergovernmental Group of Experts on Competition Law and Policy (IGE-CLP) one has to observe that especially remarkable focus has been put on the issue of competitiveness of national economies and its relations to the potentially negative consequences of globalisation resulting from deregulation, privatisation and liberalisation processes. Although they bring chances to enhance consumers’ standard of living (their welfare), but in case of the least developed countries there is a risk that international business will be able to push them aside (forcing them to tackle in a deep defence) what will cause their lesser effectiveness and will lower standards of competition and consumer interests protection. Establishing and enforcing

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\(^5\) Today the body is known as the Intergovernmental Group on Competition Law and Policy (IGE-CLP). See next section of the paper.
necessary law regulations may become then practically impossible and consumers may be harmed as well by the actions resulting from the dominant position on the market of certain enterprises. One can indicate especially the issue of selling goods with very dubious quality and thus not fulfilling security standards as well as dishonest (and unethical) market practices (i.e. dishonest advertising) which may deform average consumer behaviour through the use of misinformation.

Another reason for warranted concerns is the specificity of the small countries’ economic development. Assuming that for the economic efficiency a certain level of production has always to be achieved, there is quite likely that domestic market may be pressured by the tendency to the concentration of market power or this may even lead to monopolisation what can be regarded as an essential threat for the consumers’ interests. One should also remember about the transnational mergers and acquisitions. Their growing number and scope is one of the effects of liberalisation and creation of borderless markets.

Admittedly, the experts of IGE-CLP claim, that implementation of too much restrictive legal solutions would not be desirable in this domain, but according to their opinion it seems reasonable to put all those issues in the appropriate order [see more: UNTAD 2001a and UNCTAD 2001b]. This view is based on the conviction that competition policy and consumer protection policy remain indispensable for each other and both are factors determining the improvement of national competitiveness as well as accelerating the stable, sustainable growth.

Those in-depth considerations on the issues of the impact of consumer protection on the competitiveness and economic development helped the IGE-CLP to define a number of recommendations. Their essentiality and urgency has been recognised broadly. The list was based on the resolution coming from 1999, approved by the UN General Assembly (decision No. 54/449), UN Guidelines for Consumer Protection [see: United Nations 2003]. Specified were in this document objectives, general principles and guidelines which should be applied without delay by governments of developing countries supported by the developed ones to ensure that consumer protection regulations would not become barriers to international trade and that they would be consistent with international trade obligations. The most important objectives were [United Nations 2003, 2]:

- to assist countries in achieving or maintaining adequate protection for their population as consumers,

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6 Critical analysis of this material leads to the conclusion that documents of that kind become a list of wishes and obligations, which one can doubt if they will be whenever fulfilled or done in developing and least developed countries. It is symptomatic that the verb “should” appears in this 11-page documents 110 times (!).
to facilitate production and distribution patterns responsive to the needs and desires of consumers,

to encourage high levels of ethic and conduct for those engaged in the production and distribution of goods and services to consumers,

to assist countries in curbing abusive business practices by all enterprises at the national and international levels which adversely affect consumers,

to facilitate the development of independent consumer groups,

to further international cooperation in the field of consumer protection,

to encourage the development of market conditions which provide consumers with greater choice at lower prices,

to promote sustainable consumption.

The general principles related to the health and safety protection from hazards, consumer interests protection, access to adequate information, consumer education, availability to effective consumer regress, freedom of consumer organisations, opportunity to present their views in decision-making processes affecting them and promotion of sustainable consumption patterns. Measures based on them should include [United Nations 2003, 4-10]:

- physical safety of goods (appropriate legal system, voluntary standards, instructions, awareness of unforeseen hazards, substitution of products, adequate compensations),
- promotion and protection of consumers’ economic interests (optimum benefit from economic resources, monitoring of damaging practices, producer’s responsibility for goods, encouraging fair and effective competition, availability of reliable after-service and spare parts, protection from contractual abuses, provision of the information and participation in its free flow, the environmental impact of products, fair advertising and other marketing activities),
- quality and safety standards (reviews, improvements, certification, availability of facilities to test and certify the safety, quality and performance),
- distribution facilities for essential consumers goods and services (efficient distribution, establishment of consumer cooperatives),
- measures enabling consumer to obtain regress (expeditious, fair, inexpensive and accessible procedures, voluntary mechanisms of resolving consumer disputes, information on available redress),
- education and information programmes (needs of disadvantaged consumers, in both rural and urban areas, including low-income consumers and those with low or non-existent literacy levels,

\(^7\) The latter has been associated with the environmental issues, eradicating poverty, satisfying the basic humans needs and reducing inequality.
The impact of competition law and policy from the perspective of developing countries...

development of consumer information programmes in the mass media, training programmes for educators, mass media professionals and consumer advisers),

- promotion of sustainable consumption (the development and use of products and services that are safe and energy and resource efficient, the development and use of national and international environmental health and safety standards for products and services, the promotion of awareness of the health-related benefits of sustainable consumption and production patterns),

- international cooperation (technical assistance, transfer of experiences).

Another platform of analyses made by UNCTAD were studies which general aim was to find evidence that implementation and effective enforcement of competition law and policy determine the perspectives for economic growth and development.

“The evidence available is mainly about the experiences of developed countries, but it still indicates that there would be substantial benefits to be obtained from strengthening the application of competition law and policy principles in developing and least developed countries and countries in transition in terms of greater production, allocative and dynamic efficiency, welfare and growth. Moreover, since the benefits of competition have been estimated mainly for countries which already have relatively open economies and competition policies, it is likely that other countries might have relatively more to gain from adopting and enforcing competition policies; by the same token, however, they might have relatively more adjustment losses” [UNCTAD 1998, 2, see more: Lachmann 1999].

Basing on the studies of UNCTAD certain stipulations on the scope of reforms in developing countries may be identified. The abilities of national competition authorities in defining priorities for economic policy deserve in this context for special attention, because they could impel procompetitive character of economic transition and ensure a preferable degree of flexibility of actions together with a piece of advising duties. To make it possible, the key problem are competences related to gathering market information, receiving it both by themselves and from foreign sources through the exchange mechanisms. Thus one cannot be confused why such a great importance is associated with the issues of technical assistance.

Efforts made in the domain are result of the necessity to strengthen the competences on preparation non-standard, unique analyses (case-by-case approach), because their merits depend on the intellectual abilities to catch the

8 However, the problem is, if this sector was ready to raise a problem that could be contradictory to particular lobbies. Democratic axiom of the “free media” is not always true, even in countries known as politically stable and mature.
Bartosz Michalski

essence of structural transformations in every particular economy and to identify the specific market conditions. Furthermore, considering the impact of competition law and policy on the economic growth and development, a positive correlation between the scale of market concentration, scope of enterprises, economies of scale, intensity of capital use, profit margins and the presence of foreign investors may be detected. Selected entities in the industrial sectors, which on this stage of economic development play the role of national champions, have to be supported smartly, from one side by the government actions (it can even tolerate growing degree of market concentration which could be regarded as a consequence of growing competition and innovation pressure), from the second by the national competition authorities in order to eliminate behaviours related to the abuse of dominant position and raising barriers to entry. When domestic enterprises are able and strong enough to compete at international level for other markets, it is necessary to re-orientate the strategy of economic development driven by government actors towards approach aiming the parallel restructurisation and resulting in the creation of small and middle-sized enterprises as well as deregulation of markets which reduces past privileges and protection of infant-industries.

From the perspective of competition policy, it would be also advisable to steer the inflow of foreign direct investments by granting them exclusionary rights (tax reliefs, public aid programmes) that should not discriminate domestic entities, but give them support to imitate business patterns and management practices as well as to stimulate knowledge spill-over. With other words, foreign direct investments should not be considered as universal tool which will enhance in every conditions prospects for growth and competitiveness of national economy.

It is worth remembering that competition law and policy will not solve problems connected with underdeveloped industry and excessive dependence in imports of processed manufactures. This situation imposes a risk for developing countries making them more exposed to negative consequences of restrictive business practices of importers and generates at the same time barriers for the domestic enterprises’ expansion. The latter have quite often to deal with the allegations of unfair competition (especially dumping practices) being made by their rival companies from developed countries. The fact implies unnecessary cost burdens of legal procedures and discourages them effectively from competing. Another structural issue is also less developed transport and technical infrastructure what results with high concentration and low quality of services in this sector. One may generally find an example of landlocked African countries. No access to the sea blocks out their trade connections with not only their closest neighbouring countries, but also prejudices practically the perspectives for intra-branch trade specialisation, because the development level of main trade partners is not stimulating factor for any desirable structural transformations.
Intellectual property rights as a tool of neoprotecionism and competition barrier

Considering the impact of competition law and policy, it is justified to mention the issues of intellectual property rights, which in opinion of their critics may be one of the most significant barrier for economic and social development. Contemporary life is highly dependant on advanced technologies and growing demand for such goods causes to slow modernisation of developing countries’ economies or even toughens up existing disproportions. Innovators expectations focus on the elimination of the risk of losing their valuable assets because of the activity of free-riders – here developing and least developed countries. However, one should bear in mind that the phenomenon of intellectual piracy and sell of false marks emerges from the limited economic availability (higher prices) of original but reserved ideas.

Because of this reason intellectual property rights may to some extend lose their pivotal role. Instead of being a motivation to stimulate competition, they make possible to abuse market dominant power. In the most extreme form they are used as measures to prevent consumers from having access to substitution solutions (i.e. parallel imports\(^9\)), what seems to be essential from the point of view of developing countries. Thus it is logical that legal system of intellectual property rights (and partly competition law) can be recognised as a tool protecting both technological and economic advantage of developed countries.

However, it has to be admitted that basing on the rule of reason approach, the limitations related to the enforcement of intellectual property rights may be accepted from the point of view of competition policy. The main reason for that is that monopolistic profits (inefficient short-term resources allocation) may in the long term improve the dynamic efficiency and stable economic growth [comp. UNCTAD 1999, 4]. In the context of competition protection the problem remains still the scope and duration of exclusive rights and examination whether they do not create new monopoly powers and enable them to exist and perform effectively harming consumer welfare, using i.e. discriminatory pricing. The proper balance between intellectual property rights and competition policy has to be found as

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\(^9\) This practice is when consumers can find cheaper access to a good (especially medicines) which is allowed to be sold in their country, but using other distribution channels, not those of authorised importer/retailer. This situation makes possible to avoid imposed restrictions, so consumers are able to afford particular goods on lower prices.
between two domains being basically complementary to each other. Because of strong interdependence it could be even desirable to consider the establishment of one authority which would be competent at settling problems concerned to these two legal areas.

Because of the complexity of those issues and strong significance of technical assistance UNCTAD/IGE-CLP has taken action to make this subject more familiar for developing and least developed countries and to comply them in the process of defining the priorities and tactical goals of domestic competition policy. At first the legal solutions on intellectual property rights of the European Union, United States, Japan and international agreements (i.e. Paris Convention for the Protection of Industrial Property, Berne Convention for the Protection of Literary and Artistic Works, WTO Agreement on Trade Related Aspects of Intellectual Property Rights) were examined together with experiences gained during their enforcement. Basing on them appropriate recommendations have been composed [see more: UNCTAD 2001, UNCTAD 2002, UNCTAD 2008].

From the perspective of developing and least developed countries the key problems seems especially:

- access to medicine (through more flexible enforcement of patent protection, which could enable production of cheaper generic pharmaceuticals/biosimilars, containing the same active substance and thus improving the economic availability for indigent social groups),
- the establishment of appropriate counterbalance between advanced biotechnological knowledge and traditional one,\(^\text{10}\),
- the provision of dynamic transfer of knowledge and technologies as one of the factors determining investment climate in particular country.

Issues covered in the last point raise discussion on grant-back clauses. The interests of developing countries are aimed to abandon legal solutions obliging the licensee to transfer the licensor all the improvements. There exist forceful expectations, or even social pressure because of the consumers’ interests, to fight against monopolistic practices through anticompetitive use of intellectual property rights and to promote copyleft (as opposed to copyright) regulations, which would exclude legal protection and obligatory transfer of improvements to the patent’s owner (licensor), making the particular good open for all to modify it and

\(^\text{10}\) Critics often claim that very unfair kind of practice is biosprospecting (biopiracy). Transnational pharmaceutical companies are blamed for obtaining so-called patents on life, which base on the knowledge known and used in certain societies for a long time.
The impact of competition law and policy from the perspective of developing countries...

stimulating further innovations in that way. These changes are noticeable mostly in
the IT sector, where the idea of freeware (open-source) finds its proponents.

Other, but not less important problems, which are linked to the intellectual property
rights, are trademarks (according to conventional wisdom developing countries are
often producers of counterfeit goods) and imposition of certain international
standards. In connection with it the UNCTAD recognises that dynamics of
technological progress, which is essential for economic growth and development,
requires further activities to find appropriate solutions of these dilemmas. Among
the most relevant one can argue [UNCTAD 2008, 15-16]:

- how to cope with the diversity of national approaches towards
  competition policy given the international framework on IPR protection,
- the appropriate design of free trade agreements with regard to IPR
  protection, the access to test data rights, the doctrine of exhaustion and
  general issues concerning the cooperation between developing countries
  and the home countries of most IPR holders,
- how innovators could be compensated other than through IPRs,
  considering the effect of first mover advantages or adequate research and
  development subsidies, which might have less harmful effects on market
  structures,
- if and how to avoid poor quality patents and the negative effects of
  various forms of package patents by stronger inter-agency collaboration,
  since competition authorities are usually not integrated into the patent-
  granting process,
- the possible publishing of guidelines on the competition treatment of IPRs
  by competition authorities and the creation of “safe harbours” and
  “blacklists” to enhance the predictability and to satisfy business needs for
  legal security,
- the role of UNCTAD in the field of competition policy, especially
  supplying technical assistance to overcome the asymmetry of information
  and the lack of human resources, to foster capacity-building and to help
  establish an appropriate institutional and legal framework in developing
countries.

Final remarks, conclusions

When the international trade is more and more liberalised (and the competition
intensity is growing), developed countries focus on the preservation of their
economic hegemony. Traditional tools of protectionism are abandoned, but instead
of them, through the suitable system of international cooperation new measures
appear to hold status quo. It seems that one of them can be competition law and
policy based on the experiences of developed countries and taking pattern on them. However, one important aspects is ignored, namely that economic situation of developing countries requires the application of most complex instruments supporting economic growth and development. They may sometimes involve measures of direct government intervention into market mechanism.

Implementation of regulations coherent with the expectations of developed countries limits the scope of possibilities and even consolidate inequalities. The inherent quality of the market mechanism based on free competition is that more benefits are derived by the most efficient players. In addition, if the development aid is conditioned to accept certain legal solutions, developing countries cannot improve their chances for growth. One can even claim, that transnational corporations operating in the world economy and consumers from developed countries will always need cheap localisations and they will put up reluctantly with new rivals (competitors) because the risk of losing jobs in large numbers. For that reason the pursuance to equalise economic conditions (but to keep safe distance at the same time) may be recognised as unfavourable and thus being smartly blocked despite of official, politically correct assertions.

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Democratizing Islamic Countries – Who, How and Why?

SAFWAN NASER

Introduction and Methodology

The concept of democracy is indeed a very complex and frequently debated issue, one that has been evolving for several centuries by the most modest of estimates, yet theoretically the concept itself has been developing since the dawn of mankind. The aim of this paper is to briefly point out some aspects of the theoretical setting of the concept of democracy and subsequently discuss the process of democratization and some of the problematic aspects ensuing thereof, ultimately revealing the perplexity and intrinsic fallibility of the entire process from an exogenous perspective and the categorical necessity of an endogenous approach. The main thesis of this paper is to propose that the concept of the seemingly indispensable need of democratization is inherently flawed regardless of the countries which are to undergo said democratization and Islamic countries therefore do not differ from other countries on a theoretical level in this respect. In order to counterbalance the inevitably theoretical nature of this paper, it will be structured so as to ultimately provide answers to three basic areas of interest regarding democratization which are self-evident considering the title of this paper and will be viewed through the conceptual prism of the basic overview of the process of democratization and the concept of democracy itself as elaborated on in the first part of this paper. In order to avoid an excessively detailed approach and achieve the highest possible level of practical relevance within the theoretical scope of this paper, it is necessary to establish certain generalizations which will facilitate a more complex approach. Although drawing on recent events and historical facts for the purpose of providing specific examples would greatly simplify the entire subject matter and make it more readily comprehensible, it would inevitably entail a certain level of subjective interpretation and possibly shift the main focus of this paper from the assessment of democracy onto emotionally more burdened issues. We will therefore intentionally avoid providing any specific examples of the discussed phenomena as much as possible, as these examples will be self-evident and simultaneously the assessment of the subject matter itself will not be altered by the specificities of these examples. Those rare cases where a specific example will be given shall be free of any subjective interpretation or commentary by the author.
The Problematic of Defining Democracy and Democratization

Although the aim of this paper is not to present a detailed description of the various forms of democracy or the history of the development of the concept of democratization as such, it is indispensable to at least briefly point out some of the theoretical aspects of the concept of democracy in order to establish a specific theoretical background which will enable the effective assessment of the inherent problematic aspects of democratization which unavoidably and unvaryingly apply in the case of the democratization of Islamic countries. Establishing this theoretical background will also enable a more specific and practical addressing of some of the problems related to the democratization of Islamic countries in view of the general problems linked to the process of democratization irrespective of the concrete subject of democratization.

It is clear that before we can speak of democratization, we must first address the concept of democracy as such. It is already at this stage that we will be able to identify some of the major difficulties that are intertwined with the process of democratization, be it of Islamic countries or not, from the outside or within the concerned populace. The fact that there exists a wide scope of different “types” or “forms” of democracies demonstrates the extent to which different polities are flexible and modifiable concepts, out of which democracy is arguable the most prominent in this respect. In general terms, there are at least as many “types” or “forms” of democracy as there are polities fundamentally dissimilar to the concept of democracy. A brief example that illustrates this notion and the increasingly more interdependent and intermingling nature of various polities is the anarchists’ interpretation of democracy. While Murray Bookchin would argue against those anarchists who opposed the rule of the majority as being inconsistent with anarchism, even those who did not proclaim themselves as anarchists would most probably disagree if directly confronted with this approach. A very prominent example of one of these “anarchists” would be Ralph Waldo Emerson or Henry David Thoreau. In fact, Transcendentalists in general would be a complex example of the defense of the indispensability of consent which is obviously a significant issue in any “type” or “form” of democracy. If we wish to consider the democratization of a given nation, it is therefore absolutely crucial to define beforehand in great detail which “type” or “form” of democratization one is contemplating, or according to which “type” or “form” of democracy the democratization is be conducted, if you will. One of the problematic aspects of defining democracy (and therefore defining democratization as well) is the historical process of the evolution of the concept of democracy, which is observable in the comparison of the aforementioned various “types” or “forms” of democracy. It is debatable whether we can truly distinguish “types” or “forms” of democracy or whether there exists but a single universal democracy and other
“similar polities” which ought to be termed differently. We need not resolve this theoretical issue to be able to conclude that democracy is a rather flexible concept and it is therefore somewhat difficult to arrive at an undisputable set of characteristics that would encompass the essence of all the “types” or “forms” of democracy. Nevertheless, as was already mentioned earlier in this paper, it is necessary to engage in a certain level of generalization in order to make the concept of democracy more readily understandable. The following delimitation of the general aspects of the concept of democracy is therefore not intended as an authoritative all-encompassing definition of democracy, nor should it be understood as a comprehensive explanation of every aspect of the concept of democracy or its constituents. The following is merely an attempt to point out some of the more significant and possibly least controversial aspects of the general concept of democracy which are extant in most, if not all, “types” or “forms” of democracy. The theoretical differentiation between “types” or “forms” of democracy and a single “universal” democracy is therefore negligible and need not be made for the purpose of this paper, as the consequences of such a differentiation would be merely of a formal nature with regard to the nature of the following simplified delimitation of democracy. Henceforth, any mention of “democracy” will therefore encompass both approaches, that of several “types” or “forms” of democracy and that of a “universal” democracy and its modifications which do not classify as a democracy.

To put it quite simply, one of the most important elements of a democracy is closely linked to the general notion of freedom which is obviously also a rather opaque concept, yet somewhat more palpable on a theoretical and a practical level. Nevertheless, it is a concept which is unequivocally interfused with all the individual characteristics of democracy, which is why democracy itself is on some level more complex than the concept of freedom. The concept of freedom could obviously be discussed at length, but for the purpose of this paper it is sufficient to purport that it includes the unconditional guarantee of the “usual” rights, however vague and intuitive it may seem. These rights or freedoms include basic human rights, the well-known freedom of speech, opinion, religious belief, the historically sensitive issue of general and equal suffrage etc. Although the intuitive definition of the boundaries of the freedom of an individual as being determined by the boundaries of the freedom of other individuals seems simple enough, one cannot escape the perplexity of defining freedom as such, for it has been documented several times in the history of mankind that some individuals differ greatly on the specific delineation of their personal boundaries of freedom. The Bill of Rights is a specific example of the historical development of the understating of these individual boundaries and it provides a comprehensive representation of the unstable nature of the concept of freedom, which is why we will devote a few words to this specific example, as the concept of freedom is of the utmost significance when trying to encapsulate the essence of democracy in a few words.
The Bill of Rights is the designation of the first ten amendments to the United States Constitution dating back to the last decade of the eighteenth century and is a very important and reiterating issue in political affairs of the United States of America. The ratification of these amendments was not a unanimous decision which itself is a proof of the differing opinions on the concept of freedom, but let us disregard this particular aspect of the Bill of Rights and focus briefly on one what is still one of the most controversial articles therein especially in terms of electoral politics:

The Bill of Rights

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

The question of the right to keep and bear arms is a very prominent one in the United States of America as much as it is controversial when compared to the understanding of freedom in other sovereign nations. It is clearly a highly debatable issue whether one should be allowed the freedom to impose his or her freedom by means of a deadly weapon. One would quite logically expect that given the nature of the permissible deadly means of defending one’s own freedom, a concise and well-balanced definition of freedom would have been devised to accompany the right to defend this freedom. Consider the plethora of laws governing the actions of an individual and the extent to which they succeed in proving a concise and well-balanced definition of freedom. It would certainly be a task beyond the capabilities of many individuals, weapon bearing or not, to provide a clear and legally incontrovertible definition of the freedom which they are allowed to protect. Although most would certainly have a fairly clear notion of what freedom represents to them, one would face rather great difficulty in trying to find the boundaries between individual freedoms. Another extremely important issue is the matter of slavery and its abolishment, yet this is precisely one of the emotionally burdened topics the assessment of which is not absolutely necessary for the purpose of this paper and will therefore be left only with the reminder of its significance in terms of the horrendously slow shift in the understanding of the concept of freedom.

Nevertheless, it is clear that the concept of freedom, albeit an indispensable factor in the definition of the concept of democracy, is a very perplexing one, regardless

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1 The first ten amendments to the Constitution of the United States of America known as the „Bill of Rights“ were ratified December 15, 1791.
2 http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html
of the quantum of theoretical musings and historical events that are intertwined with the concept of freedom. And yet, it is somehow obvious that in spite of the imperfection regarding the insufficient clarity of the concept itself, it is nonetheless an integral constituent of the concept of democracy, although opinions might differ regarding the specific manifestation of the concept of freedom. All these various manifestations of freedom define democracy (and consequently define democratization) and the concept itself is linked to all other constituents of democracy, as was mentioned earlier in this paper. Another crucial aspect, and one which is also linked to freedom with respect to the abovementioned, is the concept of equal access to power. This concept requires an equitable set of conditions enabling every individual to be directly a part of the body of individuals responsible for perpetrating the concept of democracy (i.e. the process of democratization). However, this concept is one which is rather controversial if considered in the framework of specific cultures and historical circumstances, which is why it was stressed beforehand that an abstract prism of contemplation is necessary in addressing this issue. In addition to that, while opinions may vary on the subject of power regarding its definition and the matter of who should be allowed to acquire it, by what means and to what end, it is indisputable that power is an essential element in effecting a democratic (and any other) environment.

It is obvious at this point that defining democratization is a very complex process, which is mainly the direct consequence of the complicatedness of defining democracy itself. Since the definition of democracy is an inextricable constituent of the definition of the concept of democratization, it is clear that the concept of democratization is characterized by at least the same level of perplexity as is true for the concept of democracy. This is an absolutely essential verity which must be constantly taken into consideration when contemplating the following chapters which address some of the basic issues concerning the process of democratization. If one may allow oneself to paraphrase the words of Sir Winston Churchill, democracy is indeed the worst form of government except all those other forms that have been tried thus far. The relevance of this rather pessimistic point of view is unfortunately still unaltered and it reflects quite adequately the remonstrations which shall be presented in the following chapters with regard to the process of democratization.

Who

With regard to what has been pointed out so far about the process of democratization, it is only logical to question the authority of anyone who claims the right to democratize a given populace, whether it be someone who is part of this populace or an outsider. A very important distinction which was already
mentioned in the first chapter of this paper must be made at this point regarding the process of democratization. For the purpose of this paper, we shall distinguish between two different types of democratization. On the one hand, democratization may occur endogenously, form within the populace itself – a democratization by the ones being democratized. On the other hand we must consider exogenous democratization where the set of individuals responsible for the process itself is not the same as the set of individuals undergoing the process. The processes differ on a fundamental level and while the first is a plausible and in most cases a desirable process when all the other aspects of the problem are disregarded (i.e. even the complications mentioned in the previous chapters), the latter is intrinsically flawed on both the theoretical and practical level, especially with regard to what was discussed in the second chapter. Although it is an issue of a rather philosophical nature, it can be argued that an exogenous democracy is ipso facto not a democracy, namely due to the fact that by imposing democracy, the foremost constituent of democracy is thereby disregard – the essential concept of freedom. Even if we were to accept the rather marginal and purely philosophical notion of the existence of an imposed freedom, an absolutely vital condition in contemplating the acceptability and feasibility of exogenous democratization and the result in the form of such an exogenous democracy would be a subsequent utter separation of the exogenous element (which does not include only the persons responsible for the democratization process) from the subjects undergoing democratization. This is a complicated issue itself and will be addressed in the following chapter. Suffice it to say at this point that such a separation would be highly problematic not only on a practical level, but even more so from a theoretical perspective. Endogenous democratization on the other hand is generally speaking in harmony with the basic concept of democratization as elaborated upon above, and certainly surpasses exogenous democratization in terms of the fulfillment of all theoretical prerequisites of the process itself with regard to the complications outlined above. It seems inherently more in unison with the concept of freedom to undergo the process of democratization as a consequence of an internal decisional process with those in charge of the process of democratization being from the subjects that will directly reap the fruit of the democratization process. However, endogenous democratization must also be considered in the following chapter because the fact itself that the process originates from within the set of subjects undergoing the process per se does not ensure that no complications will arise along the way. Consequently, while endogenous democratization is preferable to exogenous democratization, this relative satisfactoriness does not guarantee an impeccable process or indeed an impeccable result. Furthermore, on a less abstract level, the reasons for the preferring of an endogenous democratization become more apparent. When the democratization process comes from within, those who are part of the process are fully aware of all the individual aspects of the process in terms of their knowledge of what characterizes the given populace, the culture, history, the established ways, philosophy etc. More importantly, this
knowledge is not artificially acquired or considered only for certain purposes and intents, but it is an integral part of the very existence of those who are part of the process and who will directly suffer the consequences of the process of democratization, whether it be a success or not.

How

The most complex of all issues is undoubtedly the need to specify the exact mechanism of democratization. It was mentioned in the previous chapter that exogenous democratization could be considered if it were possible to entirely separate the exogenous element from the subjects undergoing the democratization. On a practical level, this would mean the withdrawal of all persons, institutions, documents etc. which were part of the exogenous democratization process. The physical displacement of any exogenous element is obviously not too complicated, and in comparison to the theoretical level of this issue, it is almost negligible. If we presuppose that the imposed democracy (i.e. the result of the exogenous democratization) is a success by whichever standards we wish to evaluate it, it follows that the ideas, notions, and individual constituents of the given democracy (including a given set of freedoms) were incorporated into the everyday functioning of the new polity, which obviously precludes a complete and clear separation of the exogenous element from the subjects undergoing the democratization. Consequently, even if we were to accept the purely philosophical notion of an imposed freedom, we could not consider the final result of this imposed freedom as a democracy and the process of “democratization” itself would therefore not be successful. The only plausible form of exogenous democratization would be one where the element of “imposed freedom” would not be an extant part of the process of democratization. There are two possible scenarios within the framework of this assumption:

1) A “supervised” democratization
2) A “provided” democratization

A “supervised” democratization would be the case where the process of democratization is almost entirely performed by the democratized subject and the exogenous element would only consist in the provision of assistance where necessary. If these two elements are carefully balanced, “supervised” democratization might in fact be as desirable a form of democratization as endogenous democratization, at least on a theoretical level. A “provided” democratization is basically a form of a voluntarily accepted imposed freedom with the end result being a “takeaway” democracy if you will.
It must be emphasized that both cases must be unconditionally the result of a free decision of the subject of democratization. Even if we disregard the fact that the process of freely deciding that an exogenous element is acceptable during the process democratization is already a part of the democratization process per se and therefore every apprehension regarding the process of democratization inherently applies, both “supervised” democratization and “provided” democratization would suffer from the theoretical imperfections discussed above. On a practical level, both “supervised” democratization and “provided” democratization may seem as plausible and acceptable options and they are in fact the least distant from the concept of endogenous democratization, which is precisely the reason why they are relatively acceptable solutions. If we were to presume that those responsible for either “supervised” democratization or “provided” democratization would gain all the necessary knowledge mentioned in chapter three and would somehow be directly influenced by the outcome of the democratization process to the same extent as the subject of democratization, we would truly be able to consider both “supervised” democratization and “provided” democratization an acceptable form of democratization. However, it is impossible to reconcile the practical feasibility and theoretical presuppositions. While the first condition regarding the level of knowledge is theoretically achievable through direct cooperation with the subject of democratization, the second condition involving the direct consequences of the final result of the process of democratization on the exogenous supervisor or provider of the democratization with respect to the subject of the democratization process is unimaginable even on a theoretical level.

Even with all the theoretical exemptions and simplifications, it is beyond any doubt that the complications related to exogenous democratization will always surpass those of endogenous democratization. This is an axiomatic conclusion mainly due to the fact that every process of exogenous democratization regardless of its subdivision inevitably incorporates a process of endogenous democratization. Furthermore, if we take into consideration all the aspects of the definition of democratization and related issues discussed above, on a purely theoretical level, exogenous democratization is never democratization per se.

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3 This would be the case of “supervised” democratization where the exogenous element would only manifest itself through the provision of guidance.

4 Even if the democracy is not imposed, if nothing else, the decision making concerning the acceptability of an exogenous element and the extent to which it is allowed to influence the process of democratization is inevitably a part of endogenous democratization.
Why

The final issue is perhaps the simplest, although perhaps a rather unexpected one. However, if we take into consideration everything that has been discussed thus far, the issue of why democratization is a desirable process should not be too surprising. The separation of powers\(^5\) is one of the cornerstones of most democracies, yet this does not circumvent one of the primary disrupters of the concept of democracy (and most other polities) – the fact that the election of individuals often supplants that of ideas. Can we therefore speak of “less democratic” and “more democratic” countries depending on the successfulness of the process of democratization? Even if the process of democratization as such were guaranteed to be a success,\(^6\) it is impossible to devise objective criteria which would prove that democracy is the ideal constituent regarding the polity of a given nation with respect to its history, culture, traditions etc. One of the Islamist views for example is that the lack of moral integrity within democratic polities is the direct consequence of the absence of a respectable leader who sets high moral standards and it is beyond doubt that an excessively politically free environment encourages irresponsible and egotistic behavior due to the absence of this high moral standard. Many polities consider a wise and just father figure a preferable polity – unfortunately, such a father figure is an unattainable utopia for many. Nevertheless, even if we were to consider only these two options, who is to say which of the two is better? If there were a straightforward and undisputable answer, then it could perhaps be determined whether democratization is truly the best option. It is obvious that the establishment of democratic institutions in countries where such institutions have as yet been uncommon or deemed culturally, historically or otherwise objectionable can result in undemocratic institutions and a generally unsustainable shell of a democracy from a long-term perspective. Furthermore, if the democratization process is considered a result of unwarranted foreign interfering, even well-meaning attempts of exogenous democratization will not prevent the moral deterioration of the subject of democratization. Since democracy is an acceptable solution only in cases where the populace itself desires it, the democratization process itself cannot possibly be an exogenous one and it certainly does not necessarily match the given cultural and historical circumstances of a given country. The absence of democracy is often construed as the reign of injustice, but that obviously is not true. Socioeconomic inequalities cannot be effaced by the introduction of democracy, let alone an

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\(^5\) Executive, legislative, judicative.
\(^6\) Which in itself is an immense oversimplification.
imposed democracy. Is the rule of ignorant masses more acceptable than the other forms of polity, an aristocracy as interpreted by Aristotle\(^7\) for instance?

**Conclusion**

There are many aspects which need to be taken into account, yet this paper has shown that on a theoretical level, democratization per se is a concept the acceptability of which does not depend solely on the country undergoing the process. Although there are many specific elements that define Islamist countries, everything that was discussed in this paper applies generally to all countries both in theory and in practice and the inclusion of specificities related to the given country as the subject of democratization only underscores the complexity and obstacles discussed above. Given the nature of the process of democratization, exogenous democratization can never be considered democratization per se, although on a theoretical level, “supervised” democratization may be an alternative worth exploring. Although endogenous democratization is preferable to exogenous democratization, it is not free of imperfection and certainly does not represent the single most appropriate form of polity for every country, whether it be Islamist or not.

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\(^7\) Aristotle distinguished between aristocracy and oligarchy depending on whether the rulers had general interest at heart or solely their own wellbeing.
Government as a Religion: Observations from the Bridge Called Turkey

LEVENT NEYSE

Introduction

“TÜBİTAK”, the most respected scientific institution in Turkey which helps government on the policies concerning science and technology, publishes books, gives scholarships, prepares tests, makes researches, so on was on papers’ headlines for couple of days and in articles for some weeks. The reason was simply “Charles Darwin’s bicentennial birthday”. The official magazine of TÜBİTAK, Bilim ve Teknik’s (Science and Technics) March cover and the articles had been ready to be published: Cover with the picture of Darwin and with a headline “Darwin is 200 years old” and a 15 paged article about him. In the last minute a veto comes out from the managers, and with a week delay magazine takes its place on shelves with a new cover: “Global Climate Change” and without any articles concerning Darwin. In addition the name under the cover and the article, chief editor Çiğdem Atakuman was demoted in March Publish. In the following days TÜBİTAK reported that the subject was provocative in Turkey’s recent condition.
“Turkey’s recent condition” was the catchy phrase there in my opinion. Turkey has always had a recent condition, just like every other country. Even in this minute there are countless “recent conditions”. So what is recent? When does it start, when does it end? Or in this situation does the word “recent” stand just for some years or for 86 years, from the refounding of the Turkish Republic?

In the first part, I will try to compare a religion and a government in the example of Islam. In the second part, called “The Bridge Called Turkey”, I will try to draw a fundamental outline to Turkey’s situation concerning Islam. And in the last part I will give few selected interesting articles about Islamic Theocracies from various newspapers.

Religion versus Government in the Example of Islam

One of the most widespread monotheistic religions Islam, which has come into being in early 7th century A.C., has been seen as the last version of old and the new testament by the Muslim world which means the acceptance of the former ones is doubtless in Quran. As can be seen with ease, three of these religions have the same subject, the god, the same God in the core. But even the religions have different movements or different thought systems and clashes of these thoughts with each other in themselves like sects. Therefore the source of the problematic appears: Instead of where to run, the problem is how to run.

Without a doubt religions have the reminiscent ideas which have a reminiscent goal, designing a steady social organism that is formed by believers, those who are formed by religion, which aims a steady social system; a social system that is formed by believers, who are “people”, so on... This cyclical system looks like an exact reference to a some kind of representative democracy. Demos elect the representers, and those who are elected by demos make regulations which aim a steady social system. Regulations containing education system, “Do”s and “Do not”s, even orientation of media, create or shape their own people, that elect the representers who executes and directly or indirectly legislate, so on.

The five pillars of Belief in Islam are important indicators for researching it, or some other religion or religious system:

- To believe Allah is the only god, Mohammad is the prophet of him.
- To believe the last book, Quran
- To believe angels
- To believe life after dead, resurrection, judgment day, heaven and hell.
These pillars of belief, again are not dissimilar than the other monotheistic religions. As talking about Islam, we have chance to make implications about theocratic systems. Thus without any offense to Islam or any other religion, personally I am prone to comparing Holy Book with law and religious institutions with government. In this context, division of powers come into being as pillars:

- The nomographer or the law maker is God and the prophet is the announcer.
- To comply with law
- To believe the executers. Or people are free to act and execute themselves however they are under the watch of big brother, the people of the government; even social enviroment.
- Judgment and punishment are done after dead by God.

One of the problematics is that division of powers does not exist, since God has the power of both law making and judgement. Furthermore if you think about praying god for something good to happen this gives power of execution of God as well. At this point let us think about a country. It has its laws, its ministers, its judges... But something is missing; yes: the military. Who is the military in the religion? Or is there any? Because that there is a judgment, heaven and hell; it does not seem necessary to have any institution to protect anything. But another question appears here: Who protects the holy book from deviation? This question leads us to an important argument: If the Holy Book is interpretable or not.

People in the group who believes that it can be interpreted and adopted to time mentally, live their life in a nonstrict way and give their decisions themselves easily such as “I can understand why eating pork used to be forbidden since the cleanliness had been a big problem in those times. But now it is possible to eat cleaner pork, because butchery has developped. Thus I can eat pork.”

But interpretation of a Holy Book has various problematics itself. Who can do it, how can it be done in a right way, does interpreting make the book unreliable? So on. Here the clash of Evolution and Creationism appears in parallel with the clash of the two opposite views about interpretation. This is an important source of problems.

Coming back to the question about military, radical Islamic terror defines itself as the military of Quran, soldiers of Islam et cetera. Does a religion need to be protected by men who are flesh and blood instead of God, who is also believed to be the executer as well?

My observation is that the more the powers are bunched in one, the more this
problematic issue grows. Thus as religion, a government or a political system turns into a dictatorship then turning to tyranny in a short time, and it is done by people who can be in the lead, or claims to be the protector or naive believers.

The Bridge Called Turkey

Republic of Turkey has a government type of republican parliamentary democracy and a civil law system derived from various European continental legal systems. It is a secular country with a %98-99 Muslim population. The total population is approximately 77 Million (2009 Est). Just as like its geographical status between west and middle east, it also has an extremely strategical position between Islamic Countries and Western Countries. In my opinion, to apprehend the Islamic countries from west and democracy from Islamic Countries, the bridge Turkey has to be crossed.

The minds of people who crosses the Bosporus everyday, who live in Asia and work in Europe are our subjects in the context. They are people whose roots are in the ground of Middle-East and arms in the sky of West. This time the question is “Where does West start and where does East end?”. Similarly to Edward Said’s point of view in his fundamental work “Orientalism”, I believe that the East has been described by Western point of view, since personally it is easier to observe the both sides“from the bridge”: Mentally speaking to the average social class in Turkey, the East of the West is East as well; on the other hand, the West of the East is West again.

To apprehend the current condition of Turkey, we should take a look at the historical frame: Starting from the 19th century the Ottoman Empire was in a search of reforms which were inspired by Europe. After the 1st World War and Turkish War of Independence, the Turkey of today was founded in 1923. The national hero also the first president of Turkey, Mustafa Kemal’s Turkey was a secular country, which was not against Islam, but which did not need any religious institution between people and their believes. Thus most of the religious institutions were closed down and banned, also with the religious orders or groups. And a ministry of religion established which was charged for all topics concerning religion. Even not being extremely theocratic, Ottoman Empire had been a religious Empire with an insufficiently educated nation. Thus Republic of Turkey was founded with such regulations:

- A secular system
- A common law inspired by Switzerland’s
- Latin alphabet, instead of Arabic
As can be seen, the reforms of Kemalism aims a Western system and living and is strictly against a religious way of living or system. Furthermore, there had been extreme punishments or penalties for those who did not obey the new laws or regulations. The religion problematic of Turkey appears here. Having %99 Muslim population, the laws seems to be extremely against religion; but with a further study it is easy to see that those laws have been against extreme religious movements. The fear behind these laws will be exampled with several articles from various newspapers in third part.

Another point of view by Turkish journalist Mehmet Barlas about Turkey’s religion reforms, explains the problematic in an institutional way: “Christianity had developed its reforms roughly four centuries ago with contributions of politics but generally by itself.” Thus the effects to social life were strong. “However the Turkish religious reforms were developped by politics.” Which causes a cut and thrust. Eventually a social life comes into being, which has a conservative background but is fed with European values.

Having a large area and a cosmopolitan history, Turkey have various etnical groups in population. This makes the problematic even deeper in the context of democracy since it has already been argued in the beginning as “People elect the government, the government shape people...” so on.

Since Turkey’s situation is an extremely complex subject for all, in this part my intention has not been to make a report about Turkey and its religion but to mention its importance as a bridge for those who desires to understand Islamic Countries. Turning back to my starting point, evolution. I admit that the evolution has been a fragile subject for many countries until just a few decades ago. But apart from Turkey, it is known that if you enounce your belief as Muslim in States today you will feel uncomfortable, moreover if you enounce your disbelief you will feel more uncomfortable. Here another global problematic issue appears: Is democracy just a form of government in which “people” elects their governers or is it a lifestyle, in which people are well educated, informed, free to think, to say, to believe, to perform and are not motivated by external effects? Thus while the word “democracy” is used so often, it is misread that a perfect democratic system is nearly impossible to reach but a perfect goal to work for.
From What Turkey Protects Itself: News From Theocracies

There is no doubt that on the way to democracy the countries have various distances to each other. Even I have told that the perfect democracy is unreachable, I am strongly aware of the theocratic countries’ distance to the goal. With following news and informations, without giving the name of the country, I will try to lay a portrait of theocratic Islamic countries. However this time my intention is not to discredit the countries but policies. It is obvious that the main problem is not Islamic view but governers of the those theocracies. With my own quotation from previous part: “Turkey’s laws seems to be extremely against religion; but with a further study it is easy to see that those laws have been against extreme religious movements”. Hence I believe that a switch between levels of belief is easier than it is thought; thus in this vicious circle I am not able to suggest a clear solution however I am able to cognize both sides: laws and religious people.

Civil Law:

“Since the prostitution and flirting is illegal a new solution discovered in the country: Provisional marriage. As a recipe to lack of sexual satisifaction, a 2 months paid marriage is offered.”

Milliyet 12.99

Science

The new slogan against video: “Video is to invite the prostitutes of east and west to homes”

Milliyet 12.91

It is forbidden to report weather forecast since it is percieved as if “interfereing the private task of God.” The idea that “Only God knows how will be the weather like.” gives only the allowance of broadcasting the report of the previous day’s weather.

Milliyet,06.87

Economy

“Bribing is like a tax there and it is like an extra income to government employees.”

The Observer 02.95

“The solution of inflation is in Quran”
Even the articles are roughly twenty years old, such news belong to dark ages. Lastly I would like to mention that the main problem of Islamic Countries is not Islam but corrupted system and governers of Theocracies. Here is the last article which talks for all from Sunday Times February 1995:

“For centuries Islam had been accepted to be a more broad-minded religion than Christianity. However, the new-born radical Islam supporters of our age has invented a new kind of Islam. This movement is highly dangerous for Islam due to its involvement of a new ideology, that is, Islam has been replaced by the new ‘Islamism’.”

References:

Ekşi, Aysel, Din Devletleri, Ümit Yay., Ankara, 1995

Scheltema, M., van de Donk, J; Avrupa Birliği, Türkiye ve İslam (De Europese Unie, Turkiije en de Islam); edition 1, Amsterdam University Press-Türkevi Research Center, 2007.


Webpage: http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ac42


Webpage: http://www.tubitak.gov.tr
The very meaning of norms and patterns of behaviours in IR. Epistemological and methodological consequences of interparadigm debates.

ANDRZEJ POLUS

Constant interparadigm debates have become a feature of theoretical reflections in the field of international studies\(^1\). The general desire for the creation of universally applicable theory has transformed both the discipline itself and the very nature of thinking about international relations (IR) as a separate research field. The accusations stating that some authors focus more on academic discussions about internal coherence of various approaches than on potentially explanatory powers of IR theories and their correlations with reality are common. However, thanks to these reflections, the discipline has gained its own narrations and this fact, together with the awareness that each phenomenon can be described and explained in a few different ways, seems to be the most important contribution of the theoretical approaches within IR.

This article aims at the presentation and consideration of the heterogeneity of theoretical approaches in IR through the analyses of changes in the norms’ perception. I make a distinction between norms and values but for the purpose of this article I follow the occurrence of both phenomena in IR theories because the vast majority of authors do not distinguish between norms and values in their texts and the terms are used interchangeably. I understand a norm as a standard of behaviour and a value as something prior to the norm, something which is perceived as important and worth of diffusion. Norms are usually seen as important because they provide actors with motivations for actions. They can be described as socially constructed “rules of the game” in the international environment, created on the basis of common and subjective beliefs of what is good and “proper” in international relations and what is unacceptable.

Generally speaking, one can distinguish two ways of speaking about political theories. The first one can be described as a re-interpretation of existing theoretical texts. The other is a reflection on the nature of political reality and about the development of a personal view as to which phenomena are more important than the others. According to Kenneth Waltz, the very purpose of any theory is to identify the major factors that shape international relations and a theorist should look for major casual forces in international environment. There is a constant danger of simplification because such a theory must be both simple and generally applicable to all phenomena in IR. Kenneth Waltz has fallen into the trap of “reductionism” but the postmodern alternative stating that we have to build separate or partial theories in order to understand (not to explain!) separate events in international environment practically does not allow us to build any general statements about the reality that we live in. In addition, it does not give any chance for any kind of comparative research. I would argue that the core of the current theoretical debate in international relations theory is about both the nature of IR and the nature of theoretical reflection on the political reality. The vast majority of misunderstandings are caused by different ontological stances accepted by the scholars. The emergence of social constructivism in the 1990s is an example of the desire to mix reflectivist ontology with rationalist epistemology.

The article is divided into four parts. It begins with a reflection on the ontological insecurity of the vast majority of authors working in the field of IR theories, insecurity which is embodied in a constant desire to put their reflections into broader historical contexts (this feature of the discipline may have its origins in Hans Morgenthau’s statement that “the fact that a theory of politics, if there be such a theory, has never been heard of before, tends to create a presumption against, rather than in favor of, its soundness”\(^2\)). In the next part of the article I follow the perception of norms and values in various theoretical approaches in IR studies developed after World War II. In the third part, the issue of the governance theories and its relation to other approaches is addressed, with a special consideration of norms in the international environment. Conclusions and final remarks are presented in the last part.

**The need for contexts in international relations theories**

It shall be noticed that in the classical texts of Thomas Hobbes, Niccolo Machiavelli, Karl Marx, Hugo de Groot and most notably Immanuel Kant, a lot of attention was paid to the relations between political facts and generally recognized

norms, values and conduct of human behaviour.\textsuperscript{3} International relations and morality were interconnected. The authors mentioned above were actually creating normative theories of social (not exclusively international!) relations and, what is more, against all of the theories the accusation of being teleological can be made. In other words, there was always a praised phenomenon, a social process or a value at stake if the authors’ findings and proposals were not to be put into practice. From this point of view, such philosophers as Plato, Hobbes and Marx can be classified as predecessors of today’s critical thinking about sociopolitical reality.

It is worth mentioning here that in the vast majority of texts devoted to IR theories the idea of “founding fathers” of a given theory can be found. On the one hand, it can be seen as a proof of the need to put the findings into historical context; on the other, it may show some analytical insecurity and the need for the support for the presented statement from the authority of a well known philosopher. In this light an attack made on somebody’s statement, e.g. about the ideas and categories developed by Immanuel Kant, might be perceived as an attack on Kant himself. This causes quite an inaccurate structure of the discourse, when an important part of a debate is moved towards somebody’s misunderstanding of Kant’s works.\textsuperscript{4}

Hobbes, Thucydides and Machiavelli function in IR literature almost exclusively as protoplasts of realistic approaches; a similar role is played by Hugo de Groot in the English School or Immanuel Kant and Adam Smith in liberalism. Headley Bull and Alexander Wendt were even writing about three traditions of thinking about international relations – Bull recognizes Hobbesian, Kantian and Grotian traditions,\textsuperscript{5} while in Wendt’s writing about “three cultures of anarchy” (which is in essence the description of the very nature of interactions in the international environment), Hobbesian, Lockean and Kantian types of international anarchy were presented.\textsuperscript{6} The idea of the limited perception of social reality is used by Wendt to explain the evolutionary nature of international relations (the phenomenon of change and possible patterns of changes in IR causes a lot of difficulties for scholars, who rarely describe reality in a dynamic way). For Bull, however, Hobbesian, Kantian and Grotian traditions are mainly introduced in order

\textsuperscript{3} P.R. Viotti, M.V. Kauppi, \textit{International Relations Theory. Realism, Pluralism, and Beyond}, Allyn and Bacon, Boston 1999, p. 397.

\textsuperscript{4} An example of such a discourse can be find in Kenneth Waltz’s arguments against Francis Fukuyama statement that it is “perfectly possible to imagine anarchic state systems that are nonetheless peaceful”, K. Waltz, \textit{Structural Realism after the Cold War}, “International Security”, Vol. 25, No. 1, Summer, 2000, pp. 6-9.

\textsuperscript{5} H. Bull, \textit{Does Order Exist in World Politics?}, in: P.R. Viotti, M.V. Kauppi, \textit{International Relations Theory} ...op. cit., pp. 127-129.

to legitimate the idea of international society. What is more, both Bull and Wendt place the “current stage” of human development in the middle of the mankind’s evolutionary process. The idea that there is something evil and dreadful behind us (namely the Hobbesian state of nature – a war of every man against every man - where life is poor, nasty, brutish and short and states behave on the international arena as individuals in the state of nature before the social contract) and we have something good that can be achieved (Kantian world of perpetual peace) is very powerful because it is difficult to falsify it.\footnote{7} Norms and values had different meanings for various authors of classical texts devoted to politics and international relations and the desire to put their reflections into historical and epistemological contexts have exerted influence on the current reflection on the meaning of norms and values in IR.

**Norms and values in interparadigm debates**

After World War I international relations became recognized as a separate academic discipline\footnote{8} and research activity concentrated on the issue of the prevention of next war and on the peace studies. Peace was perceived as the major inter-human value and peace preservation was the main objective of idealism - the first 20\textsuperscript{th} century’s approach in IR.\footnote{9} Edward H. Carr’s criticism of idealism\footnote{10} and

\begin{quote}
\footnote{7} The Hobesian state of nature is nothing more than a hypothetical philosophical vision of probable “man to man” relations before the creation of a society. It is impossible to use this concept for an analysis of social interactions. The state of nature has never existed but it functions as a terrific alternative and in some way it structures our way of thinking about the socio-political reality – the state of nature is the perfect dialectical opposition (although the idea of the state of nature is a perfectly metaphysical figure) to the idea of Kantian perpetual peace. We have experienced neither perpetual peace nor the state of nature and we find ourselves in the “middle situation” exactly because both philosophical figures are ideational and perfectly opposite. On the one hand, we have a world with no values at all (one may argue that maximization of one’s utility by any necessary means can be seen as a value or a systemic rule), on the other hand, international environment is imbued with norms and patterns of behaviours accepted by all human beings.


\footnote{9} Representatives of this school are sometimes called utopians or liberal internationals. The core assumption of liberal internationalism in terms of the normative character of this approach is a firm belief that human nature is good and

**358**
The very meaning of norms and patterns of behaviours in IR. - Epistemological...

the experience of World War II changed the perception of the international environment. The publication of Edward Carr’s *Twenty Years' Crisis* in 1939 and the postwar publication of Hans Morgenthau’s *Politics Among Nations* as answers to idealist claims are usually described as the first interparadigm debate between idealism and realism.

It is worth mentioning here that Carr did not perceive international politics as a completely immoral field of human activity. He spoke about “realistic morality” where states are concerned with self-preservation but can act together. At the same time he pointed out that the utopian approach of the natural harmony of state interest is completely incorrect.

Carr’s ideas were developed by Hans J. Morgenthau and his *Politics Among Nations* became the main benchmark for theoretical reflection on the nature of international relations for the postwar generation of scholars. Morgenthau presented his perception of ethics and values in politics in 1945, when he stated that “the moral worth of political action is established in view of the end that the action serves […] the political actor has, beyond the general moral duties, a special moral responsibility to act wisely – that is, in accordance with the rules of the political art – and for him expediency becomes a moral duty. The individual, acting on his own behalf, may act unwisely without moral reproach as long as the consequences of his inexpedient action concern only himself. What is done in the political sphere, by its very nature concerns others who must suffer from unwise action.”

This idea was later developed in the fourth principle of political realism, when Morgenthau separated individual ethics from the moral significance of political action. He claimed that “ethics in the abstract judges action by its conformity with the moral law; political ethics judges action by its political consequences.” According to Morgenthau the analytical category of “interest defended in terms of power” should be superior for political rather than traditional morality. A state leader has only one question to ask – how does this policy affect the power of the nation?


personal moral behaviours should be perceived as foolish and not consistent with the specific ethics of international relations. To put it differently, he argued that international patterns of behaviour such as the “self-help rule” are objective and constitutive of the international system and the acceptance of the very nature of international politics is the preliminary obligation of every decision maker. Morgenthau’s vision actually removes the problem of uncertainty from international relations. But this approach simultaneously structuralises interactions in the world and, as a consequence, the system of self-defined actors will always punish an actor who acts against international morality of interests defined in terms of power.

In the middle of the 1950s the debate about the role of values in IR theories was taking place in “The Journal of Politics.”14 It stated that every theory of international relations must be value-based, but the essence of the controversy was the question about the existence of general values that would be accepted worldwide. It was agreed that democracy cannot be perceived as a value shared by the all the people around the world. The “universal biological nature of man” was perceived as granted because “nothing can be more fundamental.”15 The biology and the desire of all human beings to survive were presented as the lowest common dominator in the discussion about the influence of values on political behaviour. This debate mirrors the need for both analytical categories in IR and for generally applicable theory of creation. It mirrors also the deep belief that values constitute a part of international relations and scientist are obliged to find the way to measure them.

In the 1960s the research field of international relations witnessed the second interparadigm debate triggered by the positivist/behavioural trends in the discipline and the defiance of traditional approaches by positivist. They claimed that the nature of political sciences shall not be treated as different from physical sciences and that the main commitment of social scientists should be to discover general laws of political life. These laws were to be created/improved/changed by the collection and verification of the broadest possible samples of data. The desire to develop a coherent quantitative research program in IR led to the statements that values are nothing more than preferences16 of rational actors because rationalism actors are unitary and constantly try to maximize their utility. Norms, values and patterns of behaviour are of secondary importance. Norms do not have to be obeyed if actors can gain a bigger value than the price of the uncomfortable feeling

The very meaning of norms and patterns of behaviours in IR. - Epistemological...

that is left after having played against the commonly accepted rules. In other words, rationalists claim that states violate norms whenever norms conflict with their national interests.\(^{17}\) The question about the process of actors’ interest formation is not raised often either by realist or rationalists. Interests are perceived as exogenously given to actors.

Another key problem with the “idea” of rationality lies in its definition and its inability to measure and make comparisons between the rationalities of two different actors.\(^{18}\) The main question raised by the critics of rational choice theory regards the influence that is exerted by socialization processes, identity formation and various value codes on actors’ behaviour. The societal factors and subjective judgments as to what shall be called “proper” in certain situations are said to be beyond actors’ rationality because in order to be rational one must possess a definition of oneself. It implies that understanding and perception are prior to generally accepted metaphysical rule of rationality. This issue will be developed in the later part of the article.

The very existence of the world society of sovereign states was an idea (ontology) accepted by the representatives of the English School (also called international society theory).\(^{19}\) States as members of the society are bounded by common rules and a commitment to common institutions.\(^{20}\) International law is a primary international institution that governs relations between the states. Standards of behaviour are embodied in international law and various material and non-material international institutions. Moral aspects of the current international society development are key for some representatives of the English School, but the category of “institution” is central to this approach. Institutions are the patterns of governance for interstate relations, created by contracts between the states. Such institutions as war, sovereignty or diplomacy are in the center of international society theory research programme. The question about the institutions’ origins is


important for this article, as well as the problem whether (and to what degree) institutions are “carriers” of norms and values.\textsuperscript{21}

The publication of Kenneth Waltz’s Theory of International Politics opened new spheres for theoretical reflection on the role of norms and values in international relations. Although Waltz’s preoccupation was with the creation of a coherent epistemological project for international studies and he did not consider norms and values as important factors that shape actors’ (states’) behaviour, he produced a key text that shall be perceived as the base for a new discourse in IR. In his first book – Man, the State, and War – Waltz presented two depictions of causality in international relations. He reached his conclusions thanks to the analysis of both the texts of classical political philosophers and the ideas of modern thinkers about political reality. In the first depiction, he saw causes of war in human nature and there is a clear link with the classical text of Morgenthau\textsuperscript{22} and his statement that human nature is static, not changeable. In the second depiction, causes of wars were traced to the nature of states.\textsuperscript{23}

The idea of causality (or a driving principle of actors’ behaviour) was developed by Waltz in his second book, in a statement that the structure of international system is defined by its organizational principle, which is anarchy. In other words, states have to behave in a certain way, because the logic of international anarchy cannot be overcome. There is very little or no place for norms or values because the will to survive and the maximization of actors’ utility are the basic patterns of behaviour. States find themselves in a system that forces them to be as they are because the anarchical structure of the world environment cannot be changed. Waltz did not consider the problem of structure–agency relations. If there is no agent’s influence on structure (and the question of the structure’s origins is an essential one here) then an unpleasant consequence of such a statement will be that states simply have to behave in a certain way and we

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\textsuperscript{21} Headley Bull follows “transnational ideas which can generate common norms and interest”, he asks the question – to what extent is a society in the international system? Society is based on common norms, ideas and ideologies. Even though Bull defined himself as a realist and states were central for his analyses, the English School is much richer than realism and neorealism because it focuses on “density” of international society, and a question of how much society we can we have an anarchical environment. S. Hoffmann, Foreword: Revisiting ‘The Anarchical Society’, in: H. Bull, The Anarchical Society. A Study of Order in World Politics, Columbia University Press, New York 1995, pp. viii-xii.

\textsuperscript{22} Morgenthau claimed that: “human nature, in which the laws of politics have their roots, has not changed since the classical philosophers of China, India and Greece endeavored to discover these laws” H.J. Morgenthau, Politics Among Nations..., op. cit., p. 4.

\textsuperscript{23} K.N. Waltz, Man, the state, and war: a theoretical analysis, Columbia University Press, Columbia 2001.
The very meaning of norms and patterns of behaviours in IR.- Epistemological...
cannot do anything about that. Beside the questions of human beings’ free will, the
issue of the possibility of the existence of any norms and values in such a system is
striking. States are self-interested and rational not because of the features of human
nature (as Hans Morgenthau claimed), but because of the immaterial structure of
international relations which forces them to behave in certain ways, and if they do
not do so, the system punishes them. In other words, Waltz presents international
politics as “a realm of necessity and power politics.”

As has been mentioned above, Kenneth Waltz’s Theory of International
Politics seems to be the most influential book on IR theory published after World
War II, and it is doubtful whether any alternative approaches to international
relations studies would have developed in their current shape without Waltz’s
statements.

Social constructivism, which was the main theoretical alternative to
structural realism in the 1990s, was created (especially in the version presented by
Alexander Wendt in 1992) as an approach contradictory to structural realism.
Wendt’s text narration is a constant criticism of Waltz’s core beliefs about the
nature of international anarchy. Simultaneously, Wendt claimed that his motivation
was to build a bridge between different approaches to international relations.

The first premise of constructivism (and the lowest common dominator
between different versions of this approach) is that the world (international
environment) that human beings operate in, is deeply social, and material factors
can posses certain meanings only in certain social contexts. Constructivism
rejects ontological stances of structuralism and naturalism and places a statement
about the social construction of IR in the core of thinking about the international
reality. The world is “constructed” by the actors surrounded by material and
immaterial “structures”. Norms, values and patterns of behaviour are immaterial
structures that are simultaneously constructed by reflective social actors; and on
the other hand, these “structures” construct the way actors perceive the world. That
is why the main constructivist emphasis is on language, actors’ identities, historical
contexts and changing norms in international relations.

24 M. Griffiths, Realism, Idealism and International Politics, Rutledge, London –
25 A. Wendt, Anarchy is what states make of it: the social construction of power
26 B. Rosamond, Constructing Globalization, in: „Constructing International
Relations. The next generation”, ed. K.M. Fierke, K.E. Jorgensen, M.E Sharpe
27 F.V. Kratochwil, Constructivism as an Approach to Interdisciplinary Study, in:
„Constructing International…, op. cit., pp. 16-17.
Probably the most coherent approach to studies of norms and values changes in the international environment was presented by Martha Finnemore. Finnemore was using classical research methods, such as analyses of documents and official statements, in order to discover whether the norms of state behaviours were changing over time, and which actors could influence normative changes in the international environment. Finnemore can be classified as a representative of the first wave of research on normative changes in the international environment after the Cold War. This wave focused on universally/worldwide accepted norms such as: antiracial policies, protection of natural environment or a ban on chemical weapons. These norms are usually connected with “Western-based” transnational agents, and they might be perceived as new tools of neocolonial policies, especially when rationalist epistemology is employed to the research. We are approaching an interlock circle of incoherency between ontology and research programs on norms and values in IR. If we perceive the world as social and if we agree that the understanding of both material and non-material/ideational factors should be the core of our studies, then we should accept the fact that there is nothing like pure and objective science, because everything depends on perception and, what is more, there is nothing constant in IR because the world and its understandings change permanently. A possible solution from this deadlock is the assumption that norms together with socialization processes are stabilisators of social relations since they provide actors with motivations for actions.

Governance theories

The unexpected and rapid collapse of the Soviet Union surprised the vast majority of IR experts. The new period in which we found ourselves in the 1990s was called the “post-Cold War order.” Semantically it means that the Cold War is over but this term (post-Cold War) does not tell anything about the nature of the period we are currently in. Uncertainty and constant changes, erosion of state sovereignty, emergence of new actors and blurred borders between national, regional and international levels of interactions are among the new characteristics

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The very meaning of norms and patterns of behaviours in IR. - Epistemological...

of current world politics, but the meaning of “politics” and, what is more, the scope of actors’ engagement in politics has also changed.

The new idea of “governance” without the government was coined by J. Rosenau, and it became one of the most popular theoretical frameworks among IR scholars. The relative success of the various governance-related research projects can be attributed to a very loose idea as to what the term governance really means and how to study it. The governance is often seen as another buzzword created in order to describe the new features of interactions in the international environment after the Cold War. Some scholars try to build a coherent analytical system around this concept, but the governance approach should rather be seen as a technique of research than as a coherent epistemological project. The common conceptual dominator of various approaches to governance is the categorization of actors involved in governance into three heterogeneous groups: states, civil society based actors and business-orientated actors. This categorization may be perceived as an epistemological clue as to which actors shall be taken into account while proceeding with research. On the other hand, it is doubtful whether the “processes of governance” can be perceived as the new nature of international interactions.

The very connection between the epistemological clue involved in governance (the governance here is more a feature than the nature of interactions in international environment) and between ontological stances of various neoclassical and post-positivist approaches may be very productive. In other words, governance shall be perceived more as a feature of international relations than a general theory of IR and normative debates presented above will diffuse into debates about preferable systems of governance. However, the core question about the very existence and origins of international norms is not clearly resolved here. Different norms and values are carried and introduced into international system by different actors and, moreover, the idea of governance is also deeply normative in its character because it forces us to analyze world affairs in a certain way.

The governance approach is closely related to liberal institutionalism which suffers today from the problems of legitimacy and credibility and, what is more, liberalism (the major emancipationist approach of the last century) has been surpassed in the position of the major emancipation theory by various post-positivist approaches. Structural realism cannot be connected with governance


33 If we agree on that, then the actors capable of defining norms and preferred patterns of behaviours will able to change international systems they operate in.
because of the states’ policies primacy in this approach and the overwhelming logic of international anarchy in neorealism. The connection of social constructivist ontological stances with the assumption that one should focus in analyses on interactions between states, NGO/CSO's and business is epistemologically fruitful but it does not tell anything about the importance of norms and values in multilevel interactions in the world environment; it does not tell us who, why and how sets rules of the game between various actors and how these rules can be changed. However, the acceptance of the general idea that the world we are in is socially constructed, together with a post-positivist postulate that generally applicable laws do not exist in social sciences, imply the use of a combination of traditional research methods with contextualization, deconstruction, double reading and various other post-positivist methods of analysis. This combination does not tell anything about the origins of norms in IR, but it raises the issue of norms creation by various actors, norms implementation and diffusions as the major research question.

Conclusions

The issue of norms and values is of secondary importance for realists and rationalists, whereas it is important for both the English School and social constructivism. Neoliberal institutionalists, who accepted the logic of anarchy in international relations and an assumption about actors’ rational behaviour, left place for values and norms in the regimes theories. In various regime theories normative factors play a vital role – they are either the reasons why regimes were created, or the rules of behaviour of regime members are codified in a form of norms/patterns of behaviour which have their roots in actors’ beliefs about effective cooperation. In other words, norms and values as analytical categories can be perceived in a very broad meaning – effectiveness of cooperation or utility maximization can be seen as something connected in its meaning with norms and values (utility maximization became a norm of behaviour – which turns us back to the Carr’s and Morgenthau’s claims about the need for separation of “everyday morality” form morality in politics). Constructivist input seems to be the most valuable in terms of various norms proliferation processes in the international environment, and it is not only because constructivists simply spotted the existence of values and norms in IR, but because they asked a question about its origins and about the pattern of behaviour changes.

There is a very powerful argument that social constructivism’s core assumption cannot be falsified. The declaration that “world is socially constructed” has an ontological character for social constructivism, and as such it shall be only compared with ontological stances of different theories. Waltz’s assumption about the existence of international anarchy does not provide us with an answer for the
The very meaning of norms and patterns of behaviours in IR. Epistemological...

question about the origins of anarchy and is purely metaphysical. Constructivist ontology influences its epistemological positions. If we assume that the world affairs are deeply social, then we have to accept that the issues of identity formation and actors’ perception of various phenomena, as well as the “construction” of intersubjective knowledge, should be at the center of our interest. The first and the main question every student of international relations should ask themselves is the question about their perception of the nature of interactions in the international environment. The main part of interparadigm debates is ontology and the need for a coherent epistemological project is of secondary importance. The ontological debate does not exclusively touch upon the issue of the nature of political reality, but in a broad sense, it raises a question about theory being constitutive of reality and about the “neutrality” of knowledge in social science. The post-Cold War debates about the future of the world can be summarized as a struggle over ideas regarding a desirable social, political and economic reality we are in, and we will be in. It is rather obvious that the unexpected fall of the Soviet Union drew researchers’ attention in this direction, but a two decade’s discussion has certain societal consequences. New categories have been developed, new expert systems have emerged but, paradoxically, the ontological security of human beings who want to proceed with political research is under threat. The events from September 11th and the justification of war on terror were based on a shared commitment to certain norms and values. The importance of human rights, democracy or gender equality was stressed in the majority of public speeches given by world leaders. On the other hand, both realists and anti- and alterglobalists were claiming that the policies of the developed world towards the global South were based on selfishness and egoism and that values were nothing more than a comfortable justification for realist policies. The very lack of generally accepted ontological positions on the nature of IR is the ultimate cause of this situation and a feature of world politics at the same time.

References:


Globalization and anti-globalization tendencies: The clash of discourses

TOMÁŠ ROHRBACHER

Introduction

This paper is focused on finding out what can be meant under the term anti-globalizers, anti-globalists or anti-globalization movement(s) and if and for whom is this name appropriate or if it is better to call some of these actors as alter-globalists. At the same time it tries to point out that there is a strong potential of democratization of processes of global governance embedded in alter-globalist activities. For this purpose it has drawn from the theory of deliberative democracy and the role of communication and influencing the public sphere. As a hypothesis for this paper I suggest the statement that there are not only globalists and anti-globalists but alter-globalists as well, challenging in influencing public sphere and thus contributing to plurality of the debate. The focus is especially in the movement which gained the attention of publics mostly in the end of the last millennium. Firstly I was interested in demands of the actors, mostly civil society organizations (CSOs) and movements – if and in which sense these demands are anti/alter-globalist (which means how are these actors seen from the outside), and secondly on important self-definition of the movement which is crucial for creating of identities of their members (and means how they see themselves). My method was to study documents published by assemblies of social movements at the World Social Forums (WSF) and European Social Forums (ESF). As I am interested in words – declarations, calls and statements - this paper can be understood as mapping of a new discourse which is challenging the neoliberal globalization discourse.

Globalization approaches

Although there are many approaches to globalization politics\(^1\) and therefore it is difficult to sort them, I tried to simplify and I propose to define three basic groups. All of these groups represent certain discourse concerning globalization. What is

\(^1\) For more see e.g. Held and McGrew (2007) proposing two basic groups: For Globalization and Anti-Globalization with several sub-groups.
common for them is that they are surrounded by the same environment - they function in a context influenced by communication and informational technologies which enabled and further support globalization processes.

Globalists
Under this label I understand the actors of so called economic globalization: multilateral economic institutions (MEIs – World Trade Organization (WTO), International Monetary Fund (IMF) and World Bank (WB)) and transnational corporations (TNCs) and their proponents. These actors using modern technologies of communication and transport started economic globalization - globalization from above - which was followed by consequences and globalization tendencies in social, political, ecological and cultural fields. The globalists discourse was strongly influenced by “Washington Consensus” and accents liberalization, privatization and deregulation of world trade and finance. As a consequence these trends brought a huge change into politics and global politics and meant radically new conditions for national states and local communities in many aspects.

Anti-globalists
These actors refuse and oppose further globalization processes or even doubt the concept of globalization itself (Held and McGrew 2007: 197). Their reaction can be in representing nationalist or protectionist positions and discourse. Their aim is to reinforce the national state and its role in global politics. Possible negative consequences of globalization can support radical anti-globalist tendencies: xenophobia, racism, fundamentalism, dictatorships. This discourse strengthens negative identities and stresses the division between “us” and “the others”.

Alter-globalists
Alter globalists are standing somewhere in between. As the below presented evidence shows, these actors are not against globalization itself but against the globalization from above, in their words against corporate globalization, against neoliberal globalization. On the other hand they call for international cooperation and try to raise global consciousness in social or ecological matters. They demand global justice; democracy, transparency, accountability, participation on global, national and local levels. In other words they are for globalization from below.

To offer more integral overview of alter-globalist positions, it is necessary to mention not only these more on the political left based actors. There are alter-globalist forces coming from the political right for whom the globalization processes are not enough liberal and too much regulated.

Finally, terrorism and organized crime (especially trade with weapons) seem not to fit in proposed classification but should be mentioned as well, playing important role in globalist, anti-globalist and alter-globalist discourse (“war against terror”).
Being quite globalized, terrorism and organized crime are strongly dependent on some of the anti-globalist actors at the same time.

**Clash of discourses**

Deliberative theory highlights the importance of discussion within the public sphere. During this discussion various opinions and proposals are challenged, and in the end the consensual solution is found having strong legitimacy. Where there is only single hegemony discourse, the opportunities for deliberation are very restricted. Once the hegemony is broken, the public sphere is open for discussion, as it happened earlier e.g. with environmental questions or rights of women. In the 1990s the globalization discussion was opened in local, national and global public spheres. In this paper I am using the approach based on deliberative theory suggested by John Dryzek (2006).

Dryzek (2006: 2) argues that there are two basic discourses connected with globalization: dominant “market liberalism” discourse and in the opposite the “anti-corporate globalization” discourse. The first one is based on the doctrine of “Washington Consensus” and represented especially by MEIs (WTO, IMF, WB), the latter one is a reaction to this dominant discourse based on very diverse values and demands and represented by actors of civil society and social movements, very diverse as well. This alternative discourse appeared especially in the 1990s and its importance within the public sphere culminated with the mainstream media coverage of protests in Seattle, Washington D.C., Prague, Genoa and others. Since then it seems that there is a decline in activities of these actors and presence of alter-globalization discourse in mainstream media, although e.g. recent (April 2009) protests against G20 in London were also well covered by media.

This lack of medial appearance should not be interpreted as a retreat. Activities that are not as visible as colorful or sometimes violent and therefore medially attractive protest are accompanying all the important meetings of CSOs and movements (WSFs and ESFs): teach-ins, seminars, research etc. based on international cooperation. These activities contribute to create the alter-globalization discourse and build collective identities of the protestors.

**Alter-globalist discourse**

In this part I am using methodology inspired by Donatella della Porta and her colleagues (2006). In presented empirical research I tried to analyze the final
Globalization and anti-globalization tendencies: The clash of discourses

documents from eight World Social Forums (except the one from 2008 without any final document) and four European Social Forums as specific platforms for discussion of various social forces from all the World/Europe, raising both criticisms and constructive demands and thus creating a program of the movement (or at least of its part). Although there are many other documents (e.g. from the counter-summits in Seattle 1999, Prague 2000, Genoa 2001), I have chosen these gatherings because the final documents were produced by the Assembly of Social Movements which should be “a space for coordination between different social movements, making joint commitments and priorities for the year to come” (European Social Movements 2008), and therefore are supposed to be more representative and legitimate than calls of single issue organizations or movements. At the same time, the positions of the assembly should not be overestimated because according to its Charter of Principles, the World Social Forum does not aspire “to be a body representing world civil society” (Committee of Brazilian organisations 2001) and evidently can not be understood as such.

The clash of discourses is quite obvious in these documents. Although there are some notions that suggest that there is a clash between alter-globalist and anti-globalist discourses (“for open Europe”, “against racism”), much more important is the clash between globalist and alter-globalist discourses. In the Call from 2005 WSF there is a reference to the first WSF where “the call for ANOTHER WORLD IS POSSIBLE broke the lie that neoliberal domination is unavoidable” (World Social Movements 2005). This shows that the dominant discourse was challenged and that the movement is also aware of the importance of this fact.

In the analysis I was interested in three things: 1) the way the actors identify themselves, 2) what do they stand for, and 3) what do they fight against. For long time there have been a lot of criticisms that the movement is not able to come with a positive program. I want to show that there are in fact many proposals - some of them quite detailed and well prepared - of how should the globalized world look like. These proposals create a basis of the alter-globalist discourse.

Based on presented documents it is obvious that at least the movement does not see itself as anti-globalization movement. According to how are its opponents defined in the documents, it could be called as a movement against neoliberal globalization, although the movement sees itself more as a group of various “social movements”, “alterglobal movement” or “movement for global justice”. Very important is the accent of opposing neoliberal doctrine which dominated the discourse of globalization till the end of 1990s. Only in two of all 12 examined documents neoliberalism is not mentioned, and these are the last ones from ESF

2 The 2008 WSF was decentralized and took place on various places around the world therefore no joint final declaration or call was created.
2008 and WSF 2009 (this is not a robust evidence to prove any change in the discourse). In all the others neoliberalism is challenged with criticism and functions as the most important “enemy”. This can give the explanation to why was/is the movement labeled as anti-globalist. Given the fact that the neoliberal globalization discourse was strongly dominant or even hegemonic, those opposing this discourse and creating new one were seen as anti-globalist although their priorities are among others global justice or international cooperation. They are for globalizing of consciousness, solidarity and even struggle against neoliberal globalization but at the same time accenting importance of local communities and their self-determination and sustainability. Beside neoliberalism other topics to be opposed are raised: war, imperialism or racism, but these are mostly seen only as the consequences of neoliberal policies. To give the “enemy” a concrete face, WTO, IMF, WB, G8 or even NATO, USA and EU are labeled as the “agents of neoliberal globalization” (World Social Movements 2001).

Answering the question what do the actors who created the final documents stand for, we face more difficulties. As well as the globalist and anti-globalists, alter-globalists are not any homogenous group either. The diversity of the movements which is sometimes in the documents presented as its strength is clearly visible: many particular topics are mentioned, e.g. fight for rights of women, of indigenous people, fight for human rights, rights of the workers, environment, peace etc. All these various issues became already in the past sources of the clash of discourses challenging relevant dominant discourse to join later the discourse challenging neoliberal globalization with its consequences. It is clear therefore that the demands concerning specific aims are different, but the demands concerning the processes and rules of globalization are common.

**Democratization demands**

According to the analysis of documents presenting views of alternative globalization discourse, I have developed following scheme, summarizing especially process demands on the system of global governance. For the reformist part of alter-globalists it seems to be the aim to democratize the institutions of global governance so that they fulfilled three conditions: transparency, accountability and participation. The same characteristics are demanded by those who want to cease prevailing institutions and build the new ones. Both groups are criticizing the lack of legitimacy, accountability, transparency and possibility of those influenced by decisions to participate in the process of decision making. Transparency means derestriction and dissemination of information about decisions and clear rules for that. Accountability means evaluation of consequences of policies and acknowledging of responsibility for actions.
Participation means the possibility for various actors to take part in decision-making process.

**Figure 1: Demands on democratization of MEIs**

Demands shown in previous scheme are perhaps universal for whole alter-globalization movement, but the ways how to reach these aims and what is the image of ideal global order is very different according to various actors represented within the movement. This can be clearly seen in the tables. As the existing institutions of global governance, especially those representing the forces of neoliberal globalization are seen as absolutely illegitimate, their policies lack legitimacy as well.

**Conclusion**

Based on presented evidence, it seems highly inappropriate to use the term anti-globalist for the movement of CSOs and other informal groups opposing neoliberal globalization. The argumentation that the self-definition of the movement is different would not be solid enough, because the actors of neoliberal globalization do not label themselves neoliberal either. That is why I focused on the proposals
and demands which in my opinion prove that the discourse these actors have created is quite other than anti-globalist. It is evident that according to their demands, it is not globalization itself as a multidimensional and complex process they are criticizing. It is the specific way globalization was following till the late 1980s, establishing and sustaining the hegemony of market-led discourse which is in their focus. Firstly, the demands involve the processes of decision-making of MEIs; secondly, the decisions themselves reflecting in the policies of MEIs are subject to criticism. The point here is not to judge the demands of alter-globalists as legitimate or illegitimate, just or unjust, utopian or realistic. Admitting positive aspects of globalization processes, the alter-globalist movement proposes alternative discourse based on different value paradigm. Not only that the movement brings its own idea of democracy in global order but perhaps more importantly through breaking the discourse hegemony the clash is created and every such a clash has a democratizing potential. Opening of the public sphere to discussion about various globalization concepts can bring more democracy to the global governance mechanisms.

References


Globalization and anti-globalization tendencies: The clash of discourses


Pakistan: The problems of democratization of the country

ASSEMGUL SHABARBAYEVA

Introduction

Pakistan’s democracy has faced the challenges from various sources. Throughout the political history the process of democratization has been abrupt several times. The recent overthrow of the democratically elected Government happened in 1999. Every military coup has used the same reasoning, saying that the civic government has failed the aspirations of the nation and was not able to give meaningful solutions to country’s political, economical and social difficulties, bringing the country to dissolution. To some extent these were not meaningless speculations, as each military coup was met with streets filled with people celebrating the end of neglect and intrusting the states and their own welfare to the Army.

At different times of the history, the civic Governments were challenged with a number of external and internal issues. To name some, these are the country’s unsolved border issues, growing militancy, internal conflicts, etc.

Today, Pakistan has a Government, which is democratically elected by its people and this Government has come to rule in one of the country’s most difficult times. The issues on its agenda are of national and international importance or will these challenges bring the Government down as it happened with previous Governments? The question I would like to address in the paper is if current government of Pakistan is able to overcome the challenges and secure country’s peace and prosperity thus furthering the process of democratization in the context of growing militancy in the country or rule of Army is the solution till better times?

The internal situation in Pakistan has gained an importance of international meaning. This is due to the fact that the activities of the militant Islamic organizations, who chose terror and war as a tool of reaching their political and ideological goals have proven the assumption that these forces are the ones who challenge the security of Central and South Asian states particularly and of the world in general.

In order to find an answer to this question, I would like to construct the paper on the following bases: short review of Pakistan’s ideology; overview of the legal framework of Pakistan; evolution of Pakistan’s constitution, in particular its Islamic provisions; International and domestic challenges, which I will have
Pakistan: The problems of democratization of the country

divided into two categories: traditional one and current ones. I also would like to
give an analyses to the recent developments in the Northern Areas of Pakistan,
which to my opinion are of critical meaning to, besides others, Pakistan’s
democracy.

Upon this research, I intend to prove that the development of current situation
does not depend entirely on Pakistan’s governance and the stability of the
Government but mostly on Alliance’s forces, which have to back up this
Government in this war. Only the territories return to Pakistan’s Government’s
total control, can people of Pakistan have hope of further democratization of their
country without future military interventions.

Historical excurse

- The Theory of two Nations
- The idea of Pakistan
- The early death of Pakistan’s founder
- The challenges from Islamists

The theoretical base for creating Pakistan was the Theory of Two Nations,
which was developed by M.A.Jinnah. This theory proved that the Muslims and
Hindus were different nations with different culture, traditions, world outlook. On
the bases of this Theory the Resolution for the partition of the territories with
muslim majority was prepared. This Theory was not developed by M.A.Jinnah as a
state ideology for long-run perspective, but rather a tactical instrument for the
creation of Pakistan. This theory was aimed at reaching maximum benefits from
Muslim identity. Pakistan came into existence on the bases of the Theory of Two
Nations in 1947. The partition of Pakistan and India became a victory of national-
liberation movement. The Idea of Pakistan in its creator’s vision was an
independent State ruled by democratic ideals and principles. The conception of the
Creator of Pakistan, M.A.Jinnah, who was given the name Father of the Nation
was based on such principles as:

Secular and democratic system of governance

The main identity for the citizens of the country should be belonging to one
nation and not religion

The Government of Pakistan should be ruled by the principles and traditions
of justice, equality and tolerance.

Till now, now researcher has found a claim of the Creator of Pakistan stating
that Shariah should be the base of Pakistan’s Legislative

To confirm this we can address to Jinnah’s speech made just 3 days before
the declaration of Pakistan, when he said “….the first duty of a Government is to
maintain law and order, so that the life, property and religious beliefs of its subjects
are fully protected by the State….You may belong to any region or caste or creed -
that has nothing to do with the business of the State…. We are starting with this fundamental principle that we are all citizens and equal citizens of one State”1.

At that time the principles of liberal-democratic state, expressed by Jinnah were not comprehended by the general public as conflicting to the basics of Islam. The early death of M.A.Jinnah was tragedy of Pakistan, which has changed the country’s destiny. No solid leadership was left after him. The country fell in the kaleidoscope of changing cadres in the leadership of the country. Internal cleavages were becoming severe. In the time of uncertainty, the Islamic fundamentalists from Jamat-e-Islami have developed a documented called “Ideology of Pakistan” and insisted in solely developing the main document of the country – its Constitution. The “Ideology of Pakistan” has cardinally changed the initial idea of Pakistan of “State of muslims” into the “Islamic State”.

The basic Principles of the Islamic Ideology state that:
- Islam is the State religion
- Urdu is a national language
- Kashmir is a part of Pakistan
- Strong Army is guarantee of integrity and prosperity

The mentioned principles created a an ideological platform for turning Pakistan into a Islamic theocratic state and giving status of a rescuer to the Army became the main reason of Pakistan’s military coups.

The mentioned points demonstrate that under the incompatible politico-ideological struggle of ideas and goals was the development of Pakistan’s statehood. It is important to underline that despite the several back steps from democratic principles, the country always managed to return to the generally excepted norms of democracy, freedom of speech, associations, . Although a number of objective reasons still influence stable development of the democratic processes in the country. Some of them are as old as the country is, and some are new, in nature or have generated from the existing traditional challenges.

The Objective Resolution

From the moment of its declaration, Pakistan’s leadership was tasked to deliver the Constitution to the nation. in order to work out the Main Law of the country the basic Principle Committee was established. The first report of the Committee raised criticism of Pakistan’s West wing on 2 points: these were the quantum representation in the Central Legislature. East Pakistan, with a majority of the population, was given an equal number of seats in the Upper House as West Pakistan, thus reducing the representation of the majority of the population in Pakistan by one-fifth. East Pakistan representatives also did not like Urdu being declared as the only national language of Pakistan. The Government agreed to

Pakistan: The problems of democratization of the country

examine the principles and ordered the Committee to consider suggestions that might be made by the people regarding the principles of the Constitution. In the light of these events the leadership of Jamaat-e-Islami has organized national discussions on the role of Islam in the country and adoption of Islamic constitution. The Pakistan Government, the leadership of Muslim League and liberal-democratic parties could not ignore the demands of Islamic fundamentalists, who enjoyed the support of masses. Thus the Objective Resolution was adopted an March 12, 1949. The resolution proclaimed that the future constitution of Pakistan would not be modeled entirely on a European pattern, but on the ideology and democratic faith of Islam. It proclaimed the following principles:

- Sovereignty belongs to Allah alone but He has delegated it to the State of Pakistan through its people for being exercised within the limits prescribed by Him as a sacred trust.
- The State shall exercise its powers and authority through the chosen representatives of the people.
- The principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed.
- Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings of Islam as set out in the Qur'an and Sunnah.
- Adequate provision shall be made for the minorities to freely profess and practice their religions and develop their cultures.
- Pakistan shall be a federation.
- Fundamental rights shall be guaranteed.
- The judiciary shall be independent

At first glance it seems that the Objectives Resolution combines features of both Western and Islamic democracy, but in our opinion this document is a strategic victory of fundamentalist, who have managed to establish a starting ground for the implementations of Jamaat’s Ideology of Pakistan. The combination of features from both Western and Islamic ideology, as shown in the political history of the country, allowed to expand the features of Islamic legislature to various spheres of country’s affairs. The active implementation of the Islamic part of the Resolution was done by Pakistan’s 3rd Martial Ruler Z.Khan. The perspective of turning the civic legislation into a completely Islamic is much possible. The Objective Resolution is a preamble to the current Constitution of Pakistan as well.

Evolution of the Islamic Provisions of Pakistan’s Constitution:

- The Constitution of 1956
- The Constitution of 1962
- The Constitution of 1973
- The 8th Amendment of the Constitution
- The 13th Amendment of the Constitution
**The 17th Amendment of the Constitution**

<table>
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<tr>
<td>The name of the country will be “Islamic Republic of Pakistan”</td>
<td>The name of the country will be “Islamic Republic of Pakistan”</td>
<td>Islam would be the State religion</td>
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<td>The Preamble of the Constitution embodied the sovereignty of God</td>
<td>The Preamble of the Constitution embodied the sovereignty of God</td>
<td>The Preamble of the Constitution embodied the sovereignty of God</td>
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<tr>
<td>Islamic Advisory Council of 12 persons will be set up to guide the people to order their lives in accordance with the Islamic principles</td>
<td>Islamic Advisory Council of 12 persons will be set up for 3 years to give suggestions to mould the (future) laws in accordance with Islamic principles</td>
<td>Islamic Advisory Council will be set up to recommend ways and means in order to bring the (existing) laws of the country in conformity with the Islamic principles</td>
</tr>
<tr>
<td>The Head of the State will be a Muslim</td>
<td>The President of Pakistan will be a Muslim by faith and believe</td>
<td>The President and the Prime-minister to be Muslim by faith and believe and to profess faith in the finality of Prophethood</td>
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<td></td>
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<td>Clear and concise definition of a Muslim was laid down</td>
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<td>The Government will take all possible steps to impart education of Islamiat and the Holy Quran</td>
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<td>Steps will be taken to introduce Islamic banking</td>
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As we can observe from the Table, the Islamic provisions were growing in number with each Constitution. This fact demonstrates that the Islamic fundamentalists, who were behind these provisions, were getting politically stronger and receiving peoples support. The political leadership of the democratic forces of that time had also realised that the democratic mechanisms of running the state affairs had to have Islamic specification, so they could be understood and
Pakistan: The problems of democratization of the country

accepted by the majority. Unlike the previous two Constitutions, the 3\textsuperscript{rd} Constitution of Pakistan was developed and adopted by the members of Parliament, who were elected by democratic means in country’s first National elections.

There are several reasons for the last Constitution to have more emphasis on Islamic features. The main reason for their strengthening was the civil war which broke out between the two wings of the country and following dismembership of Pakistan. This caused a severe damage to the Theory the country was based upon, stressing the need for stronger cementing ideology and that was not the secular western democratic principles, but Islam. Islam had to be addressed in order to give the nation a meaningful identity, to unite it and save from further disintegration. Secularist politicians had no choice but to partly give up to the pressure from the fundamentalists. At the same time, taking into account the religious and ethnical specificity of Pakistan, we can conclude that the interests, if not all, but main participants of the political affairs were covered by the Constitution of 1973 and it matches modern democratic relationship between the state and the citizen. Thus, the Constitution provided a parliamentary form of Government, where President had nominal, representative, function and Prime-minister was accountable to the Parliament elected directly for 5 years. Senate was introduced and has equal number of representatives from each province. In the Provincial Government, each province will have a Governor appointed by the President and Prime-minister elected by Provincial Parliament. In general, the Constitution of 1973 has on maximum possible democratic principles under the conditions of Pakistan reflected interests of every strata of Pakistan’s society in political, social, economic, spheres and became a legal guarantor of their protection. That is why, in coming years after its creation, neither Z.Khan, nor P.Musharraf were not able to abrogate by creating an alternative and only made some suitable amendments. Thus, it can be claimed that this Constitution was a victory of of Pakistan’s progressive forces on their way to democracy.

The Constitution of 1973 remained in force for nearly four years. It was, however, suspended by General Muhammad Zia-ul-Haq, who imposed Martial Law in the country on July 5, 1979. However, General Muhammad Zia-ul-Haq who ran the country with Martial Law passed the Eighth Amendment in the Constitution in 1985. This Amendment changed Pakistan's government from a Parliamentary system to a Semi-presidential system by giving the President a number of additional powers. These powers included the right (expressed in subsection 2(b) inserted into Article 58) to dissolve the National Assembly (but not the Senate) if, in his or her opinion, "a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary” with the consequence of dismissing the Prime Minister and his or her Cabinet. However, this Amendment was “corrected” by the latest Government of N.Sharif, who initiated the 13\textsuperscript{th} Amendment in the National Assembly and had it successfully passed. This Amendment t stripped the President of Pakistan of his reserve power to dissolve
the National Assembly, and thereby triggering new elections and dismissing the Prime Minister. The legislators elected to national or provincial assemblies could not be recalled before the end of their five-year terms. This gave the legislatures immunity. Later on, having the majority in the National Assembly, N. Sharif had the 14th Amendment Passed. In accordance with this Amendment Members of Parliament were subjected to very strict party discipline. Thus, the party leaders received unlimited power to dismiss legislators who failed to vote as directed. This Amendment excluded any chance of a Prime Minister of being thrown out of office by a motion of no confidence. The amendments removed nearly all institutional checks and balances on the Prime Minister's power, by effectively removing the legal remedies by which he could be dismissed. It was during P. Musharraf’s presidency when the 17th Amendment to the Constitution was passed. This Amendment made many changes to Pakistan's constitution. Many of these changes dealt with the office of the President and the reversal of the effects of the Thirteenth Amendment. Summarized here are brief descriptions of the major points. Among them was President’s authority to dissolve the National Assembly - and thus effectively to dismiss the Pakistani Prime Minister - but the power to do so this time was made subject to an approval or veto by the Supreme Court of Pakistan. Making an evaluation of the mentioned amendments to Pakistan’s Constitution from of development of the democracy point of view, we can conclude that they have changed the nature of the political system of the country, back and forward. The system of checks and balances has also been disturbed, thus, laying extra powers on President and making the office of Prime-minister accountable not in front of Parliament but President. These amendments are in contrary with the parliamentary form of government, declared in the Constitution thus contain a potential for conflict between the two offices. Moreover, making legislators, elected in the National elections subservient to party leaders rule make them dependent while decision making.

Traditional – International Challenges:
- Dispute over Kashmir and its impact for the preservation of democracy
- Afghan factor

Having defined the traditional challenges, allow us to observe those challenges which are chronic and have existed for a number of decades. Among them is a dispute over Kashmir territory. This dispute has existed ever since Pakistan’s appearance on the political map. There are three parties to the dispute – Pakistan, India and China. Within the frame of our presentation we shall observe the development of the conflict between Pakistan and India, only. So, Pakistan’s official position is that Kashmir is a disputed territory whose final status must be determined by the people of Kashmir, while India’s official position is that Kashmir is an "integral part" of India. To add up fuel to the conflict there are
Pakistan: The problems of democratization of the country

Kashmiri groups who fight for the independence of Kashmir from both India and Pakistan. Currently Pakistan control about 37% of Kasmir's territory and India about 43%. There were three wars between Pakistan and India in 1947, 1965, and 1999. There are armed conflicts between India Kashmir separatists and militant groups. The challenges this dispute is causing to the development of democracy in Pakistan are in many ways. Among them are the permanent arms raise between two countries which has a negative influence for regional security and militarization of Pakistan’s nation. The largest part of Pakistan’s GDP is spent on ammunition of its Army, thus causing lack of funds for social, educational, healthcare, economic and innovation development. This conflict has become an ideological and civilizational conflict, thus providing a ground for fundamentalists to spread their ideologies and led to establishment of tens of militant organizations, who indoctrinate the youth and recruit them for fight in Kashmir. Due to its ideological content, the Army of Pakistan has gained not only the status of defender of country’s physical borders but also ideological ones. This fact has destabilized civil Governments in the political history of the country several times causing political crisis and military coups on the ground that civilians were “too friendly” with India. Pakistan’s foreign policy in the region and worldwide has a tendency to develop not from a position of national interest but from a position how to damage the interest of India.

Afghan factor

The relationship between Pakistan and Afghanistan have always been uneven. Afghanistan was the last country to recognize Pakistan’s sovereignty and has not yet recognized Pak-Afghan boarder delimitation. The reason for this lays in events which preceded Pakistan’s birth. Since the occupation of some part of traditionally Pashto territories (which comprise modern territories of NWFP and Tribal Arias of Pakistan) by Sikhs and British, the rulers of Kabul made attempts to return these territories and join them with Afghanistan’s Pashto tribes. Since 1947, NWFP became one of Pakistan’s four provinces and emerged as an influential ethnic group of Pakistan’s domestic and international politics. At the same time Pashto group enjoys the influence in the politics of Afghanistan. But both countries have different views on its “right” status. Afghanistan, in the parson of Afghan Pashto want the traditional areas of Pashto tribes to unite under one banner, while Pakistan, still exploluates the Theory of unity of Muslim nation, sees Afghanistan as a part of Pakistan, in a political form of a Confederation. Each country has its own benefits from achieving these goals, which can be discussed later on. So, in the light of this long-term perspective, the whole post 1947 bilateral relationship was formed. As history shows, the internal situation in Afghanistan has always been a barometer for measuring Pakistan’s domestic security. For example: the invasion of Afghanistan by Soviet troops had a tremendous effect on Pakistan’s
Assemgul Shabarbayeva

economy, internal security, political stability and demography; the emergence of Taliban, threatens Pakistan’s integrity; Global war on Terror has included Pakistan as its front force. From the perspective of our question, the neighbourhood with Afghanistan has caused intervenes into democratic developments by Pakistan’s military and let the later stay in power for almost two decades. Moreover, experts predict the return of Military, if the situation in Afghanistan does not improve in the nearest future and causes more destabilization for Pakistan’s civic Governance.

Traditional - Domestic Challenges:
- Regional separatist tendencies
- Inter-religious Sectarianism

The separatist tendencies in Pakistan’s domestic affairs have cause crisis on several occasions. The successful one – is a separation of country’s Eastern wing and evolving of Bangladesh. This separation has caused a crisis in many fields. First of all in the mind and hearts of the nation by having damaged the ideas of pan Islamism and the Theory of Two nations, resulting in the National Identity crisis. It activated the fundamentalists and serves as a prove to their theory that only Islam can unite the Muslims of Pakistan. It has also caused a great humiliation to Pakistan’s Army, which lost the civil war. But the separation of Bangladesh caused a pressure on the civil politician of Pakistan to deliver Constitution to the nation, but in the light of mentioned events, the Military overthrew the civil Government and imposed a Martial Law. Another matter which had add up to the instability of Pakistan at that time and nowadays is Baluji separatism, which started in the light of Bengali separation. Then the leader of Balujistan’s nationalist movement demanded more autonomy and independence in choosing the system of governance in the province. The leadership of Pakistan, in the person of Z.A.Bhutto decided to suppress this demands by force. The conflict between the Government of Pakistan and the nationalist movement lasted for 3 years and was finally suppressed by Army. Nowadays, these separatist tendencies are still causing troubles for country’s stability and influence the development of democracy in Pakistan by periodically bringing the clashes between civilians and police forces and Army. The Minister of Internal Affairs of Pakistan has called the situation a conspiracy (of India) with an aim to destabilize the situation in Pakistan. Simultaneously, the Leader of Nationalist Party of Belujistan has called upon India and the USA to help belujis in achieving their rights as “Balochistan has never been a part of Pakistan, only its Slave!” . The sad fact is if a decade ago the Baloch nationalists were demanding more autonomy, today they see themselves disillusioned from Pakistan. In the light of our question here, we can conclude that the separatist tendencies threaten current democratic government by causing chaos in the province, thus arising the possibility of armed conflicts and return of Military to the province.

Another great domestic challenge to Democracy in Pakistan stays the issue of Sectarianism. The whole history of Sectarianism in the country can be
devided in to two periods: 1) prior to Zia-ul-Haq’s rule, when sectarian intollarence was non-organized spontaneous. The exception is anti-Ahmadi riots, which consequently led to the establishment of Martial law and dismissal of the federal cabinet by the Governor General, thus introducing a sad tradition of Army getting involved in politics; 2) the second period can be dated by Zia-ul-haq’s rule till nowadays, when sectarianism became organized, armed and politicized, gained arbitrary status in legislative procedures and influence domestic and foreign politics. The politics of Islamization and support for Afghan fight against Soviet troops armed sectarian organizations in Pakistan. The Inter-religious clashes and terrorist attacks take place both in urban and suburban areas. These acts of violence cause a fragmentation of the society, chaos, instability and damage the security in the country. Moreover, sectarian elements are involved both in Kashmir and Afghan conflicts for which they hire recruits from Pakistan’s youth. Sectarianism puts the democratic beginnings in Pakistan into danger. Getting out of control sectarian clashes force civil politicians call upon the Army.

### Sectarian Violence in Pakistan

<table>
<thead>
<tr>
<th>Year</th>
<th>Incident s</th>
<th>Killed</th>
<th>Injured</th>
</tr>
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<tbody>
<tr>
<td>2008</td>
<td>97</td>
<td>306</td>
<td>505</td>
</tr>
<tr>
<td>2007</td>
<td>341</td>
<td>441</td>
<td>630</td>
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<tr>
<td>2006</td>
<td>38</td>
<td>201</td>
<td>349</td>
</tr>
<tr>
<td>2005</td>
<td>62</td>
<td>160</td>
<td>354</td>
</tr>
<tr>
<td>2004</td>
<td>19</td>
<td>187</td>
<td>619</td>
</tr>
<tr>
<td>2003</td>
<td>22</td>
<td>102</td>
<td>103</td>
</tr>
<tr>
<td>2002</td>
<td>63</td>
<td>121</td>
<td>257</td>
</tr>
</tbody>
</table>

Source: South Asia Terrorism Portal

Current Challenges evolving from the Traditional ones:
- Talibanization of Pakistan
- Islamist and Militant organizations
- Terrorism
- Economic backwardness
The traditional challenges for the democracy in Pakistan have been present in the political life of the country ever since the country’s existence or so. But as the time passed by and these issues due to one reason or the other were not solved or compromise was not reached. On the bases on these old troubles, new one has occurred. Such as a wave of Talibanization as an outcome of the Afghan factor. After the last Soviet troops left Afghanistan, the country fall in to a civil war, where various tribal clans were fighting each other. These clans had no skills of political governance but were mainly indoctrinated with religious reasoning to fight a war. This had created an ideological vacuum which was soon filled with ideologies of madrasas located in Pakistan, where they gave religious and military training to refugees, their children, orphans, and marginal strata of Pakistan’s society. Exactly these cadres comprised the core of Taliban movement, which occurred in 1994. It is of no secret that Pakistan had a strategic interest in this movement. Thus, was first to recognize the Government of Taliban in Kabul. But soon the tendency of Talibanization had occurred in Pakistan, causing sectarian and religion based violence. Talibans became exporter of religious radical ideology and the first country in their rout was Pakistan. In the light of Global war on terrorism headed by the Unite States, Talibans were gaining more and more support from common Pakistanis and larger from Islamist and sectarian organizations, who felt for their Muslim brothers. Tens of these organizations collected funds and recruited warriors for this war. Gradually the situation in Pakistan started getting out of control of the Government and religious extremism and terrorism spread country wide. The militant organizations cause serious challenges to the democracy in Pakistan. They destabilize political situation and shake the Government. In our opinion if the consensus between the Government and these organizations is not reached, the Military come to rule the country once again. The consequence of the unsolved Kashmir dispute has works the same way. It led to the raise of militant and terrorist organizations, who’s branches spread whole over country. The side effect from the traditional - international challenges such conflicts in Afghanistan and Kashmir, gave an impulse to the existing domestic challenges and let to large defense financing, which is, 3% of GDP, taking 51/173 place. For comparison in terms of education the recent Education for All report indicates that Pakistan is host to the highest absolute number of out of school children in the world after Niger. Also if we have look at statistics, we will see an increase (double by US State department) in terrorist attacks. The annual fatalities in Terrorist attacks data also show a constant increase
Pakistan: The problems of democratization of the country

The development of the situation Swat valley and its influence on the state of democracy in the country

The situation in Swat is the direct result of Pakistan’s Talibanization. Dating from the first half of 2008, Pakistan Army was conducting a full-scale military operation against Tehrik-Taliban Pakistan militant organization. These Military actions were not successful ending with Taliban movement establishing in several towns and villages own administrations. In the light of these events, Islamabad had no choice but to offer negotiation process to Taliban. This was met with critics from the world community. The negotiations resulted in Islamabad’s agreement to introduce Shariah and federal Army to leave the valley, while Taliban had to give up weaponry. However, these negotiations were evaluated by Taliban as a strategic victory and they refused to disarm. Thus, braking out the second round of Military operations and consequently leading to a humanitarian disaster in the region, where about 2,5 mln. people headed to refugee camps. The Government of Pakistan, having received a principal and financial support from the world leaders, continues military operations till frees the valley from militants. Simultaneously, there were a number of terrorist attics in other provinces in the support of Taliban.
the recent reports by Pakistan Army, regions of Swat are freed and people now can go back to their houses. It is crucial for the Federal Government to end this conflict with minimum casualties in the possible shortest time, using both military forces and negotiation means, as the situation on the north of the country escalates violence and civil disobedience in other provinces. It also ties the Governments arms for solving other issues, such as energy and food shortages the country is facing. This conflict has a severe damage on Pakistan’s national identity as well. When Pakistani soldier, has to shoot at Pakistani, who wants to live in Islamic state with Shariah legislature can not be justified in the eyes of the rest of the population. Thus, bringing down the popularity of the State. The conflict damages the reputation of the current Government, labeling it as a puppet of US, and betrayer of Islam, a common description by Islamic fundamentalists, who have enormous influence on country’s domestic politics. When the Government is facing these challenges, the separatist tendencies activate in Baluchistan. The preservation of the started democratic process depends on Government’s ability to overcome these challenges. Pakistan’s government due to the shortage of its resources hugely depends on western aid for both, civil and military projects. In case the violence escalates further than it had till now, it will prove the failure of the civic governance and the return of Military to rule the country is inevitable.

Conclusion

From the abovementioned, it is evident that the democratic ideology as it is accepted in the West can not be adopted in Pakistan due to the fact that in Pakistan the religious ideology works as a cementing element of the country’s society. The “genealogy” of the country given to the Muslims of the subcontinent by M.A.Jinnah has been substituted by the idea of Islamic state in the interpretation of various religious scholars. The moderate forces in politics and the society of Pakistan are in the stage of permanent struggle for preserving democratic values. In the short-run, the democracy in Pakistan can be in the form of rule of law, equality and freedom, as enunciated by Islam.

At the current state of affairs in order to advance the democratic process, the Government of Pakistan should successfully accomplish the military action in Swat, which now started the second round can not be stopped without an accepted agreement by all parts involved in the conflict. The successful accomplishment requires a process of negotiations with moderate wing of Taliban and forces involved in disorder in Swat to form a regional administration with the federal agents along with military operations against the radical extreme wing. In order to keep the flaw of internal political relations between the political subjects balanced, the President should give up his authorities to dissolve Parliament and dismiss Prime-minister. This will calm the silent war for power between the leaders of country’s two main parties, A.Zardari and N.Shariff.
The long-lasting center-region clashes need immediate revision. The Government should reverse its policy toward Baluchistan and let the provincial Government to form its budget according to province’s production share in the country’s economy. This will ease the conflict between the province and federal leadership, leading to economic strengthening of the region and rehabilitating the reputation of federal government in the province.

Without finding principal solutions to above mentioned challenges the Government will not be able to advance democracy in Pakistan in long term perspective. Under these challenges the preservation of democracy and its institutions in Pakistan has very high price, in terms of constant rivalry between political subjects which can lead to instability and chaos, ethnic, sectarian and separatist clashes, which in its turn eventually will bring Military’s intervention into the state-management.

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Differentiation as Possible Means of Further European Integration

VERONIKA SKLENKOVÁ

Introduction

The 2004 EU enlargement is often denoted as a historical moment in the European integration as well as a great success, the reason being not only the fact that it was the biggest enlargement ever, but also the fact that by means of this particular enlargement the European integration for the first time managed to de facto overcome the former iron curtain. The central and eastern European countries, that once used to be part of the Soviet block, were definitively integrated into European structures. Even though this enlargement was of great importance for the EU as well as for Europe itself, it brought the EU to some kind of “crossroads”. In words of G. Vobruba “the EU had reached the limits of its previous dynamism of development, in which integration and enlargement had functioned in such a way as to mutually reinforce each other. By the time of the 2004 eastern enlargement, at the latest, the number and heterogeneity of the member states had increased to such an extent that they were placing excessive demands on the EU's potential for cultural, organizational, and financial integration. This overstretch made the contradiction between the deepening and the enlargement of the EU sharper, and this is the essence of the European Union's enlargement crisis” (Vobruba, 2007). Even before the very enlargement of 2004 the EU had come up with an alternative solution to this situation as well as to the regulation of its relations with the new eastern neighbours (but also with the old ones in the south). In order to reach its goals in this region the EU had created the European neighbourhood policy.

The enlargement crisis is not the only crisis the EU has to cope with nowadays. The beginning of the 21st century is for the EU marked with the institutional crisis as well. In the interest of its further effective functioning and development, the Union of 27 and more member states needs to redefine its “game rules” and adjust its existing legal basis (Treaties) to the new conditions with respect to its future ambitions. The first attempt, the Treaty Establishing a Constitution for Europe, failed to be ratified and so did the later, less ambitious,
Differentiation as Possible Means of Further European Integration

Lisbon treaty, future of which is still quite unclear. This is a rather troublesome situation not only for further EU enlargement but also for further deepening of the European integration. As a result of this state, there has been a discussion on the topic of the options of flexible integration in the recent years.

Generally, we could describe the rationale of flexible integration as an unconventional way of integration, in which the member states do not participate on an equal basis. In words of A. Warleigh flexibility means “the ability of member states to choose not to participate in particular policies no matter how they are made.” (Warleigh, 2002, p. 4). According to M. Wohlgemuth and C. Brandi flexible integration is “general term for the possibility of member states to have different rights and obligations with respect to certain common policy areas and refers to the possibility of the temporary or permanent existence of different levels of integration within the EU” (Wohlgemuth, Brandi, 2006, p. 2). Term “differentiated integration” is often used as a synonym for characterization of this process.

The significance of flexible integration has been growing notably with the increasing number of the EU member states; and especially the differentiated course of integration is considered to be convenient means of solving the problem of contradictory demands for further deepening of integration along with enlarging the EU membership. It constitutes a possible means of solving or regulation of the ever-growing heterogeneity of the Union. The heterogeneity has been growing with each and every enlargement round. It concerns not only the differences in economic power of the individual member states and their ability to pursue the deepening of integration or widening of the integration into new policy areas, but also their attitude towards the concept and ultimate goals of integration. Some member states prefer deepening of the integration among the existing members to the further enlargement and admission of new member states. Other member states assume different attitude and are supporters of further enlargement of membership rather than deepening of the integration among current members. Third group consists of those countries which promote the idea of simultaneous deepening of integration and admission of new member states (Fratiani, p. 17).

However, the need to cope with the ever-growing heterogeneity is by no means novel, nor does it result from the 2004 enlargement. It has been present during the whole evolution of the EC/EU and its intensity has grown with every membership enlargement. A lot of politicians and scholars have come up with proposals of solution in reaction to this situation. They formulated various forms, conceptions and models of flexible integration in the EU. Intensity of the discussion on the need and ways of flexible integration has been changing in the

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1 A repeated referendum should be held in Ireland on 2. October 2009
course of the integration process. Most of the authors refer its beginning to the first half of the 1970s when the first enlargement round took place. In reaction to it, W. Brandt and later also L. Tindemans introduced their proposals of flexible integration which are now considered to be the forerunners of the Multi-speed Europe model. Gradually, more and more proposals of differentiated course of integration occurred; new models based on different visions of future integration evolution and promoting different ways of achieving the flexibility of integration emerged. This is the reason why there are so many different terms referring to flexible integration to be found in the present literature – either as its synonyms or subcategories.

Aim of the next part of the paper is to present the principal models of flexible integration and to systematize the best-known theoretical conceptions of flexible integration, which have been introduced throughout the European integration as projects of solution to the problem of increasing EC/EU heterogeneity and the interconnected menace of stagnation of integration.

**Principal models of flexible integration**

The term flexible integration is quite unclear and confusing. Various scholars attach different meaning to that term. Some take it for synonym of the term differentiated integration; some consider it its subcategory. In the theoretical debate on particular forms of flexible integration the terms are often interchanged as well, which leads to notable confusion. Thus, it can be stated that there is considerable chaos and disunity in the terminology when it comes to flexible integration. For the sake of this paper we use the terms flexible integration and differentiated integration as well as flexibility/differentiation as synonyms having the same meaning.

There have been several attempts to make a categorization of individual forms of flexible integration based on different variables (e.g. Warleigh, 2003). However, the most complex and generally the best established one is the categorization introduced by the present finish foreign minister, A. Stubb (see Stubb, 1995, 1996). The aim of this categorization is to systematize to some extent the existing discussion about flexible integration, its outcomes and assets.

A. Stubb divided the existing political conceptions of flexible integration into three principal categories/models – *multispeed Europe, variable geometry* and *Europe a la Carte*, using three variables which are time, space and matter.
Multi-speed Europe

First model of Stubb’s categorization is the model of Multi-speed Europe. Essential feature of this model is the fact that while all the member states want to reach the same integration goal, they do not have equal abilities and hence they reach this goal with different speed. Some countries which are capable and willing to take a step forward in the integration reach the identified goal rather quickly; the other lagging countries join in later with respect to their capabilities and political will (Stubb, 1996, p. 285). Thus, the principal variable by identifying this model is time. The time horizon in which the specific integration goal is reached in a particular area represents the only difference in the integration of respective countries. The time differences are the only element of flexibility in this model.

Another important feature of this model is the fact that the differences in the level of integration of respective member states are only temporary and every member state oblige itself to reach the given integration goal sooner or later – may it be medium-term or long-term horizon. Thus, the model of Multi-speed Europe is often referred to as the most orthodox model of flexible integration which converge the most with the primary and ultimate goal of an “ever closer union” among the nations of Europe defined in the Treaties of Rome (Federal Trust Report…, 2005). Flexible integration or differentiation in the level of integration of respective member states is considered to be just an exceptional, temporary solution, not a permanent state, in this model.

The model of Multi-speed Europe is the oldest model of flexible integration ever. Its origins stretch back as far as the beginning of the 1970s when the first enlargement round of the EC took place and consequently a debate on the need of solving the problem of growing heterogeneity of the EC started. In 1974 the west-German chancellor W. Brandt came up with an idea that different economic powers of then nine EC member states required different level of integration. This idea was taken up again by L. Tindemans in his report of 1975 which is considered as the first significant asset to the debate on flexible integration in Europe. Tindemans’ aim was to find a solution to the situation when a loss of homogeneity of the initial six member states occurred as a consequence of enlargement. Tindemans came up with the idea that the states, which are able to proceed further in the integration have obligation to do so, while the other states, which can not do so on an objective ground, acknowledged by the Council and the Commission, do not have this obligation. However, with the assistance of the advanced member states they have to strive to progressively reach their integration level. This conception is considered as a forerunner or the first projection of what we now call the model of two-speed/multi-speed Europe.
Many new proposals of differentiated integration in the EC/EU were introduced in the period of 1990s, the main reason being above all the beginning of a new phase of European integration – the foundation of European Union, but also the planned massive enlargement eastwards. New conceptions of time-differentiated integration occurred closely linked to the model of Multi-speed Europe, or better said, being a subcategory of this generally defined model. A specific example of Multi-speed Europe is the conception which uses the term of the so called “vanguard” or “avant-garde” group. This group consists of those states which are more united and coherent than the classical model of Multi-speed Europe hypothesizes. These states integrate in a wider range of policies and for the sake of effective reaching of integration goals they oblige themselves to a long-term sharing of common strategic and tactical interests. The task of this “avant-garde” group within the integration is to determine the future routing of the Union and to encourage and accelerate the definite realization of the common integration goals (Federal Trust Report…, 2005). The best-known advocate of this conception is the former European Commission president, J. Delors (see Delors, 2001).

A stricter alternative of the “avant-garde” group is the conception of a “core Europe” or sometimes even the “hard-core Europe”. This conception is in principle very similar to the aforementioned one with the difference of the fact that the “core” group should represent some kind of an elite club of the member states, the membership of which should be more-less permanently restricted. The principal difference between the “avant-garde” group and the “core” group lies within the fact that while the “avant-garde” group’s aim is to encourage by its own example further deepening of integration of the whole Union, ergo of all member states, in the case of “hard-core” the case is quite the opposite. The “hard-core” is created with the aim of preventing the lagging states, which are currently unable or for some reasons hesitating to continue in a deeper integration, from hindering the integration of the most capable states – the states of (hard) core. The other states can follow suit. The “core” states prefer integration within the framework of the existing EU structures, but if it was necessary for deepening of mutual integration, they would be willing and able to proceed with further integration even outside these structures. The “core” states are willing to cooperate and deepen the integration not only in the existing areas but also to develop cooperation and integrate even in new areas.

The conception of “hard core” is above all linked to a document of German CDU/CSU called “Reflections on European Policy” of 1994 authors of which are its top representatives K Lamers and W. Schäuble. As early as the middle 1990s they were urging the need to solve the problem of contradiction of deepening the EU integration and enlarging its membership. According to them “European integration has reached critical point of its evolution” and if a suitable
Differentiation as Possible Means of Further European Integration

solution is not found in the foreseeable future, the EU will become “a formation reduced just to some economic aspects in the framework of which various subgroups will evolve”. Lamers and Schäuble introduced their proposals of solution to this situation, among others the proposal for further strengthening of the core, which, though, shell not be absolutely inaccessible, but open to those countries that will meet certain conditions to rank among the core states. In their paper, Lamers and Schäuble (unlike other authors who mostly avoided this) actually name the countries, which, according to their opinion, constitute the EU core – Germany, France, Belgium, Netherlands and Luxembourg. They called for closer cooperation of Germany and France. They consider these two states as the “core of the hard core” which serves as the “engine” of the EU (Schäuble, Lamers, 1994, p. 5-7).

Lamers and Schäuble’s conception invoked a wave of criticism after its publication, the reason being above all the fact that smaller states feared closer cooperation of Germany and France outside the EU. Despite the fact, that authors denied any exclusivity of their proposal, this conception has been criticized as too exclusivist and created around a certain core. It implied an exclusive club rather than some kind of a “magnet” attracting other states. The cause may be the fact that authors clearly defined their idea of which states should constitute the “core” and other states feared that they might fall within some kind of second-class membership. Little by little, further modifications of this model of flexible integration occurred operating with different terminology. In 2000, the then German foreign minister, J. Fischer, held lecture on the topic “Finality of the European integration” in which he also mentioned flexible integration. He changed the rhetoric of “hard core” for the term “centre of gravity”. However, he remained abstract and did not name the countries, which should fall into the centre of gravity. In this way, he avoided the image of exclusivity. He again accentuated the idea that the centre of gravity (core, avant-garde, etc.) should remain open and that the countries, which are willing to proceed further in the integration, should do so and should not be hindered by other countries. According to Fischer, the ultimate goal should be creation of European federation based on a constitutional treaty with a fully qualified European government (Euractive, 27.3.2002).

Another advocate of Multi-speed Europe is the former French president, J. Chirac, who used the term “pioneer group” to identify the leading countries of the integration process. According to Chirac, the term refers to a group of states that wish to achieve more integration by creating some kind of federation within the EU.

3 It is interesting that authors had omitted the sixth of the founding EC member states – Italy – from the core.
The alleged conceptions are ranked among the best-known variations of the Multi-speed Europe model. Even though there are some small divergences among them, they have a common denominator – a coherent group of member states which is able and willing to continue deepening the integration and widening it into new areas until they reach the ultimate integration goal. The other states will follow this group later according to their potentialities. However, the ultimate integration goal – an “ever closer union” leading to the final stage of political integration - applies to all of them. Accordingly, this model of flexible integration is usually denoted as a federalist one with supranational ratio (Stubb 1996). The elements of flexibility are only temporary in this model and differentiation is regarded just as an inevitable offset necessary for reaching the ultimate integration goal, which is identical for all countries. Thus, differentiation is not permanent but only temporary. Therefore, the model of Multi-speed Europe lies at the edge of flexibility.

Multi-speed Europe is not just a theoretical model. It also has its practical expression in the reality of European integration. Integration differentiated in time really exists in the EU. As an example, we can list the transition periods incorporated into the accession treaties during which the new member states do not fully participate in all EU policies. The third stage of the European Monetary Union can serve as another example because not all of the member states participate in it yet.

Variable geometry

The second model of Stubb’s categorization of flexible integration is the so-called “Variable geometry”. The principal variable here is space, which means that integration of the individual member states is in this case differentiated in space. Although the model of Variable geometry is in many elements quite similar to the model of Multi-speed Europe, in fact, the system of differentiation in the

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4 Some of them may also fall within the model of Variable geometry. It depends on the point of view of a particular author and on his/her perception of the core.
5 All member states (except for those which have a formal opt-out from the duty to introduce the common currency – Euro) have to participate in the EMU and introduce Euro provided they meet the convergence criteria. They are obliged to do so eventually.
6 Both of the models share the conception of a “core” of the integration, even though their perception of this conception is slightly different. The Schäuble/Lamers conception of “hard core” is according to many authors connected to the model of variable geometry. Even A. Stubb in his famous
Differentiation as Possible Means of Further European Integration

case of Variable geometry is far more complicated than it is in the case of Multi-speed Europe. It is based not only on different speeds of integration of individual states but also on the difference in the areas of integration of the states; and the most important condition that contradistinguishes Variable geometry from Multi-speed Europe is the difference in integration goals of individual states.

Variable geometry is again based on the division of states into core and the other states (sometimes referred as periphery). In contrast to the Multi-speed Europe, in which the differences are only temporary and should be overcome after some time, in the case of Variable geometry these differences can be long-term or even permanent. Moreover, in the case of Multi-speed Europe the differentiation is pertinent only to specific individual policies, while the differentiation under the Variable geometry refers to whole Acquis sections.

The model of Variable geometry is based on a premise that the differences among the ever-growing number of member states could be so big that the EU would never be able to achieve absolute coherency. The member states differ significantly in their abilities to reach a particular level of integration. They also differ in their goals or ambitions. Not every state is willing to proceed to another level of integration in a particular area or, let us say, to transfer the execution of its sovereign rights in a new area of cooperation to the supranational level. Some states give up part of their sovereignty in favor of the supranational institutions easier; for some other states some policy areas are so sensitive in term of national interest that they are not willing to agree with the widening of integration into these policy areas.

Under the model of Variable geometry not all of the member states oblige themselves to reach a common ultimate integration goal. It is possible that the states of periphery could never be able to achieve the level of integration of the core states. Therefore is the model of Variable geometry considered as a compromise between the supranational and intergovernmental approach to the integration. A. Warleigh uses metaphor of a football league for better explanation of the logic of Variable geometry. He states that “the EU should … be reorganized into divisions rather like a football league: Union policy should be divided into discrete sections and each member state should then join the division which reflects its capacities (or perhaps will, although the emphasis is on capacity) to implement the legislation” (Warleigh, 2003, p. 71). In practice, this means that there can be a series of policies (according to the level of integration) in the EU but with a diverse membership. In this way, the model of Variable geometry could have a variety of different variations. One extreme could be the state which would
converge with the initial integration goal embodied in the Rome treaties and that is that most of the member states would participate in all of the EU policy areas and only a small number of states would opt out. An opposite extreme, which would though converge with another model of flexible integration – Europe a la Carte, would be a situation when almost no state would participate in all of the EU policies and many member states would opt out in different policy areas (Federal Trust Report…, 2005).

Another distinction between Multi-speed Europe and Variable geometry is the fact that under the Variable geometry the integration of the individual states can take place even outside the EC/EU structures and the integration goals do not necessarily have to correspond with the official EU goals. Sometimes the term “concentric circles” or “Europe of concentric circles” is used as a synonym to the Variable geometry model of flexible integration. Model of concentric circles represents a configuration of states around a core according to their diverse integration levels. According to H. and W. Wallace, first author who coined the term “concentric circles” was Ch. Tugendhat who considered this conception as a moderate version of Variable geometry (H. and W. Wallace 1995, p. 62). Indeed, the name of J. Delors is used most frequently in connection to the conception of concentric circles. Already in 1980, J. Delors as a then chairperson of Economic and Monetary Committee of European Parliament came up with an idea of variable geometry as a means to retain Great Britain in the integration process. In January 1990, he submitted a theorem of “Europe of concentric circles” to the European Parliament. Under this theorem Europe should have a federal core; European economic area should constitute another circle, the third one should comprise a network of cooperation agreements and the last fourth circle should be represented be agreements with more typical confederative essence of variable geometry (Cattaneo, Velo1995, p. 3-4).

In 1994 the then French Prime Minister, E. Balladur, followed up with his conception which is probably the most accomplished one and many authors refer to it. In an interview for the French daily paper Le Figaro he introduced his vision of Europe’s future. Europe should consist of three concentric circles. The inner circle should comprise the states closely integrated in economic and monetary sphere as well as in the defense matters (EU core); a system of states based on existing Treaties (all the EU member states) constitute another circle; and the third outer circle comprise other states of Europe that have established contractual relationship with the EU.
Graph 1: An example of Europe of concentric circles

I. Kosir denotes the outer circle (the one that comprises states outside the EU framework) of the model of Europe of concentric circles as flexible exogenous integration. He alleges two instances when such integration is acceptable and motivating: a) there are big differences in the level of economy, legislature, and common standards of those countries that preclude a fully-fledged integration of these countries; b) actual disinterest of the partner countries to accept all aspect of integration (this does not exclude the possibility of eventual future membership) (Kosir 2007, p. 95)

Based on the definition of variable geometry, more suitable term for the description of the current integration levels of the EU member states than are Balladur’s “concentric circles” would be the term “polycentric circles” that can overlap (overlapping circles). Different number of member states can participate in different areas of the integration process (sometimes even outside the EU Acquis). The individual institutionalized areas of cooperation represent several circles, the membership of which can overlap and the pervasion of these circles constitutes the core of integration (the most integrated countries)\(^7\). However, this whole system is not rigid and the circles can shift (the membership base in the individual integration areas can change), which means that as long as the states are willing and meet certain requirements they can move from the periphery to the core of integration. In this sense, the core does not necessarily have to be an “engine” of integration, which “draws” the other countries towards further integration; it

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\(^7\) This system is also applicable to the present structure of institutionalized relationships in Europe – see the graph “Differentiation in Europe 2007”
simply represents an ensemble of the most integrated countries. In case that some of the “core” states decide to deepen their integration or to widen it into new area, a new core emerges. Such a vision of this model converges in many respects with the third model of flexible integration - Europe a la Carte.

The “core” is one of the most important terms of the Variable geometry model as it is in the model of Multi-speed Europe. Thus, it is possible to relegate the conceptions dealing with the most integrated countries – core, avant-garde group, pioneer group etc., also to the model of Variable geometry. The distinction between these two models is in the way they perceive the ultimate integration goal. In the case of Multi-speed Europe all the countries, eventually, become a part of the core because they have a common integration goal which they reach with different speeds. Under the Variable geometry, some countries may never become a part of the core. In contrast to the first model, in the second one a permanent differentiation among the integration levels of the states is acknowledged. Enlistment of a particular conception of “core” into a particular model depends on the fact whether all the states have a common integration goal and are obliged to reach it (Multi-speed Europe) or not (Variable geometry).

Graph no. 2: Differentiation in Europe in 2007

<table>
<thead>
<tr>
<th>European Union</th>
<th>NATO</th>
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<td>Schengen</td>
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<td>Cyprus</td>
<td>Canada</td>
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<td>(all 9 wish to join Prüm)</td>
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<td>Greece</td>
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<td>Euro</td>
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<tr>
<td>Candidate Countries</td>
<td>Turkey</td>
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<td>Croatia (negotiation talks)</td>
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<tr>
<td>Macedonia</td>
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Source: Centre for Applied Policy Research, CAP Munich

Practical examples of functioning of the Variable geometry in the reality of the EU are e.g. the Schengen Agreements. Five capable and willing member states (hard core) established cooperation outside the EC/EU institutional
Differentiation as Possible Means of Further European Integration

framework which only later became a part of Acquis. As another example could serve the cooperation of member states in the framework of the Western European Union in the field of security; the cooperation in the field of defense, crisis management and peacekeeping within the Eurocorps; or the participation in the programmes JET, Airbus, Ariane or Eureka in the industrial sector.

**Europe a la Carte**

The third principal model of flexible integration is the model of “Europe a la Carte”. A. Stubb used the “matter” of integration as a variable for categorization of this model. This is the least orthodox model of flexible integration based on intergovernmental principle. The essence of the Europe a la Carte model is a metaphor of menu. The member states have the choice of variety of policy areas from which they can choose as from a menu those policy areas in which they wish to participate (the matter of integration) by preserving a minimum of common goals (under the minimum of common goals, an institutionalized economic cooperation of some level – e.g. the common market - is mostly understood).

A principal feature that distinguishes this model from the aforementioned ones is the will as a decisive factor, not the capacity to apply the EU policies is it is in the case of Multi-speed Europe and Variable geometry. What it has in common with the aforementioned models is the scheme of centre-periphery relations; this scheme is though different in the individual policy areas and it does not divide the EU into different and more-less permanent membership layers. Analogous to the Variable geometry model, the Europe a la Carte model acknowledges the permanency of the chosen differentiation schemes but it also enables the member states to change their minds and accept other parts of Acquis later on if they wish so (Warleigh 2002). On the contrary, the distinction between Variable geometry and Europe a la Carte lies within the fact that in the case of the first one a state participates in some integration project in such a way that it is its initiator or if the project already exists, the country opts-in; in the case of the second model the country accesses to new commitments or it opts-out.

First author of the Europe a la Carte conception was R. Dahrendorf who first coined the term in 1973 in reaction to the emerging conceptions of a Multi-speed Europe or Variable geometry. He criticized the orthodoxy of the Community and proposed to establish the integration on the will of member states and enable them to choose the areas in which they wish to integrate – as from a menu. He argued that “as context and interests changed over time so the policy menu should change, discarding tired dishes and adding new ones as different ingredients became available“ (Wallace, H. – Wallace, W. 1995, p. 57).
Another advocate of this model was the British Prime Minister, M. Tatcher, and later also her successor, J. Major. In 1994, soon after the introduction of the German (Schäuble/Lamers – Kerneuropa) and French (Balladur – concentric circles) conceptions, J. Major joined the debate on the flexible integration. In his speech at the Leiden University, he criticized these conceptions mostly for their division of the EU into the core and the periphery according to the member states’ integration level. He deprecated the ideas of a “core” or “hard core” which he perceived as an exclusivist club, because in such a structure of the Union some of the member states would be more equal than the others.

The Europe a la Carte model is the most flexible one when it comes to the differentiation of the member states and their extent of involvement in the integration. On the other hand, it is contrary to the very purpose of the flexible integration, and that is to solve the problem of integration stagnation on the ground of ever-increasing heterogeneity of the member states and to enable to proceed with deepening/widening of the integration. Europe a la Carte inherently contradicts future European integration; it does not set any integration goal and its wider application could mean an erosion of the integration in Europe. Therefore, this model of flexible integration as a whole is usually rejected. Furthermore, its realization in practice would by considerably demanding, since it would necessitate a reduction in the current state of integration into a sheer economic cooperation and subsequent construction of the EU using the method “pick-and-choose” of the Europe a la Carte model (Federal Trust Report…, 2005).

In the practice of the European Union, it is also possible to find some examples converging with the model of Europe a la Carte, at least with some of its features. Primarily it is the option of the so-called “opt-out”, or if you like, the option of negotiating an exemption from some policy provisions or even from the whole policies. In case of Maastricht Treaty, Great Britain and Denmark negotiated opt-outs in the Economic and Monetary Union in which they have a permanent exemption from the duty to take part in the third stage of European Monetary Union. Great Britain and Ireland have further opt-outs in some provisions of asylum and immigration policy, more specifically in the area of legal migration, visa and borders. Great Britain negotiated a specific type of opt-out in the social policy. Denmark has another exemption from the duty to apply certain EU provisions in the field of EU citizenship and in the field of defense within the frame of Common Foreign and Security Policy. Great Britain and Poland have opted-out from the Charter of Fundamental Rights under the Lisbon Treaty that is still not of force. It is very likely that Ireland will negotiate several opt-outs from the Lisbon treaty as well, in order to ratify it in the repeated referendum.

In the following part of our paper, we will address all of the aforementioned examples of flexible integration in the EU practice into more detail.
Differentiation as Possible Means of Further European Integration

and we will present a classification of modes of flexible integration in the EC/EU primary law as well.

Flexible integration in the EC/EU primary law

Idea of an ever closer and more united Europe stood at the very beginning of the European integration. Gradual reaching of this goal required also uniform steps and procedures. Homogeneity became an ideal principle of European integration. According to this principle, all the states participating in the integration shell in the same extent adopt and apply Aquis communautaire; the same applies to the states seeking EC/EU membership. The official principle of homogeneity lingered even after ever-increasing heterogeneity of the Community became a fact in connection with the accession of more and more new member states.

As we have already mentioned before, the topic of flexible integration as a means to tackle the problem of increasing heterogeneity started to be broadly discussed within as well as outside the EC already at the beginning of then 1970’s when the first enlargement of the EC membership took place. The relevance of differentiation grew with every subsequent enlargement of the EC/EU and various elements of flexible integration were gradually incorporated into the EC/EU primary law – the Treaties. However, this process was not simple at all. Compared to how quickly various theoretical conceptions of differentiated integration spread, incorporation of this principle into the primary law was rather protracted and tentative.

One of the main motives for incorporation of elements of flexibility into the primary law was the ambition to shift the integration to a higher level of political integration. However, this ambition was opposed by some countries whose interests in this matter considerably differed. As has already been alleged, the need to apply principles of differentiation/flexibility stems mostly from the ever-growing heterogeneity of capabilities and interests of individual member states and particularly from their visions of the future of integration in Europe and its ultimate goal.

Amsterdam Treaty was the first treaty in which the principle of differentiation and the possibility of flexible integration were for the first time officially and implicitly anchored. However, it can be stated that some of the elements of flexibility had been used in practice even before and some of them could be found in the treaties as well. First reference to the need to respect different potentials and capabilities of member states in their effort to pursue the goals of integration occurred in the Single European Act of 1986 in Article 8c which, says: “When drawing up its proposals with a view to achieving the
objectives set out in Article 8a, the Commission shall take into account the extent of the effort that certain economies showing differences in development will have to sustain during the period of establishment of the internal market and it may propose appropriate provisions. If these provisions take the form of derogations, they must be of a temporary nature and must cause the least possible disturbance to the functioning of the common market.”

Ehlermann suggests that this is a case of a traditional concept of differentiation, which is established through interpretation of the existing legal order of the Community (Ehlermann 1995). Šlosarčík considers that “neither the differentiation in the European Union is homogenous” and it can be classified according to several criteria:

- **Open vs. closed differentiation** – criteria is the possibility of expansion of the differentiated integration. In an open differentiation any non-participating state can join whenever it wishes to do so; in a closed one, a special formal mechanism should be used and the accession of a new participant must be approved by all the already participating states.

- **Temporary vs. permanent differentiation** – criteria is the length of its duration. In temporary differentiation the term is limited; permanent differentiation has no exact date of termination (although it could be terminated at some point).

- **Positive vs. negative differentiation** – positive differentiation implies a higher level of integration in some policy area (e.g. enhanced cooperation); negative differentiation implies an exemption from the duty to apply some parts of Acquis (e.g. opt-outs)

- **Internal vs. external differentiation** – internal differentiation makes use of the EU institutional structures, its mechanisms and legal framework; external differentiation operates outside the EU structures.

- **General differentiation vs. differentiation ad hoc** – general differentiation is based on a common pre-defined set of rules and mechanism; ad hoc differentiation employs various mechanisms

It can be observed that none of the three principal models of flexible integration, established in form of many variations in the theoretical discussion on the topic of the need for differentiation in integration, managed to be applied in the EC/EU practice or incorporated into its primary law as such. Similar to the case of theoretical conceptions, we can identify three principal modes of flexibility within the EC/EU legal framework too (see Stub 1998, Missiroli 2000, Tekin, Wessels 2008):

1. **Pre-defined flexibility**
2. **Enabling clauses**
3. **Case-by-case flexibility**
Pre-defined flexibility

Pre-defined flexibility is a mode of flexible integration in which all the elements of the integration are precisely and specifically pre-defined in the Treaties – the field of integration, its scope and objectives, the participating member states, etc. Such flexibility enables partial integration in a specific field. It is applicable as soon as the respective Treaty enters into force. In practice, it takes form of various opt-outs/exemptions, which are usually established by means of protocols (or declarations) to the Treaties.

The option of opting-out was for the first time mentioned already in the Single European Act and subsequently largely used by the negotiations of the Treaty on the European Union in 1993 - the Maastricht Treaty. Relatively broad use of this option was consequence of ever-growing heterogeneity of the EC/EU and at the same time the only means of preventing a deadlock of further deepening or widening of integration because of disapproval of even one of the member states in the absence of any official mechanism of differentiation. With establishment of the European Union in 1993, European integration gets into a new phase; it deepens and widens into new areas. For the first time, the economic integration officially widens into political area. Maastricht Treaty created a special system of three pillars which was necessary because of the fact that the new cooperation in the field of Common Foreign and Security Policy (second pillar) as well as in Justice and Home Affairs (third pillar) was of intergovernmental nature and not of supranational one as it was in the case of the first pillar represented by the Aquis communautaire of the European Communities.

Negotiating of the treaty establishing European Union as a new phase in European integration was not easy at all. Disunity of the member states’ visions of integration in individual policy areas posed a big problem to the negotiations. Ratification of any founding or reform treaty by all member states is a necessary condition for the treaty to be approved and to come into force. Therefore, member states had to find a suitable solution how to secure interests of all of them and avoid such a situation in which any member state could block further integration. Some countries considered certain policies so important and sensitive in terms of national interest that they were not willing to participate in integration in those areas and to transfer the execution of their sovereign rights to European institutions. To prevent a deadlock in integration, Maastricht Treaty anchored several permanent exemptions from the duty to apply certain provisions of the EC/EU primary law for some member states. These exemptions, or opt-outs, are a typical example of the Europe à la Carte model according to which member states can decide not to participate in integration in a certain area and for this
purpose they can be granted an opt-out which becomes a component of the primary law. In practice, this option is used as some kind of „emergency brake“ or last resort in order to avoid blocking of integration by one or more member states. States with opt-out can, whenever they change their minds, join the integration in the given area but they do not have a duty to do so.

Currently, four member states have exemptions from some policy areas or from the duty to apply certain provisions of these policies – Great Britain, Ireland, Denmark, Sweden (only a de facto opt-out) and after coming into force of the Lisbon Treaty, Poland will be another country with an opt-out. British opt-out, negotiated with the Maastricht Treaty and pertaining the Social Charter, is the only opt-out that has ever been revoked. The then British conservative government opposed incorporation of the Social Charter of 1989 into the EC primary law because it disagreed with regulation of this matter at the European, supranational level. The rest of the member states then decided to solve this situation by attaching the Social Charter to the Treaty by means of a special protocol, which Great Britain was not obliged to sign. According to the protocol, participating member states can make full use of institutions and mechanisms of the EU for the purpose of decision-making and applying of the Social Charter provisions. Great Britain was not granted a vote in the decision-making process pertaining Social Charter (unanimity would be reached by 11 votes out of the 12 member states) but at the same time, it was not obliged to participate in financing of this cooperation except for the administrative costs of institutions. When the Labour Party with the Prime Minister T. Blair came into power in 1997, British stance towards the social policy changed and Great Britain opted-in to the provisions of the Social Charter. The former British exemption from the Protocol on Social Charter is considered as an example of combination of Europe a la Carte model and the model of Variable geometry (see Ehlerman, 1995).

On the present, Great Britain together with Ireland has an opt-out from the Schengen Aquis\(^8\), the rationale of which is abolishment of border control at the

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\(^8\) The Schengen system was established as a more-less classical example of Variable geometry model of flexible integration. A group of member states with sufficient political will as well as ability to enforce their will decided to widen their cooperation into a new area even in spite of the fact that the rest of the member states either opposed this widening or were unable to join. In 1985 5 member states – France, Germany, Belgium, Netherlands and Luxemburg signed Schengen Agreement aimed to gradually abolish control at common borders. To prevent the unwilling and unable countries from hindering further integration, the above-mentioned countries signed an international treaty based on intergovernmental principle and outside the EC structures. It is necessary to note, that in compliance 408
member states’ common borders. Main reason for non-participation of these states is besides their specific geographical location the fact that they are both part of Common Travel Area.

Another policy area in which Great Britain as well as Denmark and de facto also Sweden have an opt-out is the European Monetary Union (EMU)\(^9\), strictly speaking its third stage – introduction of common currency Euro. This policy area posed a significant problem by negotiating of the Maastricht treaty because some countries were not willing to give up their national currencies and enter the third stage of EMU. Great Britain and Denmark\(^{10}\) negotiated an opt-out anchored in the Treaties by means of protocols, which excludes them from the duty to introduce Euro and enables them to maintain their national currencies. The

with principles of flexible integration, this new area of cooperation was in line with the principal goals of the Community – abolishment of the internal border controls and principle of free movement. As the Schengen Agreement provided only a general framework for the cooperation and served only as an expression of will of the member states to participate in this project, Convention implementing the Schengen Agreement was signed later on. It determined exact principles, rules and procedures of cooperation in the given area. Schengen system became to be operational after coming to force of the Convention in 1995. Gradually, other EC/EU member states but also non-member states (Norway, Iceland which ar part of the Nordic Passport Union) have joined this intergovernmental cooperation. In 1997, Amsterdam Treaty incorporated the Schengen Agreements into the EC primary law as a part of the first pillar.

\(^9\) EMU represents two types of flexible integration – permanent exemptions predefined in the Treaties in form of opt-outs and non-participation in the third stage of EMU because of failure to meet the convergence criteria, which is an example of Multi-speed Europe. All member states except for Great Britain and Denmark are obliged to take part in all stages of EMU. In case of the third stage – introduction of common currency – the condition is to meet the convergence criteria. The deepening of integration depends on the capabilities of states, not on their will. Every country, which joins the EU, has to accept the whole Acquis and based on this, has the duty to join the third stage of EMU and introduce the common currency – Euro, eventually. Even though the reasons for non-participation in the EMU of Great Britain and Denmark on one hand and of the states failing to meet the criteria on the other are different, practical implications of their non-participation are identical. They do not have right of vote on this matter, they can not nominate members of the Executive Board of ECB, the Governors of their central banks can not be members of the Governing Council of the ECB.

\(^{10}\) Denmark negotiated several opt-outs after it failed to ratify the Maastricht Treaty in a national referendum.
reason for such exemption was again to enable the other member states to deepen their integration and avoid such a situation in which for reason of disapproval of several member states the whole integration would be blocked. In case of EMU, the process of incorporation of the opt-out was different to the case of British opt-out from the Social Charter. While in case of the later, the Social Charter was not incorporated directly into the text of the Treaties but attached to the Treaties by means of protocol signed by 11 willing countries (protocol favoured the countries other than Great Britain), in case of EMU the provisions concerning this policy were incorporated directly into the text of the Treaty as the Title VI of the Treaty establishing EC. Special derogations for Great Britain and Denmark were incorporated into the primary law by means of special protocols to the Treaties. Great Britain does not have the obligation to ever introduce Euro, but in case it changes its mind the possibility to join the third stage of EMU remains open. Protocol containing Danish opt-outs states that Denmark shall hold a referendum on the matter. The referendum was held in 2000 and 53.1 % of the voters were against the adoption of the Euro.

Sweden has a specific type of opt-out from the EMU. It only has a de facto opt-out because it did not negotiate it officially but secured it by not entering the ERM II whereby it deliberately failed to meet the criteria for introduction of Euro. Sweden insists that it will introduce the common currency only when its citizens approve this in a referendum. Referendum on the matter was held in 2003 and the citizens voted against. The current Swedish government does not plan another referendum on this matter in this electoral term. Relevant European institutions have decided to accept this situation for tactical reasons for the moment.

Because of failed ratification of the Maastricht Treaty in national referendum, Denmark has negotiated some more opt-outs besides the one concerning the EMU. All of these opt-outs are listed and specified in Edinburgh Agreement. In another opt-out, Denmark made a declaration that “Union citizenship is a supplement to national citizenship and not a replacement”. After the Amsterdam Treaty amended the Maastricht treaty by using similar wording, this Danish opt-out became meaningless but is still legally valid. Denmark is also the only member state that has formal opt-out in the second pillar. It doesn’t have to participate in any EU foreign policy matters concerning defense – it doesn’t have to take part in decisions, joint actions, financing of this actions or contribute

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11 Sweden joined the EU in 1995, when the provisions on EMU had already been incorporated in the EC primary law and thus had a weaker position in negotiation than Great Britain and Denmark, whose approval was essential for ratification of the Maastricht treaty.
differentiation as possible means of further european integration

its troops for such joint actions. the last danish opt-out is in certain areas of the justice and home affairs.

negotiation of the lisbon treaty was also marked by several controversies, which led to establishment of some opt-outs. the main issue was the charter of the fundamental rights of the european union from which great britain and poland opted-out. great britain was concerned about the effects of the charter on its labour law while poland feared that when accepting the charter it might be forced to grant homosexual couples the same benefits as the heterosexual couples enjoy. consequence of these opt-outs is that european courts can not rule on the matters concerning the charter in case of great britain and poland. alleged opt-outs will be valid only after the lisbon treaty comes into force. it is though very likely that the list of opt-outs will be even longer because similar to the maastricht treaty, the lisbon treaty failed to be ratified in a national referendum, this time in ireland. as a condition for a repeated referendum, the eu had to make several concessions. ireland asked for legal guarantees that the treaty will not change its taxation, abortion laws or military neutrality. another condition was that every member state should have a commissioner. acceptance of these opt-outs should increase the chance of positive result of the second round of referendum in ireland, which will be held on 2. october 2009. after a successful ratification, the lisbon treaty together with all negotiated opt-outs could come into force as early as november 2009.

opt-outs as a tool of pre-defined flexibility correspond with the theoretical model of europe a la carte since the countries with opt-outs are capable of further integration in the area in which they have opt-outs but they do not have political will to do so. opt-outs are also example of the so-called negative flexibility necessary for avoiding a deadlock in the integration.

enabling clauses

while opt-outs represent example of negative differentiation and are necessary means of avoiding a deadlock in further integration, enabling clauses are on the contrary means of positive integration in the conditions of european union. they provide a general procedure of such integration under precisely defined conditions specified in the treaties and within the eu framework for a smaller group of willing and capable member states, which wishes to deepen or widen the integration in a certain policy area. they enable closer integration of those member

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12 with the amsterdam treaty most parts of the third eu pillar were transferred into the first pillar, but denmark’s opt-outs from these areas remained valid by means of special protocols to the treaty.
states even without the need of participation of all EU member states and without their consent. Representation of such enabling clauses in the EU legal framework is the closer/enhanced cooperation introduced by the Amsterdam treaty and later revised by the Treaty of Nice and the Lisbon Treaty.

By establishing of closer cooperation, Amsterdam Treaty for the first time officially and explicitly introduces the principle of flexibility into the EC/EU legal order. Signing of the Treaty was preceded by an intense debate within the framework of intergovernmental conference aimed at preparing the text of the treaty, as well as outside this framework. The issue of flexibility in European integration became one of the most contested and discussed topics during this intergovernmental conference. Member states differed again not only in their attitudes towards integration and in its goals; they had different visions of the form in which flexibility in the EU should be realized too. The result of this debate was a complicated and awkward mechanism of closer/enhanced cooperation, which is a combination of more theoretical models of flexible integration.

Closer cooperation was established as a new Title VII of the EU Treaty that contains a general flexibility clause in articles 43 – 45. Closer cooperation in the first pillar is regulated by article 11 of the EC Treaty and regulation of closer cooperation in the third pillar inheres in article 40 of the TEU. Amsterdam Treaty excludes second pillar from the possibility to introduce closer cooperation. The scope of the general flexibility clause is to set out general conditions and principles under which the closer cooperation can take place, as well as the institutional arrangements necessary for its initiation and operation. Its aim is also to safeguard the interests of those states, which do not participate in the closer cooperation. For this purpose, it contains a list of several conditions to be met when initiating closer cooperation with use of EU institutions, mechanisms and procedures. According to these conditions, closer cooperation must:

- be aimed at furthering the objectives of the Union and at protecting and serving its interests;
- respect the principles of the said Treaties and the single institutional framework of the Union;
- be only used as a last resort, where the objectives of the said Treaties could not be attained by applying the relevant procedures laid down therein;
- concern at least a majority of Member States;
- not affect the ‘acquis communautaire’ and the measures adopted under the other provisions of the said Treaties;

13 For more on this topic see Stubb 2000
Differentiation as Possible Means of Further European Integration

- not affect the competences, rights, obligations and interests of those Member States which do not participate therein;
- be open to all Member States and allow them to become parties to the cooperation at any time, provided that they comply with the basic decision and with the decisions taken within that framework;
- comply with the specific additional criteria laid down in Article 11 of the Treaty establishing the European Community and Article 40 of this Treaty, depending on the area concerned, and is authorized by the Council in accordance with the procedures laid down therein (Article 43 of the Treaty on European Union as of Amsterdam).

Specific clauses concerning first and third pillar contain provisions, which regulate special conditions for closer cooperation within these pillars as well as the method of its initiation and decision-making mechanisms. Closer cooperation within policy areas of the first pillar can be initiated only if it does not concern areas which fall within the exclusive competence of the Community; does not affect Community policies, actions or programmes; does not concern the citizenship of the Union or discriminate between nationals of Member States; remains within the limits of the powers conferred upon the Community by this Treaty; and does not constitute a discrimination or a restriction of trade between Member States and does not distort the conditions of competition between the latter. If member states want to establish closer cooperation in the first pillar, they submit a request to the Commission which then submits a proposal to the Council (it can also dismiss the member states’ request with an explanation of its reasons). Council then authorizes initiation of a closer cooperation by a qualified majority vote. Commission also decides on accession of new states into closer cooperation. The treaties also protect interests of non-participating member states by introducing a so-called “emergency brake”. If even a one member state declares that for important and stated reasons of national policy, it intends to oppose the granting of authorization by qualified majority, Council decides by a qualified majority vote to transfer the decision-making on the matter to European council, which should decide unanimously.

Closer cooperation in the areas regulated within the third pillar must meet two basic conditions: respect the powers of the European Community, and the objectives laid down in the third pillar and have the aim of enabling the Union to develop more rapidly into an area of freedom, security and justice. Triggering mechanism of the closer cooperation under this pillar is very similar to the one of the first pillar. The vote is taken by qualified majority vote and the “emergency brake” can be used. The difference is that Commission gives just a non-binding opinion on the matter of establishing closer cooperation, not a binding proposal as it is in the first pillar. When a non-participating member state wants to join the
closer cooperation, decision is taken by the participating member states, not the Commission.

Closer cooperation, as established by the Amsterdam Treaty, was criticized for its undue perplexity immediately after its coming to force and it was subsequently modified in the Treaty of Nice but this time as “enhanced cooperation”. The change of name was not the only change concerning this form of enabling clauses. The minimum number of participating states was set to exact number of eight compared to majority requirement formulated in the Amsterdam Treaty. This innovation simplifies the initiation of closer cooperation. Conditions under which this cooperation could be initiated in the first and in the third pillar were consolidated under the general flexibility clause and some of them were omitted as for example the prohibition of closer cooperation in the matters of the Union citizenship. Important general condition that remained in force was that enhanced cooperation can be launched only in those policy areas which do not fall within the exclusive competence of the Community. On the other hand, new restrictive conditions were added – enhanced cooperation mustn’t undermine the internal market or the economic and social cohesion of member states. On the contrary, it should be aimed at fostering the integration process. The condition according to which the enhanced cooperation as a toll of flexibility can be launched only as the last resort was amended by the formulation that this can happen only when the Council has acknowledged that the objectives of the proposed enhanced cooperation can not be attained within a reasonable period by applying the relevant provisions of the Treaties. The triggering mechanism in the first and in the third pillar was significantly simplified by abolishing of the emergency brake. No member state can veto this cooperation for the reasons of national policy any more. It has only the possibility of referring the matter to the European Council for consensus-driven deliberations. However, the decision made by council can not be canceled. Commission’s and Parliament’s rights in the process of authorization were increased. In the third pillar the Council decides by the qualified majority vote not only on the initiation of enhanced cooperation but also on access of other states to this cooperation provided the Commission has given its recommendation. An innovation in the provisions of the Treaty of Nice is the clause that participating member states as well as the Commission should encourage other member states in their effort to join the enhanced cooperation. According to Kadlecová, this is a sign of “strengthening the principle of multi-speed Europe at the expense of variable geometry” (Kadlecová 2006, s. 36).

The Treaty of Nice provides under specific conditions also the possibility of enhanced cooperation in the EU second pillar – the Common foreign and security policy. Enhanced cooperation can cover only implementation of joint actions and common positions but it shall not relate to matters having military or defense implications. Within the second pillar the option of emergency brake was
Differentiation as Possible Means of Further European Integration

preserved. Commission has the right to submit opinions and Parliament has the right to be informed about enhanced cooperation within the second pillar.

The Lisbon Treaty represents last revision of the EC/EU founding treaties and brings about significant changes in the structure and functioning of the European Union. However, there are not many changes in the provisions on enhanced cooperation. The minimum number of participating states increased from eight to nine which now represents one third of the member states. In the initiation phase initiation, when submitting the request to Commission, the participating states have to specify the scope and objectives of the enhanced cooperation; Commission then passes the request to the Council. In the phase of authorization of the enhanced cooperation the Lisbon Treaty abolishes the possibility of consensus-driven deliberations within the European Council. Enhanced cooperation should be decided upon exclusively by qualified majority vote in all the policy areas except for the Common foreign and security policy. The Treaty further strengthens the position of European Parliament in the process of authorization. Parliament’s consent is required in the areas where special legislation procedures apply.

Despite the positive developments of enabling clauses aimed at its simplification in respective revisions of the Treaties, closer/enhanced cooperation remains also henceforward rather complicated and restrictive, in particular its initiation and triggering mechanism Perplexity of the procedures results in the fact that even ten years after the Amsterdam treaty, which introduced the flexibility principle for the first time, entered into force the option of enhanced cooperation has not been used at all. Member states rather prefer cooperation outside the EU structures and its legal framework to the complicated procedures of enhanced cooperation.

In terms of relation of this practical of flexible integration to theoretical models we can clearly state that the enabling clauses are a mixture of elements of several models. It would seem that this mode of flexibility has most in common with the features of model of Variable geometry. A group of capable and first of all willing member states creates a core, which should not be closed but open to other states that can join it if they wish so. In this way, the requirement of avoiding creation of an exclusive club is met. Elements which considerably distant enabling clauses of the ideal model of Variable geometry are mostly a set of conditions that has to be met before initiation of enhanced cooperation, but also a very strong position of supranational institutions in this process (e.g. Commission has the right to decide not to submit the states’ request to Council for authorization). In the classic model of Variable geometry a core of member states can launch cooperation also outside the EU institutional framework which is not in line with the provisions of closer/enhanced cooperation. On the contrary, enhanced cooperation has to meet a number of restrictive conditions as for example the
support of the Union’s objectives, respect for the Acquis or it mustn’t involve certain policies. A substantive difference is also the fact that enhanced cooperation can be established only as last resort, when the objectives of the cooperation can not be attained within the EU framework and its rules. We can also note some elements of Multi-speed Europe in the enabling clauses but it has to be argued that enhanced cooperation doesn’t meet some basic principal characteristics and that is first of all will of all of the member states to participate which is hindered only by the temporary lack of capacity. Another resemblance is the clause according to which the participating states as well as Commission shall encourage the other states to gradually join this cooperation. There is almost nothing in common with the model of Europe a la Carte.

**Case-by-case flexibility**

The last mode of flexible integration, which can be found in the contemporary EU primary law, is the mode of case-by-case flexibility. It gives a member state the possibility to abstain from voting on certain matter without vetoing the decision provided it formally declares that it will not apply this decision while at the same time respecting that this decision commits the Union. However, under a mutual solidarity clause, the member states which abstain from voting on a decision in question “shall refrain from any action likely to conflict with or impede the Union action...”. This procedure is called constructive abstention (sometimes also declaratory abstention) and can be used only in the second pillar of the EU. It represents some kind of mixture of a decision-making procedure and a mechanism of flexibility. It was incorporated into the primary law by the Amsterdam treaty. In terms of relation to the theoretical models of flexible integration, this mode of flexibility corresponds with the model of Europe a la Carte.

**Conclusion**

Ever-growing heterogeneity has become an intrinsic feature of the European Union as an integration project. It causes an increasing set-back in its further progressive development and this problem will continue increasing because in the medium to long term we can expect another vivid increase in this heterogeneity relating to further enlargement to countries of Western Balkans, which were promised the perspective of EU membership at the Thessaloniki summit in 2003. Although the principle of differentiation/flexibility diverges significantly from the principal and ultimate goal of European integration, which was determined at its very beginning, its inevitability suggested by many authors has finally been acknowledged even by the EU itself. Closer/enhanced cooperation established by the Amsterdam Treaty was the first official acknowledgement of the
Differentiation as Possible Means of Further European Integration

flexibility principle. The mostly employed tools of flexibility have been the so-called opt-outs, which have become necessity for a successful ratification of almost every revision of the Treaties. During ratification of the Treaties, member states have such a strong negotiation position that their requirements for differentiation are accepted in order to progress with the integration.

Nonetheless, none of the existing theoretical models of flexible integration has managed to be anchored in the EC/EU primary law at large. For the time being, the principle of flexibility in the EU is more rigid than flexible. The complicity of procedures and strictness of conditions more often than not discourage the member states and its consequence is that none of the official mechanisms of flexibility has been used so far. The Lisbon Treaty, which is currently being ratified, has not brought any significant simplification of the flexibility mechanisms. There is no clear conception of how to effectively tackle the problem of heterogeneity, differentiated interests and visions of future European integration within the EU. An intensified debate on this matter should proceed because the current mechanisms are not effective and satisfactory. An appropriate form of flexible integration constitutes one of the principal preconditions of successful continuation of European integration and would enable (or at least facilitate) its further simultaneous deepening, widening and enlargement.

Literature


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The cooperation by the EU-access between Slovakia and Hungary (The chance for the south-east Enlargement)\textsuperscript{1}

DAŠA SMETANKOVÁ

Introduction

Almost all of the European countries would like to be a member state of the EU, mainly because of the economic advantages. Europe has turbulent history, and a lot of countries have disputes with each other. There are some cases where historical threats were stronger than possible economic advantages but also cases when countries found out that history is over, disputes should be solved in a peaceful way and that cooperation can bring gains to all parties concerned. Greece-Macedonia and Slovenia-Croatia issue is the example of the first one. But there is a lot of examples of the peaceful solving of disputes over Europe. One of them is Slovak-Hungarian issue. The countries have the common as well as the individual history and lots of disputes. But by their EU entry they cooperated, because they knew it would bring more positives to be both the member states. The paper focused in the enlargement of the EU and it shows that the case of Slovak and Hungarian access could be an example or chance for the quarreled south-east European countries.

Accession (Copenhagen) criteria

To become a part of the European Union the state must be a part of Europe (according to the EU Treaty) and it has to comply with the principles of freedom, democracy, human rights and law.\textsuperscript{2} According to the Amsterdam treaty every European country can apply for the EU membership. Except that, country has to fulfill the so called “Copenhagen criteria”. The criteria were settled in 1993 in

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\textsuperscript{1} This paper has been worked out within the framework of the specific research grant project of the Faculty of International Relations, University of Economics in Prague

420
Copenhagen. Before that there were no criteria for the entry. These are now valid for all the new countries, which would like to join the EU. Copenhagen criteria can be divided into three areas:

- political: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- economic: existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union;
- acceptance of the Community acquis: ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.  

The south east enlargement and its problems

The south-east enlargement started in principle in the year 2004, when Slovenia joined the EU. The process continued with Romania and Bulgaria, which are members from 2007. Currently, there are three countries as candidates: Croatia, Turkey and the Former Yugoslav Republic of Macedonia. The other Balkan states, Albania, Bosnia and Herzegovina, Montenegro, Serbia and Kosovo under then UN resolution, have the status of potential candidates. This paper is focused mainly on Croatia and Macedonia, their problems with neighbourhood countries-Slovenia and Greece, which are already members. I would like to find out similarities between these two cases and Slovakia and Hungary entry in the EU.

Croatia case

The EU established diplomatic relations with Croatia in 1992. In 2001 Croatia signed a Stabilization and Association Agreement (SAA). In 2003 Croatia submitted its application for the EU membership and in 2005 the EU officially started the membership talks with the country. Since the opening of negotiations in 2005, 16 chapters have been opened and two have been provisionally closed. 

Sometimes not just the fulfillment of the chapters is important. The big importance by the EU access has also the political background, in this case the dispute between Slovenia-member of the EU, and Croatia-candidate state. During the last year 2008, Slovenia blocked an opening of the new chapters for Croatia, because of

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3 Accession criteria (Copenhagen criteria), http://europa.eu/scadplus/glossary/accession_criteria_copenhague_en.htm
their 18 years long dispute over the borders, which included a small Bay in Adriatic Sea. The main problem is access to the international seas. Slovenia has just 46km long coastline and on the other hand Croatia’s coastline is 1700 km long. Croatia wants borders go through middle of the Piran Bay, but Slovenia worry about the access to the high seas. An advantage lies on the Slovenia side, it is the EU member so it has a veto right, which means despite Croatia fulfills all the conditions it will not become the EU member because of the unsolved dispute with Slovenia.

**Macedonia case**

Macedonia (FYROM-Former Yugoslav republic of Macedonia) also signed the SAA in 2001, but it came into force in 2004. In the same year the country submitted its application for the EU. In December 2005 FYROM became a candidate state but there was not settled any precise date for the start of membership talks. The country is also the CEFTA (Central European free trade agreement) member since 2006.

One of the obstructions in the EU access process with Macedonia is the “name dispute” with the Greece, which is the EU member since 1981 and it is one of the “old” member states. Their dispute centers on the name of the Republic of Macedonia. Greece claimed that name Macedonia is exclusive for the North part of Greece, it wanted Macedonia to use name FYROM-Former Yugoslav republic of Macedonia. The dispute started after the split-up of Yugoslavia. In 1993 UN Security Council issued a resolution that Macedonia could enter the organization but with the provisional name FYROM. The resolution also said that the problem is serious and it has to be solved peacefully and in good relations. In 1995 signed FYROM and Greece an Interim Accord that gave a hope to quick solution of the problem, but ten years after the problem is still alive. The dispute has its roots in history and that is why it is hard to solve. The importance of the row increased when Macedonia applied for the EU membership, because of the veto right of Greece.

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5 Slovenia-Croatia border row heats up, Lungescu, O. http://news.bbc.co.uk/2/hi/europe/7896040.stm  
Slovak-Hungary issue

Until the year 1989 there were almost no issues between Hungary and Slovakia, two states, which are connected and also divided by their history. Slovak nation lived 1000 years in the Austria-Hungary Empire. In that time Hungary wanted to build one nation state, so the rights of the other nations were repressed. The WWI. meant the huge loss of territory as well as inhabitants for the Hungary. By the (year) 1989 Slovakia and Hungary were both friendly socialistic states. But the evolution after the fall of the communism brought also problems with nationalism and other „historical problems“ e.g. so called Beneš presidential decrees and on the other hand „historical wrongs“(assimilation, political lack of freedom,..) on Slovak nation in Austria-Hungary empire.

After the fall of communism in the central Europe a lot of disputes mainly over the minorities appeared between Slovakia and Hungary. Hungary accused Slovakia of breaking the minority’s rights and it tried to look after Hungarian minorities in other countries. This was of course unacceptable for Slovakia, it thought Hungary would like to revise borders or abolish the presidential decrees of Beneš, used for the exchange of inhabitants after the WW2. The relations of the countries during the 20 years after the 1989 varied. When the nationalists were in power the relations were worse and vic-versa, but finally economical advantages of cooperation won.

The EU access

Slovakia signed European Agreement in 1993 and it came into force in 1995. (Slovakia had signed this Agreement already in 1991 as a former Czechoslovakia. The Agreement had to be signed again with the both succession states.) In 1995 Slovakia submitted an application for the EU membership. Hungary has signed the European Agreement already in 1991 and it submitted the application in 1994. The Europe Agreement should help the countries to adopt the EU’s rules and to gain financial help for developing institutions, economy and infrastructure.

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7 E.g. so called „Compatriotic law“- The law enabled the members of the Hungarian minority in the other countries to get the money when they e.g. dent their children into schools with Hungarian language.
8 One of the biggest disputes handled with the water power station on Gabčíkovo-Nagymaros. The problem was that all the legal disputes between Hungary and Slovakia always obtained the colour of nationalism and brought a lot of passion.
Considering the difficult history between Hungary and Slovakia, there were worries about the situation between these two countries. Two years after the separation of Czechoslovakia there was not even any basic bilateral agreement between Hungary and Slovakia. To sign the agreement was also one of the basic requirements of the EU to start the access process. Both countries wanted to be members and also therefore they signed so called “Slovak-Hungarian agreement about the friendship and cooperation” in 1995. The main part of the agreement was dedicated to the national minorities. The agreement also contained a part about the state borders; both countries asserted that they respect the state borders and the territorial integrity of each other. Without this basic agreement the EU would not start the talks with the two states.

In December 1997 the Luxembourg European Council decided to start membership talks with 6 states (also called “the Luxembourg group”), Cyprus, Estonia, Hungary, Poland, the Czech Republic, Slovenia, but not with Slovakia. Regular reports from the Commission in 1998 evaluated Hungary and Slovakia considerably different. Hungary was evaluated as very successful in fulfilling Copenhagen criteria. On the other hand, the main reason for not starting the talks with Slovakia was not-fulfillment of the Copenhagen criteria and namely not-fulfillment of the political criteria. Although during the government of Vladimir

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10 The agreement settled that the persons from the national minorities are the part of the state, where they are living. www.vlada.gov.sk/uznesenia/1997/0211/uz_0115_1997.html,

11 The agreement was in Hungary ratified almost immediately. Slovakia waited for long time till finally they ratified it under the foreign pressure, mostly from the EU.

12 “Hungary continues to fulfil the Copenhagen political criteria. Continuing attention needs to be paid to combating corruption more effectively and to improving the situation of the Roma. Hungary can be regarded as a functioning market economy. It should be well able to cope within the Union in the medium term, provided that it maintains the conditions for trade integration and ongoing enterprise restructuring. Hungary’s rhythm of transposition has remained steady and has generally been accompanied by adequate institutional and financial provisions facilitating implementation. The Commission considers that Hungary’s steady progress will, if sustained, enable it to take on the obligations of membership in the medium term provided the pace of transposition in the environment picks up.“ Agenda 2000 enlargement, Regular report 1998 from Commission on Hungary’s progress towards accession, Bulletin of the European Union, Supplement 5/98, p. 37

13 “The recent elections offer an important opportunity for Slovakia to address the political weaknesses outlined in the opinion and to take steps to ensure that it will in future meet the Copenhagen political criteria. Slovakia has implemented most of
Meciar between 1994 and 1998 Slovakia submitted the application for the EU, it did not fulfill other political criteria and thereby let the EU the opportunity of not starting the membership talks with Slovakia. The government left the country in the isolation and it got a lot of critics mainly from the EU and the USA. Instead of starting membership talks in 1998 Slovakia and the EU signed so called Accession Partnership, trying to help Slovakia to move on in stagnant fields.

In 1998 the EU access seemed not reachable for Slovakia, but the other V4 countries (Czech Republic, Hungary and Poland) were in the first group. These three countries also joined the NATO in 1999, but Slovakia was not invited because of the political situation in the country. After the 1998 parliamentary election and the change of the government in Slovakia the main task was clear, to reach the other V4 countries in the access process into the west European structures.

**Slovak catch-up**

Besides the political will to be the EU member there were also other reasons for Slovakia to catch up the other V4 countries in the access process:

1. Customs union between Czech republic and Slovakia (the will to have it untill the enlargement)

   the reforms necessary to establish a functioning market economy, but there has been a lack of transparency due to government interference. Nevertheless, Slovakia should be able to cope with competitive pressure and market forces within the Union in the medium term, provided that the market economy is allowed to function. Slovakia needs to accelerate the pace of approximation particularly in the area of internal market, environment and justice and home affairs. A concerned effort is needed to set up and strengthen the corresponding institutional and administrative capacity.” Agenda 2000 enlargement, Regular report 1998 from Commission on Slovakia’s progress towards accession, Bulletin of the European Union, Supplement 8/98, p. 34

14 The regular Commission report includes also the critics for the Slovak government of V. Mečiar: „During the period July 1997 to end-September 1998 there has been a lack of stability in the institutions guaranteeing democracy, the rule of law and protection of human rights, as reflected by the inability to elect a President, the controversial use of the transferred presidential powers, the unsatisfactory functioning of the parliamentary committees and the disregard for the constitutional court rulings. There have been problems in the treatment of minorities and a lack of legislation on minority language.“ Agenda 2000 enlargement, Regular report 1998 from Commission on Slovakia’s progress towards accession, Bulletin of the European Union, Supplement 8/98, p.11-12
2. To build Schengen together with the neighbours (and not to stay away from that)  
3. Economic advantage (international trade between the neighbour countries)  
4. CEFTA—the free trade area between the countries in the first group  
5. Cross-border cooperation  

The first step to become a member after the change of the government in Slovakia was removal of political barriers and hereby got the positive decision about the membership talks in Helsinki in 1999. Besides the hard work by the access process and very quick finishing of the access chapters there are two things that helped Slovakia by the access:  
1. V4 cooperation  
2. Improving relations with Hungary and improving minorities situation  

The big advantage Slovakia gained from the cooperation with V4 countries and also with Hungary. One of the main priorities of the group V4 was integration into the NATO and the EU. As Slovakia was not invited to NATO and also was in the second group of the candidates into the EU, other countries of V4 group decided to help Slovakia to integrate together mainly by sharing the information, advice and experience. 

Relations between Hungary and Slovakia improved after the Slovak election. Nationalistic Slovak national party was no more the part of the government and more the Hungarian coalition party became a member of the new government. After the year 1998 the number of bilateral meetings also increased, 6 new Euro regions were created, cross-border cooperation flourished, as an effect of the improving relations. This improvement was evaluated very positively by the EU and helped Slovakia to become a member together with other neighbours.

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16 The cooperation V4 was also dependent on the will of governments in the individual members. Until the year 1998 the cooperation was almost stopped and it came to recovery after the change of the government in Slovakia. The cooperation V4 was dependent on the relations between its members. Strážay T., Bilčík, V., Fungovanie Vyšehradskej štvorky pred a po vstupe jej členov do Európskej únie, Bratislava 2006, Výskumné centrum Slovenskej spoločnosti pre zahraničnú politiku, p. 7, http://www.sfpa.sk/dokumenty/publikacie/116,  
17 E.g. the new Hungarian consulate was created in Košice and on the other hand Slovak consulate was created in Békešska Čaba. Bridge between Štúrovo and Ostrihom, which was destructed during the WW2, was renewed in 2001.
The cooperation by the EU-access between Slovakia and Hungary... 

The membership talks with Slovakia started in 2000 in Brussels, after the exchange of Slovak government in 1998. To be a member state, Slovakia had to fulfill the Copenhagen criteria like the other states, the fulfilment of these criteria were the part of the regular evaluation from the EU. The first evaluation was settled in 1998 and the last one in 2004 before the access. In 2001 the European Council in Laaken claimed conclusiveness of the enlargement and there was also Slovakia between the states ready to be the members until 2004. It was the first time Slovakia was evaluated on the same level as other V4 countries. After the successful referendum, Slovakia became member of the EU on 1.5.2004.

Conclusion

The paper focuses on the EU enlargement, especially on the 2004 enlargement, with Slovakia and Hungary as an example of the problematic South-east enlargement. Slovenia and Greece used their Veto power by the EU enlargement of Croatia and Macedonia. They have a long-term disputes between each other, which could mean that despite Croatia and Macedonia fulfill all the access criteria they might not become the members.

By the access of central European countries the situation was different. Economical advantage won over the other disputes. Especially Slovakia example was very important cause it showed how help of other V4 countries played its role in catching-up the delay and renewal of Slovakia’s position. Nonetheless there was also will between Hungary and Slovakia to become the members together and it is why the EU was not only the economic contribution but also political contribution for Slovakia and Hungary. Thanks to European Union the relations between two historically harmed countries substantially improved.

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Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

ONDREJ SRAMEK

Introduction

This paper is part of my dissertation thesis dealing with the question of democracy in Western democratic theory and comparatively in modern Islamic political thought. The present paper will form the basis for the third chapter which will contain the comparative analysis of political concepts. For better understanding of the context, I will briefly summarize the two previous chapters.

In the first chapter, I deal with methodological issues and with the question what approach we should use when trying to answer the question stated above. I compare the two key competing approaches in contemporary political science: the three prevalent mainstream empirical approaches (structuralism, culturalism and rational choice theory) and also the relativist critiques raised by some political theorists. I conclude that neither purely empirical, nor excessively relativist approach is very helpful for the issue at hand. Instead, I suggest that analysis of political ideologies developed by Michael Freeden (Freeden 1996) and others provides just the right tool to appropriately account for inherent normativity (which purely empirical approaches tend to underestimate), without totally relinquishing empirical and rational verification of its arguments (which relativist approaches tend to do).
In the second chapter I set out to map the key ideologies in modern Islamic political thought starting with 19th century Islamic reformist al-Afghani. I identify three challenges that the Islamic world faced. One was internal (internal challenges to Islamic orthodoxy raised by Wahhabism and later by Islamic reformism) and two were external (import of Western political concepts of secular humanism and nationalism). Different strands in Islamic political thought answered differently to these challenges and resulted in three main political ideologies: Islamic reformism, fundamentalism and secularism. I follow developments of these three strands in the Middle East as well as on the Indian subcontinent from the 19th century through the interwar and post-World War II era until the contemporary debate.

As already mentioned, the present paper is intended to introduce the comparative perspective into the debate. In attempts to juxtapose Western democracy and Islam, it is often forgotten that both sides of this comparison are much more complex than it may seem at the first glance. Sometimes Western scholars do correctly point out the complexity and internal diversity in Islamic political thought, yet they paradoxically fail to fully appreciate that the very standard to which they compare—democracy in the “Western” sense—is itself a very contested concept. The concept of democracy as such seems to me to be too complex and therefore too broad and vague to allow for a meaningful comparison. In order to be able to compare, a relatively straightforward, yet crucial political concept must be identified, which could serve as the basis for comparison.

I propose that the concept to serve as the base of my comparison can be political sovereignty¹. In Islamic political thought the importance of the debate about where

¹ Of course sovereignty here is used not in the meaning of state sovereignty as in International Relations, but in a more normative sense connected to legitimacy of political power—in short: where does political power come from?
sovereignty comes from is paramount. Is it God, or is it people? To what extent the Word of God must be understood literally or to what extent it can be reinterpreted? How far in creating their own laws Muslims can go or are they dependent on the revealed Shari’a? Similarly, in Western democratic theory this question is also crucial, albeit from a different angle. Where does legitimacy of political power come from? Is the ultimate source of sovereignty each individual, or is it the body politic?

I shall first look at the Western democratic theory and its different conceptions of democracy in terms of how political sovereignty is addressed. I will attempt to classify them in some meaningful way so as to allow for comparison. Then I will look at whether individual models of democracy have their counterpart among the Islamic approaches to democracy. Finally, I will evaluate what conclusions follow from such comparison.

1. Sovereignty in Western democratic theory

The purpose of this section is by no means to provide an exhaustive review of Western scholarship on democratic theory. On the contrary, I selectively present only few strands of Western democratic theory with two goals on my mind. First, I would like to capture the substantial internal diversity in Western political philosophy regarding democracy. Second, I select those strands of thought that have particular relevance to my later attempt to relate Western and Islamic political thought by underlining both their differences and similarities. As with Islamic thought, I will focus on modern theory, rather than attempting at a comprehensive historical overview. At the end I shall try to put these different models of

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2 For a more exhaustive overview see for example Models of Democracy by David Held (2006)
democracy in perspective by suggesting possible classification, which should enable me to later conduct the comparison with the different strands in Islamic political thought.

**Rousseau’s social contract and its implications**

Jean Jacques Rousseau is one of the great theorists of social contract. In his famous Social Contract, the key problem Rousseau tries to solve is:

“to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey only himself alone, and remain as free as before.” (Rousseau 1993: 191)

And the solution he envisages is the social contract, in which

“[e]ach of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.” (Rousseau 1993: 192)

Similarly to Hobbes, Rousseau in his reasoning also uses the state of nature as the negative counterpart. Civil state created by social contract is for Rousseau clearly superior. In the state of nature the only decisive factor is physical strength. Anyone can do and possess anything he can back up with his physical strength, until someone stronger comes and claims his property or life. By entering the social contract, one renounces such practice of behaving like a “stupid and unimaginative animal” and becomes an “intelligent being and a man” (Rousseau 1993: 196). By giving himself to everybody, the citizen in fact gives himself to nobody. Since the Sovereign is formed solely by its members, it cannot have own interests contrary to theirs. Social contract then legitimizes the ways to acquire property and protects it
with the weight of the whole body politic. Committing to it, man loses the natural liberty, but only to acquire much greater “moral liberty, which alone makes him truly master of himself” (Rousseau 1993: 196) and by which his property becomes “a right which social union makes invincible” (Rousseau 1993: 207).

The key concept of Rousseau’s theory is the collective general will. General will is the power that identifies the common good, overcoming the anarchy of disconnected particular individual interests in the state of nature. In the ideal body politic “the common good is everywhere clearly apparent, and only good sense is needed to perceive it” (Rousseau 1993: 274). Under such conditions the society is in harmony, very few laws are needed and if the need arises, it is readily recognized by all.

The initial social contract itself is the only decision which actually requires unanimous consent of all people. Once in place, the emergent Sovereign can establish majority decision as binding for everyone. In such case Rousseau takes majority vote as the proxy for the general will and dismisses the minority opinion as erroneous. He does not specify how big the majority should be, though. The more serious is the issue under consideration, the larger should be the margin between majority and minority. On the contrary, if the matter requires urgency, smaller margin is permissible. There is however the condition that all laws enacted by the Sovereign must be universal—applicable *en masse* to everybody. A law can grant privileges or establish different treatment to different groups of people, but it must do so by a general principle, not by nominating particular persons, as that

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*Rousseau’s attempt to define general will “mathematically” is, however, somewhat confusing. General will is not the same as will of all, a simple sum of all particular wills. According to Rousseau pluses and minuses of individual wills cancel out and general will remains as the sum of the differences.*
would violate the principle of general will by introducing particular elements in the law.

Rousseau’s ideas do seem utopian in many aspects. Rousseau himself actually admitted that his social contract is to some degree an ideal construct. He for example acknowledges the dispute between democracy and efficiency: greater efficiency of the government comes with fewer numbers of governors, but less people in executive power also increase the risk of promoting particular will of the ruler at the expense of the general will. It is an “unavoidable and inherent defect which, from the very birth of the body politic, tends ceaselessly to destroy it” (Rousseau 1993: 257). In other words, the seeds of own destruction have been planted in each State since its very birth. Rousseau argued that as all states had perished in the past, so they would in the future—but at least the well constituted ones can last longer.

If we were to compare Locke’s theory with Rousseau’s social contract, we would find many similarities. Both authors argue that creation of the body politic is a rational act of individuals, who voluntarily accept restriction of their unlimited liberty in exchange for the same restriction by all others. But the key difference lies in the source of sovereignty. While for Locke every human is sovereign and the state emerges merely as a result of theoretically revocable consent of all individuals, for Rousseau the sovereignty emerges in the process of the social contract and creation of body politic and is vested in the community guided by general will, to which all individuals are completely subordinate.

Although general will is constant, indestructible and unalterable, it can be subordinated by other wills driven by particular interests detached from common good. In other words, general will is always there, but it must be fostered by people’s participation in the Sovereign.
Rousseau’s ideas spawned at least two very different conceptions of democracy that I would like to mention here. The first builds on the positive idea of participation. The second focuses on the unresolved problem of dissent and concludes that Rousseau’s ideas are utopian and in reality bound to lead to authoritarianism or even totalitarianism.

**Participatory democracy**

Carole Pateman (1970) is one of the proponents of participatory democracy, which she defends against the minimalist procedural definitions of Joseph Schumpeter (more on Schumpeter’s understanding of democracy below) and others. Pateman refers to three key thinkers that developed the idea of democracy based on participation: J. J. Rousseau, J. S. Mill and G. D. H. Cole. Both Rousseau and Mill saw a central role for participation—political education of individual and promotion of the active, public-spirited kind of character. For Mill political education should start by participation at local level and he also suggested that democracy could work in industry. This idea of cooperative mode of production was later brought to perfection by Guild Socialism of Cole, who claimed that democratization of industry holds the key to truly democratic polity as it emphasizes total equality of humans in both political and economic sphere and equal participation at every level of the society, including industry. By equal participation in industry on daily basis, individuals learn to break the chains of subservience and eventually emancipate themselves in the political realm as well. Participation thus becomes a fundamental, transformative force in the society, through which alone a true, genuine democracy can be achieved.

It seems to me that Pateman’s idea of participatory democracy as well as Cole’s guild socialism and perhaps also related anarcho-communism of the Russian philosophers Kropotkin and Bakunin can be conveniently lumped under one label. All are based on conviction that participation is the key to socialization and the
more participation individuals are exposed to, the easier a societal consensus is reached, the general will eventually forms and guides the community toward the better future. Needless to say, the empirical record of this model of democracy is zero, hence I think we can safely label it “participatory utopia” for our purposes.

**Totalitarian (guided) democracy**

There is yet another reading of Rousseau’s Social Contract. If participation does not lead to the desired outcome, which is the formation of relatively uniform general will, there are two options: either dismiss the theory as wrong, or hold the people responsible for not arriving at the desired outcome. When general will has not materialized, someone has to define it and push it through even by force.

J. L. Talmon (1952) coined the term “totalitarian democracy” for this kind of reasoning. For Talmon, totalitarian democracy is “based upon the assumption of a sole and exclusive truth in politics [and it] postulates a preordained, harmonious and perfect scheme of things.” The “real liberty” is then not defined as the individual condition of absence of coercion (as by Locke), but simply as the possibility to participate “in the pursuit and attainment of an absolute collective purpose.” (Talmon 1952: 2). If the individuals do not see this common absolute purpose clearly and if their selfish action and their particular interests threatens the common good, then the individuals must be “forced to be free” in order to prevent the destruction of the body politic, as Rousseau famously argues (Rousseau 1993: 196). Giving himself entirely to the collective, even the citizen’s life becomes conditional upon the State. Thus, for example, when asked to sacrifice his own life for the body politic, the citizen is obliged to do so: “when the prince says to him: ‘It is expedient for the State that you should die,’ he [the citizen] ought to die” (Rousseau 1993: 208). It is simply the price individuals must pay for the benefits and protection the social contract bestowed upon them.
This is I think the most serious weakness of Rousseau’s contract theory. It implicitly assumes that the political community will reach some consensus (or the general will), but it does not clearly solve the problem of dissent. According to Rousseau, the opponents to social contract exclude themselves from it, yet they submit to it at the same time: “They are foreigners among citizens. When the State is instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign” (Rousseau 1993: 277). David Rosenfeld (1987) persuasively expands on this and argues that labelling Rousseau a democrat and supporter of popular sovereignty is in fact a fallacy. Social Contract in fact provides justification for exclusive aristocratic rule very remote from today understanding of democracy.

A variant of totalitarian democracy is “guided democracy”, a term coined by Indonesian president Suharto in 1950s. Guided democracy is common for countries without democratic experience that newly emerge from autocracy, especially for newly decolonized countries. Before democratic institutions and democratic political culture take roots, the population often genuinely favours indigenous autocrat to previous foreign autocrat (the colonial power). Hence, although the rule is fairly autocratic, it still can attract very large popular consent. Guided or totalitarian democracy can be both secular, as was the case of Indonesia, or theocratic, as was the case of Islamic republic of Iran after the Islamic revolution. While it may start democratically with sweeping electoral victory and broad popular support, it tends to degenerate into autocracy by gradual subversion of

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5 Rousseau’s “system of liberty” is well illustrated by Rousseau’s quote: “Corsicans, be silent. I am going to speak in the name of all. Let those who do not agree leave, and let those who do agree raise their hands.” (in Rosenfeld 1987: 110).
democratic institutions, typically rigged elections, control over mass media, restriction of political opposition for the purpose of national unity, etc.

**Schumpeter’s democratic method**

Joseph Schumpeter, albeit primarily an economist, significantly contributed to political science with his minimalist definition of democracy as a method. Schumpeter based his thesis on criticism of what he calls the “classical theory”, which he defines as an “institutional arrangement for arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will” (Schumpeter 1950: 250). In other words, the “classics” (Rousseau being the prominent one of them) presuppose that there is a Common Good discernible by rational means and that there is Common Will leading to it. Schumpeter argues, however, that none of these conditions is fulfilled in reality. First of all, he argues, there is no such thing as Common Good because values and goals of each individual are invariably different and not subject to logic or rational argumentation. Secondly, even if there was a criterion of common good acceptable for all, there would not be consensus about the means to reach it (common will).

Schumpeter brings two interesting interdisciplinary hints to the analysis of “common will”. The first was Gustave Le Bon’s psychology of crowds shows that in a state of excitement and sudden disappearance of moral restraints individuals are prone to eruption of primitive impulses and criminal propensities—irrationality par excellence. The second was the finding of economists that neither consumers’ wants are definite, nor the ways to achieve them are rational. Conversely, consumers are prone to being manipulated through advertising. Schumpeter then applies these findings into politics. Whereas in familiar issues these problems do not manifest themselves strongly, in issues disconnected from everyday life
individuals get more susceptible to manipulation and irrationality\(^6\). And in complex national or international issues “the sense of reality is so completely lost” (Schumpeter 1950: 261). Schumpeter is not suggesting here that people are simply stupid by their nature, but explaining that their incentives to educate themselves are weak. Since individual influence on political issues is relatively very low, therefore individuals feel very low immediate responsibility and therefore also low motivation to acquire an informed view (it is costly in terms of time). Thus “the typical citizen drops down to a lower level of mental performance as soon as he enters the political field. (...) He becomes primitive again. His thinking becomes associative and affective.” (Schumpeter 1950: 262).

This has fundamental impact on the understanding of the general will, which is no longer present intrinsically by itself, but simply manufactured: “the will of the people is the product and not the motive power of the political process” (Schumpeter 1950: 263). Creation of these numerous manufactured wills is analogous to advertising in economic sphere, with the difference that it has much greater power in the political realm\(^7\).

\(^6\) Schumpeter lucidly exemplifies his point: it is relatively very difficult to manipulate housewives in terms of food and familiar household articles. Similarly, we can expect more intelligence to be demonstrated in a bridge game, rather than in a political debate among non-politicians.

\(^7\) Schumpeter admits limits to such large-scale manipulation, though. He concedes to Jefferson and Lincoln that in the long run societies may develop very rational opinions. “History however consists of a succession of short-run situations that may alter the course of events for good.” (1950: 264)
Schumpeter thus entirely rejects the “classical theory” based on general will and suggests his own definition of democracy simply as a method of competing for political leadership:

“the democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.”

Schumpeter thus switches the roles here. For Rousseau it is all the people that primarily decide what is to be done by expressing the general will and only then as an act of secondary importance representatives are appointed to carry out this decision. On the contrary, for Schumpeter it is the elites that define what needs to be done. The role of the people is to merely elect the officials and let them do what they deem necessary. The elites remain accountable to the people insofar that the people may choose not to re-elect them in the next election.

The inspiration of Schumpeter’s political thought by his economic theory is readily apparent especially in how it addresses the problem of efficiency. The key principle of competition for political leadership is based on similar principles as corporate management elected by shareholders. The management runs the business without frequent owners’ interference, but the owners are free to replace the management if it proves incapable. Similarly in democracy, the people should restrict their political action to electing the elite as the “electoral mass is incapable of action other than stampede” (Schumpeter 1950: 283). The everyday initiative should come from the elites. Participation is not desirable in itself and it is sufficient if the people retain the right to evict the government and elect another elite if the current one fails. Politicians are like entrepreneurs, they offer goods (legislation) to their consumers (citizens).

Schumpeter’s minimalist definition of democracy as a method became very popular among political scientists, such as Huntington or Lipset, because of its
parsimony. It is based on a single criterion of competition for political leadership, which is also easily observable.

Dahl’s polyarchy

Robert Dahl is sometimes pigeonholed together with Schumpeter as a proponent of minimalist procedural definition of democracy as opposed to maximalist substantive version of Rousseau or Pateman. For Dahl, as for Schumpeter, neither democracy, nor participation are values in themselves. Instead, he understands democracy as a tool: “In my view, neither political equality nor the democratic

8 A more contemporary defence of minimalist definition of democracy based on rational choice approach is offered by Przeworski (2003). Unlike Schumpeterian somewhat structural approach of impersonal forces, Przeworski argues that peaceful transfer of power is a result of long-term rational calculus of two or more parties. Election is a demonstration of power of each party. Supposing each voter is equally strong, Przeworski suggests, election is in fact a “proxy for the outcome of war” (2003:15), or an efficient peaceful resolution of a conflict without killing. Party who lost the election will give up its power peacefully because it would probably lose in the violent conflict and moreover, it can attempt to regain power in the next election.

9 Although Dahl expresses some degree of personal affinity for democratically run economic enterprises, he does not incorporate it in his general theory: „[the view that] in a truly democratic society all associations would be democratic (...) seems to me mistaken.“ (1989: 327). Similarly he comments on redistribution of wealth: „Whether and how much [political leaders] will or should tamper with the distribution of wealth and income resulting from market forces, are questions that, strictly speaking, the standard theory is not expected to answer, nor can it.“ (326).
process is justified as intrinsically good. Rather, they are justified as the most reliable means for protecting and advancing the good and interests of all the persons subject to collective decisions.“ (Dahl 1989: 322, emphasis mine).

It would be a mistake to dismiss Dahl’s theory as mere variant of Schumpeter’s procedural democracy, though. Dahl’s theory of polyarchy is substantially deeper than Schumpeter’s democratic method. For Schumpeter, the regime basically qualifies as democracy as long as anybody can start a new political party and compete in election. Schumpeter does mention that free competition implies some other rights, namely freedom of discussion for all and freedom of press. He does not elaborate on this in great detail, though, and it is Robert Dahl who provides a very persuasive deductive philosophical justification of these rights.

Dahl’s underlying principle or axiom is political equality:

“[all the members of the association] believe that no single member, and no minority of members, is so definitely better qualified to rule that the one or the few should be permitted to rule over the entire association. They believe, on the contrary, that (they) are adequately qualified to participate on an equal footing with the others in the process of governing the association.” (1989:31).

From the principle of political equality follow certain conditions that must be met so we can label a political process democratic: (1) Effective participation: all citizens have equal and adequate opportunity to influence the outcomes of the political process. (2) Voting equality at the Decisive Stage: all citizens must have an equal opportunity to express their choice at the decisive stage of the process and such choice of each citizen must be counted equally. (3) Enlightened understanding: since good decision-making requires proper understanding of the relation between desired ends, means chosen to achieve them and consequences of adopted decisions on others, citizens must have equal and adequate opportunities
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

for discovering and validating their choice (within time permitted for the decision). (4) Control of the agenda: the demos must have final control over the political agenda (i.e. agenda is not set by an external power, for instance). That does not preclude representation as long as the people retain the possibility to retrieve the control back. (5) Inclusion of adults: all four aforementioned criteria must apply to all adult permanent residents (i.e. for instance not to children or foreign nationals).

In order to fulfil those five criteria, a certain set of political institutions must be put in place: (1) Elected officials: Control over government decisions about policy is constitutionally vested in officials elected by citizens. Representation is the only solution to fulfill the criteria of effective participation and control of the agenda in large states, where direct physical participation is impossible.\(^\text{10}\) (2) Free, fair and frequent elections: Specific arrangements can differ, but coercion and repeated frequently. (3) Freedom of expression including criticism of the officials. (4) Alternative sources of information independent of the government must exist and be accessible without censorship. (5) Associational autonomy: citizens must be able to freely form associations including political parties. (6) Inclusive citizenship: no permanently residing adults must be excluded from the rights that follow from these political institutions (i.e. they all can vote, run for office, express themselves, form associations, etc…) (Dahl 1998:84). For this variant of democracy, Dahl coins a new term “polyarchy” (“rule by many”).

\(^{10}\) Problems of impossibility of representation might be soon solved by modern technologies. Electronic voting, for example, has been already been used in some countries. Another interesting method is the method of deliberative poll proposed by James S. Fishkin (1995). Nevertheless, representation by professional politicians is still overwhelmingly dominant method.
Dahl has thus substantially expanded on Schumpeter’s method. By way of deductive reasoning based on a single axiom of political equality of all individuals (which does seem reasonable) he derived a number of conditions that must be fulfilled for a regime to qualify as democracy.

**Making sense of Western democratic theory**

I see two key criteria, against which we may categorize the models of democracy mentioned above in some meaningful way, thus creating a simple two-dimensional chart. The first dimension (horizontal) depicts which is the source of sovereignty and I think there are two replies to this question: subjective (individual) and objective (communal). The second dimension captures where the source of activity, and also has two poles: egalitarianism and elitism. Egalitarianism here does not imply equality in terms of property, but simply equal level of participation on politics across the whole society. It is meant simply as a counterpart to elitism, in which only elites are active, while masses are expected to follow their lead. Hence, we can draw following table and classify our four models of democracy:

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<tr>
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<th>Subjective (individual) sovereignty</th>
<th>Objective (communal) sovereignty</th>
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<tr>
<td><strong>Egalitarianism</strong></td>
<td>Dahl’s polyarchy</td>
<td>Participatory democracy</td>
</tr>
<tr>
<td><strong>Elitism</strong></td>
<td>Schumpeter’s democratic method</td>
<td>Totalitarian (guided) democracy</td>
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Let me briefly discuss the vertical axis in more detail first. One group of models puts a great emphasis on equality in activity of all people. For Rousseau as well as for Dahl, all people are born equal and have the same right to participate in the political process. For some authors (Rousseau, Pateman), participation itself actually becomes the real goal of democracy, as it bring about socialization,
emancipation and development of society. Robert Dahl expands on what it actually means to be able to equally participate and what are the conditions of a meaningful democracy. He accepts representation as a tool of necessity because direct participation in large country, such as USA is practically not possible, but develops conditions that must be met to justify representation.

The second group of models generally agrees that all people are politically equal, but argue that that does not mean all are also equipped to actually take part in the political process. In other words, they claim that everyday political activity should be left to the politically savvy elites, while the masses should restrict themselves to supervisory role. Perhaps the best example of such elitism is Schumpeter’s idea of democracy as a method. Schumpeter is openly skeptical about the ability of ordinary citizens to participate meaningfully on complex political issues. The masses should not seek to participate in everyday politics, but should only elect their political representatives and vote them in or out in the next election depending on how happy they are with their performance. Totalitarian or guided democracy is another example of elitism. Elites, once voted in power democratically, later monopolize for themselves the decision about the good and bad of the society and often helped by populism, state propaganda, state-controlled education and media manipulation they can retain high levels of popularity and can be even re-elected several times. However, the political process is entirely captured by the elite and ordinary citizens are essentially degraded to sheep in herd.

The second, horizontal, axis depicts the answer to the question where does sovereignty come from?

One pole that defines the continuum is what I call subjective or individual sovereignty. According to this viewpoint, the ultimate owners of the political decisions are independent individuals that can make their own minds. Schumpeter’s democratic method belongs here, because according to Schumpeter
individuals delegate the everyday political activity to elites essentially in order to avoid being burdened by it and to save time. In the end, though, individuals keep the sovereignty for themselves, because if the elites perform badly, they can be voted out and replaced by different ones. Dahl’s polyarchy also stresses that sovereignty rests with the individuals and that a meaningful democracy thus necessarily requires some individual rights, such as freedom of speech and association.

The other pole on this axis is the objective, or communal sovereignty. This means a conviction that there is some higher source of sovereignty that transcends the individual interests. In Rousseau’s case this transcending concept is the “general will” to which all citizens are expected to voluntarily give in and even die if necessary. For Pateman it is participation for its own sake. But most pronounced is this in totalitarian democracy, where the common goal is set by the messianistic elites and the whole society is then steered toward this goal “forcing the individual to be free”, as Rousseau famously noted. Individual or minority dissent is not expected in this model of democracy.

2. Sovereignty in Islamic political thought

The classification we arrived at in the preceding section proves to be very useful to classify different approaches to democracy in modern Islamic political thought. The two modes of source of sovereignty—subjective (individual) and objective (communal)—in fact very closely correlate with the main two strands of Islamism—Islamic reformism and fundamentalism. I am omitting Islamic secularism at this point, because it is a model that does not really propose an alternative to Western political philosophy, but instead openly adopts it. Reformism and fundamentalism are the two strands that define alternatives that need to be compared to their Western counterparts.
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

It is also possible to distinguish between the egalitarian and elitist versions within each of these strands, so in the end we should be able to make a fairly systematic comparison with what the Western democratic theory has to offer and arrive at a coherent assessment of their mutual compatibility. I shall discuss each of the two strands in more detail. I shall start with the fundamentalist angle.

**Objective sovereignty in Islamic fundamentalism**

**Islam as a total way of life and the Islamic state**

As has been shown in Chapter II, both Islamic reformism and fundamentalism grew from the same roots of anti-colonial struggle. Already the early Islamic reformists, such as al-Afghani, were very critical of the Western domination and its corrupting effects and they started looking at Islam as part of a solution, rather than the cause of relative backwardness of the Muslim world. They rejected the old rigid interpretations of Islamic orthodoxy and argued for new fresh reinterpretations. Islamic fundamentalists were no less vigorous in rejecting the orthodoxy and producing new interpretations of their own. However, they developed a much more radical version of both anti-Westernism and the belief that Islam is the solution. All this translated into the idea of a desirable political regime.

Fundamentalists started putting much more emphasis on the idea of comprehensiveness of Islam, or Islam as a total way of life. Many Islamic reformists would hardly oppose to the idea that Islam guides all aspects of life. But fundamentalists more explicitly than ever before insisted that religion, politics, law, society and economy are not separate realms of human life, but all are mere parts in one grand scheme governed by the rules of Islam. The divine law Shari’a regulating both private and public life provides a framework for such a grand scheme. Political principles are rooted in Islam as strongly as personal moral and ethical ones and need to be reflected in the political regime.
This tendency can be traced to early Muslim brothers. The founder of Muslim Brotherhood Hassan al-Banna for example wrote:

“We believe the provisions of Islam and its teachings are all-inclusive, encompassing the affairs of the people in this world and hereafter. (…) Islam is a faith and a ritual, a nation (watan) and a nationality, a religion and a state, spirit and deed, holy text and sword.” (in Mitchell 1993: 233).

“The noble Qur’an is an inclusive book in which God has gathered the fundamentals of faith, the foundations of social virtues and all worldly legislation” (in Mitchell 1993: 234, emphasis added).

The position of an early al-Banna’s follower Abdul Qadir Awdah is very similar. Awdah (1982) juxtaposes human law and divine law and unsurprisingly finds that the level of spiritual sanctity and safeguarding of moral values by Shari’a cannot be matched by any man-made legislation. The critical problem of the Western modern man-made laws is that they guarantee too broad scope of individual freedoms, which supports immorality (e.g. alcohol consumption or illicit sexual intercourse). The final stage of moral decay is then completely secular law, which, having eradicated all references to religion, results in complete immorality. Shari’a, on the contrary, was given to man by God in an already perfect, complete and comprehensive form immune from any flaws. Therefore, Shari’a must take precedence before any man-made laws.

Pakistani fundamentalist scholar Mawdudi shared the conviction about comprehensiveness of Shari’a: “[man] has no right to lay down the law of his conduct and decide the right and wrong of it. This is a function which properly belongs to God” (in Nasr 1996: 81) and “the Shari’ah is a complete scheme of life
and an all-embracing social order where nothing is superfluous and nothing is lacking.” (in Bannerman 1988: 121)\(^\text{11}\).

From Islam as total way of life follows the idea of an Islamic state. Islamic fundamentalists, notably Mawdudi, revived it and developed it into an actual working political concept. In Mawdudi’s ideal Islamic state the divine rule pervades, God is the only source of law by which everybody abides and thus no conflicts arise, since “the real objective of Islam is to remove the lordship of man over man and to establish the kingdom of God on Earth” (Mawdudi 1940a). Government is necessary to protect and enforce the law, but not to create it—it has already been created by God and any human legislative intervention would be trespassing into God’s sovereignty. Hence, Islamic government is in the position of mere executor, but not legislator. In such system the emphasis is on efficiency and on the contrary there is actually almost no need for democracy, individual rights or citizen participation, since the government does not create new rules, but merely applies the divine law which is obligatory for everyone anyway. Citizen participation is only needed in the rare cases when the government errs (Nasr 1996).

The leader of Iranian Islamic revolution Ayatollah Khomeini’s take on Islamic state is very similar. He subscribes to comprehensiveness of Shari’a: “Islamic law

\(^{11}\) Bannerman also notes that Mawdudi later contradicts himself saying “there is yet another vast range of human affairs about which the Shari’ah is totally silent”. This is not that uncommon in Mawdudi’s work as Mawdudi was more of a pragmatic political actor rather than philosopher. He often appropriated Western political concepts (such as democracy) and used them as “empty vessel” for any content he saw fit for given circumstances, most famously his concept of “theodemocracy” (Nasr 1996).
is a progressive, evolving and comprehensive system of law. (...) There is not a single topic in human life for which Islam has not provided instruction and established a norm” (Khomeini 1981: 30). Shari’a embraces all spheres of human conduct: relations in family, community, and the whole umma, private and marital life, war and peace, penal and commercial law, trade and agriculture (Khomeini 1981: 43). Since Islam already provides comprehensive law, the main purpose of the Islamic government is therefore its implementation. Prophet Muhammad himself is the prime example of a great leader, yet merely an executor of the divine law. Since the Islamic government has no legislative role whatsoever, it is a mere administrative and operational body, which “draws up program for the different ministries in the light of the ordinances of Islam” (Khomeini 1981: 56). In the absence of the Hidden Imam12, government is guided by Islamic jurists (fuqaha) who supervise that government fulfils the requirements of the Islamic law.

The main functions of the government envisaged by Khomeini are collecting taxes specified in Qur’an (khums on agricultural and commercial profit, but also religious alms zakat, which most Muslims consider personal duty not to be interfered to by the state), implementation of penal code (i.e. cutting off hands for theft, lashing for drinking alcohol and stoning for fornication), maintenance and use of defensive forces and finally securing of internal political order.

Khomeini’s philosophy is based on the premise that humans are too weak and easily fall for pleasures. Also, heretics are omnipresent and always ready to conspire against Islam. Thus, if religion is not properly enforced, it will decay eventually resulting in “corruption of all humanity” (Khomeini 1981: 53).

12 For more details on this specific Shi’a eschatological concept see the section on Islamic revolution below
Consensual utopia

Like al-Banna, Mawdudi was primarily a pragmatic political player, rather than a sophisticated political philosopher expressing his ideas in very consistent manner. Nevertheless, their intellectual successor, the ideological brain of Egyptian Muslim Brotherhood after al-Banna’s death, Sayyid Qutb, produced some of the most philosophically sophisticated ideas in the modern Islamic political thought.

Qutb not only believed that Islam is a total way of life and as such is superior to any other religion or political ideology, but he in fact put great effort to justify this belief (rather than plainly stating it as other fundamentalists often do) in his book *Social Justice in Islam* (1996). In it, he puts forward the idea that not by individual human actions, but only by adhering to the infallible rules of Islam, the real social justice can be achieved. This harmony distinguishes the Islamic society from the individualistic chaos of the worldly Western societies. And to achieve such an Islamic society, Islamic social, legal and economic systems must be put in place.

Qutb specifies three main social functions in Islam that bring about the social justice: inward liberation of individual, human equality and social solidarity. Inward liberation is achieved by each individual’s personal submission to God, which liberates them from idolatry, servitude to false sacred institutions, power of other people, materialistic values, fallible pleasures and passions. Once the true Islamic system based on solidarity is established, people are freed even from their material needs. Islam thereby makes each human truly independent (except on God, of course) and consequently equal to other humans. Unlike Western individualism, Islam acknowledges that

“[s]ociety has a higher interest which must limit the freedom of the individual, and it is in the individual’s own interest to have definite limits to his enjoyment of freedom so that he does not get carried away by his
Islam thus establishes the principle of individual responsibility and group responsibility over freedom using analogy that the society is a vast ship whose safety depends on every single passenger. Individuals are required to cooperate and prevent wrongdoing, while the community (*umma*) is responsible to protect the weak. Qutb goes as far as saying: “The whole Muslim nation (*ummah*) is one body and feels as one” (Qutb 1996: 79)—thereby also indirectly providing justification for severe bodily punishments of crimes in Shari’a.

Both Mawdudi’s and early Qutb’s works are still fairly liberal, because they are based on what I think can be called “consensual utopia”—an ideal state, in which all Muslims agree on what Shari’a consists of, and all voluntarily submit to the divine law enforced by the Islamic government, thus overcoming the decadent era characterized by rule of man over man. Needless to say, this line of utopian thought was very problematic. First, it assumed existence of purely Muslim states and did not really address the position of religious minorities. This is perhaps understandable in Mawdudi’s context of Pakistan—a state created specifically for Muslims of India. It is less understandable in Qutb’s Egypt, with significant Copt and other Christian minorities. Second, the status of women has never been adequately resolved in fundamentalist thought (more on that later). Thirdly, even if we neglect all these and consider only adult male Muslim population, a lasting consensus in the society that an Islamic state should be established in fact empirically never materialized. I believe the reason why it never happened is the paradox of interpretive freedom, which is inherently built-in in the very basics of fundamentalist thought.
Fundamentalist paradox and monopolization of truth

As I have repeatedly emphasized, Islamic fundamentalists challenged the prevalent Islamic orthodoxy just as Islamic reformists, even though from a slightly different angle. If reformists sought to change Islam to suit the needs of modern reality, fundamentalists argued that reality must be changed to suit Islam. By Islam, however, they meant new purified Islam shaped after the idealized early Prophet’s umma, rather than Islamic orthodoxy tainted with many un-Islamic alterations and innovations accumulated over the centuries.

Naturally, if reality was to be shaped according to Islam and its divine law Shari’a, fundamentalists needed to argue, that Shari’a is in fact complete and covers all imaginable situations. Since the authoritative sources (Qur’an and hadith) are of limited extent, fundamentalists found themselves in need to solve the same problem as reformists—by reviving the concept of ijtihad. Many fundamentalists therefore argued for extending the scope of interpretation somewhat confusingly in ways very similar to those of Islamic reformists.

For instance Muslim Brotherhood’s jurist Abdul Qadir Awdah rejected fears that Shari’a may not be completely responsive to the needs of modern times. Awdah replies that Shari’a is not meant for some particular age or period, but rather for all ages and all times until doomsday because it is “universal and flexible in nature beyond imagination” (Awdah 1982: 36). Obviously, if Shari’a indeed is flexible beyond imagination, it must be susceptible to reinterpretation. Indeed, Awdah, in a way very similar to reformists, pointed out that reinterpretation is by no means closed or restricted only to some religious elite: “[t]here is no religious oligarchy in Islam (…) Each and every Muslim can become a religious scholar and a jurist” (1982: 96). Likewise, early Sayyid Qutb in Social Justice in Islam also seems fairly liberal in respect to who can interpret Shari’a: “all can equally interpret and apply [Shari’a] when they have adequately comprehended it” (Qutb 1996: 12). He adds
that “the man learned in [Islam] has no special right to rule over them except to carry out the Shari’ah, which he does not create but which is imposed by God on all.” (Qutb 1996: 13).

But both authors already hint at the inherent paradox here. If Islam can be subject to reinterpretation and the range of people eligible to participate in it extends significantly, it inevitably follows that the number of different potentially contradictory interpretations will rise rather than decline. While fundamentalists kept coming up with ideas of how to reform society according to the principles of Islam in order to achieve harmony, other strands of thought kept proposing different competing solutions and the utopian ideal of the consensual Islamic community seemed ever more distant. As Indira Falk Gesink (2003) aptly observes, the fundamentalists from Muslim Brotherhood:

“want believers to engage in *ijtihad* to strengthen their faith, to understand the sources of their religion and "inscribe their beliefs on their souls" (…), and yet they want believers to reach the same conclusions about the principles of their faith as their leaders do—especially regarding the types of action necessary to achieve the group's social and political goals.”

Fundamentalists soon realized that opening the gate of *ijtihad* in reality lead to the opposite of their desired outcomes. The society did not settle on the imagined utopian consensus, where Islamic state would be created completely in line with Shari’a, because no such consensus was ever possible. The reactions to this failure among fundamentalists were quite different.

Mawdudi in his later years, for instance, became disappointed and skeptical about ordinary Muslims: “The average Muslim is no doubt ignorant; he hardly understands the Qur'an and knows practically nothing of the Hadith” (Mawdudi 1963). Nevertheless, Mawdudi still believed that Muslims were not beyond salvation; they were simply in dire need of enlightened leadership that would
educate them in the ways of Islam, which was at that time prevented by incompetent elites corrupt by Western influence. In other words, despite his sometimes revolutionary rhetoric, in action Mawdudi remained a gradualist and evolutionary leader working within the constraints of existing political system.

On the contrary, late Sayyid Qutb, writing from the cruel conditions of Nasser’s Egyptian prison, came up with a dramatically new and profoundly revolutionary doctrine in his most famous book *Milestones*. Qutb’s *Milestones* is very different from *Social Justice in Islam*. *Milestones* is a “revolutionary manifesto” (Euben 1999: 56) and it is one of the most radical expressions of Islam as the total way of life.

*Milestones* of course starts with the obligatory harsh critique of the West:

> “Today mankind stands at the brink of a precipice (...) This spiritual destitution has become fully evident to the people of the west (...) spiritual decadence [of the west] has reached a point that it does not have any reasonable ground or justification for its survival” (Qutb 1981: 44).

Qutb then moves on to his key argument: it is not only the West itself, which is corrupt, but it is the Muslim society itself, which suffers from the same decay. In order to lend more urgency to his statement, Qutb famously reinvented the term *jahiliyya*.

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13 In his brilliant work, Shepard (1996) not only translates Qutb’s *Social Justice in Islam* but also offers a unique comparative analysis of the development of Qutb’s thought based on the changes he made in seven consecutive editions of his piece over many years. Shepard notes that the last edition of *Social Justice* is actually very close to the radical *Milestones*, with some portions being almost identical (Shepard 1996: xxii).
Jahiliyya was originally a term to describe the ignorance of divine guidance before Islam was brought to humans by the Prophet Muhammad. In other words, it signifies the objective condition of ignorance of divine order caused by the fact that the God’s word had not yet been revealed. Qutb however redefined it for contemporary use—jahiliyya is no more only passive unintended ignorance, but an active rebellion against Sovereignty of God, which is of course much worse and amounts to a mortal sin. In other words, Qutb argues that the decay of the contemporary society is a consequence of active decision of the people not to obey the Word of God. Qutb then argues that jahiliyya is all-pervasive and omnipresent: “We are also surrounded by Jahiliyyah today, which is of the same nature as confronted during the first period of Islam, perhaps a little deeper.” (Qutb 1981: 61) and “all the societies which are found in the world today are all in all ‘Jahili societies’” (Qutb 1981: 151).

The reason why the contemporary society is in jahiliyya is that it has strayed from the Pure Islam. Islam was tainted by “Greek philosophy and logic, ancient Persian legends, Jewish scriptures and traditions, Christian theology and remnant of other religions and cultures” (Qutb 1981: 56). Qutb unequivocally rejects rationalism as well as all other alien imports into Islam and claims they must be eliminated. He also directly challenges the modernist understanding of Qur’an as the source of philosophy promoted by al-Afghani and ‘Abduh—first generation of Muslims after Prophet’s death did not learn “the Holy Quran to expand [their] general knowledge for the sake of knowledge itself (…) [but to] find out what the Almighty Creator had prescribed for [their] individual life.” (Qutb 1981: 57). In other words, Qur’an is not to be critically studied but simply obeyed—after all it comes from the supreme divine source and any attempts to study it critically imply futile human efforts to place themselves at the same level with God. Thus, all critical inquiry into Shari’a is in fact merely a jahili strategy to delay its implementation. Shari’a is a “complete code of life, which should be implemented in each and every aspect
and quarter of life and by dint of which a Muslim solves his all problems concerning his individual and collective life” (Qutb 1981: 99) and as such it must be implemented without questioning, for only the Divine law, not man-mad law, can ensure harmony among people.

In late Qutb the fundamentalist paradox is probably at its highest. Qutb refuses to imitate previous thinkers and reserves the right to reinterpret Qur’an for himself. At the same time, he insists that other Muslims must accept his interpretation as final and he does so by insisting that his interpretation is in fact not an interpretation: “what we are saying about Islam is not a new fabrication, nor is it a reinterpretation of its truth. It is simply plain Islam” (Euben 1999: 59). Ijtihad is then possible only in issues where Qur’an does not speak clearly. And of course, it would be Qutb to decide whether Qur’an does or does not speak clearly.

Implications of Qutb’s reasoning and the impact it made on later fundamentalists were very profound. If the whole Muslim community is in the state of jahiliyya, fast return to Shari’a becomes of utmost importance. But at the same time it is prevented by accumulated ignorance and decay of the society. Gradualist self-help of the community based on grass-roots approach and education is no longer thinkable, because all its members are infected by jahiliyya and are incapable of seeing through the corruption. Only the enlightened individuals groups that can see through the veil of jahiliyya can save the society by assuming leadership and imposing the rule of God even by force.

In practice this reasoning led to two different approaches. One was Khomeini’s Iranian Islamic revolution in 1979, which established an Islamic state. We can classify Iranian revolution as an essentially peaceful (at least at the beginning) transition of power to Islamic clergy. The conditions that led to the Iranian revolution have however never been replicated in any other Muslim country and no comparable Islamic revolution has ever occurred again. This caused frustration
among many fundamentalists and led to gradual shift of some of them toward the most radical response: violent jihadism, first aimed at domestic targets (the “near enemy” and later going global, aiming at the “far enemy”). Jihadism is philosophically based on the same premise—monopolization of truth. Yet, it is much more radical than Islamic revolutionary response in using indiscriminate violence and therefore is profoundly anti-democratic. Since my concern here are models of democracy, I shall not discuss jihadism in detail here and I shall restrict myself to Islamic revolution.

**Islamic revolution**

Khomeini’s contribution to Islamic fundamentalism is interesting mainly because it introduces the Shi’a twist exemplified by his concentration on the person of the leader. One of the main differences between Shi’a and mainstream Sunni Islam in Khomeini’s words is that Shi’ites “believe that the Prophet (upon whom be peace) was bound to appoint a successor, as he indeed did” (Khomeini 1981: 64). The true ruler (the Imam) has a status of universal divine vice-regency granted by God pertaining to the whole universe. The Imam must be not only intelligent and administratively able, but he also must possess superior knowledge of the divine law and justice. Such almost supernatural status was reached naturally by Muhammad and also by his rightful successors (true Imams), but only until the Occultation and not beyond. Occultation is a belief specific for Shi’a Islam, according to which the Twelfth Imam Mahdi\textsuperscript{14} disappeared from the physical world (became “hidden”). Since then Muslims await his return to establish justice on Earth.

\textsuperscript{14} There are some disagreements within Shi’ites, as some believe it is the Seventh Imam that is hidden.
Nevertheless, Khomeini argues, waiting for the Hidden Imam does not imply passivity. Instead, the Muslim umma should actively pursue God’s will to the best of its ability even in this transitory period until the Imam returns. This means, the umma needs a ruler and there are no other people better suited to rule, than fuqaha. Fuqaha (or ulama—Khomeini seems to be using these terms interchangeably) means those “learned not only in the laws and judicial procedure of Islam, but also in the doctrines, institutions, and ethics of the faith – the faqih is, in short, a religious expert in the full sense of the word” (Khomeini 1981: 84). Ruling the umma is not a privilege but a great responsibility that falls upon fuqaha regardless of whether they wish for it or not. Fuqaha are indeed fallible humans and not as virtuous as the Prophet, but Islam must be upheld to avoid anarchy, so the government functions the same. Governance of the faqih is in other words like an appointment of a guardian for the minor (Khomeini 1981: 63) – the logic being that even though the parents (true Imam) are not present, the children (umma) still must be guided.

The problem with such concept immediately arising is obviously that there are many fuqaha at the same time and that there is no official hierarchy among them. Khomeini acknowledges that problem, but does not provide any real solution, apart from wishful thinking: Khomeini maintains that fuqaha are “fortresses of Islam” (1981: 73) and that they must act collectively, as the duty to protect and preserve Islam falls on all fuqaha as a whole (1981: 64). The true fuqaha must know all ordinances of Islam and be able to distinguish true from false ones, and only they can perform ijtihad—other believers should follow their interpretations.

In short, Khomeini’s ideas are not very distant from those of Qutb. Both these radical fundamentalist thinkers sketched out Islamic system, which grants enormous power to the enlightened leader. They were not very much concerned by potential threats such as usurpation of power and authoritarianism, because they
imagined someone like themselves on that position. Only Khomeini succeeded in achieving it, though.

Subjective sovereignty of Islamic reformists

Challenging orthodoxy: reinvigorating ijtihad

The Islamic orthodoxy had lasted since the Middle Ages for several centuries faced some isolated ideational attacks, such as that of Ibn Taymiyya in the 14th century, but all in all endured due to lack of substantial concerted opposition. This started to change in the 18th century with reformist and rebellious movements such Wahhabism in Saudi Arabia, thinking of Shah Wali Allah in India or al-Shawkani in Yemen. It took until the 19th century, though, until reformists led by al-Afghani and ‘Abduh then finally mounted an enormous systematic attack on the Islamic orthodoxy that spawned a distinct and internally consistent philosophical strand to which we refer as Islamic reformism or modernism.

The orthodoxy essentially claimed that all ijtihad had already been done many centuries ago by the founders of the four schools of jurisprudence (Maliki, Hanafi, Shafi’i and Hanbali). These thinkers were believed to have had a privileged access to the Prophet and his revelations and therefore to be better than anyone else equipped to interpret Qur’an aided by collections of stories from Muhammad’s life (hadith). Ordinary Muslims were basically required to follow interpretations (taqlid) prescribed by one of the schools without doubting them.

Islamic reformists radically rejected this claim of finality of interpretation. Instead, they argued that ijtihad is an on-going process that never finishes and must continue at all times. It is in fact the blind imitation (taqlid), which is wrong and must be eradicated. As Brown points out:
“The underlying principle shared by [these movements] is radical. By insisting that a qualified person need not rely on authorities, and that text can be approached without intermediary, they advance a democratization of religious knowledge and seek to wrest control of the interpretive process away from the specialists” (Brown 1999: 32)

The emphasis on *ijtihad* and repudiation of the Islamic orthodoxy was a common denominator for early Islamic reformism and fundamentalism. However, while fundamentalism became overly focused on Islamic state and gradually slid into effectively monopolization of truth by certain individuals, reformism remained open to discourse and interpretation. While fundamentalists insist on Islam as total way of life, a phenomenon transcending all other social aspects and providing timeless principles that must be adhered to in every age, reformists understand Islam in a different way. For them it is a living doctrine that surely provides important guidance for each Muslim, but it is more important to grasp its general theme and principles of justice and good, in order to extract the intentions of the Creator and to appropriately apply them in given time and under given circumstances. In other words, while all Muslims are bound by the Divine law, they at the same have significant scope to rationally reinterpret it to suit their needs. Rational critical inquiry is not merely a privilege, but in fact an obligation of Muslims of all times—in this I think the understanding of sovereignty by Islamic reformists is clearly different from fundamentalists.

Even if reformists insisted *ijtihad* must be revived and put back into practice, it did not necessarily mean that all Muslims should be allowed to practice it. In fact many of the early reformists were quite elitist and did not envisage *ijtihad* as an egalitarian principle accessible to all Muslims. On the contrary, considerable part of reformists thought that the renewal of Islam must be driven by the elites or else would be destined to failure. The best example of such an approach is Rashid Rida,
a fairly conservative reformist, by some considered a spiritual father of fundamentalism.

**Elitism of Rashid Rida**

As his modernist predecessors al-Afghani and ‘Abduh, Rashid Rida was concerned with the relative weakness and backwardness of the Muslim world vis-à-vis the West and especially in comparison to the once glorious Muslim civilization: “All of our historical origins, the true religion, our blossoming civilization, and great empire, we have worn out and depreciated, even abandoned and forgotten” (Rida 2002: 78). Therefore, one of the key Rida’s concerns was the concept of renewal (*tajdid*)—a necessary step in order to overcome the backwardness. Rida had a khaldunian view on the renewal—he saw it as a periodically occurring event in history: “Social, political, civic, and religious renewal is necessary for human societies, in accordance with their nature and level of readiness. They enable societies to progress through the stages of civilization and ascend on the paths of science and knowledge.” (Rida 2002: 81). Renewal clarifies the truth and certitude of the religion, refutes innovations and extremism that accrued in the meantime and puts the old and the new in balance again.

Balance is a critical concept in Rida’s fairly conservative thinking. He rejects hasty adoption of everything new and argues that the old should be replaced only if there are good reasons. Rida speaks highly about Japan and its sensible way to renewal, preserving its distinct religion, culture, language, good traditions and values (Rida 2002: 78). On the contrary, renewal of the Ottoman state and Egypt serve as two bad examples to him, because both ended up in wholesale adoption of Western values and resulted in disintegration of the former and occupation of the latter. Rida harshly criticizes the “destructive individuals” (referring probably to Egyptian nationalists such as Lutfi al-Sayyid) who monopolized the legacy of the “great minds” such as al-Afghani and ‘Abduh, while in fact teaching heresy:
“A horde of heretics in this great country [Egypt] are at present attempting to assume this honorable title [of renewer]. None of them deserves this title (…) They praise the extremist Turks who have tossed Islam behind them.” (Rida 2002: 79).

The decay has even reached such a degree that heretics publicly urge Muslims to abandon Islam and Shari’a and to adopt secular law (Rida 2002: 82).

In line with al-Afghani and ‘Abduh, Rida believes that Islam is a part of the solution, not a part of the problem. It is not Islam itself to be blamed, but the proliferation of despotism and abandoning of *ijtihad*. Rida agrees that Islam has a timeless unchanging essence, but this essence has to be grasped by human reason and applied to different conditions of different times. Engaging in intellectual activity (*ijtihad*) to understand *shari’a* properly is essential for two reasons. First, in some cases general principles override specific ones (such as no harm can be done, or necessity permits what would otherwise have been forbidden) and second, there are situations not mentioned in any text or mentioned in a text whose authenticity is doubtful (Hourani 1983: 233).

By issuing some interesting fatwas, Rida himself illustrated how the use of *ijtihad* can change the traditional interpretations (Hourani 1983: 234-238). For example, on the question of punishment of apostasy (abandoning Islam) by death, Rida argued that not all apostates have to be punished by death, because Quran does not specifically command so. Only those who openly rebel against Islam should be executed, but those who quietly and individually abandon Islam should be left alone in line with the general Quranic principle that there is no compulsion in religion. Similarly Rida ruled on *jihad*: it is always lawful as a defensive war; as offensive war it can be justified only to countries where peaceful preaching of Islam is prohibited or where Muslim minority is oppressed. Rida however clearly rules out the possibility of waging offensive war to spread Islam against Christians.
or Jews ("people of the Book"), as that would violate their freedom of faith clearly guaranteed by the Qur’an. In economic realm, Rida held that while interest (riba) is generally prohibited, in times of necessity (such as economic penetration of the West) it may be temporarily permissible. These rulings illustrate Rida’s conservatism and tendency to find the middle way.

Since in Rida’s understanding *ijtihad* has the power to fundamentally reinterpret the Shari’a, Rida was quite cautious about who can actually exercise it. Rather than granting the right of *ijtihad* to every Muslim, Rida remained exclusionary, claiming that only properly educated *ulama* proficient in Arabic language can do so. However, Rida did not exclude anyone from potentially joining the ranks of *ulama* upon acquiring the appropriate skills. Also, the *ulama*’s monopoly over interpretation of Islam is not limitless in time. The past generations of *ulama* were in fact corrupt, according to Rida, because they served the interests of despotic rulers and perpetuated injustice (Enayat 2005: 73). Rida held that a consensus (*ijma*) reached by previous generation of *ulama* is not binding for all future generations. *Ijma* develops as the society develops, and a newer *ijma* overrides the older one. Hence, *ijma* is "a legislative rather than a judicial principle, working by some sort of parliamentary process." (Hourani 1983: 234).

To summarize, Rida’s philosophy, albeit deeply reformist, is also deeply elitist. Every Muslim has the right to study Islam and is also free to choose which *ulama* to follow. But ordinary Muslims are not sufficiently equipped to reinterpret the Shari’a for themselves. Hence, the renewal must be led by *ijtihad* of the the *ulama*, the religious scholars in Islam. Herein lies the core of Rida’s elitism—failure of the past elites was to be remedied not by relying more on individuals, but by new and hopefully better elites. The main role for individual Muslims was to select these elites democratically.
Egalitarianism of Indian reformists

The branch of Islamic reformism which developed on the Indian subcontinent shared the common crucial goal with its Middle-eastern counterpart—challenging taqlid and reviving ijtihad. For the founding father of Indian Islamic reformism, Sayyid Ahmad Khan, ijtihad was at the very heart of the renewal. Rather than passively waiting for government to act, Khan believed in self-help—Indians must above all help themselves by education, acquiring ability to think freely and independently and by engaging in individual grassroots activism. This has to start precisely by each individual rejecting taqlid and exercising ijtihad: “Taqlid is not incumbent [on the believer]. Every person is entitled to ijtihad in those matters concerning which there is no explicitly revealed text in Qur’an and sunna” (quoted in Kurzmann 1998: 8).

The notion of closed gates of ijtihad was also sharply criticized by Indian Muslim thinkers as a myth. Chiragh Ali, Khan’s close coworker in the Aligarh movement, points out that the myth about ijma of the four founders of the four legal schools in Islam to close the gates of ijtihad is nonsense—the four imams were not contemporaries so how could they possibly reach a consensus? In fact, Chiragh Ali argues, none of them claims finality and for example even the strictest Hanbali School argues that there is a mujtahid (one capable of ijtihad) in every age. Every of the four schools of jurisprudence was “progressive, incomplete, changeable, and undergoing alterations and improvements” (Chiragh Ali 2002: 281).

Muhammad Iqbal argues that the crucial point of Qur’an is not to provide a complete legal code, but to “awaken in man the higher consciousness of his relation with God and the universe.“ (Iqbal 1930). Therefore, it is more important to look for the intent of God behind each religious regulation, rather than blindly following them without trying to understand their real purpose. Thus, Iqbal argues, “each generation, guided but unhampered by the work of its predecessors, should
be permitted to solve its own problems.” Past interpretations should be given due regard, but are not binding. As far as closing the gates of *ijtihad* goes, Iqbal rejects this idea as a myth:

“The closing of the door of *Ijtihad* is pure fiction suggested partly by the crystallization of legal thought in Islam, and partly by that intellectual laziness (...) modern Islam is not bound by this voluntary surrender of intellectual independence”. (Iqbal 1930).

But the Indian reformist movement was also distinct from the Middle-eastern one in one particular respect—a very radical criticism of *hadith* (collection of stories from Muhammad’s life), which in mainstream Islam is normally taken for granted.

Sayyid Ahmad Khan, for instance, while at first focusing only on rejection of *taqlid* and fresh reinterpretation of *hadith*, later (probably partly inspired by Western Orientalist critique, Brown 1999: 34) also added concerns about the very authenticity of *hadith*. Khan “eventually came to reject almost all *hadith* as unreliable” (Brown 1999: 33), putting them on the same level as pre-Qur'anic revelations, especially the Bible—only as supplementing texts providing non-binding additional guidance to the only real revelation—Qur’an. As Brown puts it, “[i]n the course of subtly undermining the authority of the Bible in relation to the Qur’an, Sayyid Ahmad Khan also widened the gap between Qur’an and sunna” (Brown 1999: 35).

In line with his conviction, that Qur’an as the infallible Word of God and nature as the Work of God cannot possibly be in conflict, as they both come from the same Creator, Khan argued that Qur’an and sciences are perfectly compatible and that “he would accept only ‘tafsir al-Qur'an bil Qur’an’—the explanation of the text of the Qur’an by reference to the Qur’an itself, and not to any tradition or the opinion of any scholar” (Moaddel 2005: 63).
Chiragh Ali had similar opinion on hadith. He deemed it merely an additional explanatory commentary to Qur’an. He clearly pointed out that Muhammad never instructed his companions to collect hadith about his life, and hadith thus cannot be as binding as Qur’an, regardless of how strong the chain of transmission is. Chiragh Ali also criticized the concept of binding ijma as not practicable in reality, because there will never be consensus of all jurists and even if there was, it would not be possible to communicate it to all Muslims (Chiragh Ali 2002).

Another Khan’s colleague from Aligarh movement, Shibli Nu’mani, wrote at length on how to assess individual hadith. Nu’mani notes that “the events of the life of the Holy Prophet were first put into writing almost 100 years after his death. Hence the writers had no written sources to fall back upon except memorized tradition.” (Nu’mani 2000: 53). He then develops a methodological framework to help assessing their authenticity. He urges for critical assessment of narratives, paying attention to the motives of the narrators (they may have imagined some stories or even made them up completely) and he reminds that some interpretations may have been coerced by external power (such as government) to suit particular interests.

As a matter of fact, the radical stance toward hadith has its roots back in the 18th century in the thought of Shah Wali Allah. Muhammad Iqbal explicitly refers to Wali Allah and argues:

“The prophet who aims at all-embracing principles, however, can neither reveal different principles for different peoples, nor leaves them to work out their own rules of conduct. His method is to train one particular people, and to use them as a nucleus for the building up of a universal Shari‘ah. In doing so he accentuates the principles underlying the social life of all mankind, and applies them to concrete cases in the light of the specific habits of the people immediately before him. The Shari‘ah values
resulting from this application (e.g. rules relating to penalties for crimes) are in a sense specific to that people; and since their observance is not an end in itself they cannot be strictly enforced in the case of future generations.” (Iqbal 1930)

In other words, Iqbal, in line with Shah Wali Allah, essentially argues here that the stories from Muhammad’s life are biased by the fact that God chose to reveal Qur’an in the specific context of 7th century Arabian Peninsula. Only Qur’an itself is the true divine revelation. Muhammad’s actions were already adjusted to the particular community and social conditions and we cannot know whether he would have done it the same way in other communities and under different circumstances. Hence, the worldly aspects contained in the hadith must be understood as specific for then Arabs and not obligatory for other non-Arab communities.

This radical criticism of hadith amounting to rejection of its obligatoriness has dramatic consequences. Since Qur’an remains the only ultimately binding scripture, and reading and studying Qur’an is an obligation of every Muslim, thus all Muslims (provided they can read in Arabic) are in effect put on essentially the same level as far as interpretation capability. Doing away with complex studies of the large body of collected stories from the Prophet’s life significantly reduces the status of learned religious scholars specialized in just that. Indian Islamic reformism is much more egalitarian, empowering and relying on all Muslims^{15},

^{15} This does not mean to say that Indian philosophers argued for absolutely unrestricted ijtihad where everybody’s opinion would be equally valuable, regardless of intellectual capacity or level of education. Nevertheless, Sayyid Ahmad Khan argued that while it may be true that not all are equally fit to discern the truth, the harm from stifling opinion via intermediation rather than direct access to holy scripture may be in fact greater: “It is not at all harmful or damaging to a true teaching to be exposed to the hottest controversy; it is preventing exposure
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis compared to Rashid Rida’s elitist version where the ulama were to guide the renewal\textsuperscript{16}.

How Indian reformists translated their ideas into the political realm? Sayyid Ahmad Khan promoted gradual progress toward representative government (Bannerman 1988: 117). He was politically essentially a classical liberal, believed in laissez-faire and limited role of government and argued that “freedom in following one’s own likes and dislikes is every man’s privilege, as long as others are not harmed” (in Moaddel 2005: 65).

Chiragh Ali argued that Islam gives guidance for morality and religion, not politics. In defense of Islam against European Orientalist accusation of rigidity and insistence on Islamic state, Chiragh Ali argued that the true Islam of Prophet Muhammad "possesses sufficient elasticity to enable it to adapt itself to the social and political revolutions going around it." (Chiragh Ali 2000b: 278). Shari’a in his view is flexible and based on principles of democracy, providing checks against tyranny. As for concrete political regime, Chiragh Ali refers to the early umma, in which "[t]he first four or five caliphates were purely republican in all their features" (ibid).

that seriously harms it” (Khan 2000a: 120). Blind following of authorities without knowledge of the reasoning prevents assurance and in effect weakens faith.

\textsuperscript{16} Ahmad points out this difference in assessing the Muslim decline by Indian author Hali and Egyptian al-Manar group led by Rashid Rida. While Hali holds the whole Muslim community responsible for its decline, the al-Manar group blames mainly Muslim rulers, theologians and Sufis (Ahmad 1967: 108). Interestingly, both then thought renewal must come from the same entity which caused the decline: the whole community in Indian reformism and elites in Rida’s case.
Muhammad Iqbal stressed out the political consequences of the Islamic principle *ijma* (consensus). In collective *ijma*, Iqbal saw the counterbalance to individual *ijtihad*, specifically a practical tool of ending the monopolization of *ijtihad* by the scholars of the four main Islamic schools of jurisprudence and at the same time a method to bridge the gaps among them. Iqbal thus spoke highly about legislative assemblies, although he was very critical about the term “democracy”, which he understood plainly as materialist or atheist Western creation devoid of any spirituality. However, on the note of new republican form of government in Turkey, which had recently abolished the caliphate, Iqbal said: “The republican form of government is not only thoroughly consistent with the spirit of Islam, but has also become a necessity in view of the new forces that are set free in the world of Islam.” (Iqbal 1930).

Iqbal’s interpretation of the right of individuals to interpret Islam is egalitarian, although not individualistic. Iqbal defended the right of every Muslim to exercise *ijtihad*, but he implicitly assumed that the Muslim community will somehow reach harmony—early fundamentalists (such as al-Banna or early Sayyid Qutb) adopted the same line. Neither Iqbal nor other reformist thinkers really paid much attention to what happens if such harmony does not come about and the society remains split on fundamental issues. This question remained unresolved for the most of 20th century until the radical response of extreme fundamentalists.

### 3. Comparative assessment

Since we now know, that the four-way understanding of sovereignty (subjective, objective) does apply to Islamic political thought as well and since we also noticed the egalitarian as well as elitist varieties in each of these, the logical step in my analysis is to fit the different strands in Islamic political thought into the same chart as I did with the Western models of democracy.
### Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

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<thead>
<tr>
<th>Egalitarianism</th>
<th>Subjective (individual) sovereignty</th>
<th>Objective (communal) sovereignty</th>
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<tbody>
<tr>
<td></td>
<td>(D) Egalitarianism of Indian philosophers (Khan, Iqbal) and contemporary Islamic modernists (Abu Zayd, Shahrour)</td>
<td>(A) Consensual utopia (early Sayyid Qutb)</td>
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<table>
<thead>
<tr>
<th>Elitism</th>
<th>Subjective (individual) sovereignty</th>
<th>Objective (communal) sovereignty</th>
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<tr>
<td></td>
<td>(C) Ulama elitism (Rashid RIda)</td>
<td>(B) Islamic revolution (Khomeini)</td>
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</table>

The match of the two types of sovereignty with the two main strands in Islamic political thought (fundamentalism and reformism) is naturally not perfect, and ideas of some individual thinkers may transgress into other boxes. Hence, I did not put the names of all thinkers mentioned above, but only those that I think closest represent the “ideal types” in each category. I labeled the four categories with letters A to D in the same order in which I explored Islamic political thought. I shall now compare all six pairs of the Western and the Islamic variant of each model of democracy in more detail to see how similar they are.

(A) Participatory democracy and Consensual utopia

Rousseau’s idea of the natural state is remarkably similar to Qutb’s idea of **jahiliyya**. In both cases people live in ignorance and injustice and only complete and unquestionable submission to the Divine will in Qutb’s case or to General will in Rousseau’s case will promote human beings from living like wild animals to the level of moral and intelligent beings. Since unrestricted anarchy of individual interests might threaten the association and could lead even to its destruction, freedom of individual must not come at the expense of the umma (Qutb) or the body politic (Rousseau). Also, Qutb’s justification of severe bodily punishments by the contention that the whole umma feels as one bears resemblance with
Rousseau’s argument, that if a citizen is asked to die for the good of the state, he ought to die. Both Qutb and Rousseau (and others, such as Pateman) shared the utopian belief that once all people submit to the Divine or the General Will, different interests will peacefully cancel each other out and harmony and unity will ensue setting all people truly free.

(B) Totalitarian democracy and Islamic revolution

Needless to say, the utopia mentioned in model A has never come true—neither in the West, nor in the Muslim world. Rousseau foresaw this possibility and famously argued that if individuals fail to see the common good, they must be forced to be free—leading to the specific model of totalitarian (or guided) democracy. This I think strongly resonates with the ideas of late Sayyid Qutb in his book Milestones, where he revives the idea of jihad against all those who do not see the truth and hence cease to be proper Muslims. In other words, both Rousseau and Qutb monopolize the truth for themselves and justify use of violence against those, who have different (i.e. wrong) opinion. This reasoning led to two outcomes. First, the initially popular Iranian revolution led by Ayatollah Khomeini, which however degenerated in a parody of democracy. While at the beginning it was essentially peaceful transition of power backed by strong popular support stemming from general disgust by the Shah’s regime, it ended up in just as authoritarian regime with religious establishment having tight grip over democratic procedures.17 Second, Qutb’s ideas were radicalized by extreme fundamentalists and led to the doctrine of jihadism based on indiscriminate violence and terrorism18.

17 Illustrated recently by June 2009 presidential election in Iran

18 It would be perhaps interesting to look at whether Rousseau’s thought also inspired some of the extremist communist or Maoist groups that also resorted to terrorism.
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

(C) Schumpeter’s and Rashid Rida’s elitism

The thought of Rashid Rida, although in different context, seems fairly similar in principle to that of Joseph Schumpeter. Both were skeptical about the ability of the masses to meaningfully participate on politics. Rida’s reasoning is similar, as he insisted that the power to reinterpret the constitutive text (in his case the Qur’an) should remain with the elites (religious scholars), but not the public at large. However, like Schumpeter, he held individual Muslims ultimately responsible for choosing the elite. Also, both Schumpeter and Rida were democratic insofar as they insisted that anyone can become member of the elite—upon election in Schumpeter’s case and upon acquiring sufficient level of education in Rida’s case.

(D) Polyarchy and egalitarian Islamic reformism

Dahl’s polyarchy shares the key principles with the egalitarianism of 19th century Indian Islamic reformists. Polyarchy is largely based on constant political discourse. If we are to speak about democracy meaningfully, some basic rules must be in operation, freedom of speech and association being among those. In other words, citizens have full right to participate in politics not only in elections of the elites but constantly. Likewise, Indian reformists argued vigorously that closing the gates of *ijtihad* is fiction and that no preceding generation of Muslims can reach an authoritative interpretation, which would be binding for all future generations. Moreover, by dismissing the specialized study of *hadith* as secondary and by promoting return to the Qur’an they tried to bring all Muslims back into the debate and strip the religious authorities of their long-protected monopoly on interpretation.

Conclusion

My purpose in this paper was to answer the question whether Islam and democracy are mutually compatible. This question has been previously asked by numerous
Ondřej Šrámek

scholars, but rarely answered conclusively. I have attempted at what I believe is a new angle, which I think allows me to answer that question fairly authoritatively from the philosophical point of view. I proceeded in three logically consecutive steps.

First, I have first shown that democracy in the Western political theory is not a monolithic concept. On the contrary, there are numerous divergent understandings of what democracy is or should be. I have selected several widely-used models of democracy and classified them into a two-dimensional chart using two criteria: source of political sovereignty (subjective and objective) and source of political activity (egalitarianism and elitism).

Second, I have done the same for modern Islamic political thought starting in the 19th century. I focused on the two main strands of Islamic political thought (fundamentalism and reformism) and identified the elitist and egalitarian varieties in each of them.

Third, I classified the strands in Islamic political thought according to the same criteria as the Western ones. For each of the four boxes in the chart I identified a relevant approach. The result is four pairs of models of democracy (one Western and one Islamic), each based on a different combination of source of sovereignty and source of political activity. The final step in the analysis was to look at each of these four pairs in little more detail.

The conclusion I can make here is I think fairly authoritative. Each of the Western models of democracy has its counterpart in the modern Islamic political thought. Diversity within both the Western and Islamic political philosophy is just too great and it is conceptually impossible to lump Western as well as Islamic models of democracy under one label. For instance, the dissimilarity between Pateman’s participatory democracy and Schumpeter’s democratic method is so profound that their synthesis would yield an unusable hybrid. The same problem is on the Islamic
Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis

side. For example, Khomeini’s or Qutb’s ideas on one hand and Ahmad Khan’s or Muhammad Iqbal’s ideas on the other hand are also very remote. There is no meaningful common denominator for neither Western nor Islamic democracy that could serve as a criterion for comparison. Conversely, the respective Western and Islamic models of democracy (for instance, Rashid Rida’s elitism and Schumpeterian democracy or Indian egalitarianism and Dahl’s polyarchy) are quite easily comparable and they do seem significantly compatible.

I think it clearly and conclusively follows that it is theoretically untenable to argue that Islam and democracy are inherently incompatible. Of course, it also does not follow, that they are necessarily compatible either. But it does follow that they can be made compatible—which is I think the most authoritative assessment that my methodological approach (conceptual analysis of political ideologies) allows for.

It is also obvious to me, that this theoretical account should be followed by an empirical one. A purely philosophical approach can help answer the question whether Muslim world can democratize, but it cannot answer the question when, which seems equally important. Hence, the empirical record of real existence of the respective models and perhaps their proportion should be addressed for additional observations. The space here does not allow for that, but the empirical side remains the priority for my future research.

References


Compatibility of Western and Islamic Models of Democracy: A Comparative Analysis


The Iranian political system is based on a mixture of theocratic and democratic institutions. While the first group dominates the decision-making process, the second one has a significant impact on the legitimacy of the regime. Although the president and the parliament are bounded by the clergy, they have several constitutional competences, which are needed for the functioning of the system. The differences between the presidential terms of Mohammad Khatami and Mahmoud Ahmadinejad are the best example how important these democratic institutions are in defining the country’s policies. In June 2009, the tenth presidential election took place in Iran, bringing the reformists and conservatives to the political battlefield again. This paper focuses on that event while analyzing the candidates/policies matrix of the electoral campaign. The most prominent of them and the only ones allowed to run were the incumbent president Mahmoud Ahmadinejad, former prime minister Mir-Hossein Moussavi, Expediency Council secretary Mohsen Rezaei and former Majlis speaker Mehdi Karroubi. The constitutional framework of the elections as well as the positions of the candidates on the issues like economic policy, nuclear negotiations, democratization of the country and the dialogue with the United States are reviewed in this article. The policies of the newly elected president had been expected to have a considerable effect on the relations with the West and have been carefully watched, especially in the first year of the president Barack Obama’s term.

Constitutional and procedural background of the elections

The role of the president in the Iranian political system

Besides the traditional vertical and horizontal separation of powers, the Iranian political power is divided on the clerical – republican basis. However, the two are not equal and the first one dominates the later. In terms of the constitution, the most powerful person is the Supreme Leader, who has the final say on state affairs. According to the article 110 of the Constitution, he is charged with several crucial responsibilities:
“...delineation of the general policies of the Islamic Republic of Iran after consultation with the Nation’s Exigency Council; supervision over the proper execution of the general policies of the system; issuing decrees for national referenda; assuming supreme command of the Armed Forces; declaration of war and peace and the mobilization of the Armed Forces; appointment, dismissal, and resignation of [key state officials]...”

President can act in the framework set up by the leader in cooperation with the clerical elite. However, concerning his executive powers, he can be viewed as the second most powerful man in the country, what is explicitly mentioned in the article 113 of the Constitution. His position as the head of the executive branch was strengthened in 1989 when the office of the prime minister was abrogated by a constitutional amendment. Among his key responsibilities are creating of the government (upon the approval of the parliament), signing of the intergovernmental treaties and treaties with international organizations (upon the approval of the parliament), national planning and budgetary issues, as well as diplomatic relations. Finally, he precedes the Council of Ministers. As we’ll see, the management of the country’s economy became the most important factor in the 2005 presidential election and was expected to shape the public opinion in the 2009 polls too.

Electoral rules in Iran

Since the Iranian political system is based on the combination of theocratic and republican elements, we cannot expect the electoral system to be an exception. Analogous to the parliamentary elections, the Guardian Council supervises the polls and selects candidates allowed to run, what is the source of criticism during each election. The body has the right to confirm or veto the candidates in accordance with the article 110 of the Constitution:

“The suitability of candidates for the Presidency of the Republic, with respect to the qualifications specified in the Constitution, must be confirmed before elections take place by the Guardian Council, and, in the case of the first term of a President, by the Leadership.”

The implied qualifications mentioned above are specified in the article 115 of the Constitution, of which the last sentence is (mostly by the reformists) seen as often abused:

“The President must be elected from among religious and political personalities possessing the following qualifications: Iranian origin; Iranian nationality; administrative capacity and resourcefulness; a good past record; trustworthiness and piety; and convinced belief in the fundamental principles of the Islamic Republic of Iran and the official madhhab of the country.”

In 2005, the Guardian Council allowed only eight persons out of more than thousand candidates to run in the presidential election. Concerning the active right to vote, the suffrage is universal and secret, and all the people who are eighteen years of age or older are authorized to vote. The voting age was changed in 2007, when “the Guardian Council, passed into law a [2006] parliament bill that rises the voting age in national election from 15 to 18.” This has become an issue of the latest presidential elections too, as Mahmoud Ahmadinejad called on the parliament to decrease it back to 15 years in April 2009. However, the Majlis rejected his proposal. Similarly to the Western countries, there is a limitation of the governing period applied in Iran. The president can execute its duties no more than in two (four-year) consecutive terms. However, after a break, it is possible to run in the election again, as would be the case of Mohammad Khatami if elected. Concerning the election results, the candidate who receives more than 50% of votes wins. If nobody does so, the second round, in which the two most successful candidates meet, is held.

**Participation in the elections**

The problem of low participation in the elections is present in most of the democratic world. The lack of interest in “res publica” or various forms of the protest against the political elite or the system itself are among the reasons why the citizens don’t vote. However, Iranians for several times in the past boycotted the polls as a result of the frustration arising from the above mentioned vetoing of candidates by the clerical organ on the principle of “Islamic criteria”. This is obvious in the parliamentary elections, though the vetoing is less relevant in the presidential elections. In the first place, the number of the persons with a potential to be elected for the president is much lower than the number of seats in the parliament, resulting in a higher chance for the reformist block to have a top figure in the clash. Secondly, these high profile men, even some from the reformist camp, are respected by the ruling clergy as many of them have very similar revolutionary

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background. And finally, the regime cares in the legitimacy of the elections, as it claims the country is based on the combination of theocratic and democratic institutions. Therefore, the legitimacy of elections is crucial for the legitimacy and the people’s trust in the whole political system. If the Guardian Council vetoes several hundreds of candidates, there is still a chance not to excite riots (or other forms of protest) by allowing a few top conservative as well as reformist candidates to run in the election.

The 2009 Presidential Election

In 2005, the wave of euphoria caused by Mohammad Khatami’s “Dialogue among Civilizations” was replaced by the bitter awakening in European countries. Former president of Iran, powerful ayatollah Ali Akbar Hashemi Rafsanjani, who was expected to win the presidential election by the Western media, was defeated by a new figure in Iranian top politics. Neoconservative Tehran mayor Mahmoud Ahmadinejad attracted the support of the masses and became the country’s number two. Four years after his victory, this beloved and hated man stood again in the streets and tried to repeat the late achievement. But he wasn’t the only one who wanted the highest elected position in the country. Who were his opponents and what were the June 2009 presidential election about?

The Iranian political scene is highly polarized. The two main groups are the conservatives and the reformists. The former has been ruling the country from the very beginning of the Islamic state’s existence, encompassing the theocratic elite and other supporters of the “principles” of the Islamic revolution (that is where the term “principalists” originates from). The later evolved and fulgurated in the late 90s from the same revolutionary movement as the above mentioned president Khatami came to power, opening the tabooed issues of human rights protection and of the promotion of civil liberties. However, internal fights are an inherent component of the Iranian political system, as there is not a unity even inside the two camps. As described below, while the reformist camp tried to strengthen their unity by decreasing the number of the hopefuls to two, the principalists failed to agree on a second term of the incumbent president. His policy was thus criticized not only by his ideological adversaries. The even harder blow came from the conservative side of the spectrum by the candidature of the “heavyweight” politician Mohsen Rezaei and his blaming rhetoric. Moreover, the split of the conservative forces, namely the emergence of the neoconservative generation led by Ahmadinejad and supported by the great part of the military structures as well as the divisions among the Khomeini’s generation of ayatollahs (for example Khamenei and Rafsanjani) are known for several years.
The date of the first round of the elections was determined in September 2008 by the Guardian Council and the Ministry of Interior to be Friday, June 12, 2009.\(^4\) The second round was scheduled for June 19, according to the law (the first Friday after the first round). The official registration of the candidates started on May 5 and lasted until May 9, so the candidates had five days to enter the race. The Guardian Council was supposed to announce the list of approved candidates on May 15 but it used its right and extended the period by May 20. Although the candidates had three weeks for the official campaign, all of the four favorites launched their campaign in advance. The official period for campaigning ended 24 hours before the elections.

The Guardian Council banned several hundreds of candidates from taking part in the electoral fight. Out of 475 who signed up, only four candidates were allowed to run, among them incumbent president Mahmoud Ahmadinejad, former prime minister Mir-Hossein Moussavi, Expediency Council secretary Mohsen Rezaei and former Majlis speaker Mehdi Karroubi. According to the head of Iran’s electoral office, Kamran Daneshjou, around 46.2 million of Iranians were eligible to vote.

### Who will contest the presidency?

The key questions of the electoral campaign related to the names of the candidates as well as to the overall strategy of the camps. First, there was an ambiguity if the conservative camp was able to throw its weight behind a sole candidate, most likely president Mahmoud Ahmadinejad. Doing so, the conservatives would show their unity and concentrate their efforts in the common campaign on the ideological principle. However, this didn’t happen as the divided conservatives chose two competitors. Alongside with the above mentioned president Ahmadinejad, it was his challenger Mohsen Rezaei, who had been strongly criticizing his governance. The same question of the choice, which was crucial to the course of the election, encircled the reformist camp. The most popular of them, former president Mohammad Khatami, had been demanded to try luck. Once again, the key figures were unable to reach consensus on a single person. The candidatures of Mir-Hossein Moussavi and Mehdi Karroubi, as well as the withdrawal of the first reformist, Mohammad Khatami, determined the final split of the reformist forces. But contrary to the conservatives, both reformist candidates preserved the reciprocal nonaggression.

\(^4\) Friday is an Islamic holyday used as an Election Day in Iran.

\(^5\) [http://www.rferl.org/content/Iran_To_Hold_Presidential_Election_In_June_2009/1196953.html](http://www.rferl.org/content/Iran_To_Hold_Presidential_Election_In_June_2009/1196953.html)
The four candidates: electoral program and campaign

The text presented below analyses the context of the engagement of the candidates in the election and their electoral statements during the course of the election, their own electoral campaign, the country’s economy, home affairs, as well as foreign policy and nuclear program. Concerning the methodology, the presented text emanates from the data collection, systematization and analysis of some four hundred news articles published on the Iranian news television Press TV’s website, the source with the most extensive coverage of the election campaign in the English language. Though the company is state-run, it brought quantum of day-to-day election news including the positions of all the candidates, their criticism of the government and campaigning and thus served as a good source of raw information.

New and old president?

Mahmoud Ahmadinejad’s media advisor Aliakbar Javanfekr informed the public as early as in January that his boss would try to get elected once again. His candidacy was expected and the statements like this only assured that the president was keen to win a second term. However, the nature of his candidacy was unknown, as there was information, that he would run as an independent not covered by the conservative umbrella. This was confirmed by his aide in April, only two month before the poll. “Ahmadinejad was an independent candidate in the previous presidential elections. This time he will follow the same policy and will not be dependent on political groups or movements,” Javanfekr said. The reason of the proclamation could be found in the later decisions of the conservative groups, such as the key principalist Combatant Clergy Association, which hadn’t been supporting the sitting president in the election. A similar move came from the conservative Development and Justice Party, when his head of the political office, Amir-Ali Amiri, criticized Ahmadinejad’s wasting of public resources and promoted the idea of the coalition government headed by Rezaei. Finally, his former interior minister Mostafa Pour-Mohammadi questioned the efficiency of the administration and even suggested that some Combatant Clergy Association members could vote for the reformist candidate Mir-Hossein Mousavi.

other hand, Ahmadinejad succeeded by securing the support of 14 principalist groups at the end of April. Moreover, 200 out of 290 parliamentarians endorsed his candidacy what proved the overwhelming support for the president in the legislative body.\textsuperscript{10} The essence of the criticism against Mohammad Ahmadinejad leans on his economic and financial policy as well as the foreign one. Furthermore, he had been alleged of using his office’s budget for financing the visits to the provinces. His unwillingness to put an end to these trips disturbed even the principalist dominated Guardian Council, which indicated that this “would be regarded as part of Ahmadinejad’s campaign activity and would therefore be considered as using state facilities and funds for personal gains”.\textsuperscript{11}

Regarding his positions on the campaign issues, Mahmoud Ahmadinejad had explicitly assured the public that the government would by no means prevent the candidates to express their views and called for fair election: “Elections are not held for the benefit of a certain individual, party or group. The Iranian nation should be the beneficiary of the elections… No one has the authority to prevent freedom of expression.” These statements were probably caused by the cases when reformist candidates were banned to perform their speeches at some academic and cultural institutions. The incumbent president also agreed to participate on the televised debate of the candidates.

The most controversial part of his election attitudes was his proposal to change the election age: “It is a mistake to think that it is Okay to allow 15 or 16 year olds to go to war but not consider their viewpoints in politics, governance and intellectual fields. For years, 15 year olds were allowed to determine their own fate like the country’s leading figures… but in the past few years for an incomprehensible reason the voting age has been set at 18.”\textsuperscript{12} However, the reversion of the 2006/2007 bill proposed by Mahmoud Ahmadinejad was rejected by the parliament this year.

The key to the 2005 electoral victory was economy. Ahmadinejad promised to improve the situation of the lower classes people by “putting the petroleum income on people’s tables”.\textsuperscript{13} His fusion of the orientation on the poor people and the emphasis on the Islamic principles guaranteed him the post. But four years later, his situation was more difficult as his pledges were designated as unfulfilled by his rivals. He answered by informing about the successes of his government in this field and chose the slogan “justice” again. Former presidential advisor Mojtaba Hashemi-Samareh, who had resigned in April to be able to serve

\begin{footnotes}
\item[13] http://www.rferl.org/content/Article/1077900.html
\end{footnotes}
as Ahmadinejad’s campaign manager, said that “today, when there is talk of justice, people will ask what the administration has achieved on that front”. The report of the National Audit Office, which in February revealed, that $1 billion in oil revenues of the 2006-2007 budget is missing in the treasury, was the main argument of the reformist camp as well as anti-Ahmadinejad conservatives. The president’s defensive was based on the rejection of the report. Ahmadinejad criticized that such actions “mar” the government’s image and added, that “the Oil Ministry does not receive a single dollar from oil revenues as the money is directly deposited into the central bank’s foreign accounts”. During his campaign he tried to convince that he “had done everything in his power to fulfil the promises he had made while campaigning for presidency”.

In May, he went public with his project of the economy and social situation improvement. “Under this plan, bonds will be issued offering oil industry profits to the entire nation and Iranians all over the world.” As he said, selling the shares among the population will concentrate the finances needed for an Iran’s oil and gas projects financing: “This plan will decrease our dependence on others for financing oil projects”. His advisor, Gholam-Hossein Elham advocated the government’s policy saying that “quick-return businesses saved the country from the monopoly that a certain set of individuals held and gave the people access to financial resources”. “Of the three million people who were unemployed when Ahmadinejad took office from the Reformist administration, one million works today”.

An inherent part of his rhetoric is the fight against the corruption and frauds. The campaign was of course not an exception: “In our country, people who try to take advantage of housing contracts and make billions in profits usually want to point the finger of blame at the state agents. ... However, the government has prevented them from achieving their goal”. He continued focusing on the bank corruption when said that “over the past couple of years, some 1,500 people have taken control of the bank sector and its benefits” and that these people haven’t returned 90% of large loans they had taken out. However, the most decisive action had to come: “God willing, I will announce the list of known economic swindlers in upcoming televised debates; an action that I believe would be in the best interest

of the country and would alarm people about their actions. ... There are many cases in which certain individuals have taken out large loans and have intentionally neglected to pay them back.”

The reaction on the criticism have been very strict: “A closed circle that has tried to turn the clock back during the past four years, are now doing all they can to realize their goal ahead of the elections. They want a small group to take up the country’s leading posts and create a monopoly over them... That is what all these lies, insults and accusations are all about.” Moreover, his ally Assadollah Badamchian accused them of being under the influence of Western ideologies. Ahmadinejad was even more open using the foreign policy issues against his rivals: “Certain individuals inside the country put the government under pressure to surrender to the enemy and suspend the uranium enrichment activities... Officials inside the country imposed heavier pressure on the government rather than foreigners”. He also criticized Khatami’s 2003 agreement on the suspension of uranium enrichment and continued with the explanation of his foreign policy direction: “One of these gentlemen (rival candidates) still cannot understand the world affairs and this is why he asks us why we have focused on Latin America... When the Western countries were trying to isolate Iran, we went to the US backyard and I even delivered my strongest anti-US speech in Nicaragua... Our active presence in Latin America was a very wise move”. This fraction of his external policy is a very good example of his opinions on the desired international and regional relations setup, as well as his stance towards the United States, not mentioning his anti-Israeli position. Concerning the possibility of the moderation of relations between the USA and Iran, he told: “We said we will have no talks before the election. They were insisting to hold negotiations before the election… They called several times ... and US President Barack Obama finally accepted and said: 'Ok, let’s do it after the election’”.

**Conservative schism: Ahmadinejad challenged by Rezaei**

The information that Mahmoud Ahmadinejad could be challenged within the conservative camp was nothing new. During his four-year term, several key conservative figures criticized his mismanagement of public affairs and non-diplomatic rhetoric resulting in the worsening of the country’s position on the international stage. Among the principalist personalities, three of them had been

regarded capable to defeat the incumbent president and form a coalition government including the elites from both the conservative and reformist camp: former foreign minister Ali-Akbar Velayati, Tehran mayor Mohammad-Baqer Qalibaf and Expediency Council secretary and former Islamic Revolution Guards Corps chief commander Mohsen Rezaei. In April, information that the last mentioned could run in the election if the others refrained showed up in the media, but was subsequently denounced by the Expediency Council. The doubts were cleared up on April 29, when Rezaei announced his bid for presidency. He chose Danesh Jafari, who had served as Ahmadinejad’s economic affairs and finance minister before he was dismissed, as the head of his electoral headquarter. Rezaei tried to win sympathies by the nomination of Khomeini’s granddaughter, Leili Boroujerdi, as his advisor on women’s issues. Previously, he revealed his will to have female in the cabinet: “I will appoint a woman as my foreign minister to challenge Hillary Clinton.”

Although he had entered the race as the last one of the four candidates, he launched the bitter campaign soon after. The criticism of Mahmoud Ahmadinejad and the pledge to repair the country’s economy and management became his key message: “The truth is that our nation has two very different paths at hand. If President Ahmadinejad gets his way, we will fall off the cliff … we will be defeated.” He promised to redress government’s mistakes when he said: “I will find the missing oil money and return it to you, the people of Iran. I do not seek revenge, but I will not shut my eyes to what happens to public funds … Many cases of financial fraud can be traced back to the country’s disorderly bureaucratic structure, which I intend to modify with special measures and electronic systems”. He went on with the direct attack on the current government. “The question is what happened to the country’s oil revenues? Where did such a large sum go? With that amount of money, Iran’s economy could have taken a major leap forward. At this juncture, Iran’s economy desperately needs an effective management… In the past four years I have tried my best to refrain from criticizing the government. However, with Iran’s presidential elections only a month away, I believe constructive criticism is necessary.” President Ahmadinejad “did make some positive moves, but also committed big mistakes”. These words resemble the reformist ones but as a conservative representative he continued with the obligatory denial of the idea that the reformist camp could bring the change: “I reviewed the literature of the Reformists, but unfortunately I could not find any plan for the reform of the past. They created a contrast between religion and freedom, but this contrast has not served the interests of the people”.

Concerning his domestic policy, Rezaei said in March that the parties should avoid promoting a one-man-agenda and continued that he would prefer a “coalition” government formed by the principalist camp. However, later in May he rejected the possibility that he would create the coalition with anyone who run in this election. His chief campaign manager Nosratollah Kashani said on this matter that “certain candidates may have common views on a range of issues, including economic affairs, but this cannot be interpreted as a coalition between individuals”.

The nuclear program is one of the issues where it is difficult to find the differences in the subject itself, but easy to see the differences in the rhetoric and the manner of communication. While none of the candidates wants to stop the uranium enrichment process, Rezaei is a good example of the goodwill self-presentation. He said, if elected, he would continue this activity on Iranian soil within the framework of an international consortium that would include USA, Russia and European countries. According to him, this step would help to build a trust between Iran and other countries. The conciliatory rhetoric was at first sight directed towards the new American administration. In his speech in May, Mohsen Rezaei expressed his believe that “the new US foreign policy can be trusted. Washington seems to have abandoned its conquest-oriented policies. In doing so, it has prepared the atmosphere for future negotiations.” However, it is not very probable that in after-the-election reality would be any of the candidates able or even willing to retreat the crucial nuclear program processes without the major shift in the country’s geopolitical environment. The nuclear program was boosted during the only reformist government in the post-revolution history of Iran and there is no evidence that the conservatives are at least as conciliatory as Khatami was. With regard to this assumption, Rezaei’s position needs to be explained in the context of the impacts of the international and especially American pressure on the Iranian population and, even more important, in the context of the timing. To conclude, it was likely to be a message directed towards the public before the election and not an expression of the foreign policy plans.

Three, two, one…?

How many reformists will run in the present election? That question stayed unclear almost till the Election Day. Months ago, Mohammad Khatami had been asked to take part in it as the best candidate of the reformist camp. He, however, insisted on the condition that he would enter the race only if Mir-Hossein

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Mousavi refrained. In February, information about the ten day ultimatum, in which he demanded final decision from his reformist colleague Mousavi, came to public by the Iranian media. Mir-Hossein Moussavi didn’t answer and Khatami announced his candidacy. Since he was considered as the most prominent reformist, his candidacy paradoxically endangered the chance to defeat the incumbent president due to the polarization of the election. Reformists and Principalists would stand against each other dividing the nation into two antagonistic groups. This was regarded as the best way to help Mahmoud Ahmadinejad to unify conservatives behind him. All changed in March when Mousavi decided to run in the contest. A few days after the information about the possible withdrawal of Mohammad Khatami emerged in the media, he did so. Moreover, Khatami threw his weight behind Mousavi with the wish to prevent a split of votes. Even though he was demanded by the Association of Combatant Clerics to come back to the game, he stayed out. Only two prominent reformists rested in the campaign. Mousavi had been accompanied by Mehdi Karroubi, the second reformist figure of this year’s election.

The choice of Mousavi was considered to be a good move of the reformists as he was viewed as the one who was able to gain the sympathies of the Khatami’s supporters and not to provoke too adversarial reaction of the conservative camp. Even one of the principalist deputies admitted possible coalition talks with him. The reason why Mousavi was seen as accepted not only by the reformists was in his past. He served as the country’s prime minister from 1981 to 1989 ergo in the era of the Iraq-Iran war and according to the Iranian media, he is widely remembered for “steering the country out of an economic meltdown” in that hard times. His economic competency was thus seen as the best qualification for the next president who was expected to deal with the financial and economic problems of the country. The president of the Iranian Academy of Arts, political science teacher at Tarbiyat Moddaress University and Expediency Council member Mir-Hossein Mousavi was therefore “believed to have the power to overturn Iranian politics as he enjoys the support of both the Reformist and the Principalist camps”. After his decision to take part in the election and the withdrawal of his ally Mohammad Khatami, the next move was to gain the official support of the political parties and groups. During the month of April, he received the favor of Islamic Iran Participation Front (IIPF is regarded as the most important reformist party known as the staunch supporter of Khatami), Mojahedin of the Islamic Revolution Organization (MIRO is an elite political

organization regarded as the most influential reformist think-tank), reformist parties Kargozaran (Executives of Construction Party considered as the most important party supporting former president Rafsanjani) and Hambastegi (Solidarity), as well as the Association of Combatant Clerics (ACC is the reformist political party of which Mohammad Khatami is the most prominent member).  

The effort to oscillate between the reformist and conservative camps in order to secure maximum of the votes is well seen from his own words: “I have always emphasized that I am a reformist who adheres to the early principles of the Islamic Revolution. That is why I will follow up on the reforms which are already in progress and I will pursue reforms based on the principles of the revolution. … I believe the average Iranian person is also like this - they believe both in reforms and principles. This can be seen in the relationship between the Islamic nature of our system and the fact that we are a republic. This is also clear from the emphasis that our people put on social justice and safeguarding religious beliefs while at the same time calling for greater freedoms and more political and social openness.” Moreover, he denied that he was running on the reformist platform and described himself as an independent candidate. To show his will to unite the factions, Mousavi also promised to include people from the conservative camp in his administration if he won the presidency. These examples suggest that even the so-called reformist politicians adhere to the theocratic form of government and that the changes they push are not in contrary to the Islamic nature of the state. However, they have to defend themselves from the accusations of the hard-liners that they don’t behave in the interest of the country, that they lack loyalty and that many of them earned a huge amount of money on the expenses of the people.

The core of Mousavi’s canvass was the economy. The policy of president Ahmadinejad came under fire very soon after Mousavi announced his candidacy. In March 2009, he was questioning if the administration “even considered that the oil prices would eventually fall, while it was making profits from skyrocketing crude prices”. Wasting of the oil money became the most criticized part of Ahmadinejad’s economic policy. “The public believes that during this period the government has earned an amount which equals one third of the country’s thirty-year oil revenues and are curious to know what this money has been spent on,” said Mousavi in April 2009. According to Mousavi, Mahmoud Ahmadinejad is liable

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for the high inflation rate\textsuperscript{42} caused by massive spending of huge oil incomes. In the connection, Mousavi holds the view that this is the main reason behind the high rate of unemployment as well as the decline of average income and therefore “reducing inflation to a single digit must be an inevitably duty of the next government”.\textsuperscript{43} He continued with the blaming rhetoric in early June when he insisted on the righteousness of the criticism: “While we had the highest oil revenue during the past few years, we had one of the worst national inflation rates. Those who say inflation is a lie must take a look at figures released by the Central Bank. … Those who say unemployment is not a problem must visit this very city, Ardabil, carpet workshops, and factories. We cannot find a solution by erasing the problem”.\textsuperscript{44} The significance of the economic issues in his political program was underlined by the words that the bad state of the country’s economy was behind his comeback to the politics: “I could not be indifferent to all of the cultural, social, economic and political problems in Iran. … Considering my experience in running the country during the years of the war [with Iraq], I felt that I could contribute to enhancing the condition of the country.” As mentioned before, it was his economic policy during the war which won him the credit. As the “distribution of potatoes”\textsuperscript{45} will not solve anything, according to him, he came with his plan for the economic revival of the country.

Founded on the promotion of the private sector, his economic policy was promised to help the country out of the major problems. Concentration on the private sector should increase the production and thus the number of job opportunities and secondary cause the expansion of the middle classes. He also rejected that this program could be in contrary to the official religion. “Islam does not oppose entrepreneurship and employment, rather it is against the unequal distribution of wealth and power in the society,” said in this context and continued with the idea that “Islam is against those who plunder national assets and ostentatiously drive multi-thousand-dollar cars to arouse feelings of envy among the lower class families”.\textsuperscript{46} Mousavi then joined the group of critics who reacted to the report of the National Audit Office declaring immense funds missing in the treasury. “The people have a right to know how the 1 billion dollars that was not returned to the treasury was spent. They have a right to know who has benefited from the rise and fall in tariffs,” told his supporters during the Tehran meeting a few days before the poll. The weapons used by Ahmadinejad in 2005 were now

\textsuperscript{42} According to the IMF, the rate of inflation reached 26\% in the year 2008. In: http://www.imf.org
\textsuperscript{44} http://www.presstv.ir/election2009/detail.aspx?id=96737
\textsuperscript{45} http://www.presstv.ir/election2009/detail.aspx?id=95945
\textsuperscript{46} http://www.presstv.ir/election2009/detail.aspx?id=88650
used against him. Misconduct of the public finances and the economy as well as the corruption in politics became the crucial points of the anti-Ahmadinejad campaign.

But they were not the only ones. An ideological dispute was present in the election too. Not so “radical” as in the Western countries, but fundamental in the eyes of reformists, the promotion of the human rights in Iran is always the point of the split between the two major factions. The most prominent in Mousavi’s campaign was the question of the freedom of speech. He repeatedly criticized banning of newspapers and magazines and the promotion of the freedom of the press became the flagship of his home affairs policy. Mousavi promised to allow private televisions to exist and he actually launched his own daily Green Word. Several days before the poll, he expressed his believe that “the country’s development is not possible without the freedom of press.” According to him, not only the free press, but free access to the government information is necessary. “The Iranian people should not be kept in the dark from matters concerning the national budget, domestic currency, business agreements and oil deals,” said in the early April. At another occasion he added that the actual situation is dissatisfactory because “accessing government information is very difficult”. Mousavi then complained that “students cannot even gain access to non-confidential information” and proposed a solution: “We should move towards a state in which the government is obligated to provide citizens with information. This should not be restricted to military and security information.”

The next item on the criticism list of the favorite reformist candidate was the rule of law. With the words that “if parliament’s approved laws are not enforced, there will be nothing left of the Islamic Republic and the country’s constitution,” he brought this issue to his campaign as early as at its beginning. Later, he was explaining, that “in order to exercise the people’s rights, even in societies in which the law is not respected, the law is respected at least in a symbolic way,” what has been already put aside in Iran, according to him. In April, Mir-Hossein Mousavi directly accused Ahmadinejad’s government of such behavior: “The current administration’s problem is that it bypasses regulations. People cannot pursue their rights as citizens unless the government manages the country’s affairs in a regulated manner. … Lawlessness will lead to chaos, dictatorship and totalitarianism.”

His focus on the civil rights was further underlined by the positions on the rights of women and the role of the “moral police” and the Guardian Council in Iran’s society. Moreover, he attached these issues to the issue of the constitutional change. First, he admitted that the “women do suffer from discrimination“, and added that it can be put to an end “by clearing up ambiguities in the Constitution“. Beside this, he let his wife Rahnavard to campaign by his side, what was an unprecedented move. Second, he rejected the necessity of the key regime’s law-enforcement body, so called moral police, in securing the country when he said that the reduction of unemployment and inflation as well as application of correct cultural policies should be used instead of it and pledged that if elected, he would disband this corps. Thirdly, he disputed the legitimacy of the extensive powers of the Guardian Council which is entitled to veto parliament’s bills and candidatures of those seeking the post in every election and proposed the reform of its authority. And of course, this could be possible only as a result of the changes in the Iranian constitution.

Concerning the foreign policy, the top reformist candidate, similarly to Reazaei, was questioning Ahmadinejad’s diplomatic performance more than its content. He insisted that provoking the world had harmful effects on the country’s national interests and that the policy of détente and confidence building should be therefore put into effect. “Iranians are paying a heavy price for the government’s foreign policy mismanagement,” said and continued: “How can a government deal with its foreign policy affairs when it can’t even manage its internal issues?” Mousavi referred to Ahmadinejad’s behavior with the comment that it was necessary for politicians to adhere to the basics of diplomacy when interacting with countries hostile toward Iran.

The most important election motive of the economy can be found again in Mousavi’s foreign policy views, since he connects it with the socioeconomic situation: “When the country has a good image on the international scale, there would be positive interaction with other countries, the people will be more at peace, the economy will move forward and the country will be awash with security and stability.” The key to the normalization of the Iranian international position and economy lies on the Resolute desk. This is why the moderation of the American pressure matters – at least as the election slogan. He indicated the will to meet the most powerful man “if things go according to plan“ because in his eyes

“what President Obama has done so far is a step forward.”

Of course, in his speech he did not forget to mention that “Iran is cautious because of its bitter experience with America’s hostility over the past 30 years”. Moreover, to keep the backdoor, he explained that by the Constitution it is the Supreme National Security Council which is responsible for determination of the strategic foreign policy solutions.

When it comes to the most delicate problem, the nuclear negotiations, the above mentioned division between the détente rhetoric and the probability of the change of the core national interests is seen. Anyhow friendly words there are, the nuclear issue is deeper and cannot be solved by easy ways, as clearly demonstrated by these Mousavi’s phrases: “Iran will never compromise on its right to develop nuclear technology … We have the technical aspect of the nuclear issue, which is Iran’s development of nuclear energy for electricity needs and about which Iran is not prepared to give any concessions.”

Who leads the reformist camp?

As mentioned before, there were two competing reformist figures in the election. However, Mehdi Karroubi was not the one who led the camp. Unlike Mir-Hossein Mousavi, the former Majlis speaker lacked the support of the former president Khatami and in the campaign spent too much of his forces on the defence of his candidature and the issue of the election fairness. Statements like “We should welcome the presence of different Reformist figures [in the elections] since it will be up to the people to decide who will take the post in the end;” … “We find it difficult to introduce only one Reformist candidate to run in the 10th presidential election due to the lack of time for a consensus;” or “Neither Mir Hossein nor myself plan to exit the campaign,” were just the reactions to the toughening voices from the reformist camp calling for his withdrawal. With continuing pressure, he followed with the questioning if “an individual, who has strongly announced that he would stay in the competition to the very end, [can] suddenly abandon the race”. By the time, Mousavi has been already aimed on the insufficient economic performance of the government and other key issues.

The conduct of the presidential election was among the key themes of the reformists. For several times, Mousavi and Karroubi demanded fairness from the state institutions. As a result of the shared mistrust, the two set up a joint committee to control the polls. However, this initiative was marked as unconstitutional and ruled out by the officials. According to them, only the Guardian Council is vested with the power to supervise the election. Some less diplomatic officials even accused the reformist from trying to rig the ballot: “Such individuals would have destroyed the Revolution and all its values if they could, let alone the people’s ballot. And now they are trying to set up an “Election Protection Committee” in a bid to interfere in the elections”.

As expected, the head of Iran’s Electoral Office Kamran Daneshjou also rejected the possibility that the international observers could be present at the elections since they are always free and fair. On the contrary, Karroubi openly fired in April when he sent a letter to the Guardian Council complaining about the partiality of the body since its Secretary, Ayatollah Ahmad Jannati, had advocated the government’s policies. The calls on government to secure impartial election continued in May and finally, its importance showed up as crucial after the polls. He also connected the issue with the participation rate: “We should prevent the intervention of invisible hands in the election through a massive turnout”.

Karroubi adopted “Change” as his campaign slogan trying to use the traditional reformist themes like human rights promotion, orientation on students and the rights of women. He criticized the detention of the students for political reasons and pledged to follow up their cases and expressed his belief that the best way to promote women’s rights would be their participation in politics pledging to have them in his cabinet. He joined the anti-Ahmadinejad criticism denouncing its repeated replacement of the experienced government officials including ministers, departmental heads and provincial governors with politically affined persons what in his eyes had disastrous effects on the country. Furthermore Karroubi attacked him when asserting that “the move by President Ahmadinejad who takes along large delegations on his provincial trips at the expense of the country’s treasury is a publicity campaign for the presidential elections”.

Of course, as an opposition figure in a country where the freedom of speech is not fully implied, he stood on the side of those demanding change. He promised that if elected, “people will be encouraged to come out in the open and

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speak their mind about state affairs”. “Criticism will be well-received in my government” was added by the senior Iranian cleric, who went on promising that in such a case “even my own newspaper will be allowed to criticize me”. To what extent he thinks the freedom of press should be applied could be documented by his own words: “We definitely should have an authorization process, because some individuals may incorporate certain material into their work that may not be in the interest of the state, the society or people’s beliefs and might even have harmful consequences”.

Concerning economy, Karroubi said that the government’s policy caused high inflation rates: “If there is inflation, those who have determined the economic direction of the country and spent their time dismissing and appointing managers who deal with economic issues must provide explanations”. But when it came to the solutions, he provoked a bitter smile: “A fund will be set up and oil revenues will be sent to it and its shares will be given to the people,” as explained by his aide. By his own words, “the first step will ensure the even distribution of the National Iranian Gas Company and the National Iranian Oil Refining and Distribution Company’s shares among all Iranians above 18 years old, they however will not be able to sell or transfer these shares. … Shareholders, in the long-run, can choose the board of directors independently and be in charge of all the profits. The government can only tax the income”. Thus, the supremacy of Mousavi in the ability to handle the economy could be seen.

Although the orientation of Karroubi towards the foreign policy was similar to Mousavi’s, this issue was not the core of his campaign activity. However, we can illustrate his stance by the words of his senior advisor Seyyed Mohammad Abtahi delivered two weeks before the election: “The deadlock in Iran-US relations is an important foreign policy issue that the next president should deal with.” Iran is not a kind of the country where the pro-American orientation is an inherent element of the opposition policy. At least not of the opposition presented at the elections. It would be an illusion to estimate that the foreign policy of Karroubi or Mousavi would be so simple. Rather they would try to relax the American pressure since they understand the impacts of it while attempting to maximize the aims implicated by the country’s interests. In connection with the new American president, Karroubi expressed an ambiguous opinion when said that

he could well be the “next best thing” for Iran “but at worst … also pose a much greater threat than the Bush administration”.

Uneasy times in Tehran: June 2009. What is next?

While the months before the polls the campaign had been playing in the streets and universities of the Iranian regions, the heated debate started by the six June TV duels. The most important moment came when Mahmoud Ahmadinejad accused several powerful figures and their family members, including Mohammad Khatami, Hashemi Rafsanjani or Mostafa Nateq-Nouri, of fraud and financial corruption. Moreover, he convicted alleged Rafsanjani of a plot against his government: “In the early days of my government, Mr. Rafsanjani sent a message to a king of a Persian Gulf state and told him that don’t worry, this government will collapse within six months. … Such remarks clearly show that there have been massive plots underway against this government”. He went on and told that he and his ally Khatami “tried to stand against the Iranian nation but people defeated them. During these four years they tried to pretend that the government is unsuccessful, but with God’s and people’s help we got to this point”. At the same occasion, Ahmadinejad attacked Mousavi’s wife Zahra Rahnavard with the accusation that she obtained master degrees and a doctorate without an entrance exam.

As a result, Ahmadinejad was criticized of character assassination, ignoring the legal principle of the presumption of innocence and attacking the people not present at the discussion. Mousavi’s wife answered that “ten of [her] books were published, 30 others were edited, ten of which were translated into other languages” and advised Ahmadinejad to “gather factual information”. Obviously, Mostafa Nateq-Nouri reacted too. According to him, Ahmadinejad ignored the “principals of faith, religious emphasis and behavioral regulations”. However, it was particularly Hashemi Rafsanjani who had to say a word. He strictly rejected what he described as unfounded accusations and lies. Next day, in a letter to the head of IRIB Ezzatollah Zargarhami, he requested an air time to defend him and his family. The airtime was granted. Ezzatollah Zargarhami told that “all the accused politicians who were absent from the debate would be offered a chance to respond to the allegations”.

What Ahmadinejad did is according to Friedman a sign of the undergoing process of the real power shift in Iran, especially a part of hunt on the old clerical elite headed by former president Rafsanjani: “Many of Iran’s religious leaders see Ahmadinejad as hostile to their interests, as threatening their financial prerogatives, and as taking international risks they don’t want to take. Ahmadinejad’s political popularity in fact rests on his populist hostility to what he sees as the corruption of the clerics and their families and his strong stand on Iranian national security issues.” Moreover, their nervousness reflects the process which started far before this year’s election and even that of 2005. The militarization of politics, which is behind the Ahmadinejad’s success, caused that among the core of the regime’s security apparatus, Basij militias and IRGC, has been created a new, so called neoconservative, elite. This lowers the chance that Ahmadinejad would lose control over the country.

From the tactical point of view, Ahmadinejad’s behavior was smart and efficient. First, he diverted the core of the public debate from economy to corruption what in that context means a shift from a defensive position to an offensive one only a few days before the Election Day. Very good timing since there was little time to reverse this shift. After the long period of listening about his catastrophic domestic and foreign policy, he was able to play his game. Second, he managed to bring Rafsanjani into the centre of the campaign. After several months of his shadow policy, Rafsanjani had to hit back Ahmadinejad publicly. As he is not very popular among the people due to the long history of corruption suspicion, he couldn’t be a positive factor of Mousavi’s election outcome. Moreover, it was Rafsanjani who was defeated in the 2005 presidential election by Ahmadinejad. Ahmadinejad get the enemy he needed since Mousavi, who was for a long time outside the top politics, lacks the controversy.

The June presidential election was won by president Ahmadinejad as expected. The interesting thing is that he won by a wide margin in the first round. According to the official information, he received approximately 62% of the casted votes and thus dominated over Mousavi who gained less than 34%. The rest two candidates received jointly only 2% of the votes. High turnout was expected, however the rate of 85% was a positive surprise. The reasons could be found in the participation psychology described above and the fact, that the election was highly polarized and during the last days even flaming. The next aspect is that the results provoked unprecedented mass protest in Tehran’s streets since the people had been told about a manipulation of the election. First pages of the world press and videos from the violent protests published on internet and showed in the television attracted the attention of the public around the globe. According to the reports,

hundreds of thousands protesters rallied in Tehran. However, as we have seen, the national uprising didn’t happen. After the short period of time, security forces managed to calm down the situation and the protests was localized only in the capital. Protesters were detained and even some of the reformist politicians, including above mentioned Karroubi’s advisor and Khatami’s vice-president Seyyed Mohammad Ali Abtahi, were charged of rioting, threatening national security and conspiring against the ruling system.

The election defeat and the accusations of organizing the riots have had deep impact on the opposition forces. Their position is weak and their key figures are on the government’s blacklist. On the other side, they didn’t lose all their power. Rafsanjani still heads the Assembly of Experts which is vested with the power to remove the supreme leader and has a lot of resources to affect the course of things as well as the Exigency Council. However, the time is against them and Ahmadinejad has another four years to defeat this old clerical class. Furthermore, he enjoy the support of the security forces and neither Ayatollah Khamenei is, probably, so powerful to resist the neoconservative pressure. As a result he won’t and will stay quiet to protect his position. The reformist movement is losing and there is no evidence that the situation in Iran is likely to change in favor of them.

Conclusion

The 2009 presidential election in Iran is an expression of a more substantial processes undergoing in the country. First of all, despite being a theocratic republic, Iran is not ruled by the rigorously hierarchical elite. Rather, it is a political battlefield of a number of forces trying to act in the framework of the combined system.

The division between conservatives and reformists is too simplistic, since the groups are not united. Moreover, the new group of neoconservatives emerged and managed to won the second presidential election in a row. They retain the crucial support of the security apparatus what gives them an advantage and are keen to push the old clerical elite out of power while preserving the system. However, they have to cope with the socio-economic and international problems, as well as with the question of the leadership before the next presidential election.

The position of the reformist movement seems to be weak. First, they lost another election, their newspapers are closing, have a little say in the Parliament and are under attack for their support of the riots. They’re losing and the time plays against them. The truth is that the reformist movement was more united than in the precedent election and masses went to the streets in their support, but this is not
enough for now. The nation is not united and there are a lot of Ahmadinejad’s supporters ready to equilibrate the number of Mousavi’s crowds as indicated their numerous presence at the incumbent president’s post-election celebration gathering. Second, the reformist movement cannot lead the uprising since its leadership is not an anti-systemic element. On the contrary, the top figures of the reformist group are belonging to the old clerical elite dependent on the regime functioning. However, the riots suggest that there is a part of population, especially students and young people, dissatisfied with the functioning of the state, what raises the questions to the future.

Concerning the foreign policy of Iran, it is improbable that there will be any significant change. However, not as a result of the election. Though the reformists and even an alternative conservative candidate promised the moderation of relations with the United States, the issue of uranium enrichment itself rested untouched. This is another piece of the Iranian foreign policy puzzle. The picture shows that there is a division among the political groups more on the diplomacy performance and less on the side of identification of national interests.

Mahmoud Ahmadinejad won the post again but he has to face the economic problems resulting from the international position of the country as well as from the ineffective financial policy, instability of the oil incomes, unemployment and social unrest. Furthermore, the opposition forces will not give up their criticisms and there will be a growing part of the population demanding the promotion of their civil rights. Since Iran is a republic where regular elections are held, we can expect that this will affect the atmosphere in the country in the next years again.

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The role of dollar in the global economy

ILONA ŠVIHLÍKOVÁ

Introduction

The aim of this paper is to analyze the position of dollar, from the beginning of its dominance – the establishing of the Bretton-Woods system to its current problems. As this topic is a very complex one, it is necessary to introduce the background of the Bretton-Woods and its current impacts, especially regarding the alternative Keynes’ proposal. The topic becomes extremely relevant in respect to many proposals to substitute the dollar, these suggestions do not only come from the Chinese part.

The importance of the international currency

International currency can be defined as currency that is used outside the territory of emission, i.e. currency that is used by non-residents. An international currency may fulfill many features and the American dollar fulfills them all. Dollar is used as a reserve currency, for quoting primary commodities, it circulates in other countries as a primary or secondary currency and it is without doubt a currency against which other currencies are pegged, either by itself or in a monetary basket.

However, this evident dominancy of the dollar has not fallen from up above. There were serious reasons to do and to understand them we have to go back as far as the Bretton-Wood.

International currency – whichever it may be – is very important, not only for the country that emits it but for the whole world. For the country “of origin” it may bring many advantages but also burdens (we see it later on the theoretical concept of so-called Triffin dilemma), for the world it may mean extraordinary linkages to the country which emits this currency. Both side of the coin must be revalued to see if the international currency helps or rather harms the world economic development.
This may be well observed in the case of dollar – at the beginning it was thought to be the anchor of the world (or better said, the western world), nowadays there is not a single day when the dollar would not be criticized and when it would not be called for an alternative.

**Bretton-Wood: the beginning of the dollar’s dominancy**

The well-known conference at Bretton-Wood was meant to establish a new world economic system. Together with the International monetary bank and the World bank, a system that ought to stabilize the world financial flows was to be established.

There were two plans: The White’s and the Keynes’ plan. As the White’s plan won, not much attention has been paid to the “lost” plan of Keynes – until recently. The White’s plan was built on the strong position of the U.S. economy – it was in fact the only economy that arrived strengthened from the 2nd world war. Therefore, the whole system was built on it, which later appeared to be its major weakness.

Dollar was pegged to gold, other currencies were pegged to dollar, however their pegging rates could be altered (e.g. the revaluation of the Deutsch mark), the dollars pegging rate was fixed. Precisely this rate should have had stabilizing effects on the dollar and so on the American economy. Theoretically, if the American fiscal or monetary policy behaved too loose, the countries accumulating dollar could want to exchange dollars for gold.

The system worked for some years quite well. However, the authors of this system forgot that the world economy is a dynamic system and things usually do not stay the same for a longer period of time.

Many changes started to reveal themselves at the late sixties. The dominant position of the U.S. started to be threatened by other fast rising economies, like Germany and Japan. Domestically, the American policy was very expansive, financing the “welfare” state but especially the Vietnam war requested much money. Already at that time, was getting clearer that the peg of 35 dollars for a tr. Ounce was unrealistic. However, something very important occurred – something that may partly explain the current dominant but shaking position of the dollar. The foreign central banks voluntarily held more and more dollars, that were being printed to finance the war, and accumulated these dollars in the reserves. This not only prevented higher inflation in the U.S. and enabled “cheap” war financing but also constituted the dollars position in the foreign reserves.

The system fell apart, when it was obvious that the peg of 35 dollars is untenable. And how did the U.S. react? – By authoritatively abandoning the peg when they realized that they did not have enough gold to enable the exchange which some
countries preferred (for economic and political reasons both, e. g. France did not want to co-finance the Vietnam war this way). An After-Bretton-Wood period began. Right after the break-up of the Bretton-Wood system, a frenzied search for an alternative began. In this time, the SDP (special drawing rights) were established to solve problems with liquidity, however this instrument has not played an important role – so far. Many countries moved on to a floating system that was seen as a shift. The EC realized it would be better not to rely on the dollar too much and rather started working on preparations of its own currency – the result of that was ECU and the European monetary mechanism. However, dollars were accumulated in the reserves. Banks gained more maneuvering space for their monetary policy and speculation started to grow immensely.

The current state of dollar – as in features of the international currency

In this part I will briefly analyze the current position of dollar regarding different aspects or features of an international currency.

- Dollar still is a dominant reserve currency. This is probably the result of two main reasons: the Bretton-Wood system and the initial accumulation and the fact that there have not been many “rivals” to dollar, i.e. currencies that would threaten the dollar’s position. The dollar represents about 65% of the central banks deposits in foreign currencies. On the second place is the euro, with about 25%. The position of the British pound and the yen weakened. This fact is very important especially for the main creditors to US – China and Japan.

- The prices of primary commodities are still quoted in dollars. Americans are in the habit of explaining that such is the custom. However, they forget to mention that this quotation give them and extraordinary privilege – such a privilege only a country with international currency may have. Literally, the Americans may pay for real commodities with printed paper under the condition of course that this “paper” never returns to the U.S. (where it would inevitably lead to hyperinflation) but stays “stuffed” somewhere, presumably in the foreign reserves. It may be worth mentioning that of the primary commodities – oil is definitely the most important one. OPEC as a main actor on this field plays a crucial role. There were many proposals to replace dollar, e. g. Hussain suggested euro-payments, as well as the Iranian president Ahmadinejad, the Venezuelan president Hugo Chavez suggested a new clearing system that would not be dependent on any currency. It would be interesting to
analyze the linking of these statements to these politicians – consider invasion to Iraq, failed coup against Chavez and Iran in the axis of evil. There is of course one country that blocks these suggestions in OPEC – and that is the biggest ally of the U.S. in the region – Saudi Arabia. Naturally, the relationship between dollar and oil leads to the behaviour when the dollar is weak the price of oil goes up – one of many impacts that the development of the international currency has on the world economy. The role of FED in the debt-monetisation is crucial here.

- Regarding the deep structural problems the American economy is in, no wonder, that most economies have withdrawn form using the dollar as a primary currency, and as for pegging, again most countries prefer a basket comprising some “mixture” of euro and dollar and other currencies.

**The Chinese-dollar trap**

I devoted my paper that was published last year to the topic of global imbalances. This topic has serious impacts on the relationship China-USA and thus also on the dollar. China is the main U:S. creditor, whose foreign reserve reach 2 trillion dollars, the biggest part of this huge sum is in dollar-denominated assets. The second important creditor is Japan.

Quite clearly, such huge reserves are not – by any means – “normal.” They are the consequence of Chinese reaction to the big Asian crisis in 1997-1998 and mainly to the global imbalance between China and the US which reflects itself in the ever growing surpluses of Chinese trade balance and corresponding deficits of the U:S.

China has found itself in the dollar trap, as very Paul Krugman commented very fittingly.¹

With growing problems of the American economy, China started to worry about the reliability of American bonds of which it holds an enourmous amount. The huge debt that may reach 13% of American GDP could have effect on the dollar as well. China has concentrated too much on dollars and now found out that the reserves are not enough diversified. That leads to so-called dollar trap: the situation when China would like to diversify, however when it starts getting rid of dollars (selling them) , the huge amounts will induce depreciation of the dollar – and China will so devaluate the rest of its dollars. Therefore, it is not only interesting but crucial as for the development of the world economy, to follow proposals what

¹ Paul Krugman: China´s dollar trap, on [http://www.nytimes.com/2009/04/03/opinion/03krugman.html?_r=2](http://www.nytimes.com/2009/04/03/opinion/03krugman.html?_r=2) (10.4.2009)
to do in such a precarious situation. Put simply, China has the choice of these strategies and it is possible to combine them:

- China may continue buying American bonds so as to keep purchase power in the main sales market for it. This was promised when Hillary Clinton arrived in China early this year. However, since this time, the Chinese representative have published many differing opinions – further discussed Chinese central bank governor Zhou, the meetings of China and Russia before the G20 summit, the summit of the Shanghai organization, the BRIC summit…. The relationship between China and U:S. will be crucial for future economic development. The fact that China is the main creditor gives it certain “blackmailing” potential – which was first shown last year, when Chinese central banks representatives reacted to continuing American pressure to revalue juan by argument of selling American dollars. Another “disagreement” could have been observed right after the Obama’s inauguration when Geithner repeatedly attacked China and blamed it (respectively blamed the undervalued Chinese juan) for American problems. China finds itself in a very difficult position and must take political and economic factors into consideration.

- Continue the strategy of outward development, not accumulate but rather invest the surpluses. For this purpose, China, as many oil countries, has established a sovereign wealth fund (SWF)– Chinese Investment Corporation – with the capital stock of 200 billions dollars. China may thus go on a “buying spree”, which it started doing some time ago, especially in the branch of mining industry. China grants credit to important trade partners – Russia, members of the Shanghai organization, countries in Latin America… We must not forget the expansive Chinese policy in Africa, where China already is the second creditor, just after the World Bank. However, this strategy has its limits. Firstly, some countries reacted to the perceived danger of SWF by marking some branches as “strategic” and thus prohibited purchase by a foreign government, secondly China does not have enough management experts (not to talk about financial ones) that would be able to really control the company bought.

- Diversifying and trying to find some “global” solution to its problem. (see the next chapter about possible solutions). This regards the critique of dollar and suggestion of another international currency.

- Try a different way of economic development – inward. This would lead to smaller trade surpluses. This is probably the only possible way for China in future, however the timing here is extremely important. The structural and demographic characteristics of the economy are crucial and
The role of dollar in the global economy

Japanese example from the beginning of the 90’s is not the right one to follow.

Possible solutions

There are many solutions to the problem, some involving global accordance, some unilateral, some with higher, some with lower probability, some involving current institutions, some counting with new ones.

- Go along the same way, which means that China will continue buying the American dollar and bonds and taking the risk of devaluation. China could be scared off to do otherwise (e. g. the U. S. may try military power on it, which - in my opinion would be a suicidal scenario), or simply believe that some miracle will happen and the U. S. economy will revive. I consider this scenario likely only in the very short-term horizon because almost every day, we may here Chinese worries about dollar devaluation and statements that dollar has failed. China, together with other countries, are trying to find a way out of this situation.

- Gold standard in a new form. This is a proposal often to be heard by the Russian party. Considering that Russia has the largest reserves of gold in the world, it may sound reasonable – for Russia. The gold standard would put some predictability into the system, but problems with liquidity could follow, together with the fact that gold is only a commodity among many others.

- More usage of SDP (special drawing rights) and thus put the IMF in charge of the reform of the world monetary system. Regarding the failures the IMF has made I do not consider this to be wise. It would not be advantageous for China or Russia who still have – despite the reform – a limited say in this organization where the U. S. still have the veto. Besides that, the SDR is an artificial currency – a basket comprising other currencies, with the main position of dollar. This “solution” would have only a limited impact.

- Use more “national” currencies in trade, e. g. the Russian rubl, the Chinese yuan etc. Trying to avoid holding and doing business in dollars is policy of some countries, however it would not have a global impact, would not solve the problem of dollar reserve accumulation and especially in quoting oil and other commodities prices. There are some diffident sings of this trend, e. g. towards China and Hong Kong, some part of Chinese trade to Brazil or even Russia, however this does not constitute a major part of the world trade –yet.
Before I come to the most important and at the same time radical suggestion, it is necessary to mention, that such discussion – the future of dollar – does not only take place in China or Russia. In America there is a lively debate about the future of dollar.

The first reaction already started to appear. Some American cities have turned away from the dollar and commenced “issuing” their own “town currency”. It is indeed a very interesting phenomenon which reflects the state of problems. Towns are trying in this way to avoid business closures and more support the local community.

Another proposal coming from the American part talks about creation the Amero. Amero would be a follower of the euro. It would the common currency for the NAFTA. However, the NAFTA cannot be compared to the level of integration in the EU. The differences between these three countries are huge, especially in the case of Mexico. Critics point out that creating Amero would relieve the U:S. of paying off all their debts and putting a part of them as a burden for Canada and Mexico.

The council of foreign relations has recently reported a shocking analysis. The Council on foreign relations came with the idea of abolishing all national currencies. The state, where nations have their own currencies is viewed as out-of-date and not suitable for the globalized world. One super-global-currency, one central bank?

The idea I consider to be the most relevant one, is mentioned in the already famous “Reform the international monetary system” article by the Chinese central bank governor Mr. Zhou. There he mentions: “Back in the 1940s, Keynes had already proposed to introduce an international currency unit named "Bancor", based on the value of 30 representative commodities. Unfortunately, the proposal was not accepted. The collapse of the Bretton Woods system, which was based on the White approach, indicates that the Keynesian approach may have been more farsighted.”

Keynes who – from political and not economic reasons – lost the battle against White. Keynes knew that the problem of deficits and surpluses is not solely on the creditor’s side (as Americans think), he knew that world needed some currency that would be “pegged” against something real, like commodities, who are basic for economic development.

The governor Zhou calls the future Bancor "a super-sovereign reserve currency.”

Zhou describes the Triffin dilemma, which is necessary to understand for all those who may dream that their currency could play the international role. The Triffin dilemma explains that one state, issuing the international currency, cannot satisfy both sides – it cannot meet demands from its own economy and at the same time
The role of dollar in the global economy

global needs for more or less liquidity. The U.S. have always “solved” this
dilemma in the favour, not caring about the world.

“The desirable goal of reforming the international monetary system, therefore, is
to create an international reserve currency that is disconnected from individual
nations and is able to remain stable in the long run, thus removing the inherent
deficiencies caused by using credit-based national currencies. ... The reform
should be guided by a grand vision and begin with specific deliverables. It should
be a gradual process that yields win-win results for all.”

We may only believe the solution will be find in mutual accordance and
cooperation to make the landing for dollar – which seems inevitable – a “soft one”.

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Together or Apart: India’s and China’s Energy Policies in the 21st Century

SYLWIA W. ŻECHOWSKA, JAROSŁAW SZOSTAK

The 21st century continues to see the emergence of India and China as global economic powers. India’s and China’s soaring demand for energy, being an obvious consequence of the explosive growth of their economies, is posing a major challenge to the world energy supply market. It threatens not only to intensify competition for energy resources but also to upset the existing equilibrium among energy suppliers and consumers, thus aggravating political tensions in such areas as the Persian Gulf or the Caspian Sea basin. As the world’s key players, with Russia and the USA at the lead, seek to protect their interests and retain or expand their influence on energy producing and transit countries, India and China will attempt to redefine supply routes and build economic and political coalitions in an effort to harvest a greater share of world energy reserves. Whatever policies India and China adopt toward securing energy supplies in the years to come, they are very likely to make a substantial impact on the world energy market, and perhaps even shift political and military alliances. Once these two “challenger” countries recognize that they have enough in common to outweigh most of their conflicting interests, they might decide to join forces and in this way strengthen their bid in the pursuit for control of production and distribution of energy resources.

The paper attempts an overview of the factors that might bring China and India together or apart in their energy security strategies. Their choice of cooperation or rivalry, whether or not inscribed in a more general paradigm, can to a large extent define the outlook for the global energy market and, eventually, affect the ability of a number of countries to follow on their development path at their desired pace. It can be argued that Chindia’s\(^1\) adoption of a cooperative approach might become an

\(^1\) “Chindia” is a portmanteau word which is used to refer to these two emerging powers en bloc, mostly for analytical purposes, e.g. for comparison with other (groups of) countries or economies. It was coined by Indian economist and politician Jairam Ramesh in his book “Making Sense of Chindia – Reflections on China and India”, accessed on 10 April 2009 from http://www.fullermoney.com/content/2005-06-30/RameshCINDIA--clsa.pdf
essential component of a new paradigm in global energy economics, providing a favorable context for the global harmonization of energy policies or at least encouraging the world’s greatest economies to place more emphasis on collaboration and consistency.

**Introduction**

In its International Energy Outlook 2009 report\(^2\), the Energy Information Administration of the US Department of Energy forecasts a 50% rise in the global consumption of energy by 2030, with the largest contribution to the increase (in excess of 80%) coming from non-OECD countries. The estimates indicate that the demand for energy in emerging economies will expand at the rate of nearly 2.5% per annum (compared to the world average of 1.5%), thus gradually shifting the center of gravity of global energy demand. As the economies and populations of developing countries continue to grow much faster than in any of the OECD countries, we are about to see the biggest of them, China and India, arise as key global energy consumers. To illustrate the scale of recent changes in energy consumption by these two economies, it will suffice to recall that in 1980 China and India accounted for approximately 8% of global energy use, while twenty five years later, in 2005, their share amounted to 17%. Current projections envisage a further increase in the years to come, which might reach 25% in 2030. It should be added that more than half of all the energy investment needed worldwide is in developing countries, while China alone needs to invest about $3.7 trillion – 18% of the world total\(^3\).

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Chinese and Indian energy companies compete for access to world energy markets as their growing demand for energy supplies is bound to soon surpass their domestic capacities. The diverse strategic moves of India’s and China’s foreign policies reflect the complexity and salience of energy issues faced by these two countries. Although some of Chindia’s interests head in the same direction, some others will be clearly contradictory. Insofar as technological know-how may be considered as a common denominator, vying for energy supplies and seeking favorable relations with countries exporting energy carriers is mostly regarded as an area for competition. The same is true about sea routes for energy shipments: China has positioned itself in the Indian Ocean, whereas India has secured routes in the South China Sea. The pursuits of Chindia’s national energy companies to find new sources of supplies in the regions of Central Asia, the Middle East, Africa and Latin America raise concerns among the international community, having a considerable impact on energy interests of the western world, especially of the USA. Interestingly, India’s overseas energy diplomacy receives US support since India’s growth is perceived as a potential counterweight to Beijing, while China’s energy strategies are met with bitter criticism on grounds of its energy-based relations with some of the most oppressive regimes⁴. A further feature shared by China’s and India’s energy sectors is their heavy reliance on indigenous resources

of coal used as a feedstock for power generation. In 2005, the share which this energy carrier had in primary energy use accounted for 63% and 39% for China and India, respectively. The difference stems from a larger proportion of Chinese industry predominantly consuming coal-based energy. Nuclear powered electricity generation for both the countries totals 2% in their energy balance. A major disparity is noticeable in terms of biomass and waste-based energy, which is significantly higher in India, satisfying 29% of primary energy needs, whereas in China it accounts for only 13%. China’s significantly higher energy consumption per capita is attributable to its far more advanced stage of economic development and its climatic conditions.

The following two chapters offer a more thorough treatment of the relevant data permitting some insight into the future of the world energy market and an assessment of the chances of the “Chindian” alliance occurring.

**China facts**

According to forecasts publicized by the Chinese government, the national energy demand will double by 2015. Between 1993 and 2006, the consumption of oil in China sky-rocketed from 2.9 million barrels per day to 7 million, making this economy the second largest oil consumer after the US. Consequently, China imports have been rising dramatically, for example, in 2004, as much as 40% of the oil supply was imported. The International Energy Agency’s projections show

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that, by 2030, this share will exceed 70%. Parenthetically speaking, the exponential rise of China’s energy demand is frequently attributed to the global growth of oil prices. At the same time, China’s domestic resources have been declining – between 1993 and 2002, the production only grew slightly from 2.9 million to 3.4 million barrels per day. The International Energy Agency estimates that the production of conventional oil in China will peak at the level of 3.9 million of barrels per day in the next decade, whereas the transportation sector needs will rise fourfold. This showcases the challenges looming ahead of the country and threatening to halt its impressive economic growth.


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**Table 1.** China’s oil reserves as of end 2005.

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In terms of coal extraction, China with its plentiful indigenous deposits of over 5500 billion tones\(^9\) is the biggest global producer; in 2004, China’s output of 2 billion tones accounted for 42% of world production\(^10\). Until recently, China has been able to fully satisfy its domestic demand and still remain a significant coal exporting country. However, statistical data for 2007 and on reveal that the surging demand for steam coal, representing 85% of production in energy terms, is making the country a net coal importer with the estimated figure of 133 million tons in 2030. This changing status quo is very likely to have an impact on the international coal trade\(^11\). Another disconcerting issue is that China’s coal mining activity and its coal-based electricity generation result in severe environmental damages, the costs

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\(^9\) Ibid.
Together or Apart: India’s and China’s Energy Policies in the 21st Century

of which exceed China’s annual economic growth. Therefore, the climatic concerns have led the international community and China to mobilize efforts, involving governmental negotiations and innovative financial instruments, to support the modernization of China’s coal sector by e.g. the introduction of clean coal technologies. International projects targeted at the implementation of more sustainable energy technologies, such as integrated gasification combined cycle and carbon capture and sequestration, were initiated. Launched in 2005, the EU-China cooperation in the area of energy and climate change contributed to initiating the set-up of a near zero emission coal fired demonstration plant in China. The proven resources of coal in China are estimated to last for more than 70 years, yet if the projected growth of demand is to materialize, the country is going to have to invest in new mining facilities and transport infrastructure, as the resources are located in the inland provinces, whereas the highest demand occurs in the coastal ones.

The application of natural gas is in turn predominantly stimulated by environmental concerns, especially air pollution, as a more sustainable equivalent of coal generated electricity and, until recently, it was a minor player in the country’s economy. However, this situation has been rapidly changing. Today, China’s proven reserves of natural gas account for 2% of global reserves with 3720 billion cubic meters. According to the International Energy Agency, only in the period of 2005-2006 the production of natural gas increased from 51 billion cubic meters to 60 bcm, reflecting the shift in the energy regime. It must be noted, however, that increasing the share of natural gas in the overall energy mix involves substantial investments in production facilities and pipeline infrastructure. The future expansion of natural gas production in China will be progressively concentrated in the west of the country, while the demand is located in the southern and eastern regions. In 2005, China’s National Petroleum Corporation completed the construction of the West-East pipeline connecting the westernmost region of Xinjiang Uygur to Shanghai; an additional line is to be built by 2010 to allow natural gas imports from Russia, Kazakhstan and Turkmenistan.

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14 Ibid.
Fig. 4. Natural gas discoveries in China.

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Table 2. China’s natural gas reserves as of end 2005.

The nuclear energy sector, which covers 1.5% of China’s primary energy needs, is considered a minor player only. Nevertheless, its share is estimated to double as the Chinese energy policy provides for the construction of 30 nuclear reactors by 2020, making nuclear power a strategic element of China’s future energy mix. Overly ambitious as the country’s nuclear plans might appear in the context of its moderate advances in nuclear component manufacturing, it should be admitted that the Chinese government has been doing much recently to accelerate the installation of new nuclear capacity. In 2006 and 2007, two new reactors were operational, while another four are under construction and will be connected to the grid in 2010 and/or 2011. Chinese nuclear energy policy is focused on two areas: standardization of nuclear technology, and the development of home-based solutions to achieve self-sufficiency in all aspects of nuclear facilities design,

construction and fuel cycle. So far, French, Russian and Canadian technologies have been applied in China’s nuclear sector.\(^\text{17}\)

As reflected in the country’s energy strategy, clean and reliable energy supply has become an issue of paramount importance for Chinese authorities. Since the 1990s, Chinese leaders have been aware that the country’s energy self-reliance is an illusion and that, sooner or later, dependence on imports of energy carriers will become a reality. There was a time China exercised a policy of isolation and reliance on domestic energy supplies, but the liberalization of the country’s economy which took place in the 1980s entailed an explosive growth of energy demand which could no longer be satisfied by domestic supplies.\(^\text{18}\) Since then, China has been committed to measures aiming at diversification of energy supplies, but the number of viable options seems rather limited. Therefore, the government has also decided to implement strategies of energy conservation and efficiency improvement as well as to stimulate the increase of renewable energies in the country’s energy mix. The introduction of new legislation may enable China to emerge, in the decades to come, as a leading solar, thermal and geothermal energy producer while at the same time achieving substantial reductions in harmful emissions, especially of carbon and sulphur dioxides.\(^\text{19}\)

\(^{17}\) Ibid.
\(^{19}\) Müller-Kraenner, S., China’s and India’s Emerging Energy Foreign Policy, German Development Institute, Discussion Paper 15/2008, accessed on 10 April 2009 from http://www.die-gdi.de/CMS-Homepage/openwebcms3.nsf/(ynDK_contentByKey)/ANES-7HJAZ8/$FILE/DP%2015.2008.pdf
China’s approach to energy policy is often described as strategic or mercantilist, as the government strives to maintain control over the whole energy sector through the ownership of state energy companies as well as by controlling wholesale and retail prices of oil and gas products. This modus operandi is also partly motivated by the Chinese government’s drive to secure a large number of jobs in its strategic industries, with a view to further employment opportunities once the energy companies expand overseas. The authorities seem to hope that this strategy might offer a partial solution to the urgent social issue of unemployment which will soon have to be addressed. As far as the international dimension of Chinese energy policy is concerned, the main emphasis is on diversification and security of oil and gas supplies, in anticipation of potential physical disruptions to oil supplies from the Middle East region. In an attempt to ensure long-term supplies, in the late 1990s China signed agreements with Saudi Arabia, Iran, Angola and Russia, backed with diplomatic or economic measures such as military initiatives, technology transfer or construction services. Interestingly enough, China’s energy imports consist of crude oil rather than of final oil products. The reasoning behind this preference is that domestic refining makes it possible to maintain jobs in the Chinese oil sector, retain state regulation of oil prices and, last but not least, foster foreign investments in China’s refining facilities.


Since 1993, China’s national oil companies (NOCs) have been aggressively acquiring energy assets in all major oil producing countries – the total Chinese investments are currently estimated at 7 billion US dollars. In certain regions, especially in African countries, Chinese investors are perceived as strategic partners supporting the local underinvested economies, even if the US responds with less enthusiasm, regarding the presence of Chinese energy companies as a threat to national interests. Indeed, China’s overseas energy policy frequently serves as an instrument of political and economic rivalry. For example, it is an attractive option for such countries as Sudan, Myanmar, or Syria, infamous for human rights violation and oppressive regimes, where western energy corporations are not allowed to invest, or for Iran and Venezuela which have cast themselves in the roles of US principal enemies. As regards countries which emerged after the collapse of the Soviet Union, in Kazakhstan, Uzbekistan or Turkmenistan, the presence of Chinese investors is welcomed as a viable counterbalance against Russian control over their national energy assets and a way to gain access to the global energy market. Chinese investments in pipeline infrastructure offer them an opportunity to reduce their dependence on Russian transport routes; likewise, agreements with Central Asia concerning the construction of pipelines enable China to somewhat diminish its reliance on international oil sea-lanes from the Middle East.

China’s growing political activity in the region of Central Asia led to the formation of the Shanghai Cooperation Organization (SCO) in 2001, bringing together China, Russia and Central Asian states. Besides curbing terrorist and separatist threats, the Organization’s core activities are focused on energy policy and infrastructure development. Some international commentators suggest that China’s primary goal within the Organization is to lobby for transforming the ancient Silk Road into an “Energy Road”. China’s policy in East Asia is manifest in its fierce competition with Japan and South Korea for access to energy resources. The relations between China and some of its neighboring countries have been flawed by heated territorial

http://www.iss.europa.eu/index.php?id=18&no_cache=1&tx_ttnews%5Bpointer%5D=5&tx_ttnews%5Btt_news%5D=162&tx_ttnews%5BbackPid%5D=133&cHash=b8aed9aaed


disputes over prospective offshore oil and gas fields. On the other hand, Chinese relations with South and South East Asia, especially Indonesia and Myanmar, are far less tense; arguably, this is because China has traditionally imported substantial amounts of oil from that region. China’s leanings toward cooperation have also shown in its recent regional energy strategy which tends to coordinate Chinese and Indian investments of energy companies overseas. 

China’s engagement on the African continent is particularly vivid in terms of the country’s cooperation with Sudan and Angola. The International Monetary Fund estimates that Chinese trade in the region may total 100 billion US dollars by 2010. A significant share of the sub-Saharan countries’ growth rate can be associated with China’s and other Asian powers’ presence in the region. Further aid in the form of preferential loans, credits or debt cancellation of 5 billion US dollars was announced by Chinese authorities in 2006, pushing other donors aside and making China the most active foreign investor, trader and customer for oil and other natural resources in the region. Although China’s policy of compromising on democratic principles or human rights while pursuing its economic interests does arouse bitter criticism on the international arena, it must be admitted that its developmental aid is unprecedented and that, unlike other international investors, the Chinese show a pragmatic approach based on mutual benefits and reciprocity instead of imposing western standards of governance.

India facts

It is beyond any doubt that China and India are both economies undergoing a transition of energy paradigms. A comparative analysis reveals remarkable similarities as well as striking differences between them, bringing up a number of factors that could either encourage collaboration or escalate competitive tensions and spur rivalry. In terms of electricity generation, both the economies are characterized by heavy reliance on domestic coal resources. However, China’s share of coal in primary energy use is notably higher, the difference being attributable to the rapid growth of China’s industrial sector, which consumes large amounts of coal, whereas Indian economy to a greater extent depends on service industries. In the case of India, biomass constitutes a major share in the energy balance accounting for 29% of the country’s needs, compared with 13% in China.

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24 Ibid.  
26 Ibid.  
524
Interestingly, the nuclear energy contribution in electricity generation in both economies equals 2%. On aggregate, household energy consumption in China is twice that of India’s, mainly due to China’s considerably higher level of economic development. It should be also noted that nearly 50% of Indian rural households do not have access to electricity, whereas in China there is almost universal access.\textsuperscript{27}

\begin{table}
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\begin{tabular}{|l|l|l|l|}
\hline
 & On-shore & Off-shore & On/offshore & Total \\
\hline
Number of fields & 242 & 91 & 3 & 336 \\
Proven and probable reserves (million of barrels) & 2650 & 2525 & 180 & 5355 \\
Cumulative production to date (million of barrels) & 2603 & 3424 & 167 & 6184 \\
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\end{tabular}
\caption{India’s oil reserves as of end 2005. Source: World Energy Outlook 2007}
\end{table}

In 2006 India was the fifth largest oil consuming country in the world, and its energy consumption is expected to rise by up to 50% by 2015. Just like in China, secure and reliable energy supplies have become vital to the country’s further development prospects. The Energy Information Agency (EIA) estimates the Indian reserves of coal at 101,903 million tons, with domestic output nearly matching the country’s total demand. Unfortunately, the rocketing oil consumption and the likely depletion of its own fields compel India to import 70% of oil from

The EIA forecasts India’s dependence on imported oil to go up to 90% by 2030, if the country’s demand is to be fully satisfied. Within this context, in the last few years India has entered into long-term agreements for oil and gas deliveries in South and Central Asia. India’s imports of gas took off just recently, but most projections imply that about 50% of this energy carrier will come from overseas supplies by 2030.


Unlike Chinese, US or European oil companies, India’s private energy sector is largely undercapitalized and excluded from international expansion, which has led to more and more closely cooperate with China in order to obtain access to African and Southeast Asian energy assets. India has been also exploring the possibilities of collaboration in respect of energy issues with Russia, for example through investments into Russian oil fields. The aspirations surfaced with India’s largest foreign investment of 1 billion US dollars in the Sakhalin-1 project. All in

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all, however, India’s late entry – much delayed with regard to e.g. China’s – into the competition for energy assets clearly puts it at a largely disadvantaged position. Having realized its limitations and seeking a remedy, India has embarked on a diplomatic and economic offensive; in 2006, it signed cooperative energy agreements and established a partnership with China to jointly purchase energy assets in Colombia, Syria and Sudan\(^{31}\). To date, the Indian-Chinese cooperation has been merely intermittent, only occasionally assuming a strategic dimension, even though some international commentatrors seem to believe that tighter bonds will be sought in the future, with the countries’ recent arrangement to avoid antagonisms between their internationally involved energy companies. Furthermore, the two countries teamed up for the UN climate change debate, asserting that “common but differentiated responsibilities” should be applied throughout the negotiations. Within the domain of international politics, China and India both stick firmly to the standards of non-interfering\(^{32}\).

It would probably be very naïve and simplistic to assume that India and China can easily cooperate and complement each other in terms of their energy policy. Being now staged as new global actors, they will inevitably encounter conflicting interests in competing for assets to fill their energy portfolios. In the case of oil and gas transit, or pipeline infrastructure, we have seen more than a few instances of Indian attempts to create strategic energy relationships that have been thwarted or undermined by Chinese activities. For example, the campaigns to establish political ground for pipelines transporting gas from Bangladesh or Myanmar came to nothing on account of China’s proposal which met Myanmar’s approval. The Chinese move not only ruined India’s prospective long-term supply arrangement with Myanmar but it may also frustrate or complicate the plans for a pipeline connection with Bangladesh. India’s government’s intensified efforts to tie Myanmar and Bangladesh to the Indian energy market have been aimed at counterbalancing the Chinese influence in this region and decreasing China’s presence in the Indian Ocean.

In fact, the energy based relationship between China and India raises much controversy among Indian government officials, as it is perceived from two different perspectives. On the one hand, China can be viewed as a key business partner for technology transfer and an ill-reputed accomplice that provides political cover for India’s investments in such countries as Sudan, Myanmar or Venezuela. From a strategic point of view, however, given the current growth rates, it is likely


\(^{32}\) Ibid.
and should not be surprising that the competitive aspect will prevail as the competition for deals with major exporters becomes tougher than ever. The dual nature of the energy partnership is also reflected in China’s aggressive pursuits in the Indian Ocean region, which can be interpreted as an attempt to encircle India\textsuperscript{33}.

**Together or apart – conclusions**

By no means could China and India be perceived as constituting, whether organically or historically, a single entity. If they happen to be placed alongside each other and considered jointly these days, its is chiefly for economic reasons, and primarily for this one: their very populous and fast growing economies are claiming a place among the world’s biggest economic powers. Since their continued growth hinges on the availability of sufficient supplies of energy, a lot of their efforts will be centered on the acquisition of energy assets, whether these are identified with natural deposits, energy products, transport infrastructure or transit routes. The energy market will therefore be severely affected, regardless of whether they are allies or rivals. If they choose to actually act in unison in all or most of their energy related endeavors, the impact on the market might be greater, but not necessarily worse. This immediately sends us to another question, namely, if the Chinese-Indian alliance scenario would be desirable for the western world.

Table 4 pod attempts to deliver an overview of the factors that could encourage or discourage close cooperation between China and India in the global competition for energy assets. The summary begins with two possibly neutral factors which, however, deserve a mention. The first of them, the two economies’ largely symmetrical patterns of energy consumption, does not seem to either prompt or prevent the would-be alliance in any consistent manner, since, on the one hand, the symmetry will compel the countries to compete for the same resources if each of them acts alone, and on the other – there might be economies of scale to win, if they choose to act jointly. In the long run, it cannot be known who rips more benefits in either scenario. Similarly, combating environmental dangers does not appear to be an obvious area for collaboration, yet it should not hamper future cooperation, either.

What might pull the two countries together is perhaps their shared, or parallel, interest in the acquisition of energy resources and their present disadvantageous position in this respect when compared to the USA or Russia. Also, economies of


528
scale which could be gained, and the possibility to pool financial and diplomatic resources around energy ventures – i.e. investing in these same assets in the same areas – could bring the two countries together. Furthermore, each of the tentative partners might, to an extent, want to capitalize on the other’s international reputation in pursuing energy projects in different parts of the world: China – undemocratic, infamous for its irreverence for human rights and widely mistrusted as it already is – can provide cover for India’s involvement in dealings with rogue countries, ostracized governments and hateful political regimes, while the nobler status of US-backed India could be exploited by China to penetrate into regions where its presence would otherwise be disapproved or regarded with suspicion by the international community.

**WHY TOGETHER?**

- Similar economy profiles in terms of energy consumption
- Environmental concerns: emission reduction, development and introduction of clean technologies
- Shared interest in the acquisition of energy resources
- Economies of scale: joint investment ventures
- Pooling financial and diplomatic assets
- Capitalizing on the other’s international reputation
- Disadvantaged position with regard to key global players

**WHY APART?**

- Non-complementary energy assets
- Diverse structures of internal energy markets
- Disproportionate capital and diplomatic resources of China’s and India’s energy companies
- Aspirations to regional/global leadership
- China’s privileged position (a better starting point compared with India) in the pursuit of energy carriers

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<td>Disadvantaged position with regard to key global players</td>
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**Table 4.** An overview of the factors that could encourage or discourage close cooperation between China and India in the global competition for energy assets.

Finally, there are factors that are likely to inhibit cooperation between Beijing and New Delhi. First of all, the two countries’ existing energy assets are not in any way complementary, leaving almost no room for mutual exchange. What is more, their internal energy markets have completely diverse structures – India’s energy companies are mostly privately owned and operated, while the Chinese ones are owned and supported by the state, which makes them far more resourceful in terms of both capital and diplomacy. Secondly, if both China’s and India’s aspirations to regional, or even global, leadership are further nourished, then it will be hard to imagine how these two could cooperate in one area while at the same time building
a competitive advantage over the other in other areas; this would probably generate too much distrust to sustain any material collaboration. Finally, China’s position in the quest for energy carriers seems to be much better at this point than India’s. The question arises, therefore, whether the Chinese will be interested enough to cooperate if they could hope to simply leave the Indians behind.

These are just some of the questions that anyone analyzing the issues of Chindia’s future economic prosperity has to tackle. We do not think any definite answers could be given at the moment. Nevertheless, we would strongly disagree with anyone contending that, just because the answers are so complex and equivocal, it does not make sense to ask the questions.

As it has already been pointed out, in the coming decades the global energy sector will face an array of serious challenges. With all its concomitant implications, the mere zooming demand for crude oil and natural gas can shake up the foundations of modern economies, most of which are based on fossil fuel energy regimes, and disturb the global political equilibrium. The last twenty years have seen the gradual depletion of oil and gas fields, sharp fluctuations of oil prices, an unprecedented development of the transportation sector, and the rapid population growth, to mention just a few of the many issues that call for orchestrated efforts of governments, international energy agencies and energy producers to reduce the reliance on oil and the energy intensity of modern societies. With the emergence of China and India as new global players, the already fierce competition for energy supplies is certain to further intensify.

References


Sides of the Middle East Conflict and Social Perception of The Clash

KAROL SZULC

The Middle East conflict has been attracting the attention of IR scholars’ for many decades. The literature that covers its genesis, course, aims, effects etc. is abundant. But nevertheless the topic is still popular among researchers of many fields, which shows that there is still place for new analytical frameworks, which could be applied for the sake of a better understanding of ‘the most insoluble of conflicts’. In this article I would like to offer a combined sociological and IR perspective on the Middle East conflict – social constructivism.

Why do we need another theoretical framework for this conflict if we have so many of them already existing and none of them seems to develop the situation significantly towards the conflict’s resolution? The answer is in my opinion simple: apparently, today’s analyses have not managed to provide us with satisfying answers which are crucial for the comprehension of the conflict. To picture the dominating trend in approaches towards the Middle East conflict, I would like to describe an incident that happened lately to me, as I was one of the panelist in the discussion about the Israeli-Palestinian conflict. After many controversial questions, as usually happens on such occasions, one person from the audience asked a question: ‘Could you please tell me, but without any kind of politically correct phrases: what are the real reasons for the conflict?’ One of my discussants provided the following answer: ‘This conflict is purely about the land. From the very beginning, year 1948, both sides have been longing for the land of Palestine, and it is still like that today.’ This sentence sounds peremptory, and indeed, even the tone of the person’s voice was like this. My first thought was that
of course, it is a classical example of a conflict over land – both parties want to posses the same piece of land and that is why we face a situation of conflict. And this is exactly the reason, why the studies of the Middle East conflict need social perspective. Since in my opinion, it is not true, that the conflict is only about the land. The land itself is only the material framework which creates the basis for a social interpretation and reinterpretation of the conflict by the sides involved. Even before the war in 1948, the land of Palestine was not only sands of desert, water of Jordan or the trees of Galilee Valley. It was the promised land given by God, the land of grand Patriarchs, the land of Prophets, the Holy City of Yerushalayim/Al-Quds, an asylum from persecutions, homeland which had been longed for 2000 years etc. At this point I just would like to name a few examples of the social categories which have been attached to the disputable land of Palestine from the very beginning of the conflict. That is the reason why I do not agree with the opinion that the Israeli-Arab conflict is an unambiguous example of a dispute over territory. Such opinion is certainly not sufficient for explaining the genuine genesis of the conflict. Using only the realistic, materialistic and positivistic approach, one cannot, as I believe, fully explain the anatomy of the Middle East conflict. It was like that already in 1948, and even more so in the later periods of wartime which involved such strictly social concepts like religion, culture, tradition, identity-building process etc. In my essay I want to signalize that applying a ‘moderate’ version of social constructivism (e.g. Wendt, Kratochwil, Katzenstein)\(^1\) can be very useful in getting deeper and closer to the actual perspective on the conflict.

The essay will be divided into two main parts. In the first I will focus on presenting and explaining which variant of constructivism I will exactly use and why. The second part will be devoted to exemplifying how the social constructivist pattern can be used in the analysis of the Middle East conflict.

\(^1\) A. Wendt, *Social Theory of International Politics*, Cambridge University Press 1999, p. 3,165
Why social constructivism?

Speaking about the Middle East conflict, the clash between Israelis and Palestinians, or in broader sense, Arabs is meant. This very obvious statement already points out the crucial reason why I consider the issue of the conflict within the frameworks of social constructivism. Conflict is an effect of social interaction, it will never appear without social agents, who have different aims, perception of the world and interests. Conflict itself may be seen as just another dimension of a communication process. Of course the shape, form and intensity of a conflict depend on many variables, which I will discuss in the further part of the essay. Accepting the premise that conflict is a situation of interaction between social agents, automatically means that the most important task in researching any conflict is to examine social groups involved in it. Therefore, the main subject of analysis in social constructivist approach towards the Middle East conflict will be Israeli and Palestinian societies. Obviously it is not enough to state that we want to examine the ‘societies involved in the conflict,’ because it provides us with no details for scientific research. A fully-fledged social constructivist approach towards this conflict should focus on the elements that I have already mentioned above, i.e. religion, culture, tradition, identity and historical experiences of the corporate agents. For the sake of brevity, I will use just some selected examples, in order to picture how socially created categories are involved in a reciprocal relation in the course of the conflict, where the conflict influences both of its parties and how their social constructs influence the form of the confrontation itself.

In the introduction I mentioned that in my analysis I will use a ‘moderate’ current of constructivism. In order to elaborate on the trends present in the category of social constructivism, it is necessary to state that the most general and probably the most widely accepted division of constructivist school is marked by so called
‘conventional constructivism’ (e.g. Wendt) and ‘critical constructivism’ (e.g. Zehfuss, Debrix). Commonly the conventional variant is derived from the Anglo-Saxon tradition, mainly the United States, and the critical version is identified with Europe. The main line of the division between these approaches lies in, how I call it, the level of ‘being postmodernist and deconstructive’ towards the reality of IR. The first approach, represented by such scholars as Wendt, Onuf or Kratochwil, states in general that some kind of reality itself exists. The question is how social agents interpret and internalize this reality. In contrast, the second, critical attitude, argues that materiality is nothing but a socially constructed concept; it does not really matter what objectively exists and what does not, the only important question is, how social actors imagine the reality.

The infra-paradigm dispute of constructivism is not a real subject of this essay so just to finish a strictly theoretical part of it I would like to present the understanding of social constructivist theory that I will use for the needs of this article. Despite the fact that I presented above the main differences that can be followed in the theory of social constructivism, and despite the fact that it was just an example of the most relevant divergences out of many more existing, it is possible to point out some principles, assumptions and hypotheses about the nature of social reality that are commonly shared by all constructivist theoreticians. Below I list the most important premises of constructivism as I see it:

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3 J. Czaputowicz, *Teorie stosunków międzynarodowych (The Theories of International Relations)*, PWN, Warsaw 2007, p. 302-303

Karol Szulc

- Reality is socially constructed. Reality does (not)\(^5\) exist objectively, but beyond human’s perception, is not cognizable – material reality is mediated by person’s senses and recreated in their mind (Kant).

- ‘Denaturalization and deconstruction’ of the social world. Such concepts as ‘natural behaviour’ or ‘natural’ are not to be reified. ‘Naturalness’ is just another social concept and in order to realize that, modernistic assumptions accepted \(a \text{ priori}\) have to be deconstructed.

- The crucial element for the understanding of social reality is the concept of ‘intersubjective reality’ and not ‘material reality’.\(^6\) In order to gain the state of intersubjective reality, all possible dimensions of social life have to be studied (culture, religion, national identities etc.).

- Recognition of the feedback process between social practices and socially constructed categories.\(^7\)

- The aim is to learn how much socially relevant terms like: state, religion, culture, interest, security etc., created in social interaction between individual and corporate actors, influence political practice.\(^8\)

As I mentioned above, the theoretical part of this article will be limited only to this short introduction, as the main focus of this piece of writing is to show how the framework of social constructivism can be applied to the tangible situation of the ongoing conflict. I believe that the basics of constructivism which I provided

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\(^5\) Most of critical constructivist would not agree with the statement of ‘objectively existing reality’.

\(^6\) A. Wendt, *Social Theory…*, p. 160

\(^7\) J. Czaputowicz, *Teorie…* p.302

\(^8\) N. Praetorius, *Inconsistencies in the Assumptions of Constructivism and Naturalism*, “Theory & Psychology” 2003, Vol. 13, No. 4
are suitable for the use of this article. My aim is only to picture and draw attention to the possibility of applying this theory for the Middle East conflict. I am not going to pursue a complex analysis of the conflict in one, coherent, ontological and epistemological approach

Social perception of the conflict by the sides involved

At the beginning of this part of the essay I would like to specify who exactly is meant by ‘sides or parties of the Middle East conflict’. I have stated that it is a conflict between Israelis and Palestinians, or Arabs in broader sense. For the sake of this essay, it is much more beneficial to accept the claim that the conflict is the one between Israelis and Palestinians. It will allow me to concentrate to a greater degree on examples, so that I could picture the whole social process involved in certain fields of analysis.

The tensions between Jewish and Arab societies of Palestine could be observed already at the end of 19th and beginning of 20th century, when the ideology of Zionism, aimed at the creation of a Jewish state, started to encourage Jews from all around the world to settle in the land of Palestine. Of course the conflict was not severe from the very beginning, mainly because of the fact, that Jewish waves of immigration (aliyah)\(^9\) to Palestine was not very numerous. But in the course of time, when Jewish newcomers started to purchase more and more land from the Arabs, when they grew stronger also in the sense of political significance for the British mandatory government, a collision course between the two societies was established.

This very short introduction is only to underline that when on 15th May 1948, the war between a newly formed State of Israel and Arab states broke out,

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\(^9\) Literally from Hebrew: wave. Aliyah means in general the immigration of Jews to Israel (Palestine).
there were already quite well established societies of Jews and Palestinian Arabs. If we agree on this fact, then both Jewish *jishuv* (Jewish community in the land of Palestine) and *umma* (community) of Palestinian Arabs, attached some social relevance to the geographical land that they lived in. Going further, in my opinion it proves that from the very beginning, the conflict was not ‘purely about the land.’ It was not only about the scarce terrain of desert, not only about the city of Jerusalem and not only about the farmlands of Galilee. It was a fight for the territories, where the most important events for Judaism and Islam took place; the fight for the Holy City of Yerushalayim/Al-Quds; the fight for the farmland grounds given to the people by God. The juxtaposition that I carried out aims at proving that the land, which was and still is a subject of the dispute, is not ‘just a land’. It stands for the land which is socially meaningful and to which both Jews/Israelis and Palestinian Arabs/Palestinians attach a lot of socially constructed notions. Both sides perceive the land of Palestine as, first of all, ‘Homeland’, then ‘The Holy Land’, ‘Sacred Land’, ‘Promised Land’ – all those epithets bear meanings crucial for these societies.

According to Zionism, the only possibility for the Jews to avoid anti-Semitic sentiments and attacks was to create an exclusively Jewish state, where they could be a majority in and where they could rule on their own. World War II and the tragedy of *Shoah* (Holocaust) was the most momentous and horrifying evidence, for the Zionist movement and for the most of the world, confirming that it is true – the Jewish state had to be constituted. A long-termed strategy of Herzl’s followers, the significant number of them were *jishuv*, was a factor which backed the choice of Palestine as the land for a Jewish state. The arguments

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10 I use the notion of ‘Palestinian Arabs’, not Palestinian, beacuse the latter was introduced to a wide usage only in the 60s of 20th century, on which I will elaborate further in the article.

11 Theodore Herzl is widely perceived as a father of the Zionist movement.
Sides of the Middle East Conflict and Social Perception of The Clash

presented below were explicitly included in the Declaration of Establishment of the State Israel, form 14th May 1948, in which one can find clear evidence for the fact that Jewish immigrants in Palestine were longing not only for the land to live in. These are the most relevant elements included in the Declaration:

- ‘Eretz Israel’ (The Land of Israel) is a birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped.\(^\text{12}\) ‘The Land Israel’ describes Palestine, a place where the foundations of Israel and its people’s identity were laid, so this land has been seen as the cradle for Israeli statehood and Jewish/Israeli nationhood.

- The State of Israel is a fulfillment of a long-lasting and persistent dream of the Zionist movement.

- The State of Israel is erected by the rightful decision of the United Nations, after most tragic Nazi genocide committed first of all on Jews. The reestablishment of Israel is an indispensable necessity to end the ‘homelessness’ of the Jewish people and to protect them from the horrors of persecution in the future.\(^\text{13}\)

The arguments enumerated above give us a strong support of the thesis that long before and in the very moment of the creation of Israel, Jews had been perceiving this process of state-building as the fulfillment of their natural right. The ancient history of Israel, religion, the story of persecutions of Jews with its tragic end in Shoah were the cornerstones of this right. Moreover, it proves that this land was not ‘just some piece of land,’ but it was exactly Palestine that was


\(^{13}\) Ibidem.
Karol Szulc
described as an object of yearnings for many generations of Jews living in
diasporas all around the world for around 2000 thousands years. In the social
perception of these people, the establishment, or rather reestablishment, of the
*Eretz Israel* in this exact geographical area, was an accomplishment of long,
historical, religiously and morally justified process.

I have tried to prove that for Jewish *jishuv* the disputable territory was not
just another piece of land, but, on the contrary, it stands for symbols which are very
significant from a social perspective. The social perspective of the Palestinian
Arabs was not less marked with the meaningful concepts shared by this *umma*,
which I will prove in this section of the essay.

At the beginning of his article I stated that the Palestinian identity was
mostly shaped by the state of the conflict. While remaining with this claim as
authorized, it is necessary to point out, that the process of the identity-building in
case of Palestinian Arabs/Palestinians took place in a longer period of time which
had started much before the war of 1948.\(^\text{14}\) This clause leads to the conclusion that
also for Arabs the land of Palestine was socially relevant (even before the open
conflict), since they were in the process of identity clarification with reference to
this land.

When speaking about the case of Palestinian identity, scholars seem to be
more divided than in the case of Israeli identity in the context of disputable land.
The most discussed controversy is the issue whether Palestinians had been
acquiring their identity before the conflict or whether they gained the
consciousness of their autonomy only because of the uniting presence of the
enemy. I rather lean more towards third opinion that the Palestinian sense of
identity is obviously a processual phenomenon which had started before the

conflict but which had its apogee exactly during and because of the conflict. I will use the classification of identity’s elements by Rashid Khalidi in order to prove that the autonomy of Palestinian Arabs and the social perception of the land itself, with values attached to it, have its roots in the period before the open confrontation. In his book *Palestinian Identity* Khalidi points out the following most important factors creating Palestinian identity before the establishment of Israel:

- Islam. Religion is a crucial element of identity of every Muslim, as it is a total religion which regulates every dimension of man’s life. As Khalidi puts it: Muslims ‘shared a similar idea of the country as a unit, and as being special and holy.’\(^{15}\) When we take into account such places like Jerusalem (*Al-Quds*) or the cave of patriarchs in Hebron, then it will be easier to see that Palestine has been indeed perceived as the Holy Land by Muslims.

- ‘Powerful local attachment to place.’\(^{16}\) Khalidi names it as another strictly Islamic feature. Muslim inhabitants develop very strong bonds with the place of their living. He evokes the examples of the ‘urban patriotism’ that appeared even in the names of the cities, which derived from the names of the families (*Al-Maqdisi, Al-Nablusi, Al-Ghazzawi* etc.)\(^{17}\)

- The presence of ‘others.’ Khalidi argues that Palestinian Arabs always had to face aliens who were trying to impose on them their command (Ottomans, British, Israelis). This fact helped Palestinian Arabs to identify

\(^{15}\) *Ibidem*, p. 150

\(^{16}\) *Ibidem*, p.153

\(^{17}\) *Ibidem*. 
even more with the land they possessed and where they had lived for many centuries and to develop the sense of autonomy.\textsuperscript{18}

By using the arguments delivered by Rashid Khalidi, very similar conclusions can be drawn about the perceptions of the Land of Palestine developed by Arab inhabitants of this area, as in case of Jewish inhabitants. Even before 1948, the disputes between both communities were connected with some deeply embedded social concepts about the land of Palestine. Religion, history, culture and mutual interactions have transformed deserts, olive groves, rivers into the core category of social identities of both groups. That is why I believe that a purely realistic approach does not explain the whole complexity of the conflict’s background. In order to gain a better insight into the structure of the clash, the material basis of this dispute has to be taken into account but what is even more significant is the meaning attached to this basis by the opponents because it determines, to considerable extent, the pattern of the parties’ behaviour.

Till now I have focused on picturing and proving the thesis that the land of Palestine is not just a piece of territory, both for Jews/Israelis and for Palestinian Arabs/Palestinians. I believe that the examples given above suffice to show that the land, which stands for material basis in social perception of both societies’, is filled with very relevant social concepts that are produced by social agents. At this point such social constructivist approach would probably face the realistic accusation of being very abstract and having nothing to do with tangible, real and measurable politics in the Middle East. That is why in this section, continuously focusing on the example of the land, I want to give some evidence for the fact that the social schemes embedded in the social structures of both sides had (and still have) discernible impact on political decisions.

\textsuperscript{18} \textit{Ibidem}, p.154
The first event which can be used as a proof in my disquisition took place at the very beginning of Israel’s existence in the Middle East, and to be more exact, around 40 minutes after the declaration of its establishment: it was the first interstate Arab – Israeli war. As we know from history, the result of it was negative for the Arab side, which lost the war, and Israel took over some land, which according to the UN Partition Plan had been foreseen for the state of Palestinian Arabs. Now the question would be: where, in this case, can we spot the social categories operational? First, and the most serious reason of the war, would be the ‘holiness’ of the land for both communities. It was the first argument why Jews were exercising their *aliyah* to this land. And also the status of the land as a ‘holy,’ was one of the main factors that moved Palestinian Arabs to the rejection of the Partition Plan: ‘how could Arabs accept such considerable influx of alien population which created their own, JEWISH state [author’s emphasis] in their Holy Land?’ From the other side, an argument could sound like this: ‘why are they (Arabs) opposing the creation of our Jewish state in the Holy Land, that was given to us by God, and was ours already in ancient times?’ If we add to these points the elements expressed in the previous section of this essay (pages 6, 7-8), we will be able to state quite firmly that the social meanings attached to the land of Palestine were the facilitators of the conflict. I am convinced and believe, and it is a conviction strongly rooted in the milieu of the Middle East, that if the basis of the conflict lied only in the question of territory itself, there would be no conflict at all. Jews would agree on any other land in the world offered to them (Bavaria, Madagascar, Uganda) after World War II; Palestinian Arabs would not fight with such motivation for the land covered mainly with desert wasteland, but would

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19 Palestinian Arabs were fighting within the armies of Arab countries, like Egypt, Jordan and Syria.

remain as a part of bigger state’s organisms (Egypt, Jordan, Syria). But Palestine is something much more, it is the territory soaked with extremely powerful social categories. Homeland, the Holy Land, the land given by God, the place where national and religious identities were born – such concepts simply cannot be ignored if we speak about disputable interactions between two different communities. And as I see it, this was the main reason why the Middle East conflict began at all and why it lasts till today – the way the land was socially constructed in the corporate identity of Jews/Israeli and Palestinian Arabs/Palestinians, and how it influences the pattern of behaviour of social agents.

Conclusions

In this very brief essay I was trying to present how the theoretical framework of social constructivism can be used as an analytical pattern in the case of the Middle East conflict. Because of its size limitations, I have focused on the question of land in this clash and even this subject was not exhausted in the article. While using social constructivism as a way to verify a phenomena in social sciences, it is almost impossible to separate certain elements of occurrence being described from other constituents that are inevitably part of a ‘big picture.’ In case of the Middle East conflict it would also be unlegitimized, and even more, it would be impossible, to take the question of the land of Palestine alone, disregarding the social environment of the involved parties. Since I wanted to explain how social categories operate in the clash, I necessarily had to refer to such notions like culture, religion, tradition or historical experiences of corporate agents.

In the introduction and in the first part of this article I stated that I will use a moderate, later called conventional, variant of social constructivism. It is described with the adjective ‘conventional’ mainly because of one assumption: the material
Sides of the Middle East Conflict and Social Perception of The Clash

reality, or how it is also called ‘materiality’ does exist, but is only a prerequisite for a constructivist researcher’s endeavor to understand the analyzed phenomenon. The very fact of identifying the material elements of the reality does not give sufficient cognitive tools. Only social reception and interpretation can be a subject of research in social sciences. In this particular case of the Middle East conflict I have used the land as a material basis. Next, I have shown which values, perceptions and meanings are attached to the Palestine by both communities entangled in the clash. The final step was to connect the social perceptions of the agents with concrete events in the political dimensions.

Such procedure of translating socially constructed categories into the political practice can be used in dozens of other spheres of the conflict: politics, economy, historical experience, relations with diasporas etc. In the context of the Middle East conflict, very important questions that would require a closer look and deepened analysis are the following:

- The process of building national ideologies of Israelis and Palestinians. Especially interesting and relevant issue is a controversy about the statement that the nation of Palestinians was basically created by the state of conflict with Israelis;
- The role of religion: Judaism and Islam. Particular features of these, so called total religions, and their effects on the situation of the conflict;

21 V. Pouliot, *The Essence of Constructivism*, p. 328
22 This is the main aim of my planned doctoral thesis, titled *The Social Constructivist Perspective on the Middle Eastern Conflict*.
23 See: http://www.psz.pl/tekst-14154/Karol-Szulc-W-Palestynie-bez-zmian (25.06.2009)
Circle – widening impact of the conflict. The question of the role of the conflict among the world Muslim umma and the perception of the conflict as a civilization conflict between West and Islam in huntingtonian sense\textsuperscript{24};

- The process of identity-building based on the opposition ‘we – they’ and how this rule was utilized by both Israelis and Palestinians;

- Perception of the conflict and its sides by other actors of IR and their influence on the shape of the dispute;

By enumerating these very general fields of possible analysis I wanted to present that if one would like to achieve a complex social picture of the realities of the conflict, it is necessary to include very elaborated categories. As I claimed above, this short article is to present the options that social constructivism can give as a theoretical framework, but also as a tool for understanding certain political occurrences.

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Guzzini S., \textit{A Reconstruction of Constructivism in International Relations}, European Journals of Internatio Relations, Vol. 6, No. 2, 2000


\textsuperscript{24} See: S. Huntington, \textit{The clash of civilizations and the remaking of world order}, Simon & Schuster 1996, p. 254


**Internet Web Sites**

www.mfa.gov.il/MFA

www.psz.pl/
The common European energy policy and the role of the European Parliament

MONIKA TCHAVDAROVA

Introduction

Energy – one of the currently most discussed issues – represents one of the pillars on which the European Communities have been built. There have been many efforts to constitute a common energy policy in the last fifty years resulted by the changes in the world’s economic and political situation. Most of the proposals did not have the planned effect though. The reason was and will be the fact that almost all national states are not willing to reallocate some of their sovereignty to a supranational level especially in the field of energy, which is of crucial significance for the state’s independence. The first part of this essay will concern the evolution of the common energy policy of the EU regarding the mentioned changes and the attitude to this matter, and the achievements with the institutionalization of this policy.

The decision making procedures in the European Union nowadays reflect the wishes of the member states to keep some areas entirely in their authority, therefore the right of veto is applied in cases of national interest. In these cases the decision is in the hands of the Council of the EU and the European Parliament, as a supranational body, has only the right to consult. On the other hand, there are some fields even in energetics, where a close cooperation between member states is needed to provide an effective solution, therefore a liberalization of the markets has been launched. In these cases the Parliament has received the possibility to decide in a co-decision procedure. In this paper the role of the European Parliament will be examined in connection with the European common energy policy.

After reviewing the Parliament’s characteristics in general, the main part of the essay will be devoted to an analysis concerning the political parties of the Sixth European Parliament – their positions towards the energy policy will be examined. Also a case study will be worked out concerning the question of the voting discipline within a parliamentary fraction – if the members of the Parliament vote in compliance with the interests of their Group, i.e. if they vote as a block, in a collective manner, or if there are many members voting according to their own
The common European energy policy and the role of the European Parliament

interests or convictions. The next question solved will be if the opinion towards the energy issues concerned was mainly the same among all groups, i.e. if there is a strong opposition acting in the area, and also if the majority of the Parliament voted in a similar way or if the plenum was divided in opinion.

The main sources used for the analysis are the internet websites from the official EU server europa.eu (ec.europa.eu and eur-lex.europa.eu), the web pages of the parliamentary groups and information regarding the voting of the members of Parliament (at europarl.europa.eu). The main publications used besides the internet sources come from Simon Hix - an author specialised on the European Parliament topic - and his colleagues. The persons in charge of the energy policy within the political groups have also been addressed in order to gain information. Unfortunately only the representative from the Independents Group replied.

European energy policy – development, goals and present state

In order to understand the demand to create a common European energy policy, a short look at the historical context of the matter is needed.

The beginning of the cooperation in the area of energy in Europe is dating back to the years after the World War II - the European Coal and Steel Community was established in 1951 resulted mainly by the will of France to survey over Germany’s coal and steel industries and herewith preventing from another war of this scale to happen. The next step in order to maintain stability in the region was to reach energy sufficiency. Therefore, the European Atomic Energy Community was established in 1957 to improve the nuclear industry and to control the nuclear fuel supplies. Before the cooperation started moving towards the so-called Common Energy Policy, another 20 years had to pass as the national states did not want to lose their sovereignty in this field.

A problem with the energy supplies had to appear in order to change the thinking of the Europeans. In the 70s, when the oil shocks took place, the oil prices rose rapidly and the European states, politicians and institutions started to change their attitude to the energy policy. Three resolutions\(^1\) were issued by the Council

\(^1\)http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31975Y0709(02):EN:HTML
afterwards in aiming to secure energy supplies and diversify them in order to lower external dependency, to lower consumption and rationalize it, to lower oil consumption and to raise nuclear energy consumption and, for one of the first times, the development and usage of renewable energy was mentioned as a goal. Nevertheless, after the situation was stabilized in the end of the 80’s, the important treaties of Maastricht, Amsterdam and Nice, which were modifying the treaties establishing the European Communities, did not concern the Common Energy Policy much. The energetics issues were solved only partially in the articles about environment and Single market - the goal to prevent pollution coming from energy industry in European measure has been set; rules concerning the common energy market have been established regarding state monopolies and abuse of their dominant position, state aid, fixing of prices and all kinds of restrictions within the Common market.

The main document, which included steps dealing with the problems of the energy policy and was setting goals similar to the Council resolutions, was issued in 1995 - the White paper: An Energy Policy for the European Union\(^2\). The three basic aims it concerned were competitiveness, secure supplies and environment protection, which became the main pillars of the documents issued in the next decades. Unfortunately, its real effect in terms of action was again minor.

After analyzing the statistics at the turn of the century, the European Commission set quite challenging goals in the Green paper issued in March 2006\(^3\). The main points stated were sustainable development, secure energy supplies and competitiveness in compliance with the White paper from 1995. This activity of the Commission opened a debate on the future common energy policy, where suggestions included completing the opening of European gas and electricity markets and strengthening and improving relations with major suppliers such as Russia and OPEC. Other key suggestions included support of usage of renewable resources, increase of the energy efficiency, and research on low-carbon technologies. However, EU member states have already made clear that they would not tolerate interference with national sovereignty, especially when it comes to taking sensitive political decisions such as opting for nuclear power.

The above mentioned goals have been worked out in the Energy package\(^4\) from the beginning of 2007 stating the problematic issues the energy policy was facing. The

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\(^2\) [http://aei.pitt.edu/1129/01/energy_white_paper_COM_95_682.pdf](http://aei.pitt.edu/1129/01/energy_white_paper_COM_95_682.pdf)


package offered ten major solutions dealing with external policy, energy efficiency, development of new technologies, renewables, nuclear energy etc.

The most concrete and ambitious results were expected from the EU Energy Summit held in March 2007. The main goals stated were to reduce the EU emissions by 20% by 2020, to reach the level of 20% of the EU’s overall energy consumption coming from renewables by 2020 and save 20% of the EU’s energy consumption. For some states though (e.g. France, the Czech Republic and Slovakia) the second goal seemed unreachable so they tried to enforce the possibility to include the nuclear energy among the renewables, which was unacceptable for some of the others. This question stayed therefore opened.

After decades of not being able to come to a consensus on the matter of energy, the European countries finally decided to include some main points into the Lisbon Treaty (Art. 194):

- ensure the functioning of the energy market
- ensure security of energy supply in the Union
- promote energy efficiency and energy saving and the development of new and renewable forms of energy
- promote the interconnection of energy networks

The questions are to what level of cooperation could this step lead, is it not just a political gesture again and, finally, when will the treaty come into force.

**Decision making procedures and institutions acting in the area of the energy policy**

The field of energy represented the main topic of two out of the three treaties constituting the European Communities – i.e. the European Coal and Steel Community and the European Atomic Energy Community. Still, the cooperating countries’ aim was not to coordinate or even harmonize the energy policy but to control the resources like coal, iron ore and Uranium and the treatment of these resources with regard to the security situation after the World War II.

The Common European Energy Policy has not been established de jure yet and the legal acts connected to this area have been issued actually in order to regulate matters of the environment, of the internal market and of the Trans European Networks. Therefore, a clearly defined centrally operating institution is missing, which could supervise this sector directly. There are several committees, offices and institutions, which care about some issues concerning the energy policy. It is the Directorate-General for Energy and Transport in the European Commission (DG TREN), which is mainly in charge of this area, many topics are solved by DG Internal Market and services and DG Environment. The Economic and Financial
Affairs Council, the Transport, Telecommunications and Energy Council and the Environment Council composed by the ministers of the corresponding national ministries decide about energy issues on a higher level.

Within the European Parliament (EP) the Committee on Industry, Research and Energy (ITRE) is responsible for a wide range of policies - from industrial, research and space policy to energy, nuclear safety, information society/technology and SME policy. Except from the Committee’s legislative responsibilities within the scope of the co-decision procedure, it is also called to react under the consultation and assent procedures on certain issues. It also adopts a number of own-initiative reports, which serve to highlight the EP’s position on specific policy matters.

A few other programs operate further on in this area and provide funding for activities in the energy policy:

- SAVE supporting the improvement of the energy efficiency
- ALTENER supporting the usage of the renewable sources of energy
- SYNERGIE supporting the cooperation of the EU with Latin America countries, Mediterranean non EU-member states, Eastern European and former Soviet Union countries
- THERMIE supporting the energy sources diversification and the improvement of the supplies security
- The Directorate General for Research also provides funding within its budget for research and development in the field of nuclear energy.

From the above mentioned arises the fact that the European energy policy is being called ‘common’ or ‘communautaire’, but in reality it represents a combined policy – while the national states decide independently about the structure of their energy mix and the energy supplies, the questions concerning the Single market and the environment fall under the competency of the EU’s institutions. Partially though, the approved energy packages could have direct influence on the renewable energy proportion or the functioning of the internal energy markets in the particular member states.

These questions concern closely the structure of the EU itself – since the Treaty of Maastrichts, which actually established the Union, the three pillars structure has been introduced. The first or ‘Community’ pillar concerns economic, social and environmental policies, the second or ‘Common Foreign and Security Policy’ pillar concerns foreign policy and military matters, the third or ‘Police and Judicial Co-operation in Criminal Matters’ pillar concerns co-operation in the fight against

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The common European energy policy and the role of the European Parliament

crime. In the second and third pillars the powers of the European Parliament, the Commission and European Court of Justice with respect to the Council are significantly limited and the intergovernmental principle is being used. The first pillar, on the other hand, concentrates the supranational principle and the powers of the Parliament are not restricted to consultations – by most of the areas the co-decision procedure is used. Regarding the energy issue the Single market questions are included under the first pillar and also the environment and research areas.

A very specific position belongs to the European Atomic Energy Community, where all the legislation concerning it is being adopted within the consultation procedure. Many consider this ‘lack of democracy’ as unacceptable and this opinion has been expressed by the Parliament itself while evaluating the achievements of Euratom for the 50 years of its existence in May 2007. On this occasion the necessity to reform the Treaty of Euratom has been communicated.

Constitution and powers of the European Parliament

The EP is the only directly elected parliamentary institution of the European Union. The Parliament and Council form the highest legislative body within the Union, however their powers are limited to the competencies conferred upon the European Community by member states. Hence the institution has little control over policy areas held by the states and within the other two of the three pillars of the European Union.

There are three main powers the EP disposes of – it is established as a co-legislator, it has budgetary powers and exercises democratic controls over all the European institutions. Although the EP has legislative power, it does not have legislative initiative as most national parliaments do. In the adoption of legislative acts, a distinction is made between the ordinary legislative procedure (co-decision), which puts the Parliament on an equal footing with the Council, and the special legislative procedures, which apply only in specific cases where Parliament has only a consultative role. The co-decision procedure has been actually established in 1993 by the Treaty of Maastricht and afterwards its field of action has been spread by the Treaty of Amsterdam. On ‘sensitive’ questions (e.g. taxation, industrial policy and agricultural policy) the EP gives only an advisory opinion (the ‘consultation procedure’).

http://www.euroskop.cz/682/sekce/prumyslova-politika-eu/
As it was mentioned before, the Council has greater powers over legislation than the Parliament where co-decision procedure does not apply. It has, however, had control over the EC budget since the 1970s, has a veto over the appointment of the European Commission and has control powers over its activities.

The Sixth European Parliament (July 2004 – July 2009) is composed of 785 Members of the European Parliament (MEPs), who are being directly elected every five years by universal suffrage since 1979. They sit in political groups (currently seven, see next chapter), i.e. MEPs are not organized by nationality, but by political affiliation. The Parliament is headed by the President, who represents it to the outside world and in its relations with the other Community institutions. In order to do the preparatory work for Parliament’s plenary sittings, the MEPs are divided up among a number of specialized committees (including Committee on Industry, Research and Energy, which is in charge of energy issues).

<table>
<thead>
<tr>
<th>Event (Date)</th>
<th>Control of the Executive</th>
<th>Making Legislation</th>
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</thead>
<tbody>
<tr>
<td>Treaty of Rome (1958)</td>
<td><em>Commission Censure Procedure</em></td>
<td><em>Consultation Procedure</em></td>
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<tr>
<td></td>
<td>EP can remove Com. by a &quot;double majority&quot; : an absolute majority of MEPs plus 2/3rds of votes cast</td>
<td>Council must consult EP before passing most legislation</td>
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<tr>
<td>Budgetary Treaties (1970 &amp; 1975)</td>
<td></td>
<td><em>New Budgetary Procedure</em></td>
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<td></td>
<td></td>
<td>EP can reject EU budget and can amend certain budget lines (mainly excluding agriculture and regional spending)</td>
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<tr>
<td>First EP Elections (1979)</td>
<td><em>EP has a source of legitimacy which is independent from national governments and national parliaments</em></td>
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<tr>
<td>Single European Act (1987)</td>
<td></td>
<td><em>Cooperation procedure introduced</em></td>
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<td></td>
<td></td>
<td>EP has two readings of bills before Council passes law (for most single market legislation)</td>
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<tr>
<td>Maastricht Treaty (1993)</td>
<td><em>New Commission investiture procedure</em></td>
<td><em>Co-decision procedure introduced</em></td>
</tr>
<tr>
<td></td>
<td>European Council must &quot;consult&quot; EP on nominee</td>
<td>&quot;conciliation committee&quot; (CC) convened if EP and</td>
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<tr>
<td>Event Description</td>
<td>Summary</td>
<td>Notes</td>
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<td>The common European energy policy and the role of the European Parliament</td>
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<td></td>
<td>for Com. President Commission term of office reformed To coincide with EP's five-year term</td>
<td>council disagree but council can make a new proposal if still no agreement (replacing cooperation procedure)</td>
</tr>
<tr>
<td>Opening session of Fourth Parliament (July 1994)</td>
<td>EP votes on Commission President EP votes back Jacques Santer (260 in favours vs. 238 against) setting the precedent that the EP can vote on governments' nominee for Commission President</td>
<td>EP rejects Voice Telephony Directive EP rejects a piece of EU legislation for the first time, setting the precedent that the Council cannot unilaterally under the co-decision procedure</td>
</tr>
<tr>
<td>Censure of Commission (March 1999)</td>
<td>Commission resigns Whole Santer Commission resigns after an EP report criticising the Commission and before an EP censure vote, which is likely to pass</td>
<td></td>
</tr>
<tr>
<td>Amsterdam Treaty (1999)</td>
<td>Investiture procedure EP has vote on European Council's nominee for Commission President and on the Commission as a whole</td>
<td>Co-decision procedure reformed establishes a genuine bicameral system between the EP and Council (covers most socio-economic policies)</td>
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<tr>
<td>Nice Treaty (2003)</td>
<td>Investiture procedure reformed European Council chooses the Commission President and whole Commission by qualified-majority (instead of unanimity), which increases EP influence in the process</td>
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<tr>
<td>Rejection of Commission (October 2004)</td>
<td>Team of Commissioners withdrawn Barroso withdraws proposed Commission on</td>
<td></td>
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day of EP investiture vote because the EP is likely to reject the Commission

Table No 1 - Main Changes in the Powers of the European Parliament

Political groups – characteristics and positions towards the energy policy

Since the establishment of the European Parliament in its current state in 1979 there have been a large number of groups, and the membership and names of these groups have continuously changed. Nevertheless, there are six main political groupments that have remained relatively consistent across all six elected parliaments:

- **Social democrats** – the Socialist Group, which in 1992 became the Group of the Party of European Socialists (PES), incorporates all the main socialist, social democratic and labour parties in Europe and has had the most consistent membership of all the groups,
- **Centre-right** – is built up by several Christian democratic, conservative and nationalist groups, most of which had joined the European People’s Party-European Democrats (EPP-ED), with only a small number of conservatives and nationalists staying in the Union for a Europe of Nations (UEN),
- **Liberals** – the third main political group, represented by the Alliance of Liberals and Democrats for Europe (ALDE), brings together the various liberal, centrist and democratic parties in Europe,
- **Radical left** – various left-socialist, ex-communist and other radical left forces united in the European United Left/Nordic Green Left (EUL/NGL) party,
- **Greens and regionalists** – currently represented by the Greens/European Free Alliance (Greens-EFA), usually allying the centre-left regionalist and sub-state nationalist parties,
- **Anti-Europeans and Extreme Right** – the collection of ‘protest’ parties - the anti-Europeans (from both the left and right), who currently form the Independence/Democracy group (IND/DEM), and the extreme right, who currently do not have enough seats to form a party group.

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The common European energy policy and the role of the European Parliament

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<td>113</td>
<td>27.6</td>
<td>120</td>
<td>30.0</td>
<td>180</td>
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<td>Christian Democratic and Conservative (EPP,EPP-ED)</td>
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<td>26.1</td>
<td>110</td>
<td>25.3</td>
<td>121</td>
<td>23.4</td>
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<td>Greens and Allies (EDA, UFE, UEN)</td>
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<td>5.4</td>
<td>29</td>
<td>6.7</td>
<td>20</td>
<td>3.9</td>
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<td>British Conservatives and Allies (EDC)</td>
<td>64</td>
<td>15.6</td>
<td>50</td>
<td>11.5</td>
<td>54</td>
<td>10.6</td>
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<tr>
<td>Italian Conservatives (FE)</td>
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<td></td>
<td></td>
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<td>4.8</td>
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<td>Liberals (ELD, ELDR, ALDE)</td>
<td>40</td>
<td>9.8</td>
<td>31</td>
<td>7.1</td>
<td>49</td>
<td>9.5</td>
</tr>
<tr>
<td>French Communist and Allies (LFI, UFL, UFL/NGL)</td>
<td>44</td>
<td>10.7</td>
<td>43</td>
<td>9.9</td>
<td>28</td>
<td>5.4</td>
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<td>Greens and Allies (G-G/EFA)</td>
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<td>2.7</td>
<td>19</td>
<td>4.4</td>
<td>44</td>
<td>8.5</td>
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<td>Anti-European (EDD, BDI, D)</td>
<td>16</td>
<td>3.7</td>
<td>37</td>
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Table No 2 - Political Parties in the Elected European Parliament

After the last enlargement in 2007 the number of MEPs has increased to 785. The division of seats between the member states is illustrated in the table below.

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<thead>
<tr>
<th></th>
<th>EPP-ED</th>
<th>PES</th>
<th>ALDE</th>
<th>UEN</th>
<th>Greens/EFA</th>
<th>GUE/NGL</th>
<th>ID</th>
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</table>

Table No 3 - MEPs by Member State and political group – sixth parliamentary term

Group of the European People's Party (Christian Democrats) and European Democrats (EPP-ED)

The Christian-Democratic Group was founded on 23 June 1953 as a fraction in the Common Assembly of the European Coal and Steel Community. In 1979 the group changed its name to the ‘Group of the European People’s Party’ and in 1999 to the ‘Group of the European People’s Party (Christian Democrats) and European Democrats’ (EPP-ED). With its 288 members in the EP coming from the 27 Member States of the European Union, the Group is currently the largest in Parliament.

The EPP-ED Group has issued a list of ten priorities for the years 2008/2009. One of the priorities concerns the energy policy aiming for a development of a ‘coherent policy in the context of measures to combat climate change and achieving sustainable development’. This energy policy should be managed jointly by the Member states but on the other hand should take into account the respective national situations. The establishment of a single, competitive and open energy market is also a need according to EPP-ED, and in order to deal with the supply crisis, the EU countries should be able to count on solidarity. The group comes out against the promotion and creation of national monopolies, as in this case also no competition across the Internal Market for all consumers could be established.

The group stands for an energy policy based on three elements - security of supply, competitiveness of the economy and protection of the environment. It favours a diverse energy mix, preferring the use of low-emission sources and the development of clean technologies for fossil fuels. According to Renato Brunetta, a MEP and a vice-chair of ITRE, “Europe is dependent on fossil energies. To be able to reach the Kyoto goals we have to move forward to reach a better energy mix. The EU is at a crossroads. We have to secure our energy supply, but we also need a better infrastructure to get more independent from imports and we need to reduce CO₂ emissions in the long term.”

Regarding the Common European Foreign Policy on Energy, the EPP-ED Group admits that reliable, affordable and sustainable energy is crucial to ensure security, economic development and thus prosperity in Europe, where the energy itself is not only a commodity but also can be used as a political weapon. The fact that Europe is largely dependent on energy supply from undemocratic and unstable countries or regions is matter of serious concern; nevertheless, the European countries have not come to consensus in this area. There is a need “pro-active, broad energy diplomacy aimed at strengthening our cooperation with all major producer, transit and consumer countries and to create a mutually beneficial, open, transparent and stable energy sector”, but it is difficult to carry out efficient external policy without achieving a minimum of harmonization of Member States’ policies. Therefore EPP-ED suggests that concrete provisions should be included in the new treaty in order to provide the EU with institutional competence and also “energy security clauses” should be part of the EU agreements with producer and transit countries. A new institutional post of High Official on foreign energy policy should be created according to EPP-ED, which would allow for the coordination of

all policies related to external aspects of energy security. The Group nevertheless stresses that this proposal should in no way undermine individual Member States’ legitimate and sovereign right to choose their internal energy mix, to explore their energy resources, to decide on the supply structure etc.

Concerning the delicate question of nuclear energy, the EPP-ED MEPs are sending a clear message in favour of nuclear energy, acknowledging that it is a key component of power supply in most EU Member States, providing one-third of the EU’s electricity supply, and that it contributes substantially to climate protection. According to Marianne Thyssen, EPP-ED Group Vice-Chairwoman, “nuclear energy can be part of the energy mix, but we will leave it up to the Member States to make that choice.”

**Socialist Group in the European Parliament (PSE)**

Together with the EPP-ED Group, the Socialists Group was established in 1952 in order to “gather together the socialist, social-democratic, labour and democratic progressive parties and organisations within Europe”\(^{16}\). Currently, it represents the second largest group at the EP.

As it was mentioned before, in March 2007, the European Union has set a number of key targets for its future energy policy - by 2020, one-fifth of the EU’s energy use should be from renewable sources and 10% of its fuel consumption should be in the form of bio-fuels. The PSE Group regards the development of renewable energies as crucial because they will not only help to achieve the necessary cuts in CO2 emissions, they will also help to reduce the oil and gas dependency on third countries. Unfortunately, latest reports indicate that most Member States are off track from their national indicative targets for both electricity production and bio-fuels, mainly due to a lack of investment and of an effective support system, as well as the entry barriers still maintained by existing producers of conventional electricity. However, national energy mixes should reflect EU-wide energy policy choices, notably for renewables or bio-fuels.

The major challenges concerning the future energy policy for Europe according to the PSE Group are the secure energy supplies at predictable and affordable prices, especially for economically weaker citizens, and an energy policy far more environment-friendly, especially in order to tackle climate change by developing a low carbon-emitting and highly energy-efficient society.

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If current consumption trends continue, global consumption of primary energy will at least double by 2030, 80% of which would stem from fossil fuels, making it impossible to stabilise the content of CO$_2$ in the atmosphere$^{17}$. The Socialist Group calls for a sustainable common energy policy for Europe, where the Member States must significantly raise their level of cooperation in this field, as well as implement existing commitments and European directives. The EU could save at least 20% of its current energy use in buildings, transport and industry, with huge gains for businesses and consumers alike. Half of this reduction in consumption can be achieved simply by improving the enforcement of existing legislation. The other half could come from innovative solutions.

Concerning the EU energy policy, the group claims that Europe cannot rely only on market-driven solutions to face the new energy reality. All EU institutions at national and European level should be responsible for pursuing a pro-active and long-term public policy on energy, which should consists of five main pillars$^{18}$:

- a common foreign energy policy strategy
- a step-change in energy savings and efficiency
- a major push towards renewable energies as an ever increasing part of an energy mix favouring low CO2-emitting and CO2-free energy sources
- a boost to research, development and innovation in all cleaner energy technologies
- the completion of the internal market for gas and electricity, with energy solidarity between Member States, and the completion of the Trans-European energy networks.

For the group, the creation of single market for electricity and gas, which had to take place in the last decade, has failed and a competitive European market has not been created.

The EU faces growing dependence on foreign energy suppliers, while the largest oil and gas reserves are in politically or economically insecure regions. The solution suggested by the PES Group is to establish dialogues and long-term partnerships and energy cooperation agreements especially with Norway, Russia, OPEC, the member countries of the Gulf Cooperation Council, Algeria and oil-supplying countries in the Gulf of Guinea. On the other hand, EU’s foreign energy

$^{17}$ http://www.socialistgroup.org/gpes/media/documents/26427_26427_energy_en_061101.pdf, p. 3

policy must significantly diversify supplies. Even with these measures, achieving 100% security of supply may not be possible. External security of supply can be significantly increased over time by drastically reducing the use of energy, and increasing domestic production of renewables and, in some Member States, the use of nuclear energy. Also, a system based on mutual and rapid solidarity among Member States should be built, and the minimum oil and gas stock in the EU could be raised as a precautionary measure.

As for the nuclear energy, the socialists are divided on this issue. They admit that this source of energy is regaining popularity across the world, as the third generation plants yield more and emit less CO₂ and a new generation plant is being developed, which should be able to burn parts of nuclear waste. The group nevertheless agrees that the nuclear option cannot become a European policy, but must rather be the result of democratic choices in each Member State.

Group of the Alliance of Liberals and Democrats for Europe (ALDE)

The Alliance of Liberals and Democrats for Europe (ALDE) is the third main political group in the EP and its predecessors are dating back to 1952. The Group was officially founded as the Group of Liberals and Allies in 1953 and afterwards started the process of changing its name to match the liberal and centrist traditions of the new member states, firstly to the Liberal and Democratic Group in 1976, then to the Liberal and Democratic Reformist Group in 1985. The current alliance has been formed in 2004 by two parties, the European Liberal Democrat and Reform Party (established in 1994) and the European Democratic Party (established in 2004).

ALDE has published its ten priorities lately and among them, as number 8, the aim to “make Europe the world leader in environmental protection”¹⁹ is stated. Within this priority, the need to work for the achievement of the targets set out in the Kyoto Protocol for reductions in greenhouse gas emissions and for the launch of a follow-up to Kyoto and also the requirement for Europe to commit to cleaner, safer forms of energy and embrace renewable energy have been stressed.

Another concern for the group is the secure access to adequate energy supplies, since Europe is increasingly dependent on energy imports and potentially vulnerable to geopolitical instabilities. EU should gain independence from foreign

¹⁹ http://www.alde.eu/fileadmin/webdocs/key_docs/10Priorities-booklet-EN.pdf, p. 9
imports not through protectionism and isolationism, but through competition, innovation and diplomacy\textsuperscript{20}.

The nuclear energy issue represents another priority for ALDE implicated by the event organised by the group in November 2008 - ALDE Workshop on “Nuclear energy in Europe” — regarding the expected growth in demand for energy, of the increasing evidence of the climate change and the aim to ensure the security of energy supply in Europe. According to the party, further reflections on nuclear energy as one of the potential energy sources in the Europe energy mix are needed.\textsuperscript{21}

**Union for Europe of the Nations Group (UEN)**

Union for Europe of the Nations (UEN) is a political group, formed on 20 July 1999, replacing the earlier Union for Europe. Most of the member groups have conservative and nationalistic alignment, some are uncomfortable with its group-mates though and the future of the group seems to be uncertain.

Concerning the attitude of this group to the energy policy, no official documents could be found.

**Group of the Greens / European Free Alliance (Greens-EFA)**

After the Greens emerged as a new political force in Europe in the 70’s, a few MEPs entered the EP in 1984, but as their number did not allow them to form a group, they concluded an alliance with some regionalists and formed the “Rainbow group”. As the Greens gained more popularity, they formed their own political group and acted by themselves until the elections in 2004 when they failed to win any seats in the 10 new member states. Therefore they renewed their alliance with the European Free Alliance (EFA), consisting of parties representing stateless nations.

Regarding the European integration, the Greens were rather sceptical at the beginning of their existence. During the years their opinion changed and they abandoned their principled opposition of the integration. The party started proposing pragmatic alternatives for the European Union’s policies and institutions and its program advocates their democratization. As for the EFA, it supports


European integration on basis of the subsidiarity principle and denies further centralisation.

As the names of the parties suggest, the Greens “stand for the sustainable development of humanity on planet Earth, a mode of development respectful of human rights and built upon the values of environmental responsibility, freedom, justice, diversity and non-violence”\(^{22}\). According to their charter, the first guiding principle providing the framework to the political actions by the member parties is the environmental responsibility. One of the main concerns of the group is therefore the use of nuclear energy. The problems connected to it are the resource dependency, the risk of a catastrophe and the issue of the nuclear waste disposal, which cause civil and military threads, burden to the future generations and the need of security apparatus. The group’s priority is to develop decentralized and renewable alternative energies. In their opinion, nuclear power cannot compete, when all its environmental costs are taken into consideration, with renewables and energy efficiency\(^{23}\).

The main areas of action stressed in the position paper of the Greens/EFA, as adopted by the Group in December 2006, are:

- the need of greenhouse reduction - in order to stabilise the climate below 2°C above pre-industrial level the EU must reduce its greenhouse gas emissions by at least 30% by 2020 and 80% by 2050,
- intelligent use of energy and reducing the inefficiencies in the today fossil and nuclear based energy and transport system,
- to lower the use of oil in transport by reducing transportation needs, promoting public transport and soft mobility like biking, binding standards for efficient cars, modal shift from road to rail and water, etc.
- efforts to increase the share of renewable energies in all three sectors of energy use, electricity, heating and cooling and transport,
- EU energy market liberalization as the necessary innovation in the EU energy and transport system will not happen if the market is dominated by oligopolistic structures,
- “greening” of EU funds - financing of highways, regional airports and coal power plants, i.e. high-carbon intensive infrastructures, makes climate friendly solutions unnoticed to funding,
- the need to phase out nuclear power.

\(^{22}\) [http://www.europeangreens.org/cms/default/rubrik/9/9341.the_charter_of_the_european_greens.htm](http://www.europeangreens.org/cms/default/rubrik/9/9341.the_charter_of_the_european_greens.htm)

Confederal Group of the European United Left - Nordic Green Left (GUE-NGL)

In 1989 four parties - the Italian Communist Party, the United Left of Spain, the SPP of Denmark and Synaspmismos of Greece decided to form a Group called the European United Left (GUE, Gauche Unitaire Européen). Following enlargement of the EU in 1995, the Swedish and Finnish parties formed the Nordic Green Left (NGL) component within the group. This fraction is democratic socialist, eco-socialist and communist oriented.

In its constituent declaration from 1994, the GUE-NGL claims to be firmly committed to European integration, although in a different form from the existing model with fully democratic institutions, i.e. “without the democratic deficit which the Treaty of Maastricht served to confirm and free from the neo-liberal monetarist policies that go with it”24. The most serious issues for the group are the unemployment, the environment, the creation of a common social area that provides equal rights at the highest level for all citizens.

As one of the fraction’s main topics to solve is the environment, the GUE/NGL has contributed to adopting new legislation to enhance energy saving policies, to improve energy efficiency and to reinforce the use of renewable energies25. They stress the role of the research into energy efficient vehicles and investment in clean and ecological public transport systems in order to limit pollution of the planet. Also, they emphasise the need to develop renewable energy sources in order to cope with the fossil fuel crisis and can lead to environmental improvements. According to the group, it can also bring economic benefits through developing new technologies and creating new jobs.

In one of his speeches the president of the group discusses the climate change problem, which is closely related to the energy issue, as an area, where “a genuine revolution” is needed in order to reverse the current trends – he calls for emissions reduction of 50% in the world and 75% in the EU countries until 2050 by using clean energies and aiming higher energy efficiency: “development of rail and sea transport; imposition of ambitious anti-pollution standards on car manufacturers; massive construction of energy-efficient housing; training in more sober technologies; international trade based much more on cooperation than competition; massive long-term investments; taking into consideration the notion

24 http://www.guengl.org/showPage.jsp?ID=640

25 http://www.guengl.eu/showPage.jsp?ID=3380&LANG=1&ISSUE=0&POPUP=0
of the common good...In other words, serious drawbacks for liberal globalisation!”

Concerning the nuclear energy, a negative position could be observed coming from the words of the GUE/NGL MEP Roberto Musacchio, Vice-chair of the Temporary Committee on Climate Change, who warns before the risk of assimilating nuclear as a clean and renewable source. A Finnish colleague of his, in compliance with the social and solidarity policy of the group, warned of the need to take account of energy prices, particularly of nuclear energy in relation to other energy sources, and to ensure that nuclear “does not become the big winner”.

**Independence/Democracy Group (ID)**

The Independence/Democracy Group was set up in July 2004 and incorporates the EU-critics, eurosceptics and eurorealists. The main goals of the Group are to “reject the Treaty establishing a constitution for Europe and to oppose all forms of centralization” and some members within the group advocate the complete withdrawal of their country from the EU. Currently, the group is the smallest in the EP.

As for the energy issue, according to Mr. Walter van Luik, policy advisor within IND-DEM and member of the Committee on Environment, Public Health and Food safety and the Temporary Committee on Climate Change, the group never votes as a whole, decisions are always been taken on the individual member level or the national delegation level – the MEPs have different opinions on renewables, on the issue of nuclear energy they support the position that legislation should be made and decisions should be taken on national level. For example, the “Dutch members are almost always in favour of environmental EU legislation, while the British members always reject legislation on whichever policy area”.

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26 [http://www.guengl.eu/showPage.jsp?ID=3667&LANG=1&ISSUE=0&POPUP=0](http://www.guengl.eu/showPage.jsp?ID=3667&LANG=1&ISSUE=0&POPUP=0)

27 [http://www.guengl.eu/showPage.jsp?ID=5593&PR=0&AREA=27&GRP=0&SITE=0&CH=1&TYPE=1&FILENAME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0](http://www.guengl.eu/showPage.jsp?ID=5593&PR=0&AREA=27&GRP=0&SITE=0&CH=1&TYPE=1&FILENAME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0)

This attitude obviously influences also the opinion on the common energy policy, which has been expressed by the UK MEP by the occasion of the voting about the harmonisation of the electricity markets. He claimed that “the plans would not work because countries will look after themselves over something as important as energy”\(^{29}\). His view about the renewables is that a better way to reduce energy costs would be to cut back on the renewables programme and that the prices of the oil would provide an incentive for the development of alternative sources, although this probably could not be taken as a position of the whole group.

Factors and statistics on the MEPs behaviour in votes regarding the Energy policy

In order to examine the MEPs behaviour, the factors influencing it should be examined. There is the question whether the votes in the European Parliament are guided mainly from the instructions within the parliamentary groups or if the MEPs vote differently, i.e. the reason could be the need to vote in compliance with the national interests of the state they origin from or regarding the policy declared by the national political party they are members of.

According to S. Hix\(^{30}\), the national arena is the key level of decision-making on high politics issues. Moreover, by winning seats after the European elections the parties do not fulfil their main functions – to build a government or to format public policy. Therefore, the decision making at the European arena is only a second order arena.

An analysis of the voting of the MEPs with and against the European and national parties has been carried out by S. Hix and his colleagues and the results were examined in the paper “Democratic Politics in the European Parliament” published in 2007. The main conclusions the authors highlight are summarized below.

Each MEP is influenced both by his or her national party, and his or her European political Group. On the one hand, national parties are more important than the European parties in influencing whether MEPs are returned to the European Parliament in the next election. They also control MEPs’ access to future office

\(^{29}\) http://indemgroup.eu/32/browse/2/news/500/?tx_ttnews%5BbackPid%5D=39&cHash=534b4f3f82

\(^{30}\) Hix, S., Parties at the European level? A ‘Comparative Politics Theory’ of the Development of the European Party Federations, p. 9
and policy goals in the national arena. On the other hand, European political groups do issue voting instructions to their members, employ party whips and coordinators to communicate party positions and to monitor the behaviour of their members, and possess the ultimate sanction of expelling an individual MEP or national party delegation from the group (for example, in the fifth European Parliament, there was a discussion about the possibility that the British conservatives would be expelled from the EPP because most British conservative MEPs voted against the majority of the EPP in approximately one third of all roll-call votes).

Firstly, the analysis shows high level of consensus between the European political groups and national parties - in almost 90% of all vote decisions in the fifth EP, “MEPs did not find themselves torn between the positions of their European and national parties”31, i.e. in the majority of votes in all parliaments, national parties and European parties vote the same way.

Another conclusion the authors of the paper came to is that MEPs voted against their national parties less often than against their European parties. Also, in case of policy conflict between the national party and their European political group, it happened more often that the MEPs voted with the national party and against their European party than against their national party and with their European party.

<table>
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<td>1st (1979-84)</td>
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<td>3rd (1989-94)</td>
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<td>4th (1994-99)</td>
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<td>5th (1999-2004)</td>
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Table No 4 – MEP Vote Decisions32

Examination of votes in the EP regarding the European energy policy and the behaviour of the MEPs

In this part of the paper a number of votes in the EP concerning the European energy policy will be examined in order to come to a conclusion in the question if the MEPs vote in compliance with their parliamentary group and if the opinion among the groups differs significantly. For this purpose all of the votes concerning the energy policy have been looked up, where information about the voting of the particular groups was available. It turned out that access to this kind of information through the internet is not possible for all the elected parliaments – for the first four parliaments (1979 – 1999) statistics have been worked out and published only regarding the total numbers of MEPs who voted in favour of the proposal, against it or abstained. Therefore the fifth parliamentary term has been chosen for the analysis, i.e. a pack of 50 votes in the period 2000 – 2004.

The fifth EP was composed by 626 MEPs organised in nine fractions - most of which remained unchanged for the next voting period – EPP-ED (233 seats), PES (180 seats), ELDR (50 seats), Greens/EFA (48 seats), EUL/NGL (42 seats), UEN (31 seats) and NI (8 seats). There were two more groups of minor importance – the EDD group (Europe of Democracies and Diversities) with 16 seats and constituted by eurosceptics and TGI (Technical Group of Independent Members), which included 18 members with various political declaration but had to be disbanded because of lack of coherent position and its members returned to the Non-Inscrits.

**EPP-ED**

The EPP-ED group was the largest in the fifth parliamentary term, nevertheless in order to reach the majority needed in the cooperation decision procedure, it built coalition with the Liberals. In the field of energetics though, the majorities of these two fractions voted the same way only in half of the votes. As of the discipline within the group, in the vast majority of the votes the MEPs voted the same way – in average the majority was formed by 89% of the MEPs. In only one vote all MEPs voted unanimously, in 32 votes out of 50 more than 90% of the MEPs voted the same way. Nevertheless, there have been some cases, where the members voted almost 50/50 in favour of and against the proposal. There were also a few members, who abstained from voting – 2-3% in average.

Concerning the question if the majority MEPs from this group voted in compliance with the total majority of MEPs in the particular vote, this situation appeared only in 50% of the votes, which is surprising concerning the fact that this was the winning fraction.
The second largest group in the fifth parliamentary term was the Social Democrats Group. Concerning the energy policy, this fraction voted in 80% of the votes against the opposition. The MEPs voted mainly in a collective manner, where in 16 votes of the total 50 all of the members voted the same way and in 43 votes more than 90% of the members voted the same way. Only less than 1% of the MEPs abstained in average from voting.

In 44 votes out of 50 the majority of the group members voted in compliance with the total majority, which is an interesting finding regarding the fact that the leading fraction in the Parliament was EPP-ED.

**ELDR**

Very few MEPs abstained from voting, when deciding about the energy policy of the EU. The others voted mostly in compliance with the majority within the group – in 26 votes out of 50 all MEPs voted identically and in 43 votes out of 50 more than 90% of the MEPs voted the same way.

Identically as in the case of PES, in 44 votes out of 50 the majority of the group members voted in compliance with the total majority, naturally not entirely in the same 44 votes as by PES.

**Greens/EFA**

This fraction is an example of discipline in voting – in 44 of the votes all members voted in consonance and in 49 of the votes more than 90% of the MEPs had the same opinion. Only in 3 cases there were MEPs abstaining form voting.

Regarding the voting in compliance with the majority of MEPs, it appeared in 72% cases.

**EUL/NGL**

On the other hand, the discipline in the far left group EUL/NGL was not entirely observed when voting about the energy policy. In only 54% of the votes more than 90% of the MEPs voted identically. Also, in average about 10% of the members abstained from voting.
This conservative group has similar characteristics concerning discipline in voting as the previous one – in only 46% of the votes more than 90% of the MEPs voted identically.

The majority of MEPs in the particular votes met the opinion of the total majority only in 56% of the votes examined. The observations show that there were abstaining MEPs only in a few votes, their numbers though exceeded 20% of all members.

**NI**

During the fifth parliamentary term, the independent MEPs counted only 8 (and 26 after the disbandment of the TGI group) and therefore their votes were difficult to statistically examine. Nevertheless, it was obvious that the in most of the votes the MEPs were divided between “yes”, “no” and “abstention” quite equally. Only in 3 cases the majority exceeded 90%. Also, around 20% of the MEPs abstained in average from voting.

**EDD**

This group cannot be characterised by discipline and uniform direction towards the energy policy. In most of the votes almost the same number of MEPs voted in favour and against a specific proposal, where almost one fifth of the members abstained from taking a side. It also could not be declared if the fraction voted mostly in compliance with the other fractions in the political spectrum as their votes were rather diverse.

The conclusion, which could be drawn from the statistical information gained from the sample of 50 votes concerning the energy policy within the fifth parliamentary term of the EP, is that the parties voted rather differently among each other than in coherence (in one third of the votes the difference between the “yes” and “no” votes for the whole Parliament was less than 20% and in almost two thirds of the votes the difference between the “yes” and “no” votes was less than 50%). This difference was mainly caused by the opposite voting of the two major parties, which voted the same way only in 20% of the votes. The abstention from voting was minor counting ca 3%.

The main question – if the MEPs vote in compliance with the interests of their group could be answered positively in the case of the larger fractions. Within the smaller fractions though, it is not a rule that the MEPs vote unanimously – on the opposite – they often voted against each other.
Conclusion

Since the very beginning of the European integration have the states tried to coordinate their activities in the key areas of economics. Among these belongs also the energetics although the particular member states have and will keep having eminent interest on the possibility to influence their own energy policy regardless the fact how far the communitarisation and institutionalisation of the policy have moved forward.

In fact, it came to a certain level of cooperation – common rules have been established in some areas of the energetics for the first time after the World War II, then after the oil shocks in the 70s and mainly in these days, although the key responsibilities remain held by the member states. Not only the matter of sovereignty of the particular states is connected with the energy policy. The functioning of the common market depends narrowly on this issue as it could not work properly without rules and cooperation between the states. The next field into which the production of energy interferes is the environment. This problematic entered the political, economical and social life in the 70s and currently is one of the most discussed. The rules, which have been worked out for these two fields, partially regulate also the field of energy. Actually, in case the Lisbon Treaty is ratified, a certain definition of the energy policy de iure will take finally place.

All these changes of the attitude towards the energetics in the EU cause also a need of democratisation in the decision making procedures. As the solution of some matters move to supranational level, authorities started to be concerned about the way the decisions have been taken – until the Maastricht Treaty constituting the EU the decisions about all questions concerning the energy policy were mostly taken by the Council. Lately, the European Parliament started gaining more powers in this area in order to represent the will of the people, as this is the only directly voted European institution.

Going further into this thought, this paper also examined the attitude of the current member groups of which the EP consists towards the energy policy – their activities, their opinions and positions. Most of the groups agree on the need of sustainable energy policy, on the need to find new sources of energy and to use renewables in higher measure, to reduce energy inefficiency, to reduce greenhouse gas emissions and to secure energy supplies. Most of them also agree on the need of further liberalisation of the energy market. On the other hand, on the issue of nuclear energy, there is no clear and unified position.

The last part of the essay concerned the question weather the members of the European Parliament vote in compliance with their group while deciding upon the
The common European energy policy and if there were lots of groups having the same convictions. From the set of 50 votes within the years 2000 – 2004 some conclusions could be made. The MEPs of PSE, ELDR and Greens/EFA groups voted usually similarly. The voting discipline in the largest parliamentary group EPP-ED showed not to be observed completely. The members of the groups EUL/NGL and UEN voted the same way only partially and at the members of the NI and EDD fractions almost no discipline could be observed.

It is obvious that the situation at the energy policy of the EU is evolving. The consequence is the fact that the only directly elected institution is gaining more influence on this issue. The future development will show what powers it will be granted by the sovereign national states in an area of vital interest to them.

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L, Council Resolution of 17 December 1974 concerning Community energy policy objectives for 1985

L, Council Resolution of 17 September 1974 concerning a new energy policy strategy for the Community

L, Council Resolution of 9 June 1980 concerning new lines of action by the Community in the field of energy saving

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Note: All the websites have been used in the period of 9/2008 – 2/2009.
The Georgian–Ossetian conflict refers to the ethno-political conflict in Georgia's autonomous region of South Ossetia, which evolved in 1989 and developed into a 1991–1992 South Ossetia War.

Worsening of the Ossetian-Georgian relations was caused by a sharp intensification of the national movements in the last years of the Soviet Union and the desire of the small nation to improve their status (the development of separatism in South Ossetia from the standpoint of the Georgian authorities.) The development of the conflict contributed to the weakness of the state power and the subsequent collapse of the Soviet Union.

Despite a declared ceasefire and numerous peace efforts, the conflict remains unresolved, and minor armed incidents persist. In August 2008, diplomatic tensions and clashes between Georgia and South Ossetia erupted into the 2008 South Ossetia war.

South Ossetia is a disputed region in the South Caucasus. Since its declaration of independence from Georgia in 1991 during the Georgian-Ossetian conflict, it is governed by the Republic of South Ossetia with capital and largest town Tshinval. South Ossetia covers an area of about 3,900 km² on the southern side of the Caucasus, separated by the mountains from the North Ossetia (part of Russia). The rest of the territory shares the borders with Georgia (see Picture #1).
The population of South Ossetia is 72,000 inhabitants including 64.3% of Ossetians, 25% of Georgians and 2.8% of Russians.

The form of government is Presidential Republic under the declaration of independence with the president Eduard Kokoity.

There is an Orthodox religion in the Republic and Russian ruble as currency\(^1\).

**Background of the Conflict**

Georgian-Ossetian conflict has begun from the times of the Russian Empire after Ossetia in 1774, and Eastern Georgia in 1801 joined the Russian state.

After the Russian Revolution of 1917 and the collapse of the Russian Empire, independent Georgia annexed the territory of South Ossetia, against the will of its people. Treaty of 7\(^{th}\) May, 1920 between Russia and Georgia declared for all the

peoples of the former Caucasian regions the right to self-determination up to educational self-sustaining state. It is recognition of this right allowed Georgia to become independent and sovereign state. However, the newly established Georgian Democratic Republic, ten days after the signing of the treaty, committed the invasion of South Ossetia, killing over 18 thousand people; more than 50 thousand have been forced to flee to North Ossetia.

After the establishment of Soviet power in Georgia, South Ossetia was transmitted to Georgia and then, in April 20, 1922 was established the South-Ossetian autonomous region. All indicators of socio-economic development of South Ossetia remained lower than in Georgia. As a result, the level of living in the South Ossetian Autonomous Region was 2–2.5 times lower than the average indicator in Georgia. National policy continued to encourage the assimilation of Tbilisi.

In 1939, the Georgian Government had attempted to assimilate forcibly the South Ossetians. Ossetian script based on the Latin alphabet in South Ossetia was translated to the Georgian alphabet, in the Ossetian schools was Georgian language teaching.

In the late 1980’s Georgia began the rise of nationalist movements, accompanied by increased discrimination of non-Georgian population. Nationalist movements supported by the authorities of Georgia advocated the elimination of autonomous entities within the Georgian SSR.

In April 1990 the Georgian Soviet Socialist Republic declared all the legal acts adopted after the Sovietization of Georgia, which took place in 1921 illegal. In response the Council of People’s Deputies of South Ossetia adopted a package of solutions: the Declaration of Sovereignty of the Soviet Union, the Constitution and Law of the USSR on its territory, the transformation of the South Ossetian Autonomous Region into the Republic. Finally Georgia returned to a legal space, which existed before the entry of South Ossetia into Georgia. That means that from this moment South Ossetia has stopped to be a part of Georgia. In response, the Supreme Council of Georgia, on 10 December 1990 abolishes Ossetian autonomy, dividing the territory into six administrative districts of Georgia.

In 1990, the USSR Law «On the procedure for settling issues related to the secession of a Union Republic from the USSR» was adapted. The political fight turned into armed clashes, and during the 1991 South Ossetia was the scene of active hostilities. 1 thousand Ossetians were killed, more than 2,5 thousands were injured.

Under the pressure from Russia Georgia began negotiations ended on 24 June 1992 by signing a Sochi Agreement on the principles of conflict resolution. This
agreement marked the end of the both Georgian–Ossetian and Georgian–Abkhazian conflicts signed between Georgia, South Ossetia, Russia and North Ossetia.

Since 1992, South Ossetia has been de facto independent state - with its constitution adopted in 1993 and state symbols. The authorities of Georgia, continuing to call South Ossetia «the Tskhinvali region», did not take any actions to control it.

At the time of the dissolution of the USSR, the United States government recognised as legitimate the Molotov-Ribbentrop Pact 1933 borders of the country (the Franklin D. Roosevelt government established diplomatic relations with the Kremlin at the end of that year). Because of this, the George H. W. Bush administration openly supported the restoration of independence of the Baltic SSRs, but regarded the questions relating to the independence and territorial conflicts of Georgia, Armenia, Azerbaijan and the rest of the Transcaucasia — which were integral part of the USSR with international borders unaltered since the 1920s — as internal Soviet affairs.

In 1989, Ossetians accounted for around 60 percent, Georgians 20 percent, Armenians 10 percent and Russians 5 percent of the population of South Ossetia. As of 2009 about 7/8 of the population of South Ossetia have acquired Russian citizenship, as a result of being Soviet Citizens (Russia extended citizenship to most USSR citizens, as it was seen as a successor state to the USSR and Russia assumed USSR's UN "Veto Seat"). Additionally, 71% of all Ossetians were living in Russia, most of them just across the Roki Tunnel in North Ossetia, and had family members in South Ossetia. From the viewpoint of Russian constitutional law, the legal position of Russian passport holders in South Ossetia is the same as that of Russian citizens living in Russia. Russian President Dmitry Medvedev stated that he would "protect the life and dignity of Russian citizens wherever they are". According to a part of the European legal expert community, this position is inconsistent with international law, which considers the vast majority of purportedly naturalised persons as not Russian citizens. According to Reuters,

2 "Pretty Fat Turkey", TIME Magazine, November 27, 1933
3 America Abroad, TIME Magazine, June 10, 1991
4 00:50 (2008-09-20). "RIA Novosti — Russia — South Ossetia conflict FAQs
6 Independant fact-finding mission on the conflict in Georgia, Volume II, page 132, Retrieved on 2009-10-02
prior to the war Russia was supplying two thirds of South Ossetia's annual budget, and Russia's state-controlled gas giant Gazprom was building new gas pipelines and infrastructure worth hundreds of millions of dollars to supply South Ossetian cities with energy. Moreover, Russian officials already had de facto control over South Ossetia's institutions, including security institutions and security forces, and South Ossetia's de facto government was largely staffed with Russian representatives and South Ossetians with Russian passports who had previously worked in equivalent government positions in Russia. In mid-April, 2008, the Russian Foreign Ministry announced that Russian PM Vladimir Putin had given instructions to the federal government whereby Russia would pursue economic, diplomatic, and administrative relations with Abkhazia and South Ossetia as with the subjects of Russia. When President Saakashvili was re-elected in early 2008, he promised to bring the breakaway regions back under Georgian control.

Georgia maintained a close relationship with the G.W. Bush administration of the United States of America. In 2002, the USA started the Georgia Train and Equip Program to arm and train the Georgian military, and, in 2005, a Georgia Sustainment and Stability Operations Program to broaden capabilities of the Georgian armed forces. These programs involved training by the United States Army Special Forces, United States Marine Corps, and military advisors personnel.

Although Georgia has no significant oil or gas reserves of its own, its territory hosts part of the important Baku–Tbilisi–Ceyhan pipeline transit route that supplies western and central Europe. The pipeline, supplied by oil from Azerbaijan's Azeri-

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10 Independant fact-finding mission on the conflict in Georgia, Volume II, page 132, Retrieved on 2009-10-02
11 "Признательные приказания Коммерсант № 65(3882) 17 April 2008.
580
Chirag-Guneshli oil field transports 1 million barrels (160,000 m³) of oil per day.\textsuperscript{16}\textsuperscript{17} It has been a key factor for the United States' support for Georgia, allowing the West to reduce its reliance on Middle Eastern oil while bypassing Russia and Iran.\textsuperscript{18}

Increasing of Tension

Another tension in the conflict zone matches with the arriving of new Georgian President Mikhail Saakashvili in 2004, which declared policy of restoring the territorial integrity of Georgia. The diplomatic war between Georgia and Russia started. Tbilisi applied to international organizations accusing Moscow of supporting the separatist regime and requested the withdrawal of Russian peacekeepers from South Ossetia. In August 2004 violent clashes were organized. Georgian troops tried to establish control over the strategic heights around Tskhinval, but losing a few dozen people went away.

In 2007, President Saakashvili demanded the withdrawal of Russian troops from Georgia. The troops were withdrawn prematurely on 15 November 2007, although the planned withdrawal was supposed during 2008.

At the beginning of 2008 the increase of tension in the conflict zone took a place, as well as in relations between Russia and Georgia. On April 17, 2008 President Kokoity said that Georgian military units tread to the borders of his republic. On 29 April 2008 the Ministry of Foreign Affairs of Russia officially announced «about actions to strengthen the CIS’s Peacekeeping Force in the Georgian-Ossetian conflict. In the same month Russia increased the number of its military peacekeepers in Abkhazia to 2,542 by deploying hundreds of paratroopers into the region. Even after the increase, troop levels still remained within the 3,000 limit

\textsuperscript{16}Pagnamenta, Robin (2008-08-08). "\textit{Analysis: energy pipeline that supplies West threatened by war Georgia conflict}". The Times. \url{http://www.timesonline.co.uk/tol/news/world/europe/article4484849.ece}. Retrieved 2008-08-10.


imposed by a 1994 decision of CIS heads of state.\textsuperscript{19} Sergey Lavrov said, that his country was not preparing for war but would "retaliate" against any attack.\textsuperscript{21}

On May 6, 2008 during the visit in Brussels minister of Georgia Timur Jakobashvili said: “We try to avoid the war. But we are very close to it. We know Russians very good. We see that Russian troops occupied the territory and that we worry”.

**Prelude to the War 2008**

During 2008 both Georgia and Russia accused each other of preparing a war. On April 16 Russia's president Vladimir Putin signed a decree authorising direct official relations between Russian government bodies and the secessionist authorities in Georgia's Abkhazia and South Ossetia.\textsuperscript{22} The move further heightened tensions between Russia and Georgia. From July to early August, Georgia and Russia conducted two parallel military exercises, the joint US-Georgian “Immediate Response 2008” and the Russian “Caucasus Frontier 2008”.\textsuperscript{23,24}

Clashes and shelling between the Georgian and Ossetian forces in early August led to the deaths of six Ossetians and five Georgians. During the week the fighting intensified.\textsuperscript{25} On 3 August, the Russian foreign ministry warned that an extensive military conflict was about to erupt. According to a Spiegel article, officials in European governments and intelligence agencies assumed that the warning

\begin{flushleft}
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\textsuperscript{19} "Russia Gives Some Details on Troop Increase in Abkhazia". \url{http://www.civil.ge/eng/article.php?id=17786}. Retrieved 2009-05-10.
\textsuperscript{20} Georgia condemns Russian actions BBC News 2008-05-18
\textsuperscript{21} Georgia-Russia tensions ramped up BBC News 2008-04-30
\textsuperscript{22} "RUSSIA MOVES TOWARD OPEN ANNEXATION OF ABKHAZIA, SOUTH OSSETIA". jamestown.org. Archived from the original on 2009-08-15. \url{http://www.webcitation.org/5j3CZ1m3q}. Retrieved 2009-04-18.
\textsuperscript{23} "Учение "Кавказ-2008" завершено" Russian Ministry of Defence, 2 Aug 2008
\end{flushleft}
concerned Saakashvili’s plans for an invasion of South Ossetia, plans which had been completed earlier. Ossetian women and children were evacuated to Russia\textsuperscript{26}.

Starting with the night of 6–7 August there were continuous artillery fire exchanges between the two sides. At 3 p.m. on 7 August, OSCE monitors on patrol saw large numbers of Georgian artillery and Grad rocket launchers massing on roads north of Gori, just south of the South Ossetian border\textsuperscript{27}.

In the evening on August, 7 the sides have agreed about a ceasefire that has not been made.

**Active Stage of the War**

On the night from 7-8 August 2008, the Georgian armies have begun the massed artillery bombardment with a codename “Operation Clear Field” of capital of South Ossetia the city of Tshinval and surrounding areas. At 11:30 p.m. on 7 August, Georgian forces began a major artillery assault on Tskhinvali\textsuperscript{28}. At 11:45 p.m. OSCE monitors reported, that shells were falling on Tskhinvali every 15–20 seconds. The Georgians used 27 rocket launchers, including guns as well as cluster bombs and Grad multiple rocket launcher\textsuperscript{29}.

In the morning of 8 August, Russian aircraft began to bomb objectives on the territory of Georgia. According to the Russian military, «aircraft covered only military objects: a military base in Gori, airfields Vaziani and Marneuli, where the aircraft SU-25 and L-39 are located, as well as radar 40 kilometers far from Tbilisi».

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\textsuperscript{26} Это не конфликт, это — война Nezavisimaya gazeta Aug 8, 2008.
Gori is a major Georgian city close to the border with the de facto independent republic of South Ossetia, about 25 km from Tskhinvali. It was the staging area for the Georgian army during the fighting for the capital of South Ossetia and was bombed several times by the Russian Air Force. (The Sunday Times, the New York Times)

Georgian shelling left parts of the capital city in ruins. The shelling of the city was extensively covered by Russian media prior to the military counteroffensive that followed. Russia claimed to have responded to an attack on the peacekeepers base and in defence of South Ossetian civilians against what they called "a genocide by Georgian forces". South Ossetian and Russian authorities claimed that the civilian casualties in Tskhinvali may amount up to 2,000. These high casualty figures were later revised down to 162 casualties.

The BBC has discovered evidence that Georgia may have committed war crimes during its attack and occupation of Tskhinvali, including possible deliberate targeting of civilians. The Human Rights Watch found some evidence of firing being directed into basements, locations which civilians frequently choose as a place of shelter.

On 9 August the troops were transferred from the territory of Russia into South Ossetia in order to prepare the operation to enforce peace in the area of responsibility of peacekeepers.

Russian ships entered the territorial waters of Georgia and began to combat patrol. During the day, the exchange of artillery fire and air strikes between Russian troops and Georgian continued on the territory of Georgia.

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34 Russia/Georgia: Investigate Civilian Deaths, Human Rights Watch, 14 August 2008
Picture #2 - Russian JPKF peacekeepers base buildings in Tskhinvali, shelled by Georgia on 7–8 August 2008.

Picture #3 - University of Tskhinvali building damaged by the Georgian artillery fire.
The peacekeepers' cafeteria was completely destroyed and all of their buildings went up in flames. Georgian shelling left parts of the capital city in ruins. University of Tskhinvali building and the surrounding area was damaged by the Georgian artillery fire aimed at the Ossetian government centre. Human Rights Watch and an International Non-Governmental Organization Advocating Human Rights documented the severe damage done to the hospital by a Grad multiple rocket launcher.

Responsibilities for the War and Motives

Georgia first claimed that its attack was a response to Ossetian shelling of Georgian villages, and that the aim of the attack was to "restore constitutional order" in South Ossetia. Later, Saakashvili said the aim of the Georgian attack was to counter a Russian invasion. During a United Nations Security Council meeting on 8 August Georgia said that the first Russian troops entered South Ossetia at 05:30 am on 8 August. In a decree ordering the general mobilisation, which was published on 9 August, Saakashvili noted that the Russian troops had advanced through the Roki tunnel on 8 August, which was after the Georgian attack. The Georgian government later changed its position, saying that around 11:30 p.m. on 7 August intelligence information was received that 150 Russian army vehicles had entered Georgian territory through the Roki Tunnel. In an interview with Der Spiegel, Mikheil Saakashvili said "we wanted to stop the Russian troops before they could reach Georgian villages. When our tanks moved toward Tskhinvali, the Russians bombed the city. They were the ones -- not us -- who reduced Tskhinvali to rubble." Georgia released intercepted telephone calls purporting to show that part of a Russian armoured regiment crossed into the separatist enclave of South Ossetia nearly a full day before Georgia’s attack on the


39 The West Begins to doubt Georgian leader. Der Spiegel, 15 September 2008
capital, Tskhinvali, late on Aug. 7. However, in a later article published on 6 November, *The New York Times* said that "neither Georgia nor its Western allies have as yet provided conclusive evidence that Russia was invading the country or that the situation for Georgians in the Ossetian zone was so dire that a large-scale military attack was necessary" and that the phone intercepts published by Georgia did not show the Russian column’s size, composition or mission, and that "there has not been evidence that it was engaged with Georgian forces until many hours after the Georgian bombardment."[41]

**Russia** says it acted to defend Russian citizens in South Ossetia, and its own peacekeepers stationed there.[42] The Russian peacekeepers in South Ossetia suffered casualties during the initial Georgian artillery barrage on Tskhinvali and were besieged by Georgian troops for two days until a Russian unit broke through to their camp and started evacuating the wounded at 5 a.m. on 9 August.[43] According to a senior Russian official, the first Russian combat unit was ordered to move through the Roki Tunnel at around dawn of 8 August well after the Georgian attack had begun. Defending Russia's decision to launch attacks on uncontested Georgia, Russian Foreign Minister Sergey Lavrov has said that Russia had no choice but to target the military infrastructure being used to sustain the Georgian offensive.[44] Initially, Russia went as far as accusing Georgia of committing genocide against Ossetians,[45] noting that Georgia codenamed their attack "Operation Clear Field". Both was disputed by the independent EU commission, which found no evidence for the alleged genocide and ruled the extension of

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operations into uncontested Georgia illegal.\textsuperscript{46} Russia codenamed their operation as "Operation Forcing Georgia to peace".\textsuperscript{47}

South Ossetia said that it called for Russian help once the Georgian bombardment of their capital city, Tskhinvali, started, in order to prevent genocide and was relieved when the 58th Army intervened to assist against, what Ossetians called "the most frightful fire".\textsuperscript{48} South Ossetia further called into question Georgia's assertion that Russian Forces were bombing Tskhinvali, because the South Ossetian Minister of Defence, Vasilii Lunev, was also in command of the Russian Army after the wounding of Russian General Anatoliy Khrulyov.\textsuperscript{49} South Ossetia stated that Saakashvili's brutal attack on their country is simply a continuation of Georgia's aggressive behavior, demonstrated in the 1920s, the early 1990s and Saakashvili's feeble attempt in 2004.\textsuperscript{50}

The Truce

On 12 August 2008 Russia officially announced the successful completion of the operation that forced the Georgian authorities to peace.

President Medvedev claimed: «The security of our peacekeeping forces the civilian population are restored. The aggressor punished and suffered significant losses. His armed forces are destroyed. If there are new aggressive attacks the decisions of liquidation should be taken».\textsuperscript{51}

\textsuperscript{46} http://www.ceiig.ch/pdf/IIFFMCG_Volume_I.pdf
\textsuperscript{47} "Short chronology, Peacekeeping Operation to Force Georgia to Peace" Embassy of the Russian Federation in the Kingdom of Cambodia
President Medvedev met the President-in-Office of the European Union, French President Nicolas Sarkozy, and approved a six-point peace plan. Signed between 14-16 of August, consists of 6 items:

- No recourse to the use of force.
- Definitive cessation of hostilities.
- Free access to humanitarian aid (*addition rejected*: and to allow the return of refugees).
- The Armed Forces of Georgia must withdraw to their permanent positions.
- The Armed Forces of the Russian Federation must withdraw to the line where they were stationed prior to the beginning of hostilities. Prior to the establishment of international mechanisms the Russian peacekeeping forces will take additional security measures. (*addition rejected*: six months)
- An international debate on the future status of South Ossetia and Abkhazia and ways to ensure their lasting security will take place. (*addition rejected*: based on the decisions of the UN and the OSCE)

Sarkozy's plan originally had just the first four points. Russia added the fifth and sixth points. Georgia asked for the additions in parentheses, but Russia rejected them, and Sarkozy convinced Georgia to agree to the unchanged text. 

The plan of the conflict settlement in Georgia in August 2008, adopted at the meeting of the Presidents of Russia and France - Dmitry Medvedev and Nicolas Sarkozy, during the negotiations in Moscow on August 12, 2008. On August 14, the plan was signed in the Kremlin the presidents of Abkhazia and South Ossetia at a meeting with Medvedev. On August 15, Georgian President Mikhail Saakashvili signed the plan, and on 16 August - President of Russia Dmitry Medvedev. 

**Another Point of View on the Conflict Reason**

Some of the mass media disseminated information that the purpose of the military operation was to capture Tbilisi by Russia and overthrow the Georgian leadership.

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The political pressure of the U.S. and its allies, as well as the lack of military’s readiness disrupted this scenario.

Answering the question «Why did the Russian military did not get Tbilisi», Permanent Representative of Russia in NATO Dmitry Rogozin claimed on August 22, that the goal of Russia was not to get to Tbilisi but «to save the Ossetians from physical holocaust».

**Humanitarian Impact War Crimes and Infrastructure Damaged**

According to Human Rights Watch (HRW), all parties committed serious violations of international human rights and humanitarian law, resulting in many civilian deaths and injuries. Georgian forces used indiscriminate force during their attack on South Ossetia "with blatant disregard for the safety of civilians." The Georgians directed tank and machine gun fire at buildings in Tskhinvali, including at apartment buildings and basements where civilians sheltered. South Ossetian forces had fired on Georgian forces from at least some of these buildings. The Georgian military used Grad multiple rocket launchers, an indiscriminate weapon, to destroy targets situated in civilian areas. The Russian military has also used indiscriminate force in attacks in South Ossetia and in the Gori district, and has apparently targeted convoys of civilians attempting to flee the conflict zones. Russian warplanes bombed civilian population centres in Georgia, and Georgian villages in South Ossetia. The result of the 2008 South Ossetian war is in the table #1.

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53 [S Ossetia 'war crimes' condemned](http://www.bbc.co.uk/news/2009-01-23)  
54 [HRW world report 2009](http://www.humanrightswatch.org/)  
Table #1 – 2008 South Ossetian war crimes.

<table>
<thead>
<tr>
<th></th>
<th>South Ossetia</th>
<th>Georgia</th>
<th>Russia</th>
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<tbody>
<tr>
<td>Soldiers</td>
<td>About 1600</td>
<td>1469</td>
<td>-</td>
</tr>
<tr>
<td>Civilians</td>
<td>178 suffered</td>
<td>215</td>
<td>74 killed and 340 suffered</td>
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<td></td>
<td>including 13</td>
<td>soldiers died</td>
<td>suffered</td>
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<td></td>
<td>children</td>
<td></td>
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<tr>
<td>Refugees</td>
<td>About 30 thousand of South-Ossetian refugees moved to Russia</td>
<td>About 15 thousand people (ethnic Georgians) moved from South Ossetia to Georgia; About 73 thousand people left their homes in Georgia, including most residents of Gori.</td>
<td>-</td>
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On August 15, an official representative of the UN High Commissioner for Refugees (UNHCR), Ron Redmond said that more than 118 thousand of the refugees left the conflict zone. In November 2008, Amnesty International released a 69 page report citing both Georgia and Russia of serious international law violations on the conduct of war. The great majority of those killed in the war were civilians. Russian and South Ossetian officials initially claimed that up to 2,000 Ossetian civilians were killed. These high casualty figures Russia claimed to justify its military intervention in Georgia later found over exaggerated. After almost one year of the conflict, Russian prosecutor office has revised the figure and has reported only 162 civilian casualties, while Georgia has reported more than 400 deaths.

On the other hand, the false claims of high casualties might significantly influenced public sentiment among Ossetians. According to Human Rights Watch, some of the Ossetian residents they interviewed justified the torching and looting of the Georgian villages by referring to "thousands of civilian

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casualties in South Ossetia," as reported by Russian federal TV channels.\(^{58}\) Approximately 70% of Tskhinvali's buildings, both municipal and private, have suffered damage during Georgian offensive.

Georgia claimed Russia had bombed airfields and economic infrastructure, including the Black Sea port of Poti and exploded the railway bridge near Kaspi.\(^{59}\)

Many countries and institutions promised reconstruction aid for the affected regions.

**International Reactions to the Conflict**

In response to the war, Russia faced strong criticism from the US, the United Kingdom, Poland, Sweden and the Baltic states.\(^{60}\)

George W. Bush warned Russia: "Bullying and intimidation are not acceptable ways to conduct foreign policy in the 21st century."\(^{61}\) President Barack Obama stated: "it is time for the U.S. to reset its relationship with Russia". The president said he wants a constructive U.S.-Russia relationship based on common respect and mutual interests.\(^{62}\)

In contrast, Italy was more supportive of Russia, Italia Minister of Foreign Affairs Franco Frattini stating "We cannot create an anti-Russia coalition in Europe, and on this point we are close to Putin's position".\(^{63}\) France and Germany took an intermediate position, refraining from naming a culprit while calling for an end of hostilities.\(^{64}\)


\(^{59}\) "One tenth of Tskhinvali buildings beyond repair — Russian ministry", [Interfax](http://www.interfax.ru), 17 August 2008

\(^{60}\) Mary Dejevsky: "Why did the West ignore the truth about the war in Georgia?", The Independent, 12 November 2008


\(^{62}\) [http://www.nytimes.com/2008/08/12/world/europe/12iht-diplo.4.15218653.html?_r=1](http://www.nytimes.com/2008/08/12/world/europe/12iht-diplo.4.15218653.html?_r=1)

British Foreign Minister David Miliband, after being informed of the Human Rights Watch and BBC findings of possible war crimes committed by Georgia, apparently hardened his language towards Georgia, calling its actions "reckless". But he also added that "the Russian response was reckless and wrong".  

Although many Western leaders initially showed solidarity to Georgia, the findings of possible war crimes committed by Georgia in South Ossetia later raised concerns among Georgia's supporters in the West.

The member of European Parliament J. Chiesa said that Saakashvili did not take independent decisions. Georgia, in fact, is a protectorate of the United States. According to him, there is an information war against Russia over the last 3-4 years. G. Chiesa pointed that in the conflict in South Ossetia Russia is not the aggressor, it only had to come to help and parry the blow. He also considers a legitimate recognition of the sovereignty of Abkhazia and South Ossetia as "recognition of the independence of these republics was only after the Georgian attack". “All this time Moscow's policy was one of caution and restraint. For a long time Russia did not recognize the sovereignty of Abkhazia and South Ossetia. And she had not planned to blow up the situation "," - added J. Chiesa. In his point of view the United States played a significant role in this situation. “Little Georgia is essentially a protectorate of the United States. It is not a secret that Georgian officials receive an official salary from the US State Department. It is clear that nobody will give money without reasons. This is the payment for services provided by President Saakashvili and his administration. American advisers to the Georgian army is not improvisation. This is systematic purposeful work both in the civilian and military direction. Saakashvili did not take independent decisions. Georgia alone can not be endured without the support of American dollars. States make a huge cash injection into the economy.” - Explained J. Chiesa.

A former senior OSCE official, Ryan Grist, who was in charge of unarmed monitors in South Ossetia at war's start and in mid of August 2008 forced to resign by OSCE, told the BBC in November 2008 that he had been warning of Georgia's

military activity before its move into the South Ossetia region, saying there was a "severe escalation" and that this "would give the Russian Federation any excuse it needed in terms of trying to support its own troops." 

According to Grist, it was Georgia that launched the first military strikes against Tskhinvali. "It was clear to me that the Georgian attack was completely indiscriminate and disproportionate to any, if indeed there had been any, provocation," he said. "The attack was clearly, in my mind, an indiscriminate attack on the town, as a town." Grist's views were echoed and confirmed by Stephen Young, who was another senior OSCE official in Georgia at the time. According to him, there had been little or no shelling of Georgian villages on the night Saakashvili's troops began their onslaught on Tskhinvali. Young added, that if there had been shelling of Georgian villages that evening as Georgia has claimed, the OSCE monitors at the scene would have heard it. According to him, the monitors only heard occasional small arms fire. 

NATO officials interviewed by Der Spiegel believed that the Georgians had started the conflict. The officials treated the exchanges of fire in the preceding days as minor events and did not see them as a justification for Georgian war preparations. The NATO experts however did not question the Georgian claim that the Russians had provoked them by sending their troops through the Roki Tunnel. But their evaluation of the facts was dominated by skepticism that these were the true reasons for Saakashvili's actions. 

Western intelligence agencies, quoted by Der Spiegel, believed that Russian troops from North Ossetia did not begin marching through the Roki Tunnel until roughly 11 am on 8 August. The Russian army also did not begin firing until 7:30 am on 8 August. Wolfgang Richer, a military expert to the German OSCE mission, said

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68 OSCE 'failed' in Georgia warnings, BBC News, 8 Nov 2008
72 The West Begins to doubt Georgian leader Der Spiegel, 15 September 2008
that he could find no evidence to support Saakashvili's claim that the Russians had sent troops through the Roki Tunnel before the Georgian attack, but he could not rule it out either.\footnote{Recognition of Abkhazia and South Ossetia}

Recognition of Abkhazia and South Ossetia

On 26 August 2008, Russia formally recognized the independence of South Ossetia, which caused an active reaction of the world community. Medvedev in a televised address to the Russian people expressed his opinion that recognising the independence of the two republics “represents the only possibility to save human lives.”\footnote{Recognition of Abkhazia and South Ossetia} Georgia rejected this move outright as an annexation of its territory.\footnote{Recognition of Abkhazia and South Ossetia} Nicaragua recognised the republics on 5 September 2008.\footnote{Recognition of Abkhazia and South Ossetia} In January 2009, Belarus said it would make a decision on recognising South Ossetia and Abkhazia on 2 April, but the The European Union is demanding Belarus not to recognise the republics and is threatening to cancel Belarus' invitation to its Eastern Partnership program.\footnote{Recognition of Abkhazia and South Ossetia}

The unilateral recognition by Russia was met by condemnation from NATO, the OSCE Chairman, the Presidency of the Council of the European Union, the European Commission, Foreign Ministers of the G7, and the government of Ukraine because of the violation of Georgia's territorial integrity, and United Nations Security Council resolutions.\footnote{Recognition of Abkhazia and South Ossetia} Russian sought support for its recognition from the states of the Shanghai Cooperation Organisation, because of concerns about their own separatist regions in states of the SCO, especially in China, the SCO did not back the recognition.\footnote{Recognition of Abkhazia and South Ossetia}
On 10 September 2009 President of Venezuela Hugo Chavez announced that Venezuela recognises Abkhazia and South Ossetia as independent states, making it a third UN member to support South Ossetian independence.79

During the Georgian-Ossetian war 2008 and after it there was a misunderstanding of the situation in a conflict zone due to the media broadcasts of the armed conflict in South Ossetia, which played a significant role as well as influence public opinion about the actions of one party or another. Independent media coverage and access to information were limited as the conflict continued to unfold. Cyber-warfare fuelled claims of distributed denial of service, censorship, propaganda, and disinformation from all sides, and restricted access for journalists made it difficult to verify the allegations.80 The Georgian government stopped translation of Russian TV channels and blocked access to Russian websites, during the war and its aftermath, limiting news coverage in Georgia.81 Georgian, Russian, South Ossetian, and Azerbaijani websites were attacked by hackers, causing a breakdown of local servers.82

Disputes, different opinions, criticism and false information about the Georgian-Ossetian conflict 2008 hided the real situation from public understanding.

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Introduction

Whatever we name the strategy: ‘go global’, ‘going out’ or ‘stepping out’, it refers to the same phenomenon – precisely, to rapid international expansion of Chinese companies both state owned and private, encompassing all countries and industries around the world.

As ‘China Inc.’ started to internationalise, Africa became a strategic focus for Chinese outward-bound companies, especially after the initiation of the ‘go global’ strategy. Led by Chinese petroleum companies and supported by massive foreign exchange reserves and a strong political mandate, Chinese companies have been on a trade and investment spree in resource, textile, machinery, telecommunication, mining, agriculture and other industries.

China cannot grow easily without Africa. Africa, on the other hand, is becoming more and more dependent on China. Sino-African multilateral relation has tightened considerably especially after the launch of ‘go out’ strategy. Since 2000 trade between these two regions has increased at least fivefold, from $10 million to more than $50 million in 2006. China has become the largest new investor, trader, buyer, and aid donor in a select number of African countries.

In the first part of this paper, after the short analysis of different phases in China’s economic contacts with the world, the author focuses on the motives that urge China to go global and the role of African continent in this strategy. In the second part, consequences resulting from China’s quest for African resources and markets are elaborated.

China’s ‘go global’ strategy

The proclamation of the ‘stepping out’ strategy was not definitely a spur of the moment decision. It was preceded by two decades of economic reforms that got China closer to market-driven economy. China started her overseas investment in
1980 following the course of market-oriented reforms that were begun in 1979, after Deng Xiaoping took the leading role in the Chinese Communist Party. Before that year hardly any economic relations were maintained with the world. The ideology believed and implemented by Mao Zedong in China dismissed any relations with outside world except the ‘export of the revolution’.

Generally, it is possible to distinguish three separate periods in the last 30 years of Chinese economic relations with the world. The first and the second period, which can be called preparatory phase (1979-1991) and acceleration phase (1991-1998), respectively were prerequisites for the third period: ‘going global’ strategy.

**Preparatory phase: 1979-1991**

At the beginning of 1980s, even with Deng Xiaoping as official leader, the central government entirely control trade and investments activities. The Party was still against the notion of overseas engagement of Chinese companies, as it was perceived by the old cadre as a road to corruption under capitalist influence.

During this first phase, Chinese companies were taking their first steps on the overseas markets. Although the level of foreign investments was low, it has helped Chinese firms to establish and cultivate partnership and contacts with their foreign peers. Moreover, in this phase Chinese companies started to accumulate necessary experience and skills in management, trade, technology and organisational structure that have become useful next years. The vast majority of Chinese investments were located in the neighbouring countries and the driving force was first and foremost political.

At the end of 1980s, as the defects of central planning system in economy (and other fields) became more and more obvious, the party decided to implement policy named *zhengqi fenkai* (separating government from enterprises). The main measure for achieving this goal was to promote the responsibility system of contracted operations, and to implement the system of leased operations in respect of some small state-owned enterprises.¹

**Acceleration phase: 1992-1998**

With the beginning of 1990s the China’s integration with global capitalism has increased dramatically and so has the number and amount of foreign investment (direct and portfolio) and trade. After suppressing the 1989 democratic movement,

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the Party under the lead of Deng Xiaoping, started to work out a way to prevent protests and movements in support of democracy in the future. The solution was presented to the people and rest of the world on the 14th Congress of the Chinese Communist Party in 1992, where Jiang Zemin delivered a report titled *Accelerating the Reform, the Opening to the Outside World and the Drive for Modernization, So As to Achieve Greater Successes in Building Socialism with Chinese Characteristics*. The report acknowledged the substantial achievements that had been made in reforming and opening-up as well as in the modernization since the end of 1978. It also outlined a task for the following years – creating ‘a socialist market economy’\(^2\). This decision was the very foundation of future China’s ‘go out strategy’ as it gave the green light to privatization and commercialization of State-Owned Enterprises (SOEs). It also amounted to the proclamation of the end point of the pure command economy, implying that both investment and consumption should be driven by the ‘market forces’.

One year later, in November 1993, on The Third Plenary Session of the 14th Party Convention of the Central Committee, a resolution endorsing ‘modern enterprises’ as a model for SOEs reform was passed. According to it, market economy that was being built in China required setting up modern enterprise system (MES) – a thoroughly new system. This step was aimed at improving the operational and financial efficiency of SOEs. More precisely, by ‘modern enterprises’ it meant transforming big SOEs into joint stock companies, which would attract private shareholders and see maximization of profit as their top priority. This step was also perceived as the green light for their eventual floating at home or overseas capital markets. Even the biggest SOEs, still under the full control of the government, was overhauled and restructured as commercial entities whose ultimate goal was to make profit\(^3\).

In the following year, the State Council decided to start an experiment and launched a project of building 100 giant SOEs through mergers. The major goal of this project was to define right and responsibility clearly as well as to separate government function from enterprise management. These, in turn, were the basic requirements for modern enterprises system. The experiment resulted in formation of oligopolies in many key industries. For example, six big power companies were founded through mergers and they accounted for nearly half of the national electricity production. In the car industry, creation of six giant corporations accounted for 70 percent of national car production in the country. In the

\(^2\) *The 14th National Congress* summary notes, available at www.english.cpc.people.com.cn

telecommunication sector, with the State Council’s approval, five major telecom groups (China Telecom, Chine Mobile, China Unicom, China Satellite Communication, China Railway Communication) were predominating.

Next step on China’s way to the official implementation of the ‘going global’ strategy was the introduction of the idea called *zhuada fangxiao* (grasping the large, releasing the small). According to this policy, announced by President Jiang Zemin at the Fifteenth Party Congress in 1997, the Peoples Republic of China (PRC) retained three types of large SOEs under central government ownership:

a) SOEs that produce armaments or goods and services closely related to national security;

b) SOEs operating in industries that the central government has targeted for economic development. These firms have issued a minority of their shares to different types of investors (both domestic and foreign) through initial public offerings. Although these enterprises have some features of private corporations (e.g. shareholders, financial reporting, boards of directors, corporate governance systems), the central government still possesses the major stake, formulates their business strategies and exercises effective control over their operations.

c) Unprofitable and inefficient SOEs that employ vast numbers of Chinese workers.

The remaining SOEs, particularly small and medium-sized, were converted into different forms of business entities: township and village companies owned by local authorities, various cooperatives owned by their employees, private domestic companies often sold to local government officials or their families, and joint enterprises owned by a state-owned companies in conjunction with other types of enterprises.

The core point of dumping the small and grabbing the large (with partial privatization) policy was well described by Stephen Wyatt in the *Australian Financial Review*:

*In fact, the entire privatization of China’s state-owned enterprises is still...* 

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4 Y. Qian, J. Wu, *China’s Transition to a Market Economy*, University of Maryland 2000, p. 31-33.
more hype than reality. So far, only minority stakes of state-owned groups have been listed, leaving the government with primary control. (...) The government’s strategy is still to list minority shares in state-owned groups in order to raise capital and import better governance while ultimately retaining control.

The two concepts introduced in the second phase: modern enterprise system reform and zhuada fangxiao policy, are crucial fundaments of the ‘going global’ strategy for at least four following reasons. First, when China opens her economy to foreign capital, Chinese big SOEs would have to compete with their foreign counterparts. To compete domestically and later internationally with strong Western corporations, the systematic and thorough changes targeted at immense downsizing and improving SOEs’ efficiency had to be introduced. Second, transforming SOEs into joint stocks companies provides them with the compulsory legal and economic conditions to float both in the domestic and overseas stock exchanges. As a result, Chinese SOEs gained access to alternative capital sources needed for further international expansion. Additionally, the creation of oligopoly in key industries not only enables them to receive benefits from economies of scale and increase the cost of entry for foreign competitors, but it also allows them to acquire monopoly rent and hence raise additional funds for overseas investments projects. Furthermore, due to growing oligopoly in key industries, medium size firms rapidly lose their market shares and profits and consequently have to move part of their business to overseas markets in order to compensate for incurred domestic losses. Finally, the privatization process of medium and small SOEs had made a significant contribution to the government treasury and allowed the government to support the overseas expansion of Chinese big SOEs.

‘Going global’ phase: 1999-present

At the end of the previous century, Chinese officials, facing the criticism from various corners addressing the weakness of China’s export-oriented and low value added growth model, felt itself at a crossroads. Although the economy figures for the last two decades were outstanding: average GDP growth rate of 8%, stable and relatively low inflation, rise in per capita incomes resulting in better standards of living for most people in both rural and urban areas and, perhaps, the greatest achievement in the area of poverty reduction with the poverty level dropping from about 250 million in 1978 to 42.1 million by 2001.

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Nevertheless, the main accusation thrown at Chinese growth model concentrated on the fact that all the goods and services are not really ‘made in China’, but processed in China. Most factories in the country were in that time foreign investments using foreign technology making foreign branded goods. So the whole economy was based on two elements: (inward) foreign direct investments and export.

These makes China extremely vulnerable to the problems involved in sustaining economic growth. The threat arises not only from the fact that one day the demand for Chinese branded goods might stop, but also from the fact that these two factors may no longer be sufficient to sustain its rate and pace of growth. As the costs of Chinese labour rise partly due to the increase of technological skills, current levels of trade, based on a low wage and low skills and cheap labour base, may decline. Many Chinese scholars and analysts worry that the current strength of the Chinese economy might become a weakness if the national economy does not expand and become more self-sustaining.

The response of the CCP leaders to these problems was not curbing the neo-liberal reforms, nor imposing any administrative restrictions on the inflow of foreign capital or the volume of international trades, but rather changing the sources of economic growth by the means provided by the corporate led globalization. Consequently, China has started a new round of more challenging projects with the implementation of the ‘inviting in’ and ‘going global’ strategies, incorporating more capital market reform and more state support for Chinese transnational corporations (TNCs).

The new round of reforms began in the year 1999, when the State Department adopted a new document to promote overseas investments with special emphasis on so cold “crucial industries”. Two years later Premier Zhu, in his speech to People’s Congress, officially used the term ‘going global’ strategy for Chinese companies. The following year, the Central Committee report to the 16th Party Congress stressed the need of ‘building our own strong TNCs and our own brands’.

The strategy was formally established in China’s 10th 5 Year Plan (2001-2005). Regarding the foreign investments the plan stated:

1. Increase the inflow FDI to outflow FDI to 10:1.

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8 *The 16th National Congress* summary notes, available at www.english.cpc.people.com.cn
2. The National Development and Reform Commission shall compose a list of the overseas investments in fields where China is in short supply (e.g. oil, gas, wood etc.)
3. Support the expansion of foreign processing manufacturing.
4. Support overseas investments projects that aim at expanding global market share and high technologies.
5. Strive to develop globally competitive TNCs, and place at least 50 Chinese TNCs in the 500 global giants in 2015.
6. Form overseas research and development centres and expand construction projects as well as the export of labour\(^9\).

**Driving forces for ‘going global’**

It is possible to distinguish at least four major factors that force China not only to strongly integrate with the global economy during the last three decades, but also to implement a complex global offensive aimed at conquering overseas markets. These factor are as follows: overcapacity, shortages of raw materials and energy, rising foreign exchange reserves and, last but not least, the need for political and social stability.

1. **Overcapacity utilization.**

Reforms conducted in the 1990s (decentralization of economic decision making, privatisation processes, FDI inflows) not only contributed to higher economic growth, but also resulted in fierce competition between provinces as they decided to invest in the same industries, which in turn resulted in overcapacity.

*In 1995, 14 provinces planned to prioritize the development of metallurgy and machinery; 16 provinces planned to prioritize the petro chemical industry; 22 the car industry; 23 bicycle and washing machines; 27 of them chose TV production as a key supporting industry; 28 chose synthetic fibres, 29 of them chose steel and fertilizer and plastic, and so on and so forth\(^{10}\).*

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China’s ‘going out’ strategy and its consequences for Africa

As a consequence, in 1998, with the exception of raw materials and energy industries, all other industries faced general overcapacity (e.g. the capacity utilization rate for TVs was 46.1 percent, washing machines 43.3 percent, refrigerators 50.5 percent, air conditioners 33.5 percent, bicycle 54.5 percent, textiles 70 percent\(^1\)). It was obvious that the government had to deal with the situation quickly, since many companies were unable to pay back their loans and credits to the bank because of poor performance which resulted from overproduction. The very direct and straightforward response came from the State Economic and Trade Committee. In a policy document *Index of Over-Invested Products for Moving Abroad*, the Committee states that according to the national industrial survey, there are 500 types of products whose capacity utilization rate was below 60\%\(^12\). Since, on the one hand, many of these products were more advanced in technology and quality than in many developing countries, and on the other hand, compared to developed countries had the advantage of competitive prices, the best solution to deal with the problem was to simply export them.

2. **Energy and raw material shortages.**

Due to China’s booming economy the country is increasingly dependent on affordable energy, and increasingly less able to meet that demand for its domestic sources. For years, China’s predominantly rural economy and urban transport policies caused that she had more than enough of raw materials, particularly oil, to meet its needs. Till the mid-1980s China was the second largest exporter of crude oil in Asia.

As it was mentioned in the previous paragraph, the only two industries that did not encounter the problem of underutilization were: raw materials and energy. Due to growing number in motor vehicle sales and modal shifts in the movement of freight form railroads to trucks, in 1993 China became net oil importing country and consequently was forced to rely on an ever-growing volume of imported oil. Between 2000 and 2006, China’s oil demand increased from 4.7 million bbl/d to almost 7.4 million bbl/d, 47 percent of which was derived from imports and is now the world’s second largest oil consuming country after the US. In 2006, China’s annual growth in oil demand approached 500,000 bbl/d, accounting for one-third

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\(^1\) Ibidem, p. 129.

of the world’s incremental increase and 70 percent of the growth in the Asia-Pacific region.$^{13}$

![Figure 1. China’s Oil Production and Consumption 1986-2006](source: EIA International Petroleum)

The changes made in the oil industry reflected very well the notion of the ‘inviting in’ and ‘going out’ strategy. In 1998 the oil industry was restructured and consolidated into three giant companies: China National Offshore Oil Corporation (CNOOC), Sinopec and Petro China. It was to prepare the industry to compete with the world’s oil giants (e.g. Exxon Mobil, BP Amoco, Shell) when the domestic market opened up after the China’s accession to World Trade Organisation (WTO).

3. **Increase in foreign exchange reserves.**

China’s remarkable economic performance during the last two decades has contributed to considerable and exponential growth in foreign exchange reserves.

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China’s reserves have ballooned as the central bank buys up dollars generated from its huge trade and influx of foreign investment.

**Figure 2. Foreign reserves minus gold 1977-2008 (US$ billion, end of year)**

The rapid growth in foreign exchange reserves was a spur for Chinese banks to increase financing of overseas investments within the context of ‘going global’. Of course, there were Chinese banks exporting capital before the proclamation of the strategy, however, before the 1990s the total sum of Chinese banks’ foreign investments was small (the sum of foreign exchanges was relatively small too as it is shown on the Figure 2.). With the beginning of the new century the situation has changed dramatically. For instance, till the end of the last century, the Industrial Commercial Bank, the Construction Bank and the China International Trust and Investment Company (CITIC) brought few small and medium banks in Hong Kong while during the first half of 2007 China’s commercial banks had up to 110 branches in thirty countries, with a total assets of 133.6 billion dollars.\(^{14}\)

China has already the world’s largest foreign exchange holdings (currently $1.95 trillion) most of which are being conservatively located in U.S. Treasury bonds and other government securities. However, low-return U.S. Treasuries are not the only assets that the reserves are invested in. Hundreds of billions of dollars are also

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\(^{14}\) Preliminary Report..., op. cit., p. 30.
deployed to acquire energy and other strategic assets or natural resources and minerals around the world, particularly in developing countries in Africa and Latin America.

The overseas expansion of Chinese banks and generally the Chinese financial sector would not be possible without the clear approval from the government. As in the case of the other sectors, in the financial sector the major role is played by the entity owned by the state, namely: China State Bank. The huge amounts of foreign exchange reserves enable China’s central bank to evolve into a big global lender. Considerable part of the bank’s activities is concentrated on financial aid for developing countries.

Another key player in Chinese ‘going global’ strategy is the China Export and Import Bank (ExIm Bank), which has evolved in a few years (was established in 1994) into China’s main lending agency, providing Chinese small, medium and large companies with loans, credit lines, and financial guarantees. The bank is wholly owned by the government and its management is appointed by, and reported to, the State Council. Although straight comparisons are difficult since China is not a member of OECS, it is very likely the ExIm Bank is now one of the largest export credit agencies in the world, with primary commercial operations in 2005 greater than those of its peers in the United Stated, Japan or the United Kingdom.

4. The need for political and social stability.

All these three factors (overcapacity utilization, raw materials and energy and vast amount of foreign reserves) that directly or indirectly push China to ‘go global’ are, not surprisingly, strictly related to economy. It is, however, possible to distinguish another non-economic factor, which could be even called a prerequisite not only for the initialization of the ‘going global’ strategy, but virtually for the every aspect of Chinese domestic and foreign policy. There is a general view that the stability of the state is crucial in the current process of reforms, since without a stable state not only the reforms are endangered, but the very existence of the nation itself could be at stake. Central to the stability of the state is the role of the Chinese communist Party and its legitimacy.

16 for details and argumentation supporting this concept see e.g.: J. Jiang, *The National People’s Congress of China*, Foreign Languages Press, Beijing 2003, p. 612.
During the past decade, with the ongoing reform process in place, we could observe a decline in the ideological appeal of the party, thus China’s leaders had to substitute the revolutionary communist ideology with another means: nationalism, Confucianism and economic growth. Economic growth seems to be the most important notion, since – having in mind the current social situation in China – the CCP will sustain its legitimacy and earn domestic stability as long as the economic growth lasts. When the burgeoning Chinese economy stops, many social problems that now are hidden behind the extraordinary growth rate will eventually come up.

In this context the ‘going global’ strategy can be viewed as a new approach to foreign economic policy aimed at securing access to natural resources, finding new markets, gaining international experience and know-how in order to sustain actual rate of growth and, in consequence, social and political stability.

**Africa in China’s ‘going global’ strategy**

With the proclamation of ‘going global’ strategy, Chinese leaders decided that the country has to integrate with the globalised world on greater scale. The main reasons behind that decision were described shortly in previous paragraphs. In this section of the article the author presents the role that African continent plays in the Chinese strategy.

**Natural resource storehouse**

If we have to point out the major factor that pushed China to ‘go global’ it would be, with no doubts, the resource’s hunger. Africa is the place where the China’s concern for security of supply of resources (especially oil) may be at least partially solved.

In the realization of the ‘going global’ strategy with regards to energy security policy, initially, Beijing focused on the neighbouring Asian countries, such as Indonesia or Brunei, but as the scale of China’s impending economic growth became apparent, China quickly realized that more distant regions would have to be sought out. One of the most important of them is Africa. Taking advantage of

traditional diplomatic friendship\textsuperscript{17} as well as the fairly wide-open playing field that still exists for oil exploration on the African continent, the Chinese have been able to grasp with both hands lucrative new exploration acreage. Their investment activities have been accompanied by sizable incentives in the form of cash loans or development assistance and projects, which – in stark contrast to Western forms of debt relief – come with no real strings attached.

**Beyond the oil and raw materials**

Pursuit of resources was probably the first and main motive explaining why China has veered towards Africa, but definitely it is not the only reason. As J. Ghazvinian points out:

\textit{[...] the scale and ferocity of China’s entry into Africa has been breathtaking. China has started construction on a new railway in Nigeria and a new port for Gabon, has paved most of the roads in Rwanda, and is building roads, bridges, power stations, schools, and cellular-phone networks in at least a dozen African states. At any given time, the Chinese road and Bridge Corporation alone is likely to be engaged in five different projects throughout Africa. In tiny Lesotho, nearly half the supermarkets are owned and run by Chinese, who also operate textile factories in the country. Mauritius, home to many Chinese-owned textile factories, added Chinese language to the national school curriculum in 2004.\textsuperscript{18}}

China thus appears to be an increasingly substantial engine of growth in Africa. Commercial activities undertaken by Chinese companies are fully backed up with political efforts. China’s diplomatic offensive has been also as thorough and intensive as its investment, trade and aid advances. China has already established embassies in thirty-eight of sub-Saharan Africa’s forty-eight countries\textsuperscript{19}. It has exchanged military attaches with about fourteen African nations, created Confucius Institutes in several national capitals and funded a few think-tanks across the continent and offered great amounts of scholarships for study in China.


But probably the most spectacular demonstration of China’s new ‘going global’ policy towards Africa is the Forum for China-Africa Cooperation (FOCAC) initiated in 2000 and coordinated by the China’s Ministry of Foreign Affairs. As figure 3. indicates, China’s bilateral trade with Africa grew from $10.6 billion in 2000 to $18 billion in 2003, $30 billion in 2004, $40 billion in 2005, $55 billion in 2006 and $73 billion in 2007. This trade is projected to grow to $100 billion by 2010.

![Figure 3. China-Africa trade 2000-2007 (US$ billion).](image)

*source: Broadman H. G., Africa’s Silk Road: China and India New Economic Frontier, World Bank Publication, 2007*

The six-year cooperation period within the FOCAC was summarized during the China-Africa Summit held in Beijing in 2006. The event has attracted more than forty African heads of state and became the largest and the most high-level gathering of world leaders in Beijing since the founding of the People’s Republic of China. In terms of sheer scale and ambition, the summit dwarfed anything that Britain, France, or the United States had ever achieved for Africa in the past. One of the most important material results of this summit was the announcement of $5 billion in new loans and credits for Africa as well as the plan to establish five preferential trade and industrial zones for Chinese business entry in Africa (located in Zambia, Mauritius, Egypt, Nigeria, and Tanzania).²⁰

Due to the successful implementation of the ‘going out’ strategy in Africa, China is now the continent’s third most-important export market, behind the EU and the United States. In 2005, for the first time, China became the largest individual country exporter for Sub-Saharan Africa with a market share of 7.7 percent, and $13.4 billion in exports. By 2010, China is expected to become Africa’s leading trading partner overall.\(^2\)

**China’s Foreign Direct Investments in Africa.**

Another consequence of the Chinese engagement in Africa is the significant increase in China’s FDI flows to the continent. The Chinese investments can be found in a wide range of sectors and regions, including so-called fragile or fallen states and projects that western investors have deemed too risky. The vast majority of the investment projects are carried in the mining and extractive industries. For example, China has invested nearly $160 million in the mining sector in Zambia; in Democratic Republic of Congo – in cobalt and copper; in Sudan and Niger Delta – oil platforms.\(^2\) Other sectors that are in particular interest for China include: agriculture, agribusiness, textile and light manufacturing.

On the whole, Africa currently attracts approximately $36 billion worth of FDI, majority of which is originated from the European countries (primarily France and the UK) and North American countries (primarily from the United States), accounting for 68 percent and 22 percent of the FDI stock respectively. But as the volume of FDI to Africa increases, it is becoming more diversified, with more investors from different countries, particularly from China. However, Chinese share in the African FDI is not very significant yet (approximately 3.2 percent) and as far as the actual place of Africa in the Chinese global FDI portfolio is concerned the situation is similar (in 2004 it was 2 percent in stock and 5% in flows). But both numbers are rising at breathtaking pace.

It is worth to mention that Chinese FDI activities are seemingly different from those that are sourced from the EU and North America. FDI from the developed parts of the world are delivered by privately owned companies focusing on profits over specified period of time, and involve minimal risk. On the contrary, China’s FDI on the continent are more heavily undertaken by either partially or wholly


\(^2\) http://allafrica.com/stories/200707100721.html
China’s ‘going out’ strategy and its consequences for Africa

state-owned companies. These have the objective of not simply making profits for their shareholders, but also forming long-lasting relationship with communities and governments. They have access to low-cost funds and are fully backed up by the Chinese government’s foreign policy.

China’s aid policy towards Africa

Chinese aid programs in Africa can be traced back to 1950, the year after the establishment of the People’s Republic of China and by the end of 1975 China had established more aid programs in African countries than the United States had. In the 1970s, forty-three African countries had Chinese aid programs, and through the next three decades, China established formal diplomatic relations with all African states except Swaziland and implemented aid programs in all of them. These aid programs continue to operate in all of mentioned countries with small exceptions.

Most of China’s aid to African states has come in the form of small and medium-size projects, such as a loan of $8.6 million to construct two administration buildings in Burkina Faso, or the launch of a $3 million irrigation project in Ghana. Although the total numbers concerning the China’s aid disbursements to Africa remain vague (mainly due to unclear definition, statistics and not-full disclosure), types, motives and general trends are clear enough to draw some conclusions.

The Chinese government delivers bilateral aid to Africa in terms of grants, interest-free loans and concessional loans. The Export Import Bank of China (ExIm Bank), sole provider of concessional financing, had financed over 300 projects in Africa by mid-2007, constituting almost 40 percent of its loan book. Another bank, China Development Bank, in May 2007 was designated to manage the $5 billion China-Africa Development Fund announced at the FOCAC 2006 Summit. Not surprisingly, these funds have been put in place to finance the market entry of Chinese companies into African economy.

In one of the previous sections it was mentioned that China uses so-called no strings policy in economic relations with African partners and the same is true for aid policy. Such policy is perceived as a positive stance by many African governments, in contrast to the intrusive and burdensome conditions of for


\[24\] M. Davies, How China delivers development assistance to Africa, Centre for Chinese Studies, University of Stellenbosch 2008, p. 24
example World Bank. However, this policy is resulting in a strengthening of repressive regimes, weakening social and environmental standards and efforts to curb corruption and promote good governance.

In her ‘going global’ strategy, China is using aid mainly as modern expression of soft power: a tool of diplomacy and an instrument to meet political, strategic and above all economic goals. China’s aid programs enable the country to build business, strengthen political ties and enhance image of a rising but ‘responsible’ power. Even though many observers do not consider China’s assistance to Africa to deserve the term ‘foreign aid’, it is undeniable, that – at least to some extent – this assistance has a positive development impact on Africa.

**Conclusion**

It is clear, that without the implementation of the ‘going global’ strategy China’s internationalisation and engagement in Africa would not be as wide as it is now and consequently, Africa would not benefit (or/and lost) from Chinese entry to such extent.

On the one hand, China’s relations with Africa can be seen as a real partnership. China has entered the continent as an investor, has promoted African industries and has contributed to the revival of a global concern in Africa because of high commodity prices. Due to increasing trade and investment, China is also enhancing the autonomy of African countries in production and sales.

In the bigger picture, however, unquestionable positive effects mentioned above should be seen alongside with the negative ones. By many observers, China is also perceived as a neo-colonial external power that seeks nothing but oil and other scarce resources, provides authoritarian leaders with weapon and dollars and generally, driven by self-interest is just exploiting the continent employing any possible means (including those coming from the implementation of the ‘going global’ strategy). Stories of Chinese companies approaching African governments and offering reserve financed low interest loans on infrastructure projects on condition that contracts must be awarded to specified Chinese firms tend to support this negative, pragmatic and engendering corruption image.

Long-term consequences of these two completely different pictures of China’s role in Africa can be quite opposite. The answer for the question whether China’s enhanced role in Africa will serve as a prevailing catalyst for African development
China’s ‘going out’ strategy and its consequences for Africa or whether instead it is shaped solely by narrow Chinese self-interest and is nothing more but ‘metropolis-colony relationship’, remains still to be seen.

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What is the use of making adversaries uncertain? Uncertainty in international relations as a mean of rising structural power

GALINA VAŠČENKAITĖ

Introduction

As influential theorists of international relations professors Martin Hollis and Steve Smith put it, International system can be considered as being “the context and outcome of the games nations play”\(^1\). To understand, explain and even forecast these “international games” scientists all over the world tend to apply Game theory (a branch of Rational choice theory) and its various models, such as Game of chicken, Prisoners dilemma, and others. By choosing Game theory as a tool of analysing international relations, theorists owe to accept its underlying postulate that international actors are rational by nature and act rationally in order to achieve their certain goals.

However in praxis it appears that as a result of the “games nations play” some actors gain a reputation of reliable and stable (like USA, United Kingdom, France, EU, etc.) while the others seem to perform as irrational and unpredictable (eg.: North Korea, Iran, Iraq, sometimes – Belarus and others). Here emerges the question: how the actions of international players which seem irrational to their adversaries should be qualified? Do these irrational actions undermine the assumption of common rationality? Or maybe international actors can intentionally behave seemingly irrational in order to mislead the adversaries and thus to reach their aims?

This paper aims at identifying and illustrating when and how should the seemingly “irrational” behaviour of the international actor be considered as rather his rational strategy aiming at a certain objective of raising structural power it in the course of power relations.

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Brief remarks on the Game theory and its application for the analysis of international relations

To deal with the questions raised in the introduction, understanding of the logic of Game theory is necessary. However it is not an in-depth analysis of Game theory and its models what this paper aimers at. Therefore, assuming that the majority of students and researchers in the field of International relations are to some extent familiar with Game theory, only the passing references will be given bellow to several key aspects, essential to getting into the topic.

Game theory is a branch of the Rational choice theory – an interdisciplinary approach to the studies of human behaviour, combining elements of mathematics and economics as well as other social and behavioural sciences. It was introduced as an analytical approach into social sciences (including political science, theories of international relations and strategic studies) in 1970’s and gained its popularity rather quickly. The models of Game theory such as Game of chicken, Prisoners dilemma, Cake cutting, Brinkmanship, Dollar Auction, Matching pennies and many others began to be applied not only as tools of analysing human behaviour but also as a handy instrument of modelling and examining inter-state conflicts as well as international negotiations. This new approach enabled political scientists to spot and recognize regularities and patterns of the behaviour of international actors, as well as explain them and make prognoses based on former observations².

Game theory and its models appeal to the main assumption of neoclassical microeconomics which in terms of international relations corresponds to the (neo)realistic perspective, that international actors “think and act rationally, each taking account of the behaviour of others”.³ Because of this underlying assumption of general rationality international actors are able (if having basic knowledge about the interests of the adversaries and the circumstances of the interaction) to foresee the possible and most probable actions of their adversaries. Respectively, according to the possibilities and probabilities of the adversaries’ behaviour, international actors design their own strategy of the interaction. In other words, „the essence of strategic rationality is that in choosing a maximising action⁴, actors

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² Владимир Култыгин, „Теория рационального выбора - возникновение и современное состояние“. Социологические исследования, 1, 2004, 27
³ Hollis, Smith, 119.
take into account the alternatives, preferences, and possible strategy choices of other relevant actors”.

As it was already mentioned, *Game theory* encompasses a wide variety of models, each designed for analysing some type of strategic interactions, specific in its characteristics. In other words, models differ in their so-called “*rules of the game*” – the set of certain conditions under which the interactions take place (eg. number of *players* involved, possibility of cooperation, etc.) Three dimensions in relation to which the models of *Game theory* fall into different types are most important and relevant to the topic of this paper. These are as follows:

- **Cooperative and non-cooperative games.** The *game* is considered to be *cooperative* when the *players* are technically able to cooperate, although they are not obliged to. In the case of *non-cooperative game* there is either no technical possibility for or any *rational* reason in cooperation.

- **Zero-sum and non-zero-sum games.** The *game* is called *zero-sum* if the gain of one *player* corresponds to the loss of the other; i.e. if one *player* gains only if and as much as the other looses. *Non-zero-sum games* are the ones in which gain of one *player* does not rest on the loss of the other – one of the *players* can gain even if the other does not loose. In the case of *non-zero-sum games* the situations may appear in which there can be several winners or no winner at all.

- **Number of the *players* involved in the *game*.** There are at least two *players* needed to make any interaction. Therefore the *game* may involve from two till the infinite number of *players*. The *games* which do not limit the number of actors involved are called *n-person games*.

This brief information about the *Game theory* and its models although more than sketchy, should be enough to enable going further into the topic of this paper.

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7 Ibid
**Game theory** and its models as tools of analysing power relations: main preconditions and limitations

Although *Game theory* and its models are analytical tools quite popular among social scientists, the usage of these models as means of analysing power relations from geopolitical point of view is yet rather undeveloped. Therefore, the first question that needs to be answered when willing to address to the *Game theory* as a tool for geopolitical analysis of power relations is which model of *Game theory* to choose. To do this *first*, the concepts of power and power relations should be defined; and *second*, according to the definitions made the model which best corresponds the “rules of power games” should be chosen.

From geopolitical perspective power relations among international actors are nothing but a struggle for maximising and executing the power of international actor in relation with his adversary(-ies). In this sense, the very basic definition of the concept of power might be put in words of French political scientist Raymond Aron who wrote in his “Peace and War between Nations” (Fr. – *Paix et guerre entre les nations*, 1962): “by power on the international scene I mean the capacity of a political body to impose its will on other bodies. In brief, political power is not an absolute but a human relationship”\(^8\). In the definition provided Aron refers to what is now used to be called structural power which is both – the means of influence in as well as the result of interactions among states and (or) other international players. Thus, briefly put, power relations are the “games” in which international actors execute and strive to maximize their structural power. The comparative power (or in other words, the resources and capabilities of the international actors) although being the basic element of structural power usually does not change in the course of power relations. Therefore, it will be referred to only as circumstance but not the aim of the power games in this paper.\(^9\)

This basic definition imposes two main implications on the choice of the models of *Game theory* as a tool of analysing power relations. First, in the course of power games, the increase of the structural power of one of the players does not necessarily determine that the structural power of his adversary(ies) decreases to the same extent. In other words, power relations correspond to the non-zero-sum games. Second, international actors are not isolated from each other during their power games. They possess some certain information about each other and can cooperate if find it beneficial. Therefore, cooperative games are more adequate for

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\(^9\) The other characterizations and categorizations of power, such as for example the dichotomy between soft and hard power, will not be further elaborated on in this paper as having no direct relevance to the topic.
the analysis of power relations than non-cooperative ones. In addition to that, the model of Game theory which includes only two players should be chosen to simplify the analysis. Although many international actors can be simultaneously involved into power games, interaction of two of them is enough to point out the patterns of their behaviour and mechanisms of the interaction. To sum it up, non-zero-sum cooperative game, involving two players should be chosen.

One of the best developed and most influential models of Game theory corresponding to the above-given characteristics is the Game of Chicken. The origin of this model derives from American teens’ game of the same name popular in 1950’s. Two teenagers used to drive their cars towards one another. The essence of the game was to demonstrate the courage and not to swerve. The player who would swerve first used to be called “chicken” which meant great disgrace whereas the other player would become the winner. If both swerved, the dishonour was equal – the game would end without winners as well as without absolute losers. And finally, if both players strived to win and neither of them swerved, the outcome would be disastrous for both of them. The payoff table of the Game of chicken played by two hypothetic States A and B is presented in Figure 1 below:

10 Hollis, Smith, 126-127.
12 The payoff table is a schematic visual description of the game drawn in order to make analysis of the interactions simpler and more illustrative. The optional actions of each of the players are given in rows and columns of the table respectively. In the cells where rows and columns intersect, the outcomes of the combination of corresponding actions of the players are presented, giving as well the numeric payoff (evaluation) of the outcome for each player. The first number in the brackets shows the numeric payoff for the player, whose options are presented in the rows; the second number presents the numeric payoff for the player, whose options are given in the columns. The sum of these two numeric payoffs can be considered as the overall payoff of the game in case of the respective combination of choices made by both players. The numeric payoffs are encoded as follows: 4 – the best possible outcome; 3 – positive but not the best (second best) outcome; 2 – negative, but not the worst possible (second worst) outcome; and 1 – worst possible outcome.
13 From here on the example of games in which actors are hypothetical states will be given to simplify further analysis. However in practice similar interactions could equally involve non-state or supranational actors.
As it is shown in the *payoff table* presented in *Figure 1*, in an ideal model of interaction each of hypothetic States A and B have two main choices: to exercise either aggressive or peaceful foreign policy. In case both states act aggressively, the most probable result of their interaction is a conflict, whether armed or not, but still damaging for both sides involved. As one can see from the numerical *payoffs*, this situation makes not only the worst possible outcome for each of the actors, bus also – the worst possible outcome of the whole *game* (the sum of numerical *payoffs* for both actors is the lowest in this case), because there is no winners in this situation. On the contrary, if both *players* act peacefully, or in other words – take no action, they preserve the *status quo*, which is not the best, but still quite good outcome for each of them and the best possible outcome of the whole interaction, because nobody looses in this case. Finally, if one state acts aggressively and the other stays passive, the aggressor wins and its adversary loses (as shown in the top right and bottom left corners of the *payoff table*). In this case the overall result of the interaction is not as good as *status quo* (because there is the *player* who has lost), but better than in the case of the conflict situation, because there is at least one winner.
After taking a closer look into the conditions of the *Game of chicken* as well as its *payoff table* presented in *Figure 1* one can notice that the analysed interaction meets three main preconditions:

- **First**, the *structural and comparative power of the players* is being considered as approximately equal (A≈B). Otherwise, for example, the conflict might be easily won by one of the states instead of being mutually destructive.

- **Second**, the only rational choice for each of the *players* in this situation should be exercising peaceful foreign policy (in other words, taking no aggressive actions) and hereby to try to preserve *status quo*. The payoff of the *status quo* is only the *second best* for each of the *players*, however, at least it prevents from the worst possible outcome – the (armed) conflict.

- **Third**, the information possessed by both *players* is considered as being approximately equal in amount and quality; and both *players* are able to predict actions of the adversary because of the trust in *mutual rationality*.

Coming back to the real world examples, it is not difficult to notice that these three preconditions are satisfied when the *balance of power* (with the *power games* of two more or less equal Cold War adversaries – USA and USSR – as its best example) is being analysed. However, in nowadays multipolar world much more asymmetric *power games* are predominating. The deeper insight into the *power games* which do not meet the above-mentioned preconditions will be given in the following section.

**Power games played by unequal adversaries**

As it was already noted, the *power games* in which both adversaries possess approximately equal *structural power* are not always the case – rather the contrary. If the *structural powers* of the two *players* are significantly unequal (be the *structural power* of hypothetical State A lower than the one of hypothetic State B, A<B), the *payoff table* of the *power game* of these two states would look as it is shown in *Figure 2*. 
The payoff table presented in Figure 2 illustrates the asymmetry of the situation. If at least one of the players chooses to act aggressively, the weaker state always loses because of having no structural and comparative power to win over the stronger adversary. As one can see, in any cell other than status quo (bottom right corner of the table) the weaker State A gets the worst possible payoff of the power game. Therein lies the conclusion, that never should this hypothetic State A choose aggressive foreign policy towards stronger adversary. In other words, in case of interaction with the more powerful adversary, the only rational choice for the weaker player is to try preserve status quo in case of which the structural power of the State A however would remain unchanged. This conclusion that seems to be consequent and logically driven from the payoff table is nevertheless halting.

From the realistic and geopolitical point of view, two main goals of each international actor are: first, endurance in the international arena; and second, raising his (structural and comparative) power. However, the aforementioned conclusion coming out from the payoff table presented in Figure 2 would make those two goals contradictory: during the interaction with more powerful state, the weaker state seems to have no other rational choice than to resign its aim to raise structural power in the sake of more vital although less ambitious goal of enduring in the map of the world. This in turn can lead nowhere else but to two conclusions. First, that it is impossible for the weaker state to raise its structural power during the interaction with the more powerful adversary. And second (following from the first), the balance of power in the world can never be changed.
However, the history shows that the balance of power is apt to change or be changed. It can only mean that it is possible even for weaker states to find means of raising their structural power in the course of interaction with stronger adversaries, in other words – to change status quo in the power game played with stronger adversary. The power game of two hypothetical actors’ unequal in their comparative and structural power in which the weaker state would manage to change status quo would not correspond to the second presupposition identified in the previous section on this paper. The payoff table of such game is shown in Figure 3 below.

**Figure 3. The payoff table of the Chicken game in which the weaker hypothetic State A seeks to raise its structural power**

<table>
<thead>
<tr>
<th></th>
<th>Action/Aggression</th>
<th>Non-Action</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State A</strong></td>
<td>State A loses (1;2)</td>
<td>State A raises its power (4;3)</td>
</tr>
<tr>
<td>(A&lt;B)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>State B</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(B&gt;A)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Action / Aggression</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Action</td>
<td>State A loses (1;4)</td>
<td>Status quo (3;3)</td>
</tr>
</tbody>
</table>

As payoff table in Figure 3 shows, the only way for the weaker State A to change status quo in a power game played with stronger adversary and raise its own structural power, is to act aggressively and gain no aggressive response for that from the more powerful State B. The question is, how to reach such a situation in which not only the aggressive action of weaker state, but also the non-response of the stronger one would be chosen rationally by each of them. This question will be addressed in the final section of this paper. Before that the third precondition on equality of information possessed by actors and their trust in mutual rationality raised in the previous section needs to be elaborated on.

**The impact of information and trust in mutual rationality on the process of decision-making: situations of certainty, risk and uncertainty**
As it was already mentioned although not emphasized enough in the first section of this paper, the concept of strategic rationality points out that the possibility to choose maximizing action depends strongly on the knowledge player possesses about the circumstances of the game. This knowledge encompasses two mutually dependent segments. The first segment is information. The more and the better information player possesses on his own strategic interests as well as interests and possible actions of the adversary, the higher is the likelihood that this player will gain the most desirable outcome of the interaction.\textsuperscript{14} However, when taking actions of the adversary into account it is not only possibilities what matters – the probability of each action are of not less importance. Yet if the possibilities are the matter of information, the probabilities are the matter of prediction (based on information but still being more than information only). To be able to predict which actions of the adversary are most probable not only has the player to have information on which options of the adversary are paying-off the best. The circumstances of the game make it rarely (if at all) possible to choose the absolutely best option – rather second best or at least not the worst option becomes the rational choice. Therefore, when predicting the probabilities of the actions of adversary, the trust in rationality of his behaviour gains high importance.

According to the amount and quality of information player possesses as well as the level of trust in the rationality of his adversary, three conditions (or situations) can be identified under which player has to undertake the decisions on his own actions. These are the conditions of certainty, risk and uncertainty.\textsuperscript{15}

In the situation of certainty player possesses perfect information and absolutely trusts in the rationality of his adversary. In this case he can be completely sure of gaining the predicted response to his action. Respectively, the outcome of the interaction will be also exactly the one he predicted. However such conditions are never the case in the real world – they are rather used as an ideal model in weberian sense. The situation of certainty is impossible because the information players possess are always imperfect and therefore the mistakes in making predictions are possible.

As it was mentioned, players always make their decisions having imperfect and limited information. Therefore usually players act under the conditions of risk\textsuperscript{16}

\textsuperscript{14} Култыгин, 31.
\textsuperscript{15} Morrow, 28.
What is the use of making adversaries uncertain? Uncertainty in international relations...

knowing that the decisions they make may prove to be mistakes after some new information emerges. However the risk of making mistakes in predicting the response of the adversary towards some certain actions as well as the final outcomes of the interaction is possible to measure applying Probability theory if player knows the finite list of possible rational actions of his adversary.

Finally, the decisions are being made under the conditions of uncertainty if it is impossible for the player to measure the probabilities of adversary’s response to his actions as well as the final outcomes of the game are impossible to measure with the help of Probability theory. In other words, as Frank H. Knight, the professor of economy who first employed and elaborated on the definition of uncertainty in the beginning of the 20th century puts it; risk is the eventuality the probability of which can be measured, whereas uncertainty is the eventuality the probabilities of which are beyond knowledge. The situation of uncertainty emerges if the player sees the list of possible actions of his adversary as infinite due to having imperfect information and what is even more important – lacking the belief that his adversary acts rationally. In other words, if player sees his adversary as irrational, he assumes that the later can undertake some action which was impossible to predict from the rational point of view, or which from the same point of view should have never been taken.

Under the conditions of uncertainty the possibility of the player to make maximizing action is most limited. Due to the bound possibility to predict the actions of the adversary, the only rational choice of the decision-maker dealing with uncertainty is not to involve in any actions at all. This leads to the idea that if players know that irrational (or rather seemingly irrational) actions can bind the rationality of the adversary and make them chose strategy of passive observation rather than active involvement into the game; some of them can create the conditions of uncertainty intentionally, i.e. act seemingly irrationally to gain an advantage over their adversaries. As Nobel laureate professors Robert Aumann and

Thomas Schelling put it, the behaviour which is used to be considered as *irrational* is nothing but the means of binding the *rationality* of the adversary.\(^{19}\)

**Instead of conclusions: The situation of *uncertainty* as a solution for the weak**

Let us now once again address to the findings made in previous sections of this paper to draw the final conclusions. After applying the logic of *Game theory* and in particular the *Game of chicken* to the analysis of *power games*, three preconditions which international interactions traditionally used to meet were highlighted. These were as follows:

- the approximate equality of *structural* and *comparative power* of the *players*;
- the *rational* choice of preserving *status quo*;
- the equality of both *players* in amount and quality of information possessed as well as in trust on *mutual rationality*.

When taking into account the inequality of the *structural* and *comparative power* of the *players* involved in the *power game* two contradictory implications can be brought out. On one hand, when acting *rationally* weaker *player* is supposed to try to prevent *status quo* by avoiding the conflict with the stronger adversary which he (the weaker one) would never win. However on the other hand this should mean that the *balance of power* in the world can never be changed although historical facts show the opposite.

The aforementioned contradiction brings to the conclusion that there should be the way to create situation in which the weaker *player* could raise his *structural power* without going into the disastrous conflict. In other words, the weaker *player* needs to create situation in which his *more* powerful adversary would *rationally* choose not to respond to his aggressive action. The biggest question is how to make such situation?

The answer towards which the previous section of the paper leads lies in the creation of the situation of *uncertainty*. After analyzing the impact of *imperfect information* as well as the mistrust in the *rationality* of the adversary, the

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What is the use of making adversaries uncertain? Uncertainty in international relations...

Conclusion can be driven that the abovementioned factors may be intentionally encouraged to bind the rationality of the adversary and hereby to make him not respond to the aggressive actions of seemingly irrational player. In other words, if the situation of power game does not correspond to the first two out of three above-mentioned presuppositions, the solution of it lies in eliminating the third one by making the situation in which the amount and quality of information possessed by players as well as their trust on mutual rationality is significantly unequal gainfully for the weaker player. The impact of the situation of uncertainty to the power game of two significantly unequal players is shown in the payoff table in Figure 4.

Figure 4. The Game of Chicken under the conditions of uncertainty intentionally created by the weaker hypothetical State A in order to change the balance of power

<table>
<thead>
<tr>
<th></th>
<th>ACTION/AGGRESSION</th>
<th>NON-ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State A</strong></td>
<td><strong>UNCERTAINTY</strong></td>
<td></td>
</tr>
<tr>
<td>(A&lt;B)</td>
<td>(?,?,?)</td>
<td></td>
</tr>
<tr>
<td><strong>ACTION / AGGRESSION</strong></td>
<td><strong>State A raises its structural power (4;3)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>NON-ACTION</strong></td>
<td>State A loses</td>
<td>Status quo</td>
</tr>
<tr>
<td></td>
<td>(1;4)</td>
<td>(3;3)</td>
</tr>
</tbody>
</table>

As it is shown in Figure 4, the weaker State A, striving to change existing balance of power (status quo) “moves” from the status quo situation by making aggressive action directed towards stronger hypothetical State B. In turn, State B needs to choose whether to respond to this action aggressively or not. On one hand, State B knows that State A does not possess enough structural and comparative power to win the conflict or even to damage State B significantly. In this sense it would be rational for the State B to involve into the conflict and win it. However on the other hand, the fact that State A acted aggressively towards the stronger adversary makes State B doubt either the rationality of State A, or the quality and amount of information State B possesses about its adversary. In other words, State A acts as “irrational” player with the intention of binding the ability of State B to predict the possible outcomes of the game and accordingly, to make a maximizing action. After coming to the conclusion that it is impossible to predict whether the payoff of
the aggressive response towards the action of “irrational” State A will be positive or disastrous (in case State A really has the ability to challenge State B seriously and to win the conflict) State B decides not to take an unmeasured risk and does not respond to the aggression of State A. Hereby, by creating the situation of uncertainty seemingly irrational State A imposes the rules of the game towards the stronger adversary and raises its structural power in the course of power game with stronger State B.

To sum it up, he analysis of the payoff table presented in Figure 4 illustrates how the state which possesses lower structural and comparative power may intentionally act “irrationally” to make its adversary uncertain about the possible outcomes of their interaction. In this case, the decision-making process becomes more complicated and the likelihood of armed conflict decreases due to the unwillingness of the stronger actor to undertake the unmeasurable risk. This leads to the conclusion that seemingly irrational behavior causing the situation of uncertainty may be used as a means of raising structural power of the actor who necessitated it. In other words, it shows how it is possible to „gain from being a bit impulsive and unreliable“20.

List of references


What is the use of making adversaries uncertain? Uncertainty in international relations...


The year 2009 is a year of many anniversaries. From the many we can remember the beginning of the Second World War, the establishment of NATO, the Velvet revolution, the fall of the Berlin wall, the Eastern EU enlargement, NATO enlargement etc. When we think about the nature of these events one common point stands out: all these events have something to do with the issue of borders. There was a conference in St. Petersburg this summer with a quite accurate theme „Borders on our mind, borders of the mind“. When I heard this title I immediately thought of the Visegrád countries. The reason why is quite obvious. Their position in the central part of Europe together with historical development have somehow predetermined this territory to be concerned with the question of borders throughout the whole history. Only from the latest events, let us mention the Velvet revolution and the symbolic return of Visegrád countries back to Europe, by means of joining the EU, NATO and other European and transatlantic organizations. The last biggest event was the Schengen entry of nine new Member states that was described as the final incorporation of these post communist countries back to Europe and as the confirmation that these new member states are full fledged members of the EU as well as the so called “Western” world.

First, I would like to focus on the Eastern Partnership (EaP) as a new initiative that aims at cross-bridging the borders between the European Union and the Eastern Europe and the role of the Visegrád group in its implementation.

The EaP is a very ambitious project that offers the Eastern European countries closer partnership with the EU. When you look at the map of Europe, you see the region of so called “Central-Eastern” Europe that borders with the countries included in the framework of the EaP. Let us point out only Poland, Slovakia, Hungary, and to a certain extent the Czech Republic. These four countries grouped in the so called Visegrád cooperation group (also known as the Visegrád four, V4) possess desirable preconditions to become active supporters of the EaP implementation. These include

1) geographic, ethncial and cultural proximity;
2) similar historical experience;
3) know-how and own experience of the transformation process and accession into the European and transatlantic organizations; and
4) established platforms for regional cooperation.¹

Moreover, they have on several occasions stressed their commitment to the Eastern Partnership as it concerns their national as well as European interests. The pursuing and supervision of the EaP can thus be seen as a good concretization of future Visegrád group activity that is quit limited and stagnant at the moment.

Because the question of borders and which countries belong to Europe and which don’t is still very accurate and also because I come and study in two of these Visegrád member countries, I decided to make a small survey at my home university in Prague among students to find out how do they think about borders in Europe. I prepared a questionnaire of several questions concerning the issues of Eastern Europe, EaP, V4. I asked 100 students of “International trade” to fill out these forms. I am well aware this is not big sample of students to give complete precision. In spite of the fact that there were only 100 students asked, I found the answers very interesting and also relatively representative at the same time.

Methodology

As far as the selection of the respondents is concerned, I choose a representative group consisting of students. It is important to mention that majority of the students asked were of Czech origin, with some Slovak students (about 10%). The reference group was made of students of 1st and 2nd grade students of the Masters programme International trade. These students study international and European affairs with the emphasis on the economy, commerce and trade, but don’t necessarily study international and European politics, or international relations theory. However, they should know about the European integration (economic and political since these are interconnected) and other regional processes in Europe. I supposed that they should have some, although not too deep, knowledge about the issues I was about to ask, acquired through education at the university. However, I also supposed this reference group might know more about asked topics as it concerns Central-European territory and has had significant impact on the political development of this area.

The method of non-probability convenience sampling² was chosen due to its easy, cheap and quick use. The one disadvantage is the uncertainty of generalization of the findings on the relevant population. However, for the use of this paper such method was sufficient and gave an overview of the general

tendencies. The sample size was designed at 100 students as a representative sample from about 200 students of this programme taking one particular course at this particular semester. The group was fairly homogenous as it contained students of one programme.

Respondents had sufficient time to complete the questionnaire; maximum of 30 minutes was needed.

The questionnaire had a form of open-ended questions with sufficient space to write their own answers. There were several questions in the questionnaire in three basic areas:

- What does the „Eastern Europe“ mean to you?
- What do you know about the Visegrád group?
- What do you know about the Eastern Partnership?

In this questionnaire I was following the thesis about the great potential of the Visegrád group in the realization and implementation of the EaP policy. I was interested how much do the students of 1st and 2nd grade of the Masters programme of International trade at the UEP know about these issues and how do they make connection between them. In the questionnaire I basically asked about three issues in following order: Eastern Europe, Visegrád 4, and the Eastern Partnership. I think that all these three sets of issues have the same denominator - one of borders in Europe and what according to them belongs to Europe, or in other words to the EU and the rest of Europe.

**Analyzing the results**

After collecting of filled questionnaire forms, I started with the evaluation process. Because the answers to the open questions were various, I sorted them into several categories according to the main idea or the point the respondent was trying to make. I assigned the answers to these categories and finally came with a percentage of total sample.

The exact wording of the first question was “What does the „Eastern Europe“ mean to you?”. The results were as follows:

<table>
<thead>
<tr>
<th>Answer</th>
<th>Percentage from 100 students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anything to the east of the Czech Rep.</td>
<td>21,4 %</td>
</tr>
<tr>
<td>Anything to the east of the Slovak Rep.</td>
<td>10,7 %</td>
</tr>
<tr>
<td>Ukraine, Russia, Belarus, ...</td>
<td>23,2 %</td>
</tr>
<tr>
<td>Countries of former Soviet block</td>
<td>35,7 %</td>
</tr>
<tr>
<td>Czech Rep., Slovak Rep., Poland, and further to the east ...</td>
<td>5,4 %</td>
</tr>
<tr>
<td>No answer</td>
<td>3,6 %</td>
</tr>
</tbody>
</table>

Table 1: Percentage value for the question “What does the „Eastern Europe“ mean to you?”
Before analyzing the answers to the first question about the “Eastern Europe”, we need to say that there is no single answer even among the scientists what the “Eastern Europe” actually is. Considering this factor the answers about the nature of the Eastern Europe were very interesting and to a certain extent subjective.

Looking at the results, more than one third of respondents answered that under “the Eastern Europe” they understand countries of the former Soviet block. The answers varied in the later account of what countries they meant under “former Soviet block”, most of them mentioning Russia, Baltic countries, Czech Republic, Slovakia, Ukraine. 23,2 % of students explicitly mentioned countries as Belarus, Ukraine, Russia, Baltic and Balkan states. 21,4 % answered that Eastern Europe starts to the east of the Czech Republic, whereas 10,7 % said it starts to the east of the Slovak Republic. More than 5 % included the Czech Republic and Slovakia in the category “Eastern Europe”.

Allow me one remark: the Central European countries as they are now called (especially Czech Rep., Slovak Rep., Poland, Hungary) have strived hard to get rid of the name “Eastern Europe”. Such name was used during the Cold war era to describe countries belonging to the then Soviet block. After the fall of the Iron curtain and the Velvet revolution, the return back to Europe, or even better to the Western Europe, became a leading idea of the next decade. The entry of Visegrád countries into the Council of Europe, EU and NATO has also had a symbolic meaning as their recognition as Central European states, leaving the label “Eastern Europe” for the countries behind the eastern borders of the EU. Such historical development, still fresh in the minds, has left some impact on the thinking of people in these countries. That is why, they often look at the question of “Eastern Europe” from two angles: first answering the question with the historical development in mind and thus saying Eastern Europe could also mean todays Central Europe; second disavowing from the label “Eastern Europe” as a synonym for Czech Republic, Slovakia or Hungary, pushing such label further to the east on Ukraine, Belarus and others.

As an attempt to generalize the answers, we could say that:

1) the Eastern Europe for us - Central-Europeans - starts behind and to the east of our borders, let it be to the east of the Czech Republic, Slovakia or Poland;

2) “mental borders” between Central and Eastern Europe still persist;

3) we, the Visegrád countries, don’t want to be called Eastern Europe any more. The general attitude stemming from the answers was in such manner that we want to belong to the West, Eastern Europe does not interest us.
The second question was concerned with the Visegrád group. The question was as follows: “What do you know about the Visegrád group?”.

<table>
<thead>
<tr>
<th>Answer</th>
<th>Percentage from 100 students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not clear answer</td>
<td>8.9 %</td>
</tr>
<tr>
<td>Economic cooperation of Czech Rep., Slovakia, Bulgaria and Romania</td>
<td>5.4 %</td>
</tr>
<tr>
<td>Economic cooperation prior to the EU entry</td>
<td>23.2 %</td>
</tr>
<tr>
<td>Political, cultural and economic cooperation group of Czech Rep., Slovakia, Poland, Hungary</td>
<td>26.8 %</td>
</tr>
<tr>
<td>General cooperation of Czech Rep., Slovakia, Poland, Hungary</td>
<td>35.7 %</td>
</tr>
</tbody>
</table>

Table 2: Percentage value for the question “What do you know about the Visegrád group?

When it comes to the V4 group, the results were quite shocking. The reason why it was so surprising is that these are mostly Czech or Slovak students who were questioned, that means students from countries that have belonged to the Visegrád group since 1991. The V4 group has played an important role in the eliminations of borders between the West and the East, the Old and the New Europe. The probable reason is that the activity of the group is not as visible as it could be. And the truth is that the mutual conflicts between the member states attract more attention and thus result in counteraction of positive actions of the group.

The relatively correct answer that the Visegrád cooperation is a form of unique mainly political cooperation between four countries was not as often present as was expected at the beginning (only about 27 %). More than one third of the students described V4 as a general type of cooperation without any further explanation what does this cooperation really include. 23.2 % answered with the economic cooperation which is not correct because the original idea of this cooperation has been the political, later also cultural dialogue, consultations and cooperation. The focus on economy in their answers could be influenced by their field of study – International commerce – as they confused the economic platform CEFTA with the V4. Of course, consultation on economic issues has also been part of the V4 agenda, but the overarching idea is the political cooperation of these four countries.
The last question was about the Eastern Partnership policy. The EaP is a relatively new initiative aiming at the enhanced dialogue and partnership between the EU and the so called Eastern European neighbours. The Visegrád countries (with the exception of the Czech Republic) border on Eastern neighbours what makes them important intermediary agents in facilitating the dialogue between them and the EU. The question “What do you know about the Eastern Partnership?” was meant as a check of the awareness of students about their closest neighbourhood and developments there.

<table>
<thead>
<tr>
<th>Answer</th>
<th>Percentage from 100 students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nothing</td>
<td>87,5 %</td>
</tr>
<tr>
<td>I’ve heard it; but don’t know exactly, something to do with Eastern Europe</td>
<td>5,4 %</td>
</tr>
<tr>
<td>Cooperation platform for Eastern Europe to come closer to the EU</td>
<td>7,1 %</td>
</tr>
</tbody>
</table>

Table 3: Percentage value for the question “What do you know about the Eastern Partnership?”

The results of this question were really surprising. On overall students knew very little about individual V4 group and EaP, so we can suppose they have not made any connection between these two issues (EaP and the V4). The majority of them (87,5 %) have never heard of such think as the Eastern Partnership or European neighbourhood policy. This might be because these are relatively new policies, especially the EaP, and not enough attention and media coverage was given to these topics, except the time around May when the declaration on the EaP was signed in Prague during the Czech Council Presidency. In media we have heard about the gas crisis, about the situation in Ukraine, Belarus or tension between the EU and Russia. But there has been no or only a little connection made between these issues and the EaP.

However, there has been some information on these policies in media and an investigative and interested student could have noticed the debate and general discourse about the EaP. The low interest and consequently little knowledge of the issue of the Eastern Partnership could result from the focus of their studies as well as from the missing interpretation from the lecturers and teachers.

The other factor is that after I spoke to several teachers at the faculty, they told me that they don’t really cover these topics, since they are new and still developing or there is not enough time to cover all the policies in the semester.
Conclusions

The questionnaire carried out at the University of Economics in Prague was seen as relatively easy and inexpensive way to find out the knowledge level of Masters’ students of “International trade”. The choice of such representative group was justified by their status as students, the field of their study focusing on the international issues, as well as their origin from the Visegrád countries. University students as future (political) elites of next generation occurring in the phase of winning and learning new knowledge and information about the world around seem to be a justified sample group to get the idea about the awareness about current political and economic developments. Selected students come from the Czech Republic or Slovakia – countries belonging to the Visegrád cooperation group – a unique cooperation platform in Central Europe. This Visegrád group has played an important role in the political, economic and social transformation process of these countries and the formation of their foreign policy orientation. The Visegrád platform building on joint problems, ideas and interests has helped the countries to overcome problems of the 90s and thus accomplish their return back to Europe.

After the evaluation of the collected answers we can conclude that students have to a certain extent misleading knowledge about the nature of the Visegrád group and little knowledge about the Eastern Partnership. The evaluation of the answers to the first question – What does the Eastern Europe mean to you? – is difficult as there is no right or wrong answer. We can only trace the ambition to get rid of the label Eastern Europe for the Visegrád countries and move such label further to the east.

Furthermore, in order to make the thesis of the importance of the Visegrád countries in pursuing the EaP policy and helping the Eastern neighbours to come closer to the EU and thus make the borders more invisible, the civil dimension as an inseparable part of this policy must be strengthen. The civil dimension as the practical and effectual cooperation between people was meant. However, the true cooperation cannot evolve without awareness and knowledge about the existence of such policy among general public. One of the ways how to spread knowledge is to educate university students in areas of European and international political happening. So, one suggestion is to include the topics of such new policies as the Eastern Partnership in the course syllabus. Furthermore, it would be wise to pay more attention to the promotion of the EaP, either on the governmental or parliamentary level, or on the NGO level. Or/and more positive Visegrád activity in the eastern direction that would be more visible to students and public in general. However, the awareness of the Visegrád group, its existence and its activity should be also increased as it concerns the region of Central Europe.

However, the main idea of this questionnaire was to find out the level of knowledge on three issues, i.e. the Eastern Europe, Eastern Partnership and the
Visegrád group. The goal was completed by conducting and analyzing the answers to open ended questions. The chosen method of non-probability convenience sampling does not allow us to generalise the answers on the whole population of students, but it has given us a picture about the situation among the International trade students of the UEP.

Used Literature
