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THEORY OF POLITICS

THREE RIVAL VISIONS OF DISTRIBUTIVE JUSTICE THE INDIRECT CASE FOR LIBERTARIANISM

*Łukasz Dominiak**

ABSTRACT: In this paper, I employ the method of reflective equilibrium to analyse background conditions of our considered judgements about distributive justice generated by a thought experiment called “Three Children and a Flute”, proposed and interestingly commented upon by Amartya Sen in his book *The Idea of Justice*. I claim that, contrary to Sen’s conclusions drawn from the thought experiment, for the utilitarian and egalitarian visions of distributive justice to hold other things about distribution of resources and social life that we are not willing to accept must be true and that it is not the case then that it is a ‘difficult decision’ to make what pattern of distribution should prevail in the thought experiment. To boot, I hold that libertarian or natural pattern of distribution does not presuppose these background conditions that we are not willing to accept and which are presupposed by egalitarian and utilitarian distributive patterns. I conclude that taking into consideration the fact that there is a plethora of inconsistencies, counter-intuitive consequences and anti-scientific implications of the utilitarian and egalitarian solutions to the thought experiment, it is a natural pattern of distribution that prevails in the ‘flute dilemma’.

KEYWORDS: distributive justice, libertarianism, utilitarianism, egalitarianism, origin of the state

IN HIS HIGHLY recognised book *The Idea of Justice* a Nobel Prize winner in economics Amartya Sen proposes a sort of thought experiment called “Three Children and a Flute” with the intention to demonstrate that people espouse

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competing ideas of distributive justice, or reasons for distributive justice as he puts it, and that there is no easy, one-sided solution to our quandaries about how to distribute scarce resources. The conclusion that Sen draws from the thought experiment is a claim that “theorists of different persuasions, such as utilitarians, or economic egalitarians, or labour right theorists, or no-nonsense libertarians, may each take the view that there is one straightforward just resolution that is easily detected, but they would each argue for totally different resolutions as being obviously right” (2009: 13). In this paper, I will try to show that Amartya Sen’s conclusion is at least dubious, and that even if some of us have intuitions supporting utilitarian or egalitarian pattern of distribution, there are other things that must be true for these patterns to hold that we are not willing to accept. It means that I will present here a twofold case, one against utilitarian and egalitarian visions of distributive justice, one, indirectly, for libertarian pattern of natural distribution. Distributive justice as a subject-matter of investigation creates a dauntingly intricate challenge for a political philosopher, there is though an advantage that an approach of thought experiments gives; for we will start with a sterile and simplified case that will help us to analyse the very logic of respective distributive patterns without delving into the plethora of immemorial quarrels about justice and without necessarily presuming the existing political regimes optimal, what would glaringly skew our investigations.

In this paper, I will employ the method of reflective equilibrium which aims at putting our considered judgements (intuitions), principles and background theories into the state of coherence (Arras 2007: 46–71; Daniels 1979: 256–282; Daniels 2011; Dominiak 2012: 143–156; Dworkin 2013: 185–222; Haslett 1987: 305–311; Rawls 1951: 177–197; Rawls 1999: 17–18). The objective of this method is not to discover the absolute and universal truth straight away; it has much more modest aspirations, namely to say what is true conditionally, i.e. when other things are deemed true; it discovers what must be true if we find other beliefs true. For instance, if we believe that we do not own the labour of our bodies (someone else owns it), it must also be true that we do not (at least entirely) own our bodies (Nozick 1999: 177, 228–229; Rothbard 1998: 45–50; Rothbard 2002: 28–33; Rothbard 2009: 182; Sandel 2010: 65); or if we believe that essentially we are our brains, it must also be true that abortion is not tantamount to murder (Dominiak 2013: 46–52; McMahan 2002: 267–280; Parfit 1987: 468–477); or if we believe that we can reason behind the veil of ignorance, it must also be true that we are disembodied subjects (Dominiak 2010: 185–203; Sandel 1998: 47–65; Sandel 2005: 156–173). By deploying the method of reflective equilibrium, I will

show what must also be true about our social life, if we believe that distribution of scarce resources should have a utilitarian or egalitarian pattern.

The main thesis of my paper is a claim that for utilitarian and egalitarian visions of distributive justice to hold other things about distribution of resources and social life that we are not willing to accept must be true. I claim also that the libertarian or natural pattern of distribution of scarce resources does not suffer from these problems and that none of the controversial things that are necessarily intermingled with the two other distributive patterns hold in a case of natural distribution. Taking into consideration methods used in my research (especially reflective equilibrium and thought experiments) and the subject-matter of it (ought-to-be-state of distributive patterns), the study I present here place itself unequivocally within the purview of political philosophy (Bartyzel 2007: 90–100; Oakeshott 1999: 125–127, 131–138; Raphael 1990: 1–29; Strauss 1998: 69, *passim*).

THREE VISIONS OF DISTRIBUTIVE JUSTICE

Let me start with the extensive quotation from Amartya Sen's book in which he presents the aforementioned thought experiment. The question is: What is your intuition about who should get a flute?

“Let me illustrate the problem with an example in which you have to decide which of three children – Anne, Bob and Carla – should get a flute about which they are quarrelling. Anne claims the flute on the ground that she is the only one of the three who knows how to play it (the others do not deny this), and that it would be quite unjust to deny the flute to the only one who can actually play it. If that is all you knew, the case for giving the flute to the first child would be strong. In an alternative scenario, it is Bob who speaks up, and defends his case for having the flute by pointing out that he is the only one among the three who is so poor that he has no toys of his own. The flute would give him something to play with (the other two concede that they are richer and well supplied with engaging amenities). If you had heard only Bob and none of the others, the case for giving it to him would be strong. In another alternative scenario, it is Carla who speaks up and points out that she has been working diligently for many months to make the flute with her own labour (the others confirm this), and just when she had finished her work, «just then», she complains, «these expropriators came along to try to grab the flute away from me». If Carla's statement is all you

had heard, you might be inclined to give the flute to her in recognition of her understandable claim to something she has made herself” (2009: 12–13).

I believe that despite what Amartya Sen says that “there is a difficult decision that you have to make” (2009: 13), the strongest intuition about who should get a flute is that it should be Carla. We intuitively feel that Carla is the owner of the flute since it had already been hers even before the distributive problem arose in the first place, i.e. before other children “came along to try to grab the flute away” from her; the other children’s claims to the flute are then secondary, whereas Carla’s claims are primary in a sense that she acquired the flute without ‘grabbing it away from anybody’ in any sense of the word ‘grabbing’. If you have the same intuition that Carla should get the flute then you are in favour of natural pattern of distribution. But let’s suppose for the sake of argument that there are people, obviously Amartya Sen seems to be one of them, that feel differently, that opt for one of the two other patterns. If these people want to stick to their guns in a rational manner, i.e. if the pro-utilitarian or pro-egalitarian intuition (let’s call it the original intuition since in our analysis it will serve as its commencing point) is to be a part of a coherent world view, they must accept other intuitions and claims as valid. So the question is what other things must be true for utilitarian and egalitarian patterns of distribution to be valid. In the remainder of this paper I shall discuss with these pro-utilitarian and pro-egalitarian intuitions by confronting them with their necessary background conditions that make them, I believe, untenable.

Before starting in earnest let me have a technical remark about streams of political philosophy. Amartya Sen qualifies Anne’s claims to the flute as an instance of a utilitarian political philosophy. Literally, it is a mistake; Anne represents a teleological or perfectionist vein of political philosophy. According to the teleological way of thinking, before answering the question ‘Who should get a flute?’, we should answer the question ‘What the flutes are for?’, ‘What is the *telos* of flutes?’. Only after answering the latter question we can properly cope with the former. And what is the answer to the latter? Aristotle, the founding father of teleological thinking, would say that flutes are for being played with virtuosity (*Eth. Nic.* 1094a–1102a; Sandel 2005: 254; Sandel 2010: 184–207). So, according to Aristotle, it is Anne who should get the flute because she is the only child who can play it.

The utilitarian way of thinking is different. To answer the question ‘Who should get a flute?’ in accordance with this stream of political philosophy, one has to decide which solution will bring about “the greatest happiness of the greatest

number” (Bentham 1891: 93). It can be the case that distributing the flute to Anne will yield such a result since Anne is the only child who can play a flute and has a chance to delight the listeners, but we cannot know the answer straight away for there can be other circumstances that influence the utilitarian calculation; for instance, it is possible that Carla’s sense of injustice because of being expropriated and Bob’s suffering because of being left without any toys would outweigh the joy of the listeners. In any rate, there must be the cost– benefit analysis conducted before we can know the answer to the question ‘Who should get a flute?’ (Sandel 2010: 34–57).

TWO MEANINGS OF ‘WHO SHOULD GET A FLUTE?’

There are two possible interpretations of the question ‘Who should get a flute?’ and only one of them is *per se* a political-philosophical one (as Murray Rothbard said [1998: 25], the difference between moral and political philosophy is that the latter “deals with the proper sphere of politics, i.e., with violence and non-violence as modes of interpersonal relations”). These two interpretations of the question ‘Who should get a flute?’ pertain to the word ‘should’, and what it means that somebody should get something, in this case a flute. The first meaning of the word ‘should’ is what I call a moral meaning. It conveys the weaker requirement than in the second interpretation of the word and it means that it would be good for me, as a human being, to do such and such thing. In other words, the question ‘Who should get a flute?’ is a question ‘What should I do with the flute if I have one and if I would like to be a good person and lead a good life?’. It might be perfectly the case that to be a good person I should always act in such a manner as to bring about ‘the greatest good for the greatest number’; and if distributing the flute to Anne provides such an outcome, I should give it to Anne and that is Anne then ‘who should get a flute’. It could also be the case that to be a good person I should always act in such a manner as to bring about the advantage to the worst off; and if distributing the flute to Bob provides such an outcome, I should give it to Bob and that is Bob then ‘who should get a flute’. So, the word ‘should’ in its moral meaning is always placed within the wider perspective of a vision of a good life, in a sense of what I should do in a particular case to lead a good life and to be a good person. The requirement of this moral ‘should’ is a weak requirement since there is no threat of violence or coercion if I do not do what I should do.

The second meaning of the word ‘should’ is what I call a political (or legal) meaning. It conveys the stronger requirement than in the first interpretation of the word and it means that there is an obligation on me to do or not to do a certain thing, for instance, to give the flute to Bob, since there is somebody there who has a right to this thing, for instance, there is Bob who has a right to the flute, and if I do not fulfil my obligation, there will be a coercive measures deployed against me, for instance, a fine or imprisonment. The difference between the moral and political (legal) meaning of the word ‘should’ can additionally be illustrated by Murray Rothbard’s example with Coca-Cola: “What we are trying to establish here is not the *morality* of [a given practice – Ł.D.] (which may or may not be moral on other grounds), but its *legality*, the absolute right of [a given person to something – Ł.D.]. What we are concerned with (...) is people’s *rights* to do or not do various things, not whether they should or should not *exercise* such rights. Thus, we would agree that every person has the *right* to purchase and consume Coca-Cola from a willing seller, not that any person *should* or *should not* actually make such a purchase” (1998: 98). So, the word ‘should’ in its political (legal) meaning is always placed within the wider perspective of lawful and unlawful use of violence and coercion and within the considerations of rights and obligations. It in turn means that the question ‘Who should get a flute?’ in its political sense is an inquiry into conditions of legitimate and illegitimate use of violence against people: would it be legitimate and lawful to take the flute from Carla against her will and give it to either Bob or Anne? Would it be legitimate and lawful to, for instance, fine or imprison Carla if she refused to give the flute to either Bob or Anne?

Now we see that Amartya Sen’s question ‘Who should get a flute?’ constitutes, in fact, two entirely different questions: 1) Would Carla be a good person that leads a good life if she refused to give the flute to either Bob or Anne?; and 2) Would it be justified to use violence against Carla if she refused to give the flute to either Bob or Anne? Which one interpretation is closer to Sen’s intentions? It is explained in an unambiguous way by the author: “the differences between the three children’s justificatory arguments do not represent divergences about what constitutes individual advantage (getting the flute is taken to be advantageous by each of the children and is accommodated by each of the respective arguments), but about the principles that should govern the allocation of resources in general. They are about how social arrangements should be made and what social institutions should be chosen, and through that, about what social realizations would come about” (2009: 15). Thus, it is obvious that it is political interpretation

that Sen has in mind (social arrangements, institutions) and that the proper question is: ‘Would it be justified to use violence against Carla if she refused to give the flute to either Bob or Anne?’ I believe this clarification changes our intuitions further towards Carla’s reasons for getting the flute and for natural pattern of distribution. It also shows that Sen’s thought experiment is a kind of trick, since we are much more willing to opt for utilitarian, teleological or egalitarian positions if we understand the question ‘Who should get a flute?’ in its moral meaning than we are if we talk about its political interpretation.

NECESSARY BACKGROUND CONDITIONS OF NON-LIBERTARIAN DISTRIBUTIVE PATTERNS

As I said beforehand, I will deal here only with the political interpretation of the Sen’s thought experiment, both because this is a study in political philosophy and because this is the only correct interpretation of Sen’s own words. In this paragraph, I would like to describe and analyse five main background conditions that, by necessity, follow from the non-libertarian distributive patterns; in other words, I want to demonstrate what other things about distribution of resources and social life must be true for utilitarian and egalitarian visions of distributive justice to hold.

(1) *There must be a powerful redistributing institution that takes resources from their original holders against their will and distribute them to other people* (Hoppe 2007: 98). First background condition that must be fulfilled for the utilitarian and egalitarian pattern of distribution to hold is the existence of somebody, let’s call him John, that is able to deploy effective coercive measures to take the flute from Carla, its original holder, and distribute it to Bob or Anne. If we stick to the natural pattern of distribution, i.e. Carla’s ownership of the flute, there is no need for any additional action or person or institutional arrangements that would conduct this action. The flute is already where it should be, in Carla’s hands. She does not have to regain or claim it from any other person. There is no need for John, no need for any redistributing institution. The situation is entirely different with the utilitarian and egalitarian pattern of distribution. Since the flute is in the hands of its maker, Carla, and it is not the place where it should be, there must be somebody, I call him John, who will take it from the maker against his will – consider that this action must be performed against the maker’s will since

otherwise we would change the interpretation of the question ‘Who should get the flute?’ from political one into moral one, and that of course would be a logical category mistake. To boot, since the thought experiment is not about an isolated, individual quarrel about the flute, but about “the principles that should govern the allocation of resources in general and about how social arrangements should be made and what social institutions should be chosen” (Sen 2009: 15), it is a physical necessity that John be some kind of organisation or institution. If we in turn mix these two conditions (acting against the will of others and on a large scale), we realise that John must be a powerful institution that is able to employ effective coercive measures against natural holders of resources. So, if we want to persevere in our utilitarian or egalitarian intuition about who should get the flute, we have to accept the existence of John, a powerful redistributing institution.

(2) *If we espouse egalitarianism, there must be a different distributive pattern for the redistributing institution.* If we have a redistributing institution, we, by necessity, need some pattern how to distribute resources to the redistributing institution. In other words, if there is John, we have to know on what basis we can pay John for his service. This generates additional problems and strains our willingness to persevere in the original intuition.

Let’s simplify the matter again and conduct another thought experiment that I call “Three Children, a Flute and Egalitarian Distribution”. Imagine that we have Carla who is the maker of the flute and poor Bob who does not have any toys. Imagine further that we espouse the egalitarian vision of justice. Imagine also that there is John who works as a redistributing institution. If John succeeds in regaining the flute from Carla and distribute the flute to Bob (this is what we believe is a just distributive pattern), on what basis he should be paid? We have three main options to consider, let’s try the first one. John can claim his paycheque on the same grounds that justify Bob’s title to the flute, namely that he is poor. There are insurmountable problems with this justification though. First of all, if John’s poverty (let’s grant for a while that he is as poor as Bob) were the reason for his paycheque, he should get it without doing anything, let alone working and being successful (if Bob got the flute without doing anything whereas John had to work and be successful, that would be jarringly unjust). So, he should not be paid at all (again: that would be unjust to require work from John for a paycheque when we do not require work from Bob for the flute), but supported in the same redistributing manner as Bob by another redistributing institution (John II); but in the case of this second-order redistributing institution

(John II) the same problem would appear, namely we would need a third-order redistributing institution (John III), and so on and so forth – this, of course, is a logical mistake *reductio ad absurdum*. Even though this first argument is strong enough to show that we cannot use the same distributive pattern to John and Bob, I would like to pay attention to the fact that we assumed that John is as poor as Bob. Unfortunately, this assumption is rather implausible; it is much more probable that John would be well-off working as a redistributing institution. If it is the case, the above line of argument is invalid. This though does not help the egalitarian vision of justice since if John is an affluent person, we cannot employ the egalitarian criterion of distribution either. In both cases, we need a different distributive pattern than we chose in the original thought experiment.

The second option we can consider is more intuitive, namely John can claim his paycheque on the most natural grounds that he ‘has been working diligently for many months to regain the flute with his own labour’. Obviously, this justification would be exactly the same as the one we rejected in the first place when we were considering Carla’s title to the flute. Thus, rationally speaking, this justification is not available for us since it is impossible to explain why in Carla’s case her own labour does not grant the ownership of the flute whereas in John’s case it grants the ownership of the paycheque.

From our three options we are left with the last one, the utilitarian pattern of distribution. John can claim his paycheque on the grounds that it will bring about ‘the greatest good for the greatest number’. Here we have at least two problems. First of all, we cannot know straight away if granting a paycheque to John will, in fact, engender this desirable outcome. Let’s assume for a while that it will – I will come back to this crucial problem later on. Secondly, we did not choose the utilitarian pattern of distribution in the original thought experiment since we thought that just distribution consists not in generating the greatest good for the greatest number of people but in acting in such a manner as to bring about the advantage to the worst off. But since these two criteria are inconsistent only indirectly, we can, after all, swallow this bitter inconsistency and admit two different distributive patterns, one for individuals (Bob, Carla and Anne), one for a redistributing institution (John). (By saying that these two criteria are inconsistent only indirectly I mean that the egalitarian criterion directly denies the libertarian criterion by taking the flute from Carla; on the other hand, the egalitarian criterion denies the utilitarian criterion only indirectly by choosing to distribute the flute grabbed from Carla in different than utilitarian a manner.) So, if we espouse the egalitarian vision of justice and if we want to persevere in

our original intuition about who should get the flute, we have to accept another background condition, namely that there would be two different distributive (legal) regimes, a first-order, lower one, governing ordinary people like Carla, Bob and Anne, and a second-order, higher one, pertaining exclusively to John, a powerful redistributing institution (Hoppe 2007: 28). That of course would mean that people would not be equal in the eyes of institutions and law. If John and Bob are governed by different distributive patterns, they by necessity cannot be treated equally. This in turn is a highly undesirable effect for everyone, especially for the proponent of egalitarianism.

(2') *If we espouse utilitarianism, the problem with a lower and higher distributive regimes does not disappear but reformulates itself.* I believe that the case of utilitarian distributive pattern shows in a more sterile way the problem with two regimes that would be created if we stuck to our original intuition. Let's resort to the method of thought experiments again, this time it will be a story about "Three Children, a Flute and Utilitarian Distribution".

Imagine that we have Carla who is the maker of the flute and talented Anne who is the only one who can play a flute, and does it beautifully. Imagine further that we espouse the utilitarian vision of justice. Imagine also that there is John who works as a redistributing institution. If John succeeds in regaining the flute from Carla and distributes the flute to Anne (this is what we believe is a just distributive pattern), on what basis he should be paid? Let's skip scenarios with the libertarian and egalitarian bases, since everything we said above pertains to this thought experiment as well (realisation of each of these scenarios would generate double standards), and consider the utilitarian basis: paying John would bring about the greatest good for the greatest number. The strongest case for this answer goes like this: Since distributing the flute to Anne would bring about the greatest good for the greatest number and since without John's work the flute would not go to Anne and since without paying John he would not do his work, paying John is for the greatest good of the greatest number.

Unfortunately for the proponent of utilitarianism, there is a rejoinder to the above line of argument. Consider this, it can be true and we agreed on it in the original thought experiment that distributing the flute to Anne would bring about the greatest good for the greatest number, but it does not follow from it that distributing the flute to Anne *and* paying John would bring about the greatest good for the greatest number. This is a logical mistake *non sequitur*. We do not know any of the three things, neither if distributing the flute to Anne *and* paying

John would bring about greater good than distributing it to Bob or leaving it in Carla's hands, nor if distributing the flute to Anne *and* paying John would bring about greater good than distributing it to Anne *and* paying Mark (some other redistributing institution), nor which manner of doing John's job and which manner of paying him (exactly how much) would bring about the greatest good. How to solve this problem?

To overcome this difficulty we would need somebody to calculate and decide which kinds of actions bring about the greatest good for the greatest number. There are two possible scenarios as far as the question who could be this somebody is concerned. The first option is that there should be some other person (institution) than John that would make this calculation and decision. Let's simplify it by calling Bruce into our story. There are two main problems with this solution. The first one is already obvious from what I said above, namely on what grounds Bruce should be paid for his work and who should calculate and decide which scenario on Bruce's level brings about the greatest good for the greatest number. This leads to *reductio ad absurdum*. The second problem is connected with conflicts between Bruce and John. Since as we know John is a powerful redistributing institution, he would not be willing to accept Bruce's decisions if they were disadvantageous to him; Bruce in turn would not be willing to get into any conflict with powerful John and he would have natural propensity to skew his decisions in John's favour. It is highly probable then that Bruce would basically start working for John and they would merge into a one institution. It shows that the first option suffers from a logical mistake, proclivity towards conflicts and intrinsic unreliability.

The second option is to entrust John with calculations and decisions. This would cut off a *reductio ad absurdum* mistake, though arbitrarily, and avoid some conflicts. Other conflicts would remain, especially these between ordinary people like Bob and redistributing institutions like John; the propensity to skew decisions in John's favour would even grow. But all things considered, it would be better and more feasible to reserve calculation-conducting and decision-making functions to John than to create a new institution, Bruce, that would generate more problems than John and that eventually would merge with John.

Whichever option we choose, it creates the situation where two different regimes and double standards exist: one higher for John and one lower for Bob, Anne and Carla (Hoppe 2007: 83). There is only one subject powerful enough to decide about what pattern of distribution is for the greatest good of the greatest number and it is John, a redistributing institution itself. Ordinary people like

Bob, Anne and Carla cannot make such decisions and cannot coerce others to abide by them. Moreover, this power of the ultimate decision-making would also be deposited in John's hands in the aforementioned case of egalitarian vision of justice since as we established, it is inevitable for John to claim the paycheck on other grounds than utilitarian ones, and utilitarian grounds bring about problems I have just described, namely that there must be an ultimate and exclusive decision maker. So, also in the case in which we espouse the utilitarian vision of justice, if we want to persevere in our original intuition about who should get the flute, we have to accept another background condition, namely that there would be two different regimes, a lower one governing ordinary people like Carla, Bob and Anne, and a higher one pertaining to John, a powerful redistributing institution, who enjoys the exclusive power of ultimate decision-making.

(4) *To effectively fulfil its function, a redistributive institution must be a monopoly* (Tannehill 2007: 32). As I noticed when I was describing the first background condition, John must be powerful enough to be able to employ effective coercive measures against Carla, a natural holder of resources, who by definition is against redistribution. As I in turn noticed when I was describing the second and second prime background condition, to function effectively John must be governed by a higher regime than Carla, Bob and Anne, and there must be two different sets of rules, one for John, a redistributing institution, and one for ordinary people; what is more, I noticed that for effective functioning there must be only one subject, John, in a given society or territory that wields the power of ultimate decision-making. All these conditions together straightforwardly imply that John must be a monopolist to do his job of taking the flute from Carla and giving it to Bob or Anne effectively. So, if we want to persevere in our original intuition about who should get the flute, we have to accept another background condition, namely that John, a powerful redistributing institution, would be a monopolist in fulfilling its functions of redistributing wealth and ultimate decision-making.

(5) *In the case of conflict with a redistributing institution, this institution will be a judge in its own case* (Hoppe 1998–1999: 27). This is the last background condition that I would like to pay attention to in my paper. The same as in the case of the fourth condition, it is a quite obvious corollary that follows from everything I said beforehand. If there is a conflict between, let's say, Bob and Carla about who should get the flute, John is the one who can settle it, after all he is a monopolistic ultimate decision maker. If Bob and Carla live in an egalitarian

society and if John does not abuse his power, he will distribute the flute to Bob. We agreed on it during our analysis. But what happens when a conflict between, let's say, Bob and John occurs with regard to the question how much John should be paid for his service? For instance, John claims the equivalent of the half of the flute and Bob does not want to pay John so much. What is then? Then John will settle the conflict by himself. Since we granted John the power to unilaterally decide what brings about the greatest good for the greatest number and since conflict with Bob is exactly about this issue (the question 'How much should John be paid?' is just saying in other words 'What would bring about the greatest good for the greatest number?', since this, as we established above, is the reason for paying John), John is the only agent who can adjudicate upon the conflict about how much he should be paid. It in turn means that in the case of conflicts with John, John will be the judge. So, if we want to persevere in our original intuition about who should get the flute, we have to accept another background condition, namely that John, a powerful redistributing institution that is also a monopolistic decision maker, would be a judge in his own case.

CONCLUSIONS

As we have seen, to embrace the utilitarian or egalitarian reasons for justice in the Sen's thought experiment with three children and a flute we must also accept at least five background conditions that work against our other considered judgements. The first background condition is in conflict with at least one intuition that taking something violently from somebody who did not take it from anybody else is not a just practice. The second and second prime background conditions are against our considered judgement that everybody should be equal before the law and that if there are double standards, it is not a just social constitution that we have. The fourth background condition denies economic science and its discoveries according to which every monopoly is disadvantageous to consumers (Mises 1963: 357–384). The fifth condition is in conflict with our considered judgement and with a fundamental principle of natural justice that *nemo iudex in sua causa*.

None of these conflicts exist in the case of libertarian or natural scenario, according to which the flute should stay in Carla's hands. That is why I claim, and it has been demonstrated in this paper, that it is glaringly mistaken a view that "there is a difficult decision that you have to make" about who should get

a flute. Quite to the contrary, taking into consideration the fact that there is a plethora of inconsistencies, counter-intuitive consequences and anti-scientific implications of the utilitarian and egalitarian solutions to the flute dilemma, it is an easy decision to make that it is Carla who should get the flute since only this solution does not suffer from any of these maladies. This of course means that “Three Children and a Flute” thought experiment works as another argument in favour of the libertarian political philosophy.

There is though one thing that can explain Amartya Sen’s hesitation about the solution to the thought experiment. If we take either egalitarian or utilitarian way of solving the flute problem and ask ourselves if these solutions could be implemented in a real political life, the answer is obvious. This is exactly what happened. John fulfils all definitional conditions of a modern state: it is a territorial monopolist of the ultimate decision-making and taxation whose agents are privileged by being governed by the higher public law, whereas its subjects are underprivileged by being governed by the lower private law. Since it is difficult to abstract from and argue against existing political regimes, it explains why utilitarian and egalitarian solutions to the thought experiment could seem to have a sort of appeal at the beginning of our investigations; however, after a thoroughgoing examination we see that this alleged intuitive gloss does not stand up to criticism.

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**GLOBAL GOVERNANCE –
A PERSPECTIVE ON WORLD POLITICS.
FOUR THEORETICAL APPROACHES**

*Magdalena Kozub-Karkut**

ABSTRACT: The objective of this article is to demonstrate the place of the global governance concept in four international relations theories: realism, liberalism, neoliberal institutionalism and social constructivism. Global governance is defined as the sum of ways that institutions and international organizations, both public and private, use to try to cooperate at the global level in order to manage their common affairs. In addition, the paper defines global governance as being a specific perspective on world politics that offers a tool for understanding global change in an era of shifting boundaries and relocated authorities. The main research questions of the article are: how the most influential IR theories have reacted to the global governance concept and why the term ‘global governance’, so popularly and so frequently used in the 1990’s, has not resulted in a stable concept. Conclusions and suggestions presented in the summary point out that global governance held the promise of a radical transformation (predicted by almost every IR theory) of world order at the end of the Cold War. However, this great institutional transformation has never taken place. Therefore, current global politics still remain resistant to any form of world (or global) governance.

KEYWORDS: global governance, realism, liberalism, neoliberal institutionalism, social constructivism

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INTRODUCTION

Over the last two decades, the global governance concept has become extremely popular and fashionable among social science scholars. In addition, confusion in regard to its authentic meaning has greatly increased during this time. Since the publication by James Rosenau and Ernst-Otto Czempiel's work entitled *Governance Without Government*, the term 'global governance' has been used by students of world politics to describe global change as well as its outcomes and implications for international relations. 'Global governance', as previously was the case with 'globalization', has become a buzzword used in a myriad number of IR articles and books in different meanings and contexts.

A great number of scholars are of the opinion that the date of publication of *Governance Without Government* in 1992 brought the term 'global governance' onto the scholarly stage. And, in fact, since that time the global governance concept has been widely used. However, some scholars (Hewson, Sinclair 1999: 6) have noticed that the term is quite difficult to find in the above-mentioned book. Instead, the authors (Rosenau, Czempiel 1992) use the following terms: 'international governance', 'systems of governance' and 'governance on world politics'. Despite these inaccuracies, there is no doubt that since 1992 the term 'global governance' – understood as being different forms of managing global processes and affairs that result in transnational repercussions – has been introduced to the academic (as well as political) debate. These attempts to 'govern globalization' may be divided into three forms of governance: the official (within interstate forums that are subject to the rules of public international law), the unofficial (within the private and civil sector domain) and hybrid governance trends (Gupta 2002: 361–388).

Together with James Rosenau, whose reflections on global governance were the most influential during the 1990s, Rod Rhodes (1991), Lawrence S. Finkelstein (1995), Robert O. Keohane and Joseph S. Nye Jr. (2002) have been trying to define the concept and have focused their research on global change. In this way, global governance concept was created, as well as the debate about alternatives to the state-centric theorizing came about. The discourse has also been intensively developed since 1995, when the first issue of the 'Global Governance Journal' appeared. Moreover, in 1995 the UN Commission on Global Governance published the report *Our Global Neighborhood* (1995: 27) that also defines 'global governance' as 'the sum of the many ways individuals and institutions, public and private, manage their common affairs'. In addition, the report suggests that

“at the global level, governance has been viewed primarily as intergovernmental relationships, but it must now be understood as also involving nongovernmental organizations (NGOs), citizens’ movements, multinational corporations, and the global capital market” (1995: XIV).

The idea of global governance has been developed as an answer to the changing nature of world politics. During the 1980s and 1990s, theorists recognized a deeper change within world politics. This change, spurred by technological revolution and the globalization of economic life, has caused scholars to perceive our world as no longer being organized in a set of discrete (separate) sovereign states. The international system is no longer constructed of Westphalian polities but has become a system of multiple actors concerned with multiple issues (Mingst 1999). According to the opinion of David Held and Anthony McGrew (2002: 9), “as an analytical approach, global governance rejects the conventional state-centric conception of world politics and world order. The principal unit of analysis is taken to be the global, regional, transnational system of authoritative, rule-making and implementation”.

Being aware of the fact that new phenomena within the social world need new categories of description as well as new conceptual tools which should be appropriate to the change, some scholars have started to accept this challenge. As a consequence, the concept of global governance has been developed as a tool to assist in this endeavor while understanding “the era marked by shifting boundaries, relocated authorities, weakened states and proliferating of nongovernmental organizations” (Rosenau 1999: 287).

According to J. Rosenau (1995: 363), our conceptual scope must be broadened if we want to understand international relations – or, as L.S. Finkelstein (1995: 368) has pointed out, what we until recently have called ‘international relations’ – in the changed circumstances in the twenty-first century. The concept of interdependence has been appropriate while describing world politics since 1970s, but since the end of the Cold War the dynamics of interdependence have tended to have global consequences. Therefore, analysts as well as scholars quite naturally have begun to use the term ‘global governance’.

The development of the global governance concept was also the answer to the main IR theories: realism and neoliberal institutionalism, which had dominated the debate during the 1970s and 1980s and which, after the end of the Cold War, started to lose their importance. According to Ronnie Lipschutz (1997: 82–102), the global governance concept has become also a great challenge for all scholars trying to answer the question of who makes the most influential

decisions related to world politics and what kind of decisions are they, and how are they negotiated.

The central research questions of this paper are as follows: 1) how the most influential IR theories have reacted to the global governance concept, and 2) why the term ‘global governance’, so frequently used in the 1990s, has not resulted in a stable concept. In order to accomplish the first goal, the paper will analyze the global governance concept from four different approaches: realism, liberalism, neoliberal institutionalism and social constructivism. Of course, it is impossible to analyze the publications of all authors associated with these theories. Therefore, this paper focuses only on those which have been published after 1992 and which are related to the problem of the changing nature of international affairs after the Cold War. In addition, only those publications have been taken into consideration whose authors use the term ‘global governance’ according to the changing nature of international system. In addressing the second question, the academic popularity of the global governance concept as well as the transformation that it has undergone since 1990s will be presented.

ONE GLOBAL GOVERNANCE’S VIEW OR MANY?

In order to present the meaning of ‘global governance’ in the clearest way possible, I will use two very popular definitions. The first one was developed by J. Rosenau and the second one by L.S. Finkelstein. According to J. Rosenau (1995: 13–43), global governance refers to more than the formal institutions and organizations through which the management of international affairs is or is not sustained. “[...] global governance is conceived to include systems of rule at all levels of human activity – from the family to the international organizations – in which the pursuit of goals through the exercise of control has transnational repercussions”. Lawrence S. Finkelstein (1995: 367–372), in the first issue of the “Global Governance Journal”, suggested that global governance could be defined as “governing, without sovereign authority, relationships that transcend national frontiers. Global governance is doing internationally what governments do at home”. Combining these two definitions into one, global governance can be described as a global system of norms that influence the behavior of international actors. In addition to that, Eric K. Leonard (2002: 168) stresses that the norms should be intersubjectively accepted.

The representatives of almost each IR theory have presented their own assumptions related to the global governance concept as well as to its explaining capacity. The theorists who actually believe that the state is going to wither away stress the role of the global governance concept or even the global governance theory. Some of the scholars who are more skeptical while analyzing the changing nature of the current international system underline the fact that global governance, as a theory, overstates the challenges to the state as well as the alternatives to it. The analysis of the term ‘global governance’ used by the representatives of four IR theoretical perspectives made it possible to create four global governance understandings associated with the four appropriate theories.

The first analytical perspective is realism, which is perceived as being a product of a long philosophical and political tradition. It has to be also noted that realism is not (and never has been) a single theory¹, but it is often compared to ‘a big tent’ with room for a number of different theories². Among the variants of realism, the most popular is the realism of K. Waltz that is described as structural realism or neorealism. The great difference between the structural and traditional realism is the emphasis placed by the representatives of the former on the structure of the international system³. According to K. Waltz (1990: 21–37), “neorealism develops the concept of a system’s structure which at once bounds the domain that students of international politics deal with and enables them to see how the structure of the system, and variations in it, affect the interacting units and the outcomes they produce. International structure emerges from the interaction of states and then constrains them from taking certain actions while propelling them toward others”. Some modifications of structural realism have

¹ Scholars use the word “theory” to refer to three different things: realism as a large and complex tradition; subschools within the realist tradition, such as neorealism, as well as specific realist theories like the balance of power or security dilemma (Wohlforth 2008: 131).

² However, it is possible to point out some characteristics related to realism as a whole: 1) *Groupism* which means that politics take place within and between groups, and for realists the most important human groups are nation states, 2) *Egoism* that is rooted in human nature, 3) *Anarchy* that means the absence of world government and results in a self-help system, 4) *Power politics* that is a result of three former characteristics; the intersection of groupism and egoism in an environment of anarchy makes international relations a politics of power and security (Wohlforth 2008: 133).

³ According to the idea of K. Waltz, the structure of the international system is determined by the ordering principle, namely anarchy, and the distribution of capabilities among states which are seen as functionally undifferentiated actors. K. Waltz argues that the world exists in a state of perpetual international anarchy. The anarchy of international politics – the lack of a world government – means that states must act in a way that ensures their security above all or else risk falling behind.

been made by John Mearsheimer, who disagreed with K. Waltz on the question of how much power states want. K. Waltz emphasized that there are limits in states' search for power and security, while J. Mearsheimer (2009: 243) said that the state's goal is to become the hegemon of the system and that the state will always look for the opportunities to gain more and more power. Waltz also stresses that great powers should not attempt to gain hegemony, either in their own region of the world or around the globe. States should not attempt to maximize their share of world power, because the other great powers in the system will join together in a balancing coalition and stop them in their track. According to the idea of J. Mearsheimer (1993: 5–49), "daily life is essentially a struggle for power, where each state strives not only to be the most powerful actor in the system, but also to ensure that no other state achieves that lofty position".

Apart from this disagreement, both K. Waltz and J. Mearsheimer share the assumption that compliance can be only achieved under hegemony. Only the most powerful state in the world (which is not a world government) can organize the international system of governance. As K. Waltz (1999: 693–700) pointed out, globalization is not ruled by markets but still by governments and because of this fact also the system of global governance should be governed by the most powerful state in the system. The theory of neorealism has little to say about the pieces of global governance because for its representatives only nation-states are the most influential international actors. According to J. Mearsheimer (1993: 5–49; 1995: 82–95), international institutions have little influence on state behavior and therefore "hold little promise for promoting stability in the post-Cold War world". As the product of the most powerful states, institutions (for realists) tend to reflect the prevailing distribution of power in the world and, as a result, states will always choose to obey their rules.

For realists, international (and global as well) governance can only be explained as a product of hegemonic power, and the establishment of any world order will always be an expression of one specific state's hegemony. Order is unstable as inter-state rivalry always threatens to disrupt economic relations and to generate armed conflicts for supremacy (Koenig-Archibugi 2011: 318–330). Realists believe that there is no force that can hold back the logic of anarchy which dominates the international system. It is also worth mentioning that the most influential representatives of neorealism – K. Waltz and J. Mearsheimer – do not use the term 'global governance' while describing the global institutional system. K. Waltz (1999: 693–700) used only the phrase 'governance', and only once – in the title of his article.

The second popular theoretical perspective is liberalism that denotes a shift from a system dominated by states to a disaggregated model described by the term 'global governance'. Liberalism traces its roots back to idealism and holds that human nature is basically good. In addition, liberal theory assumes that people can really influence their conditions of existence. The most prominent representative of liberal IR theory is A. Moravcsik (2002: 159–204), who has also proposed three 'hard core' features of the 'liberal scientific program in international relations'⁴. Because the liberal scientific program places state-society relations at the center of the study area, the first assumption is related to the nature of actors of international politics and stresses that the fundamental actors in international relations are rational individuals as well as private groups. The individuals and groups make efforts in order to organize and to promote their interests. This assumption creates a 'bottom-up' view of politics, which is standard to the liberal approach. The second assumption is that "states represent some subset of domestic society, whose weighted preferences constitute the underlying goals (state preferences) that rational state officials pursue via foreign policy". Representative institutions act like a 'transmission belt' by which the preferences of the social groups are translated into the policy of a state. Finally, the third assumption is that the configuration of state preferences influence and shape state behavior in the international system.

The liberal variant of global governance is strongly associated with the assumptions formulated by A. Moravcsik. The most essential feature of this understanding is the belief that international relations in the global era should reflect the rules and principles of the nation state's society. In addition, it strongly emphasizes the role of non-state international actors. A. Moravcsik's intention is to take the liberal IR theory back from the normative assumptions, and he also believes the global governance concept should not be considered as only a normative idea, but rather as a visible project of international society.

In this view, the nation state is not a unitary actor. Therefore, while analyzing their foreign policies, we have to include all the social forces that may influence them. Within this view, global governance is perceived as an idea that has been developed since 1945 and one which, after the end of the Cold War, has come into prominence. International cooperation, that is in the centre of this under-

⁴ The term 'program' is used by A. Moravcsik in the sense of Imre Lakatos's idea about the scientific research program that delineates the 'hard core' assumptions and 'protective belt' of auxiliary propositions (2002: 159–204).

standing, is also for all liberal IR theorists of paramount importance and because of this fact, they very often use the term ‘global governance’ while describing the post-Cold War world order.

In addition, this perspective strongly emphasizes the issue of democratic legitimacy of international organizations and institutions attempting to show that really existing global governance is not free from difficulties or inaccuracies⁵.

Neoliberal institutionalism, the next IR theory, shares some assumptions related to world politics with structural realism. However, the scholars associated with neoliberal institutionalism have espoused the theory as a response to K. Waltz’s claims. R. Keohane, together with J. Nye, admit that the global system is anarchical in its structure and that states are the primary actors in the international system. However, international non-state organizations and institutions also play a significant role. The main difference between structural realism and neoliberal institutionalism is the assumption related to the possibility of cooperation between the actors in international relations. The representatives of neoliberal institutionalism strongly believe that cooperation (which does not mean harmony) between states is possible and often occurs under the auspices of international institutions (Axelrod, Keohane 1993: 85–115). Neoliberal institutionalism focuses on states, their interests as well as the possibility of cooperation under anarchy⁶. In addition, theorists associated with neoliberal institutionalism are focused on the role of international institutions and on the formation of cooperative regimes.

The understanding of global governance created by representatives of neoliberal institutionalism assumes that formal international regimes, rules and institutions can govern international affairs⁷. The publications associated with the theory of neoliberal institutionalism are trying to answer the question of why, in absence of coercion, would states subject themselves to the constraints of international institutions (McGrew 2002: 265–289). The idea of complex

⁵ This situation is so on account of the fact that it is not easy to define the idea of transparency, accountability and democracy when it comes to the multilateral institutions that cannot be compared to ideal democratic systems. The answer to the question of whether global governance can be democratic must not be based on only philosophical assumptions but on social science evidence as well (Moravcsik 2004: 1–28).

⁶ According to the representatives of neoliberal institutionalism, states always seek absolute, not relative gains (Jervis 1999: 42–63).

⁷ In order to explain their main assumptions, neoliberal institutionalists have developed a lot of middle-level theories like: regime theory or collective goods theory.

interdependence perfectly suits this view of global governance which may be described as a horizontal self-coordination view. R. Keohane together with J. Nye (2003: 386–411) have distinguished four models of global governance ('statist', 'international organization', 'transnational-actors' and 'polity-network') that should not be seen as alternatives. Each model brings new layers of complexity to global governance. "The statist model brings domestic politics, the second model introduces international organizations, the transnational-actors model introduces multinational firms and NGOs and the policy-network model takes into account the facts of state power and chains of delegation to analyze how horizontally organized networks affect outcomes along with the hierarchies of states and international organizations".

The international reality under conditions of complex interdependence and under the influence of globalization process blends all these four models and creates one horizontal model of global governance. This model promotes cooperation, because as R. Keohane (2001: 1–13) has pointed out, "interdependence and lack of governance make a deadly mixture". This kind of governance model is the most approximate to the concept presented by J. Rosenau and is called a "governance without government".

The last theoretical perspective is the social constructivism – the approach that has strong roots in sociology and that is relatively new to international relations. The main assumption of the theory of social constructivism is that the behavior of individuals, states and other actors is shaped by shared beliefs, socially constructed rules and cultural practices. According to Ian Hurd, four features of constructivism distinguish it from other approaches. Firstly, the constructivist approach is an alternative to materialism. The fundamental principle of constructivism is that people act toward objects, including other actors, on the basis of the meanings that the objects have to them⁸. This assumption has several extremely important consequences for the analysis of world politics. The meaning and practices of human behavior vary over time and space; they are never fixed and should never be taken as stable objects. Consequently, also some ideas strongly related to the area of international relations (such as, for instance, the idea of sovereignty) are changing and are always in flux. The second assump-

⁸ This characteristic of constructivism has been developed on the basis of Alexander Wendt's observation that 500 British nuclear weapons are less threatening to the United States than 5 North Korean nuclear weapons, because the British are in a friendly social structure with the United States whereas North Korea is not (Hurd 2008: 298).

tion of social constructivism is that interests are socially constructed, influenced by the culture, norms, ideas as well as domestic and international interactions. As J. Legro and A. Moravcsik (1999: 5–55) stress: “new foreign policy ideas are shaped by preexisting dominant ideas and their relationship to experienced events”. The third assumption is related to the problem of agent-structure relations. This relationship is strongly related to the idea of ‘co-constitution’, which goes beyond recognizing that there are interactions between the unit and the system level. It suggests that the actions made by states (units) contribute to making the norms and institutions of international life (system) and these norms and institutions contribute to influencing and socializing states. Finally, the last characteristic of social constructivism is the multiple logics of anarchy. While criticizing K. Waltz’s idea of anarchy, A. Wendt has pointed out “that rivalry under the condition of anarchy is a social relationship that is not fixed or permanent”. As a social construction anarchy can assume different characteristics and as A. Wendt (1995: 298–305) has stressed, “an anarchy of friends differs from one of enemies”.

The representatives of social constructivism present us with another understanding of global governance mainly because of the fact that they place a great deal of importance on institutions defined as being embodied in norms, practices and formal organizations. This view pays a great deal of attention to the social content of international organizations, the development of collective identities, as well as the role of epistemic communities. Martha Finnemore (1996: 5), while analyzing the role of The International Committee of the Red Cross, noticed that “states are socialized to accept new norms, values, and perceptions of interests by international organizations”. This goes to show that, for constructivists, international organizations are of paramount importance while creating norms and rules which, in fact, are pieces of global governance system. They perceive international organizations as being influential and purposive actors with independent effects on the international system (Karns, Mingst 2004: 50–52).

According to the assumptions of social constructivism, the pieces of global governance are ‘socially constructed’. Their identities and interests are results of socially shared norms and values. In contrast to realists, who see interests as being invariable, constructivists treat them as a product of a never-ending social process. Constructivists see global governance as a way of acting in globalized international system and their attention is focused on how the understanding of global governance can influence the behavior of international actors. The perception of global governance can determine the international actors’ attitude towards it. The basis of global governance are norms, mainly because of the

fact that they can define and shape the actors’ interests. After the process of emergence, as defined by M. Finnemore and K. Sikkink (2001: 391–416), norms provide a basis for a governance system being perceived as valid and effective. Constructivists agree that communicative processes (interaction, communication and discourse) can influence the determination of national interests by creating a shared understanding and structures that can both constrain and enable choices (Gupta 2002: 361–388).

All IR theories are trying to answer the question of how the process of globalization has changed world politics and, as a consequence, also our understanding of the international system. Each IR theory deals with the question ‘who governs’, therefore, each IR theory touches on the issue of ‘global governance’. The representatives of the four above-mentioned perspectives explain that current international relations have something to say about global governance. However, they are formulating their assumptions on the basis of the main ideas espoused by each theory. It proves that, within IR, almost each case can be perceived from different perspectives and each of them exposes different aspects of the analyzed phenomenon. Some scholars believe that this situation (this is especially typical for the social sciences) can provide us with a better understanding of the phenomenon. However, after the 20-year-old debate about global governance there still is no certainty that these different views have helped us to understand the phenomenon or to solve the problems related to it.

Table 1: Four theoretic models of global governance

	Realism	Liberalism	Neoliberal institutionalism	Social constructivism
Global governance view	Hegemonic	Liberal	Self coordination	Socially constructed
Pieces of global governance	States	States, IGOs, NGOs, individuals, networks	States (most influential), IGOs, NGOs, TNCs, networks	States, IGOs, NGOs, TNCs, epistemic communities
Mechanism of governance	Hierarchy	Coordination	Coordination	Mobius-web mechanism of governance

The concept of global governance in the academic debate

As mentioned above, after the end of the Cold War, the academic as well as the political discussion centered around the issue of international (and global) governance. Since the 1990s, the emphasis of the debate has been changing and the discussion about the structures of global governance has revealed the

problems of its effectiveness (Keohane 2006: 219–224) and its legitimacy as well (Grant, Keohane 2005: 29–43). The four various understandings of global governance presented above show that not only do the authors associated with different IR theories stress the changing nature of international system, but also they try to characterize this nature using their own attributes typically associated with each theory. In addition, they show that global governance can be understood in different ways and prove that there is no single view of global governance. Moreover, within the IR literature there are many different opinions about it, because academics still manifest their attitudes toward its effectiveness in various ways.

According to Markus Lederer and Philipp S. Müller, there is no single definition of global governance but the situation is accepted by all or by the majority of scholars as well as policy makers (2005: 22). They also stress that there is no need for such a definition. Within the social sciences, many terms do not have one, single definition and so this situation is not as problematic or questionable as it may seem to be. In addition, M. Lederer and Ph.S. Müller stress (2005: 1–20) that defining ‘global governance’ is a political act. Therefore, the fact that there are differing and sometimes opposing views of global governance can be perceived as being a positive sign (Polus 2008: 43).

This situation, however, can cause some confusion because it is extremely difficult to talk about one global governance discourse. In order to clarify our understanding of ‘global governance’, we have to answer the question “how do we use the term of global governance” (Müller, Lederer 2005: 14). In addition, the discussion about the definition of global governance seems to be ‘a neverending story’ that does not result in a stable understanding of the term. On the contrary, all the definitions are so elastic that scholars are becoming unable to define what global governance is and what it is not.

According to K. Dingwerth and Ph. Pattberg (2006: 185–203), we can distinguish two main understandings of global governance. Firstly, some scholars use the term ‘global governance’ as a conceptual reference point while analyzing the current international system for their occupation with world politics. This group of scholars uses the term ‘global governance’ as an analytical perspective that stresses the changing role of the nation state together with the growing position of non-state actors in world politics. According to Th. Weiss, the term ‘global governance’ is seen as being ‘a heuristic device’ that helps to capture and to describe the profound transformation in the global era. This corresponds with the idea that “political governance in modern societies can no longer be

conceived in terms of external governmental control of society, but emerges from a plurality of governing actors” (Marin, Mayntz 1991: 258). In other words, while the idea of ‘inter-national’ relations is conceptually based on an “often unquestioned preference for the nation state as the basic unit of analysis, the study of global governance acknowledges that a plethora of forms of social organization and political decision making exist that are neither directed toward the state nor emanate from it. More precisely, the concept of global governance departs from more traditional views” (Dingwerth, Pattberg 2006: 185–203). Globalization has created a need for a new vocabulary that enables us to describe the international world and, for scholars, the term ‘global governance’ seemed to be a kind of promise that would allow them to describe the globalized world politics.

Secondly, another group of publications defines global governance using the normative approach. Authors of these publications regard global governance as being a political concept and a vision that should help to govern the process of globalization. A great number of global problems (e.g. weapons of mass destruction, global financial crises, the persistence of poverty, climate change, ethnic conflicts, as well as failed states) cannot be managed by sovereign states acting alone, but they need cooperation among governments and non-state actors. In addition, some of them require the active participation of ordinary citizens or the establishment of new mechanisms of cooperation. The final report of the Commission on Global Governance can be perceived as being the normative approach towards global governance. The Commission (1995: 380) maintains that a “global civic ethic to guide action within the global neighborhood, and leadership infused with that ethic, is vital to the quality of global governance’. The Commission comes to the conclusion that we need “more global governance” and that “implementing global governance” is the real problem. Not only do the authors associated with the normative view of global governance stress that better forms of governance should be implemented, but they also emphasize some imperfections of the really existing global governance, such as, for instance, the lack of democratic procedures and the issue of accountability (1995: 380).

These two different understandings⁹ of global governance result in a great number of misinterpretations and they are also a source of problems for scholars and students who are facing the issue of global governance. Because of the fact

⁹ However, some scholars have distinguished three categories of global governance studies: global governance as a phenomenon: managing global problems; global governance as a project: the growth

that we do not have one single definition of global governance, we should always be precise about what kind of global governance we are talking about and what we understand by this term.

This situation can be explained by the fact that the global governance discourse has been developed among scholars as well as among politicians simultaneously. As some scholars have pointed out, there are two global governance discourses: an academic and a political one. In academia, global governance has been developing as a framework that enables scholars to conceive of the global realm, and for policy makers global governance is a term of political vocabulary that is referred to in order to legitimize political interventions (Dingwerth, Pattberg 2006: 185–203).

In regard to the academic discourse, it should be mentioned that the nature of this debate has changed since 1992. The concept had been previously perceived as a great promise, a new term that would enable us to talk about the globalized political realm. During the 1990s, however, the global governance concept was mainly associated with a result of global change that was characterized by the rise to prominence of non-state actors, the increased formation of both IGOs and NGOs, as well as the changing role of TNCs. A great number of articles and books [e.g. the publications of R. Cox (1996: 298), M. Desai (1995: 7), D. Held and A. McGrew (1993: 261–285), J. Rosenau (1992: 1–29), R.A.W. Rhodes (1996: 652–667), G. Stoker (1998: 17–28), O. Young (1990: 337–346)] published during the 1990s stressed the changing nature of world politics and the international system that was no longer dominated by nation states. After the end of the Cold War, the defeat of the Soviet challenge together with the technological revolution and the victory of the democratic political system were perceived as facilitating a possible, depoliticized version of global governance. Therefore, myriad publications devoted to the global governance concept announced a profound institutional transformation, which has (in fact) never taken place. The changing popularity of the term ‘global governance’ is presented in Table 1.

of liberal world order; global governance as a worldview: new analytical approach (Hoffmann, Ba 2006: 1–14).

Table 2: Academic popularity of ‘global governance’ 1991–2013

Years	Number of hits
1991–1995	849
1996–2000	5 010
2001–2005	16 900
2006–2010	20 300
2011–2013	18 000

Number of hits in Google Scholar search with ‘global governance’ anywhere. August, 20th 2013
 A similar table is presented in: H. Overbeek, K. Dingwerth, Ph. Pattberg, D. Compagnon (2010: 696–719)

In the course of 1990s, the term ‘global governance’ was used more and more frequently. After 1992, the turning point was the year 1995, when the UN Commission on Global Governance published its report *Our Global Neighborhood* and the new academic journal (“Global Governance”) was founded. However, at the beginning of 21st century, the term ‘global governance’ started to lose its attraction. The authors of publications related to the global governance concept from the beginning of the 21st century started to ask about the nature of the really existing global governance. They also asked if existing governance systems should be reformed, and which existing governance systems should be reformed etc. This changing nature of the debate, as well as the new topics that have been emerged (for example: legitimacy, accountability and effectiveness of global governance), prove that the authors have shifted their focus of attention from defining global governance to the problems of its effective functioning. There are two levels at which the challenges have arisen. Firstly, the level of actors of global governance has to be legitimate, accountable and effective. Secondly, the whole system of global governance needs to have these attributes. This change can be seen in the publications of R. Keohane and J. Nye. In the late 1990^s they publicized many articles related to the changing nature of international relations and at the beginning of the twenty first century they started to draw readers’ attention toward the problem of accountability and legitimacy of global governance (Keohane 2003: 130–159; Keohane, Nye 2003: 386–411).

This change can be perceived as being a result of a changing globalization discourse. The globalization process during the late 1990^s and during the early years of the new millennium has been described in terms of further liberalization, de-statification and de-territorialization – processes that are currently seen as

untenable. Because of this, the global governance as well as the academic debate related to it must have changed. We still cannot expect that global governance will announce a profound institutional change at the global level. In fact, by using the term 'global governance' the academic world used to describe, in reality, the set of international institutions that were established after 1945 and which since that time were only slightly reformed. Every era has its own trends and perhaps global governance can be perceived as being a sign of this trend within the IR debate. Perhaps it can be described as a term that, in fact, has only stressed the changes brought about by the process of globalization.

Since the beginning of the new millennium, scholars have begun to emphasize that global governance is not necessarily virtuous and should not be viewed as being apolitical. In addition, they have started to question the harmony of international relations, as well as the willingness of countries to engage in international cooperation. Recent studies have also questioned the role of non-state actors in global governance and started to highlight the power relations lying under global governance mechanisms.

The conclusions that can be drawn from this short analysis of the global governance debate are as follows: 1) there is still a problem with creating one definition of global governance and that situation may plague the discussion about it (Waters 2009: 25–58), 2) there are a myriad number of differences in the global governance discourse as well as in the globalization debate, 3) these differences can be linked to the different foci of analysis, such as, for instance, the position of the nation state, the role of non-state actors, the issue of accountability within global governance, the issue of democratic procedures within global governance, the idea of legitimacy and the geographic bias in the debate.

Because of the fact that the concept is still imprecise and vague¹⁰, it should be better historicized and ought to be placed within the third world as understood by Karl Popper's concept of it. The third world contains products of thought and it includes abstract objects such as scientific theories, stories, myths, tools, social institutions and works of art. Therefore, while talking about global governance, we should always stress the historical context in which it is being used.

One of the main arguments of this text responds to the question of why the term 'global governance', so popularly and so frequently used in the 1990s, has not resulted in a stable concept. There are several answers that can be

¹⁰ And according to some scholars, it is also misleading (Overbeek, Dingwerth, Pattberg, Compañon 2010: 696–712).

formulated: 1) the concept was developed within two different discourses (academic and political) which have often been mixed, 2) the concept has always been imprecise and its definitions have been too broad, 3) the new concept ('global governance') has been used while describing the old system of norms and institutions (established after 1945) and only while announcing profound institutional transformation.

The debate related to globalization as well as associated with global governance is placed within a specific discourse, constructed and contested by academics. The initial publications related to global governance highlighted images of harmony, the development of global civil society, as well as global common problem-solving. According to Doris Fuchs and F. Kratochwil (2002: 1–23), "these beliefs also have been underlying the modernization discourse, so that the global governance discourse postulates a repetition of the modernizations of states and societies on a global scale". This approach has, however, overestimated the apolitical character of global governance and underestimated the role of regional and local levels of cooperation. At the beginning of the new millennium, scholars started to show that mechanisms of global governance have a myriad number of defects and sometimes lack democratic procedures and legitimacy.

CONCLUSIONS

On the basis of above-mentioned materials, the conclusion can be drawn that within the global governance literature there are numerous variants and typologies of governance mechanisms. According to the assumptions of J. Rosenau (1999: 289), all typologies are created only in order to organize our thoughts. The situation is typical for the international relations debate, which is also full of numerous inaccuracies.

In addition, it should also be mentioned that it is extremely difficult to indicate some common assumptions related to global governance created by representatives of different IR theories, and to distinguish between certain common assumptions about the global governance concept within the publications associated with four different theories. Only the theories of liberalism and neoliberal institutionalism can be seen as exceptions to the rule.

The differences about the global governance concept that are perceived while analyzing the global governance debate are so radical and essential that it is impossible to make any synthesis. Different IR theories define the term 'global

governance' in different ways and ascribe different role to the global governance mechanisms.

While attempting to answer the question about the really existing global governance, academics as well as politicians stress the fact that after the beginning of the new millennium the processes of further liberalization, de-statification and de-territorialization have been stopped, step by step. Moreover, the global economic crisis that began in 2007, as well as new geoeconomic and geopolitical tensions (such as, for instance, the ongoing shift of gravity of global economy away from the Atlantic and towards the Pacific), strongly signal the end of 'the unipolar moment' and call for the nation states to get back to action.

According to H. Overbeek, "in light of the re-emergence of geopolitical rivalries [...] and in light of the return of the state at the managerial center of the capitalist economy, we must wonder whether the pendulum has not already begun to move in the other direction making the discussion about global governance a debate among historians rather than social scientists" (2010: 702).

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INTERNATIONAL RELATIONS

**FRANCE IN INTERNATIONAL RELATIONS
OF THE SECOND HALF OF THE 20TH CENTURY
AND THE EARLY 21ST CENTURY – PRIORITIES
IN FOREIGN POLICY**

*Małgorzata Gmurczyk-Wrońska**

ABSTRACT: After the Second World War France lost temporarily her position as a decision-maker in international relations. Soon enough, though, her diplomacy adapted to a bipolar system. Her foreign policy was to manoeuvre between the USSR, the United States and Great Britain, and to jointly create the structures of future European Union. It was in the EU that France has found the place to strengthen her role of mediator and arbiter. Nowadays, the foreign policy of France has numerous continuities originating from the 19th century and the years of 1918–1939, but also some modifications related to new directions in French foreign policy and to the adaptation of its tactics to main purposes in order to secure France's security, her strong position in the EU and in the world.

KEYWORDS: France in international relations, diplomacy of France, foreign policy of France, Charles de Gaulle, Sarkozy, Hollande

THE PERIOD OF the Second World War was fundamental to our understanding of the role France played in Europe and in the world in the second half of the 20th century. At that time, France lost its position of decision-maker in the international relations arena for Great Britain, the US and USSR. Yet, after 1945 France did not drop out from the world policy completely. Its diplomacy adapted to the bipolar system; in its foreign policy France was guided by the tactics of

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manoeuvring between the Soviet Union, the United States and Great Britain; and the structures of a future European Union began to emerge. Let us remind that in 1945 France was given an occupation zone in Germany.

TOWARDS THE EUROPEAN INTEGRATION

The ideas of European unification for increased cooperation and security date back to the 19th century. A great discussion within European political circles was provoked by a book of Count Richard Nicolas Coudenhove-Kalergi *Paneuropa* published in 1923; the author saw the regional union mainly in the economic field. It was this idea of cooperation that was often referred to by French politicians. They regarded European unification ideas as attempts not only to check economic and political influence of the US in Europe, but also as the best way to preserve peace in Europe. The leader of French radicals, Edouard Herriot, in his speech delivered on 11 June 1945 said: “We are small, forty-million nation among the nations of 150 millions, like Russia, and of 120 millions like the United States. What should we do to compensate for this weakness other than to unite?” (Krasuski 1995: 29).

In the interwar period, the foreign minister of France Aristide Briand sought to strengthen the alliance with Great Britain and aimed at the rapprochement with Germany and the USSR. Briand’s plans of united Europe were related to the system of collective security in Europe, based on the Locarno Treaty of 1925, non-aggression pact signed between France and the USSR in 1932, and between the USSR and its western neighbours, including Poland. Thus, in Briand’s concept, the main powers of the united Europe were to be France, Great Britain, Germany and probably the Soviet Union. These states, together with some smaller ones, such as Poland, also in its role of France’s ally, were to be linked by mutual pacts within the system of collective security. The project, however, remained unrealised.

The idea of united Europe was revived after the Second World War. Yet, in the reality of Cold War, the idea could be implemented only in the countries of Western Europe.

The concept of united Europe was especially attractive to France, who wanted to use it to strengthen its position in the continent (each integration means a union of states of various military and political potential) and who sought the protection against Germany by way of anchoring them to the European system.

It should be emphasised, however, that after 1945 the ideas of united Europe were promoted by such famous persons as the former British Prime Minister Winston Churchill, Dutch professor and politician Hendrik Brugmans, former Belgian Prime Minister Paul van Zeeland, French Foreign Minister Robert Schuman, Commissioner-General of the French National Planning Board Jean Monnet, Chancellor of the Federal Republic of Germany Konrad Adenauer and Italian Prime Minister Alcide De Gasperi. It is worth mentioning that an important part in the process of European integration was played by the European Congress of the Hague, which took place in 1948; the Congress postulated the creation of political and economic union and called for a European assembly to make preparations for the union. One of the elements facilitating the integration processes was the American plan to provide financial assistance for rebuilding Europe and provide a ready market for the United States (enacted by the US in 1947 and implemented in 1948), the so-called 'Marshall Plan'. France participated in the activities of the Organisation for European Economic Co-operation (OEEC), set up in 1948, and in the same year signed the Treaty of Economic, Social, and Cultural Collaboration and Collective Self-Defence – called 'Brussels Treaty' – and in 1949 entered the military political structures of NATO.

On the French side, it was Robert Schuman and Jean Monnet who had the greatest impact on the integration of Europe. In 1950 Schuman proposed the creation of a supranational and supragovernmental organisation whose members would pool coal and steel production in France and West Germany. In 1951, in Paris, a treaty was signed for fifty years, under the name of the Treaty establishing the European Coal and Steel Community (informally called the Treaty of Paris), between France, West Germany, Italy, Belgium, the Netherlands and Luxembourg. The treaty came into force in 1952 and expired in 2002. Regardless of France's membership in NATO already in 1950, French Prime Minister René Pleven prepared a plan to create a common European army. Despite the controversy as to the idea of such multinational army itself (it was criticised in Germany, but mainly in the US who wanted to include West Germany to the military structures of NATO), in 1952 France, West Germany, Italy, Belgium, the Netherlands and Luxembourg signed in Paris the Treaty of the European Defence Community. It is worth adding that soon afterwards preparations were made for setting up a European Political Community. The only idea that was finally implemented was the European Coal and Steel Community. The members of the Community signed in 1957 the Treaties of Rome which established the European Atomic Energy Community (EURATOM) and the European Economic Community

(EEC), creating a common market and customs union among the members. In 1979, the European Monetary System was established, together with a European Currency Unit, made up of a basket of European currencies. The unification of Europe was closed with the Treaty on European Union signed on 7 February 1992 in Maastricht.

THE RETURN OF GENERAL CHARLES DE GAULLE IN 1958

In 1958, a new constitution was adopted in France and General Charles de Gaulle was elected President of France. Thus France moved from the Fourth to the Fifth Republic, in which the president was an actual leader of the foreign policy of the country. General Charles de Gaulle was opposed to the vision of bipolar world shaped after 1945, and championed the idea that it were the questions of national interests of individual states that form the essence of social life. In fact, however, de Gaulle sought to increase importance and significance of France. He supported the idea of common Europe, but based on the union of sovereign states. He accepted France's membership in NATO, but only if France had an influence on political and military strategy in the world. In his opinion, France's foreign policy was aimed at two targets: national independence based on a strong government leadership and military potential (France armed with nuclear weapons), and a change of *status quo* in the international relations arena. Although de Gaulle tried to manoeuvre between the two superpowers using the tactic known from the Second World War of balancing an opening towards the USSR against frictions with Americans (his visit to Moscow in 1966), he did not succeed in establishing a partnership with Moscow. For France, it was the period of the war with Algeria, of the Elysée Treaty with Germany, and the establishment of diplomatic relations with China. After 1963 de Gaulle initiated a rapprochement with the USSR, an opening to the world and return to various regions of the world after the decolonisation process, and a withdrawal from the military structures of NATO (in 1959 de Gaulle decided to withdraw the French navy in the Mediterranean from NATO's integrated command during the time of peace, and in March 1966 France left NATO's military structures while remaining its member).

In the historiography, a dispute whether de Gaulle looked at the world through nations, despite hierarchising them (Hall 2005: 578–580), or through superpowers (Roussel 2002: 135–137). As Aleksander Hall (2005: 579) writes,

“De Gaulle had a very clear conception of creating Europe as the world force when in 1958 he once more took over the leadership of his nation. It was based on institutionalised cooperation of national states of Europe. But he rejected the vision of supranational uniformed Europe, created at the expense of the European states, diminished in force and significance, and the creation of European identity through calling into question and relativization of the importance of national bonds. On the contrary, in his concept of Europe, the creation of European action and identity was to be based on aspirations and desires of European nations shaped through the history. In his intentions, Europe organised in such a way (for the time being, only Western Europe) should strive for the creation of world’s centre of power, friendly towards the United States because of shared values, history and belonging to the same Western civilisation, but independent of the US and accepting the role of second pillar – with the US – shared responsibility for the future of this civilisation”. De Gaulle did not realise his vision of political union of Western Europe. But he made every effort to impede any tendency to increase economic unification, as in the case of changes planned for the European Economic Community. De Gaulle’s success in the foreign policy of France, and thus in France’s national security, was establishing good relations with Germany. He succeeded in doing what Briand intended and failed.

The well-known French historian Maurice Vaisse (2005a: 863–898) says that only de Gaulle had a vision of France’s worldwide aspirations. None of his successors was able to realise this vision. Nonetheless, French diplomacy still was very active in all these parts of the world where conflicts arose and tensions broke out (e.g. the Balkans). It was the result of France’s aspiration to the role of arbiter, or mediator. The dilemma of French diplomacy was – according to Vaisse – that France was actively engaged in European processes while at the same time she wanted to play a dominant role in the continent. He closes with the following postulate: France has to solve the dilemma of a medium-size power with worldwide aspirations. The American diplomat Henry Kissinger (1994: 604), however, wrote about de Gaulle that: “Single-minded devotion to the French national interest shaped de Gaulle’s aloof and uncompromising style of diplomacy. Whereas American leaders stressed partnership, de Gaulle emphasized the responsibility of states to look after their own security. Whereas Washington wanted to assign a portion of the overall task to each member of the Alliance, de Gaulle believed that such a division of labor would relegate France to a subordinate role and destroy the French sense of identity”. At the press conference on 11 April 1961, de Gaulle said: “It is intolerable for a great State to

leave its destiny up to the decisions and action of another State, however friendly it may be [...]. The integrated country loses interest in its national defence, since it is not responsible for it” (Kissinger 1994: 605).

SUCCESSIVE PRESIDENTS OF FRANCE

Georges Pompidou, de Gaulle’s successor as president of France, was elected in June 1969. He was undoubtedly a continuator of de Gaulle’s policy, and the questions of France’s independence and its prestige in the international arena conditioned the main lines of the policy he pursued. Pompidou, however, was looking for a détente in relations with the Americans. While cautious towards the idea of European integration in the face of Soviet policy, he nevertheless promoted solidarity of Western European countries (Rials 1977: 18–56; Roussel 2004: 975–982).

The next president, Valéry Giscard d’Estaing, tried to intensify relations with Moscow, and opted for stronger ties within the integrating Western Europe, especially with West Germany. Although Giscard d’Estaing spoke about a change in the traditional thinking about French foreign policy, a continuation of former aims of French diplomacy was evident both in his policy and the policy of his successors, who all sought to secure for France an important and decisive position in the world (Guillaume 2004: 530–536). Similar stance was taken by two next presidents, François Mitterrand and Jacques Chirac, who – despite their different political orientations – in various ways contributed to maintaining the myth of France’s grandeur. In one of his articles, an American researcher from Harvard University, Stanley Hoffmann (2000: 308–310), wrote that the end of the Cold War did not bring about a change in goals of French diplomacy. It was still determined by the European construct, French–German cooperation, relations with the US and matters related to NATO (together with the NATO expansion to include the states of Central Eastern Europe after the collapse of the USSR), as well as the importance attached to the problems of Africa and Near East. There were two issues of paramount importance for the French diplomacy of the 20th century, that is Germany and the obsession of France over its decline as empire. For the United States France was still either a partner or a source of constant irritations: diplomatic, cultural and commercial ones. As Hoffmann writes, we can speak about a paradox continuation in French diplomacy. The continuation is the more intriguing that the French policy pursued by de Gaulle’s successors

did not achieve its main goals. Hoffmann wrote his article in 2006. Today, we are justified in posing the question whether and to what extent the actions of the former and actual presidents, Nicolas Sarkozy and François Hollande, are the continuation of French foreign policy, and to what extent they differ from its main line?

FRANCE DURING THE PRESIDENCY OF NICOLAS SARKOZY

During Sarkozy's electoral campaign for presidency some European issues surfaced, but they were not dominant ones, maybe because in 2007 the French themselves were tired of those matters which had lost their appeal for them. To the preceding president, Jacques Chirac, Europe was mainly a geographical and geopolitical concept. Chirac, although Gaullist himself, departed from de Gaulle's lines in European matters many times (e.g. Maastricht Treaty, common currency unit). Paradoxically, it was Sarkozy who, although was not associated with Gaullism, propagated the idea of common Europe close to the movement that is the protection of national identity and sovereignty of states. Sarkozy repeated that the French rejection of the European constitution in May 2005 was a manifestation of their anxiety for the future shape of the union and their awareness that in the era of globalism Europe did not protect them, but on the contrary, was a source of anxiety. Sarkozy proposed a simple constitution treaty to be ratified by parliaments. He wanted to reduce bureaucracy of the Union and to simplify its mechanisms; he plainly propagated the slogans of 'Europe without politics' (Sarkozy 2007a: 99) – that is, of changes more along the lines of economic community, more adjusted to operations in the globalisation era, of Europe protecting its own members and defending universal values. Yet, all this remained only Sarkozy's electoral slogans, for it was in union that he saw a place for strong France.

In his book *Ensemble* Sarkozy presented a problem of Europe in two chapters: *Le défi de la mondialisation* and *L'Europe et la Méditerranée*, in which he referred to the grand idea of Europe as a project for peace and civilisation. At the same time, however, he added that Europe could not be only a legacy of the past, it had to evolve. He wrote even that Europe had to be 'European', that is in its role of the community of countries of European civilisation (Sarkozy 2007a: 95). Sarkozy was always against the accession of Turkey into the Union because of civilisation differences between Turkey and Europe. Although in his keynote speech on

foreign policy, Sarkozy softened his stance on Turkey and said that France would not block negotiations between the European Union and Ankara over Turkish membership; he stated that he was opposed to Turkey's full membership in the structures of the EU (Sarkozy 2007b). He opted for a 'privileged partnership' for Turkey. It should be emphasised, however, that this speech was met with a favourable reception both in the French press and politicians in Brussels, who stressed a realistic view of the new French president (Sarkozy 2007c).

Sarkozy paid attention mainly to a very important problem of the modern world – matters of the Mediterranean arena. The French president said that states of the Mediterranean region should pursue a common economic policy and create their own system of security. This construct, which Sarkozy called the Mediterranean Union, did not exclude cooperation with the European Union. Sarkozy saw here an important place for France also as Mediterranean state that could play the role of link between these two organisms: the European Union and Mediterranean Union.

What was totally new in the French foreign policy of Nicolas Sarkozy was a change towards the United States. For a long time Sarkozy was said to be 'pro-American'. We have every reason to believe that France attempts to reconcile itself with the US resulted from a cold and logical calculation of international relations, and its position in Europe. This formed a basis for France's attempts to create good relations with the US, which in the globalisation era inspired many of its processes and was its great beneficiary.

For the first time after the May presidential election Sarkozy presented the goals of French foreign policy in the first broad foreign policy speech of his presidency, delivered in the Élysée Palace on 27 August 2007 to 180 French ambassadors (Sarkozy 2007b). He recalled hopes pinned on the fall of the Berlin Wall and collapse of the Yalta order, and pointed out threats to the contemporary world related to terrorism and global economy. He also indicated the failed attempts of politicians to create a new international order after the end of the Cold War that would successfully protect against contemporary dangers. He opted for a multipolar world. And contrary to dominant opinions of his pro-American stance, in his speech he was critical of the imperialistic policy of the United States. To him, the multipolar world should be based on the G-8 states expanded into a G-13 (with Brazil, China, India, Mexico, and South Africa). He was also critical of Russia's brutal methods in its internal policy and problems caused in international relations by its energy policy. In his August speech, Sarkozy devoted much space – contrary to his electoral campaign – to

the matters of the EU, since it was in its structures that he saw a strong France. He pointed out three main challenges facing Europe: the necessity to counteract a confrontation between Islam and the West, the integration of China, India and Brazil – as emerging economic powers – with the new global order, and the need to solve problems related to energy and the global warming. The French president emphasized also the necessity to strengthen European security and defence policy and proposed to begin works on a new security strategy for Europe. To those works he invited Germany, Great Britain, Italy, Spain, Poland and Holland. In order to confront different opinions of the EU members about the future of the Union in 2020–2030, Sarkozy suggested the appointment by all 27 members of the Union of a committee of wise men, consisting of ten to twelve highly respected persons whose task would be to think of the EU future. The plan, however, was never implemented.

Elaborating on the subject of work against terrorist movement, Sarkozy confirmed the strengthening of the French forces in Afghanistan and struggle with the Taliban. Contrary to the famous thesis of ‘clash of civilisations’ introduced by Samuel Huntington (1999), Sarkozy thought, similarly to the former American president Bush, that it was possible for Western states to support Arab countries in order to modernise them; he believed in the dialogue of the West with Islam. To this end, Sarkozy presented his vision of the Mediterranean Union that would prevent the confrontation of those two civilisations. And although he expressed his hopes for peaceful regulation of Israeli-Palestinian conflict, he restated his support for Israel. At the same time, he remained critical of the war in Iraq, and demanded peaceful regulations; and while he said he was troubled by Iran’s nuclear arsenal, he proposed no solution for this problem.

One of the first important problems Sarkozy had to cope with as French president was the beginning of the global financial and economic crisis. In the mid-August 2007, after the crisis in the American housing market, there was a steep decline in stock exchange indices around the world, which caused widespread anxiety-driven panic. Nicholas Sarkozy’s reaction was very quick: on 16 August 2007 he sent a letter to Chancellor of Germany Angela Merkel, the then president of the Group of Seven (G-7), in which he emphasised that authorities, especially of these countries, must be ‘very vigilant’ over financial market corrections. The French president highlighted the importance of financial market transparency and outlined suggestions for change, such as to make more efficient an early warning system to detect impending dangers to the world economy, and first of all, to increase the responsibility of central banks for stability

in financial markets. He indicated some international institutions, such as the International Monetary Fund and Financial Stability Forum, which role was to oversee international economic stability and efficiency of financial system. He also urged banks to improve the functioning of international credit market for which they were responsible (Sarkozy 2007d)¹. Neither in his letter nor in his other comments did he use the term 'state interventionism', yet he urged the G-7 states to better monitor both the transparency of the markets' operation and the functioning of international financial markets. Although Chancellor Angela Merkel took these symptoms quite seriously, she was far from accepting the French initiative and leading role in attempts to solve global financial and economic problems.

It is worthy of notice that initially Sarkozy included Poland to the group of countries that were to contribute to working out solutions for problems important to the European Union (Sarkozy 2007b)². It is impossible to say, however, if he wanted to strengthen the position of Poland in the EU. First two years of his presidency were marked by not very good relations with Germany and a rivalry with Berlin, typical of the French foreign policy. Thus, the support for Poland was a natural element of the policy pursued by France. Let us remind that in the interwar period Poland and France signed a military and political anti-German alliance which expired during the Second World War, and after 1945, because of Poland's place within the Soviet zone, it was impossible to speak about independent Polish foreign policy. After 1989, France observed the changes occurring in Central Eastern Europe, but it did not seek to strengthen its relationship with Poland. Relations between Paris and Warsaw evolved along various lines and were resultant of the French relations with Germany, Russia and the United States.

¹ *La lettre de Nicolas Sarkozy à Angela Merkel*. In his letter, the French president writes "the Group Seven countries". Russia, as we know, formally joined the G-7 in 1997. Thus we are justified in concluding that Sarkozy omitted Russia, although he did not omit it in his other comments on the role and function of the largest world states in the contemporary world, for he was speaking about the Group of Eight (G-8).

² He spoke, among other things, about plans for developing a programme of new security strategy for Europe. He invited to the programme Germany, Great Britain, Italy, Spain, Poland and Holland.

FRENCH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

On 1st July 2008 France took over the presidency of the European Union for eleventh time. The French presidency in the EU, like before, was to strengthen France's position and prestige in the Union and the world. This time, however, the French presidency was dominated by extremely important matters, such as Ireland's 'no' vote against the Lisbon Treaty, the Russian–Georgian conflict and financial and economic crisis. Let us remind that France played an important part in agreeing and signing on 13 December 2007 the Treaty of Lisbon. To Sarkozy, it was in part a personal success, which meant, to a certain extent, the completion of the process of reform in the EU. France also wanted the treaty to be ratified by the EU member states during its presidency. But Ireland, after the referendum on the Treaty of Lisbon held on 12 June 2008, rejected the treaty. There were also some problems on the part of Poland. Nicolas Sarkozy's sharp words to Polish President Lech Kaczyński for delaying the signing of the treaty breached the diplomatic code of conduct. Sarkozy failed to close during the French presidency in the Union all matters pertaining to the Treaty of Lisbon. The Treaty did not enter into force until 1 December 2009.

The conflict between Russia and Georgia was not the first one of its type in the history and, like in 1924³, France decided to support Russia. In the arena of international relations there is still one rule to be followed, namely to negotiate with powers at the expense of smaller nations or states. And although France undertook negotiations with Russia in its role of the EU leader, there was a certain continuity in thinking and behaving of the great powers' leaders in conflict situations. It was Russian leaders whom Sarkozy regarded as his partners in talks and negotiations. Let us remind here that during the European Union–Russia summit held in Nice Sarkozy criticised the plans to build the ballistic missile defence system in Czech Republic and Poland, and thus, he supported the Russian stance on the matter.

Soon after the outbreak of the Russian–Georgian conflict, Sarkozy went to Moscow in his capacity of the president of France (at that time he had no EU mandate to lead the negotiations between the European Union and Russia) as

³ Georgia announced its independence after the First World War. However, in 1924, when France tried to establish diplomatic relations with the USSR, it withdrew its diplomatic recognition of Georgia.

mediator exerting pressure on Moscow to pull back its troops from the occupied territories of Georgia. During his second visit to Moscow, this time on behalf of the EU, Sarkozy negotiated an agreement with Russian President Dmitry Medvedev to end the conflict, but it did not include an explicit Russian pledge to pull the Russian troops out of the region of Abkhazia and South Ossetia. The Georgian–Russian conflict occupied an important place during the French presidency of the European Union. Despite numerous meetings with both politicians from Russia and Georgia, and the Union itself, the EU failed to take a firm stance on the conflict. Thus, we should agree with the opinion of Stanisław Parzymies that “the submissiveness of the French presidency to Russia resulted not only from France’s interests with this gas and oil power but also from the conviction that in the struggle against the world financial and economic crisis the partnership with Russia could prove to be extremely useful for the European Union” (Parzymies 2009: 80).

During France’s presidency in the European Union there was a return to the project that had been promoted by France for a long time pertaining to the policy of security and defence of Europe. It should be emphasised here that France, beside Great Britain and Germany, plays the greatest part in the policy of common security and defence of the European Union, which results from the military potentials of these countries. The French project was guided by the main goal of the security doctrine of that country – the autonomy of the European Union within NATO’s structures, i.e. by the creation of European military NATO’s structures. These plans, however, running counter to the strategic Euro-Atlantic concept on European security, had their roots in the conception of de Gaulle and his associates, although significantly modified in order to create supranational military structures for Europe. Stanisław Parzymies refers to the comments of French European Affairs Minister Jean-Pierre Jouyet made before the French presidency began, on 2 June 2008. Jouyet “announced at the Parliamentary Assembly of the Council of Europe that the main goal of French presidency in matters of security and defence will be to actualise the strategy of European security for the coming decade, strengthen civilian and military capabilities in managing crises, build European defence tools, and to increase «the partnership in the area of security» between the Union on the one hand, and NATO, Russia, UN and the African Union on the other” (2009a: 74). And although France proved unable to devote more attention to the problems of European defence and security during its presidency in the Union (despite the fact that those problems were often discussed during various ministerial meetings), it did not abandon

its project. After the Lisbon Treaty was implemented, the questions of security and defence of Europe increased in importance. The Treaty, however, focuses mainly on mechanisms and procedures of functioning of the EU members, and not on its strategic goals. It stipulates, for example, the possibilities to formulate the common foreign and security policy, which could lead to a common defence system for at least nine EU members. The Treaty could also be a starting point for the creation of a common European army, but in that case it would be necessary to establish a common political institution, such as, for example, a United States of Europe (Koziej 2009: 7).

The French presidency in the European Union revealed France's intensifying rivalry with Germany in the Union. Sarkozy, together with some French political circles, wanted to make France the main leader of the EU and to reduce the position of Germany, and especially ambitions and influences of Chancellor Angela Merkel. There was some tension between Paris and Berlin resulting from a different stance of the German chancellor on the French plans for the Mediterranean Union, project of a climate change package or model for preventing and solving financial and economic crises around the world. Despite differences and the rivalry between Sarkozy and Merkel, it was possible to observe an increasing overlapping interests and converging stances between these politicians after the next wave of financial and economic crisis. It was most evident in questions relating to reforms which were to discipline the EU members in financial matters, thus to create mechanism to protect Europe against financial crises in the future. There were also similar stances in matters pertaining to working on energy security in the EU. Especially, the last year of Sarkozy's presidency was characterised by an unprecedented cooperation between Sarkozy and Merkel. Such attitude of the French president provoked various comments, often critical ones, not only in France.

FRANCE'S RETURN TO NATO

On 11 March 2009 President Nicolas Sarkozy announced that after 43 years France wanted to reintegrate into the NATO's integrated command. The French president had already signalled the fact long before, and indicated some modifications planned in French foreign policy towards the US. All this represented a break with tradition and de Gaulle who in 1966 decided to withdraw France from NATO's integrated military and leadership structures (although it rema-

ined in NATO's political structures). It is worth mentioning that in 1958 de Gaulle rejected an American proposal to create a regional defence system with intermediate-range missiles and tactical nuclear weapons to be deployed on the territories of European countries. France would be ready to accept the American proposal only if it had complete control. The Americans did not agree. Therefore, in 1966 France withdrew NATO's integrated military command structure and closed NATO's bases and offices in its territory. This decision, although very important from the military and political point of view, suggested that France was trying to oppose the dominance of the United States in Europe. In consequence, however, especially after the end of the Cold War, this weakened France's position within the international system, in which the US and NATO played the most important parts. From 1995 on, after Jacques Chirac was elected president of France, French political and military circles made attempts to return to the NATO's structures. French ministers of national defence and commanders of the General Staff attended meetings of the NATO Military Committee, France put its forces at NATO's disposal. During the war in the Balkans, France sent its troops to Bosnia and Herzegovina within the United Nations Police Reserve, which was UN-mandated but operationally under NATO's command. The return of France to the military structures of NATO resulted not only from Sarkozy's plans, but it was also a consequence of previous discussions and attempts undertaken by his predecessors to secure France's participation in important international events, and increase the competitiveness of the French arm industry with American one (especially with the new members of NATO). Sarkozy's decision to bring France back into the NATO military structure initially meant the incorporation to the structure of circa eight hundred French soldiers; the assumption of command of the Allied Command Transformation (ACT), with its headquarters at Norfolk, Virginia, by a French officer; and of command of Joint Command Lisbon. In his article *France returns to the NATO fold*, Philippe Leymarie writes: "Aware of Europe's feeble attempts at cooperation in defence matters, Paris promotes a «pragmatic way». Autonomy will develop step by step, creating «a more balanced relationship between Americans and Europeans». However, in private, much more negative thoughts went back to the alliance's top echelons: «The European Security and Defence Policy (ESDP) has failed: the French presidency of the EU obtained only scraps. The allies won't act outside NATO. If you want to construct an ESDP that works, do it via NATO»". Leymarie also reminds readers: "Making France's full and final commitment to the alliance in his closing remarks to a conference at the Ecole militaire on

11 March, French president Nicolas Sarkozy declared: «I don't believe that the role of a major responsible power like France is to be halfway between everyone else, since that means France is nowhere». He suggested that France's decision to «resume her full role in NATO» bolstered national independence" (Leymarie 2009).

France's decision to return to NATO provoked various comments. Supporters saw in the return a strengthening of France's position in the international relations arena, while sceptics accused Sarkozy of betraying his Gaullist heritage and accepting American dominance in Europe, thus narrowing down the scope of activity of French diplomacy (Cholewa 2009). Of course, the problem is crucial for France, which is clearly evident in the context of its relations with Russia. In the sphere of security, NATO wanted to tighten cooperation with Russia and was ready to accept (although with a great caution) the Russian proposal for a new collective European security system. The Russian project suggested the incorporation into the Organisation for Security and Cooperation in Europe, also the US, Canada and, of course, Russian Federation. This proposal aroused a lot of controversy, for it threatened to weaken NATO in Europe. In 2010 Nicolas Sarkozy conducted an active policy toward Russia. According to some observers of international policy, he sought to act as mediator, or arbiter, in relations between NATO and Russia, putting forward a proposal to create a "common European–Russian economic and security area" (Bielecki 2010). Tomasz Bielecki quotes the comment by Alexander Khramchikhin of the Moscow Institute for Political and Military Analysis, who said that: "Sarkozy plays a new system of security with Moscow in order to strengthen his position both in France and in Europe, and vis-à-vis the US. But Russia also plays its game with the aim to gradually enter the European political and security system".

It should be added here that during the presidency of Nicolas Sarkozy France did not participate actively in the activities of the Weimar Triangle. In April 2010 the foreign ministers of France, Germany and Poland identified and emphasised the need to strengthen the EU policy in the field of security and defence. Although the Weimar Triangle mainly serves as a forum for consultations and developing common positions on most important European matters, there were projects to initiate a special military unit, so-called Weimar Combat Group, that would be a strategic reserve of the EU capable of taking up rapid responses tasks in every crisis of the EU. Thus far, the Combat Group still remains under discussion.

FRANÇOIS HOLLANDE – NEW PRESIDENT OF FRANCE

On 6 May 2012 Socialist Party candidate François Hollande was elected president of France, defeating incumbent Nicolas Sarkozy. Opinions of European commentators vary as to the person of new president and his policy. Some wanted to see it as a pivotal shift in French politics, both internal and foreign one (Parzymies 2012). There were voices that Hollande would steer a more independent course from Berlin and that he would realise main points of his presidential campaign, i.e., that he would renegotiate the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, that is the Fiscal Compact or Fiscal Treaty, now called simply the Stability Treaty; push case for Eurobonds and mobilise unused European structural funds. From May 2012 on, observers of French foreign policy have paid a good deal of attention to the relations between Hollande and German Chancellor Angela Merkel and, more broadly, between France and Germany. It does not mean a real break with Sarkozy's policy of cooperation with Germany, because France neither can afford that nor really wants to, but it could mean broadening the scope of cooperation with other EU members, and blocking some of German proposals in the European Council. We should, therefore, admit that Przemysław Żurawski vel Grajewski was right when soon after the presidential election in May 2012 he wrote about "cracks in the cohesion of the German–French tandem" and expected mass movements within the "European concert of powers" (2012: 20). It is more evident now, especially in the context of negotiations on the European Union's future budget for 2014–2020 or recent visit of the French president to Poland.

There is much continuity in French foreign policy, but also many modifications and changes resulting from new directions developed by France in its foreign policy to guarantee France's security, but mainly to secure its position in Europe within the European Union and in the world as an arbiter and one of the most important powers in the arena of international policy.

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A FRESH PERCEPTION OF THE LOCAL AND NATIONAL POLICIES IN 1918–2008: MAKING GEORGIA KNOWN IN THE WORLD

*Toomas Alatalu**

ABSTRACT: Today, the (Western) geopolitics dominant in the decade following the Cold War must consider the rivalling (Eastern) geopolitics. The present article deals with the use of the military bases situated abroad to support separatism in neighbouring countries. In the relations between Abkhazia, Southern Ossetia, Georgia and Russia in 1989–2008, special attention is paid to the periods of political standstill when the war was continued as the war of statements conducted by representative bodies in which even the UN Security Council came to be included. The article also focuses on the change of geopolitical visions of Georgia following the Rose Revolution or the waning of the myths of Shevardnadze and Russia's foreign policy intentions.

KEYWORDS: Georgia, withdrawal of foreign troops, separatism, war of words

AS WE KNOW, it is impossible to predict revolutions, much like their accompanying effects on the regional and global level. The Rose Revolution in Georgia in November 2003 immediately felt like a breath of fresh air in the whole international political arena that had somewhat stalled for a while due to the intermission between the accession talks with NATO and the EU (completed in December 2002) and the actual accession itself (May 2004). As the US had come to the firm conclusion to attack Iraq, in the period from September 2002 to March

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2003 NATO applicant countries could do little more than obediently accept the US understanding of how to ensure the security of her soldiers and give the green light to the intervention. It was launched in March 2003, at the moment when the European Commission surprised, as minimum East Europeans, with the Europe Neighbourhood plan leaving Armenia, Azerbaijan, Georgia outside the plan as “they are not situated in Europe” (Commission 2003a: 4). More stranger was the linking of South Caucasian and two Arab countries as even in 2005 the EC considered the country reports of Armenia, Azerbaijan, Georgia, Egypt and Lebanon together and also made recommendations “for all five of these countries” (Commission 2003b: 7). This ignorance of realities (it was soon disclosed that an invasion of Iraq was based on false information) was broken by the revolution in Georgia, in which the *status quo* should have been ensured by the UN Secretary-General’s Group of Friends of Georgia established in 1994 by great powers: France, Germany, Russia, UK and the US. The new independent policy of Georgia changed the political agenda of the world, first of all bringing about the topic of the withdrawal of Russian military bases from Georgia and Moldova, and also – to the great surprise of West Europe – further EU and NATO expansion.

The bold tactics of the leaders of the Georgian revolution also changed the former geopolitical thinking, as the state from the unseen background intruded into the playground of major geostrategic players. Already in 1997 the classic theorist of geopolitics Zbigniew Brzezinski distinguished between five Eurasian geostrategic players and five geopolitical pivots — Ukraine, Azerbaijan, South Korea, Turkey and Iran (Brzezinski 1997: 56). Soon after the Rose Revolution, it became clear that Georgia assumed the leading position in South Caucasus instead of Azerbaijan.

According to Brzezinski, the importance of the geopolitical pivot is not “derived from their power and motivation but rather from their sensitive location and from the consequences of their potentially vulnerable condition for the behaviour of geostrategic players”. Considering Georgia’s vulnerability at the time (and also today), motivation seemed to dominate as the West had not heard such firm desire to join the Euro-Atlantic structures as coming from Georgia in 2003–2005 for a long time. The effect was enhanced by the fact that the civilised world had not witnessed revolutions for a long time and the Rose Revolution was thus greeted with positive sentiments. President Saakashvili’s prompt decision to rely on the US and NATO soon confirmed the validity of Brzezinski’s second postulate — the location of the pivot “gives them a special role in either defining

access to important areas or in denying resources to a significant player”, as well as the third postulate – “in some cases a geopolitical pivot may act as a defensive shield for a vital state or even a region”, respectively, in relation to and against Russia.

The painful loss of territories in the war and the mistakes made in the domestic policy led to Saakashvili’s loss of power in 2012–2013, however, the new Georgian leaders have continued the chosen course in the foreign policy in its once attained role as a geopolitical pivot.

Below we will concentrate on the reasons why Georgia’s breakthrough into the big politics should not be considered a surprise at all and how the struggle for the withdrawal of foreign troops – the main problem of overcoming separatism – was conducted.

The twentieth century began and ended with the fall of empires, in a way that the successor state troops left the newly independent territories. The exception in the given processes came to be the successor state of the Soviet empire – the Russian Federation (the same was done by Serbia after the fall of Red Yugoslavia) which only withdrew its forces from some of the occupied or forcefully incorporated territories and left them in others. It should have been clear from the logic of the course of events to the other leaders of world politics who were involved in the departure of Soviet forces from Eastern European countries in 1990–1991, and from Estonia, Latvia, Lithuania and eventually from Poland and Germany in 1991–1994, that the given process must continue also in other former states of USSR (after the respective demand).

The paradox is that while widely discussed withdrawal of Russian forces from the Baltic countries was executed without any major conflicts despite delays and hindrances, then at the time in Moldova and Georgia there were violent conflicts and minor civil wars between the separatists and the central government, all of which included the participation of Russian military troops. The best known among these include the involvement of the Russian 14th Guards Army in military action in Transnistria (Moldova) in 1992, the stationing of the Russian Airborne Regiment in Gudauta in August 1992, where it provided aid and shelter to the Abkhazian government, the rescue of Georgian President Eduard Shevardnadze from Sukhumi by the Russian special forces in September 1993.

The abovementioned and other events have repeatedly been discussed in the UN Security Council and international organisations, however, never considering the presence and withdrawal of the Russian forces as a problem. As the

fighting ceased, there were no discussions of ‘The Withdrawal of Russian Forces’ on international political forums for several years until it emerged in the OSCE Istanbul summit in 1999 as a clearly formulated demand to close the Russian military bases in Georgia and Moldova.

The given decisions were influenced by another invasion of Russian forces (August 1999) and (another) war in Chechnya, however, the immediate support expressed by the Kremlin to the US administration following the 9/11 attacks in 2001 came to form a thoroughly different US–Russian partnership, and thus also a new attitude to foreign military bases, which US needed to carry out its military operations in Afghanistan (2001) and Iraq (2003), and which Russia helped to find in Central Asia. It is no coincidence that in boon for Russian involvement in the US war against terror, Europe came to adopt the conflict theory concept – ‘frozen conflict’ – in referring to the problem areas influenced by the presence of Russian forces/bases – Nagorno-Karabakh, Abkhazia, South Ossetia and Transnistria. The Russian-aided separatists used endless discussions of ‘frozen conflicts’ to conceal the establishment of puppet states – there were referendums, regular presidential and parliamentary elections, which in 2006 already followed the multiparty system.

Understandably, Georgia and Moldova could not accept such developments, however, in order to take decisive steps, they needed new leaders and new politics. Such a breakthrough came in 2003 with the Rose Revolution in Georgia and the question of the withdrawal of Russian forces was once again at issue.

Despite the counteraction by the Kremlin, the new Georgian leaders clearly achieved success at the beginning – the Russian forces indeed left, and even before the prescribed deadline, the so-called rest of Georgia, but not from Abkhazia and South Ossetia. The price for Tbilisi’s success was the sudden tension in the Georgia–Russia relations, which made the great Western powers finally think of the need to resolve at least one of the ‘frozen conflicts’. Unfortunately, the so-called Steinmeier’s plan on Abkhazia turned out to be more like an ambiguous provocation rather than an interlude smoothing the tensions. The attempt of the Georgian government to continue the process to retake South Ossetia – as it had been done by Russia in Chechnya – turned out to be a severe miscalculation, the price of which include the supposedly independent Abkhazia and South Ossetia, and the Russian military bases and border service established in the Georgian territory on contractual basis.

THE PRELUDE TO THE CONFLICTS IN SOUTH OSSETIA AND ABKHAZIA

Georgia, which in early 13th century was still a unified state, came to disintegrate into rival feudal states aided by foreign invaders that also determined its gradual subjugation/conquest by the Russian Empire in 17th–19th century. As to the areas of our current interest, South Ossetia was incorporated into Russia in 1774 (as a part of Ossetia, the successor state of the former kingdom Alania forming a major centre in North Caucasus); according to the notion held in North and South Ossetia, it was a unified country divided into provinces until the Bolshevik revolution in October 1917, and there was no state border between them until 1922 (Konflikty 2008: 211). Abkhazia was incorporated into Russia in 1810. The local inhabitants participated in Shamil's uprising (1834–1864) and paid the price for it either by giving their life or being exiled to the Turkish Empire. The rebellious nature of those who remained was said to be so fierce that for more than 30 years (1877–1907) the state authorities referred to them as “the guilty people” (in Russian *vinovnoye naseleniye*), which only tsar Nicholas II came to remove on Stolypin's recommendation (Lakoba 2004: 12–13).

During the First World War Abkhazia preceded Georgia in announcing its independence, which was declared respectively on 11 May 1918 in Batumi and 26 May 1918 in Tbilisi. At the time, the first of the two cities was controlled by the Turkish forces, and the government formed in the other soon placed themselves under the protection of the Turkish ally Germany. Thus it was no surprise that Abkhazia immediately announced being part of the Mountainous Republic of the Northern Caucasus, which was established after the fall of the Russian Tsarist Empire based on the constitution of Shamil of 1847 and joined together Abkhazia, Adygea, Karachay-Cherkessia, Kabardino-Balkaria, Ingushetia, Chechnya and Ossetia in 1918–1919. On the map presented to the Paris Peace Conference in 1919 also South Ossetia has been included as a member of the Mountainous Republic (Lakoba 2004: 56).

However, prior to the independence of Georgia, Armenia and Azerbaijan, the states were all members of the Transcaucasian Democratic Federative Republic (22 April 1918–26 May 1918), the formation and dissolution of which was similarly influenced by Germany and Turkey. At the end of 1918, the foreign influence in the local geopolitics was taken over by the British, whose withdrawal from Georgia in July 1920 signalled that London and Paris acknowledge Southern

Caucasus to be Russia's area of interest and some months later the Red Army took all three countries back under Moscow's power.

The events in South and North Caucasus in 1917–1920 did not differ from the developments in Finland, Baltic countries and Poland – the concept of nation states was to set in a situation marked by war and recurrent periods of military occupation. In the new situation Abkhazia agreed to the state of autonomy within Georgia on 20 March 1919, however, as Georgia did not ratify the act, the changing conditions gave rise to the independent Abkhazian SSR (31 March 1921–17 February 1922), becoming then the fourth member in the Transcaucasian Socialist Federative Soviet Republic (1922–1931) in order to degrade into Abkhaz ASSR within Georgian SSR in 1931. (Transcaucasian SFSR continued with three members until 1936, then dissolving into three). During the given period of independence, on 1 April 1925 they adopted the constitution of SSR Abkhazia proclaiming large-scale sovereignty (right to leave both USSR and Transcaucasian SFSR) which also forms the basis for the present independence.

According to the constitution, Abkhazia and Georgia were joined by a “special contract of alliance” (in Russian: *osobyi soyuznyi dogovor*), with its interpretation – are we equal or not – soon forming the juridical basis for the new dissolution. One theory claimed that the man behind the (somewhat obscure) 1925 Abkhazian constitution was Leon Trotsky (treating his health in the area) struggling to diminish Stalin's power (Lakoba: 88–89).

Standing up to Stalin's plans was followed by severe repressions for Abkhazia and several waves of population transfer (incl. Georgians). Nevertheless, the natives retained their partisan spirit and during the peaks of various political crises (1957, 1967, 1978) the lawfully valid slogans demanding separation from Georgia and incorporation into Krasnodar Krai emerged again and again, i.e. separatism lived on. The central administration of the USSR excluded any such swaps, however, with the fall of the Red empire the situation changed.

By the will of fate, Georgia came to be governed by the most radical leaders of the whole Soviet Union, who announced the Georgian independence on 9 April 1991. Moscow quickly came to support Abkhazian separatism, which did not exclude – considering global and geopolitical interests – the temporary conjunctural support to the Georgian central government in its conflicts with Abkhazia and South Ossetia. Moscow's opportunities to quibble have always been enhanced by the minority status of Abkhazians within the population and thus they can realize their power by relying on others. In the South Ossetian population, the Ossetians form a clear majority (2/3), however, differently from

Abkhazia which is open to the sea, South Ossetia is located in the valley of the Caucasus mountain range separated from North Ossetia by the Roki pass and the tunnel which – in case of poor relations with Georgia – is the only access to the rest of the world. Considering the given simple truths, there is logic in Abkhazian independence, the idea of gaining and retaining independence in South Ossetia was most probably held until the very last minute only by the separatist leaders. Nevertheless, history has numerous surprises in store.

ABKHAZIA BEGAN AND OSSETIA HAD THE WAR

All began lawfully in Abkhazia, albeit somewhat unconventionally for many – the demand for independence was announced in a public mass meeting. Restoring tradition banned in Soviet time, the Abkhaz national front (in Abkhaz *Aydyglylara*) organised a mass gathering with 3000 honourable people on 18 March 1989 in the town of Lykhny, during which independence was demanded and the respective documents were signed by the authorities present. And immediately ‘the small empire syndrome’ emerged – while demanding and establishing independence for themselves, the Georgians were not willing to grant it to other small nations inhabiting so-called ‘their territory’: the Abkhaz meeting was answered by Georgian mass meetings in Sukhumi and then in Tbilisi, where they began by accusing the Abkhazians and – as the latter were defended by the USSR central authorities – continued by demanding more power for Georgia which resulted in the local Soviet detachment attacking the protesters (Tbilisi Massacre, 9 April 1989). The bloodsheds in Tbilisi and Sukhumi (16 July 1989) have left their mark in the Georgian memory forever, however, it must be added in terms of chronology that for the next 18 months, the initiators, i.e. Abkhazians, preferred decision-making in selected authoritative organs rather than street politics. On 25 August 1990 the Abkhaz Supreme Soviet adopted *The Declaration of State Sovereignty of SSR Abkhazia*, in which the central authorities of USSR were asked to base their recognition on the Abkhaz declaration of independence from 31 March 1921.

According to the present victorious concept, the Menshevik-led Democratic Republic of Georgia organised genocide in the Bolshevik-controlled South Ossetia in 1918–1920, whereas the Red Georgia turned the strategically significant area into an autonomous oblast on 20 April 1922. During the democratic waves in the Soviet empire and led by the local national front (in Ossetian: Ademon

Nykgas, est. in 1988, leader A. Chochiyev), the autonomous oblast was declared an autonomous republic on 10 November 1989, to which the Georgians alerted by events in Abkhazia had a fiery reaction – the joint march on the South Ossetian capital Tskhinvali organised by the Georgian nationalists (Z. Gamsakhurdia) and communists (D. Gumbaridze) could have been stopped only by the USSR security forces and a new dispatch of Soviet troops arrived in January 1990. Influenced by the national front, the Soviet South Ossetian Democratic Republic was announced on 20 September 1990, with the Supreme Soviet elections set for 9 December. The given step was too much for the newly established Georgian nationalist leaders led by Gamsakhurdia, who abolished both decisions on 11 December 1990, renamed South Ossetia (in essence degraded) as the Shida Kartli province in Georgia and declared an emergency situation in the area. The Georgian Emergency Situation Act provided that the USSR Interior Ministry forces could be used and were to be guided by the legal acts and other normative regulations – it must be stated that at the given time it was Georgia who turned for help to the foreign forces in the country.

Now the South Ossetian leaders clearly began their collusion with the President of the Soviet Union M. Gorbachev: by agreeing to hold (with Abkhazia) a referendum on 17 March 1991 (which the Baltic states and Georgia ignored), the South Ossetian leaders asked for further complementary forces. In Kazbegi, on 23 March 1991, Gamsakhurdia met the Boris Yeltsin, who at the time was competing with Gorbachev, to discuss the agreement between Georgia and Russia and the situation in South Ossetia. According to the published report, they both demanded the withdrawal of Soviet troops from South Ossetia (Konflikty 2008: 246), which lets us presume that the democratic Russia was willing to renounce the extension of the empire – paraphrasing Lenin – in only one isolated case. Unfortunately, history did not allow us to witness what it would have been like.

The South Ossetian elite soon played a new card – the assembly of the South Ossetian all level deputies, held on 4 May 1991, re-established its status of an autonomous oblast to show their willingness to play by Gorbachev's rules and to ask the Supreme Soviet of USSR to grant South Ossetia the right to sign the treaty of the Union of Sovereign States (Konflikty 2008: 198–200). After the August Coup, they already had staked on Yeltsin – the convened Supreme Soviet of South Ossetia once again restored the Soviet Republic of South Ossetia, which asked the Supreme Soviet of the Russian SFSR to be reunited with Russia while also restored as unified Ossetia (Konflikty 2008: 203). Gamsakhurdia answered with

his famous decree from 2 December 1991 saying that the USSR interior forces and Soviet military units had no lawful basis for their presence in Shida Kartli (=South Ossetia), that they form the main factor in destabilising the situation, accusing them of a crime against the Republic of Georgia, and demanding their withdrawal from Shida Kartli (Konflikty 2008: 52–53). Although Gamsakhurdia's decree cautiously mentions only one (Georgian) province, the message to the foreign military forces was clear. They were, however, lucky as Gamsakhurdia's time as the Georgian leader was soon over.

Following the official disintegration of the USSR, South Ossetia was once again declared independent on 21 December 1991, and the establishment of its military forces and the National Guard was announced. On 29 May 1992 the South Ossetian Supreme Soviet adopted the act of declaration of independence, which began with the accusation of the Republic of Georgia of conducting genocide in 1989–1992 and ended in the declaration of the independent state of South Ossetia (Konflikty 2008: 210–211). After such obvious steps, it was considered tactically reasonable by E. Shevardnadze, who had once again come to power in Georgia (previously in 1972–1985), to put an end to fighting in South Ossetia, as the development in Abkhazia – somewhat more important region for Georgia – had reached a point of crisis.

On 24 June 1992 in Dagomys (near Sochi), Yeltsin and Shevardnadze signed *The Agreement on the Principles of Settlement of the Georgian-Ossetian conflict* in which Russia agreed to withdraw two military units from Tskhinvali region “in order to secure demilitarization of the conflict region and to rule out the possibility of involvement of the Armed Forces of the Russian Federation in the conflict” (Konflikty 2008: 253) – a promise that was immediately forgotten.

On the other hand, the given agreement does not include – as opposed to later agreements on Abkhazia – a single word on the Georgian unity and mediators in addition to the four parties of the conflict – Georgia, Russia and the two Ossetias. Based on the agreement between the affiliates, in three weeks the 500-strong armed units of Russia, Georgia and local authorities took their position at the agreed locations in South Ossetia to secure peace and order.

The tension between South Ossetian and Georgian relations continued, but to compare to Abkhazia the events in South Ossetia in general remained at the background until 2004. The South Ossetian National Front lost its influence in 1992–1993, and in 2001 the power went over to people directly related to Russian military forces and the power structure whose main slogan included the unification with North Ossetia, more specifically with Russia.

The given events in South Ossetia never reached the agenda of the UN Security Council (altogether 36 resolutions related to Abkhazia were adopted there in 1993–2008) or any other major international organisations. Similarly, it was not a joint venture in the name of the Commonwealth of Independent States as it was in the case of Abkhazia. The given events remained strictly the internal affair between Georgia, Russia and the elite of South Ossetia supported by Russia. (Having sent volunteers at first, North Ossetia later took part in the work of the Joint Control Commission). The rest of the world was happy with the information passed on South Ossetia by the representative of the OSCE mission residing in Tbilisi who began the visits to the region on 6 November 1992. The local OSCE office in Tshinvali was opened on 22 April 1997, which also meant numerous, though unsuccessful, meetings between the experts. It was partly due to the fact that most of them, including the South Ossetian authorities, waited for the first solution in Abkhazia. On the other hand, it was due to the apparent underestimation of the South Ossetian conflict which came to have different forms. For instance, the 860-page collection *Russia and the Commonwealth of Independent States. Documents, Data, and Analysis* by Z. Brzezinski and P. Sullivan discusses separately the conflicts in Chechnya, Georgia-Abkhazia, Nagorno-Karabakh, Moldova/Transnistria and Tajikistan (Russia 1997: 559–662), but not the one between Georgia and South Ossetia. And if the eminent US political strategist saw no reason to highlight the events, then...

It is reasonable to assume that the conscious or unconscious ignorance of the world about the South Ossetian conflict determined its development into a battleground in August 2008 – as nobody showed any interest, it was easy to attempt domination (with impunity) before the intervention by others. Thus, in comparing South Ossetia and Abkhazia, we may state that the outbreak of a war is more imminent at places where there are fewer – and not more – parties involved.

WAR AND WORD PLAY IN ABKHAZIA AND THE UNITED NATIONS

While in the struggle for South Ossetia there were direct demands for the withdrawal and retention of Soviet/Russian forces, the elite of Abkhazian separatists often hid their ideas between the lines. After the disintegration of the USSR, new pragmatic decisions were made. On 29 December 1991, the Presidium

of the Supreme Soviet of Abkhazia announced – without naming the former owner state – that “the military bases, institutions, border and internal troops, naval forces are situated in the Abkhazian territory according to the will and constitution of the Abkhazian nation. Their further presence in Abkhazia will be entirely in the competence of the Supreme Soviet of Abkhazia and will be solved in keeping with political agreements and legal norms” (Konflikty 2008: 129–130).

The exemplary juridical preparation of the Abkhaz was revealed once again when after overthrowing Gamsakhurdia, the Military Council annulled the constitution of Georgian SSR from 1978, which somehow was still in force, and restored the constitution from 21 February 1921, adopted hastily during the last days of the Democratic Republic of Georgia. Taking advantage of the (first) armed conflicts (partly in Abkhazian territory) between the supporters of President Gamsakhurdia and Shevardnadze, the Supreme Soviet of Abkhazia declared their sovereignty restored on 23 July 1992, annulled the constitution of Abkhazian SSR from 1978, and restored the constitution from 1925 which, as mentioned above, declared their equality to Georgia. The given decision opened the gates to war.

The highpoint of Moscow’s hypocrisy during the war could be the participation of the forces of the Confederation of Mountain Peoples of the Caucasus, established in Sukhumi in August 1989 (until November 1991 as the Assembly of MPC), on the Abkhaz side, the demonstration of which culminated in a flashy military parade (greeted by President Musa Shanibov and Commander-in-Chief Chechen warlord Shamil Basayev) in Gudauta, i.e. the temporary residence of the Abkhazian government and the (permanent residence of the) Russian garrison, on 20 October 1992.

The Georgian leaders were for a long silent about the role of Russian troops in military activities, finally, on 25 December 1992, Shevardnadze informed the UN Secretary-General of the “trains equipped with arms and ammunition arriving unhindered from Russia into the conflict zone”, and of “the participation of the Russian forces based in Abkhazia on the Abkhaz extremists’ side” (Konflikty 2008: 75–76). The Supreme Soviet of Georgia now declared the action taken by Russian forces as “aggression against Georgia” and demanded the government’s plan for the withdrawal of Russian forces by the end of 1995.

It was succeeded in the final act (9 April 1993) of the government delegation talks held in Sochi (led by Georgian Prime Minister T. Sigua and Russian Minister of Defence P. Grachyov) that according to prior agreements “Russian forces will be withdrawn to the territory of the Russian Federation by 31 December

1995” (Konflikty 2008: 269–271). Abkhazia was referred to in the act on several occasions, however, it was not mentioned as part of Georgian territory. In addition, “Russian-Abkhazian talks” are mentioned, and it is stated at the end of the act that no agreement was reached on the presence of Russian troops in Gudauta. Thus it seems that the times of Russian withdrawal determined in the middle of the act only applied to Georgian territory, disregarding Abkhazia and South Ossetia (also the latter being mentioned as a conflict zone). In other words – the Russian policy to leave the forces in Abkhazia and South Ossetia had been decided already then.

By the time, the situation in Abkhazia had reached the UN Security Council agenda and the first respective resolution 849 (1993) was adopted on 9 July 1993. In 1993–1994 the UN Security Council adopted 10 resolutions regarding Abkhazia. Already the first one of these noted the UN Secretary General’s (Boutros Boutros-Ghali from Egypt) efforts to include the Russian Federation. Russia was hereby named as ‘facilitator’ (in resolutions in French *faciliteur*, in Spanish *facilitadora*, in Russian the phrase *sodeistvuyuschaya storona* translates as ‘the facilitating party’, which considering the dominance of the Russian language in the conflict area meant that the documents used disorienting terms to designate and enhance the role of Russia, which must have been known in the governments of the great powers) (UN Security Council 1993). The dominance of the Russian diplomatic vocabulary is thus all the more striking.

Russia was hailed with the title of ‘facilitator’ in all UN Security Council resolutions related to Georgia until the August events in 2008 (the last Security Council resolution 1808 dates from 15 April 2008), i.e. for altogether 15 years a highly disorienting image – which in reality marked the opposite – was conveyed to the world. But that was not all – since the Security Council resolution 1096 (30 January 1997), i.e. for 11 years the resolutions included a word combination with even more diverse message: “... the support of... the Russian Federation as the facilitator and the group of Friends of the Secretary-General on Georgia”.

FOG – Friends of the Secretary-General on Georgia was formed by Russia, the USA, United Kingdom, France and Germany in 1994 in order to solve the Abkhazian and South Ossetian conflicts. The setting up of Groups of Friends had started at the end of the Cold War to help to solve conflicts in the Third World (Whitfield 2007: 149), but the FOG clearly differed from the rest by its members – only great powers – and mission. All four democratic powers had the motivation to make amends for the past to the Georgian people and, on the

other hand, support the man who had assisted in the German reunification and finding solutions to the issues in Afghanistan, Nicaragua, Angola, Ethiopia, to mention only a few of situations similar to that in Georgia (Alatalu 2013: 109). From the Western perspective, Georgia marked the easternmost key position where to draw the eastern border of NATO and the European Union. Although the most important step in this respect shall be taken only in 10 years' time, it may be considered symbolic that Germany, where the Soviet troops had left only in 1994, was quick to rush into solving a similar situation in Georgia. Or more precisely, taking part in the "march" geostrategy to use the EU geostrategy models introduced by William Walters in 2004. However, the location turned out to reflect another model – the "colonial frontier", and the dominating power who "assumes the right to define what is appropriate and just" (Walters 2004: 684–688), happened to be Russia. So much for the theoretical models of foreign policy which may occasionally facilitate case studies, but the contrary result gives no explanation as to why France, Germany, UK and the US came to Georgia's assistance in the first place. They certainly did not come to lose, however, it became evident first 9 years later that the man getting their support stood for stagnation, and then 14 years later that Russia had used the FOG only to outmanoeuvre the Western states.

As Russia did it in connection with the Georgia-Abkhazia talks held in Geneva on 17–19 November 1997, when the members of the FOG started to determine their mandate. At first, it was agreed that "they are not parties" (*ne yavlyayutsya stronami*), however, the final result in Russian was striking – according to clause 1 Russia was *storona*/facilitator in the internal conflict in Georgia, but according to clause 3 – as a FOG member, *ne storona*/not a party (Konflikty 2008: 397).

The Security Council resolutions quite often mention the (Collective) Peacekeeping Forces of the Commonwealth of Independent States, which in reality stood for Russian units, in other words – Russia came to be mentioned altogether three times and always as a positive facilitator? Long did Moscow try to get its forces a peacekeeping mandate, however, it was only the request – "The participation of Russian military contingent in the UN peacekeeping forces" (Konflikty 2008: 319) signed by Georgia, Abkhazia, UN, Russia and OSCE on 4 April 1994 – that was accompanied by practical results. As the West was clearly delaying the appointment of UN observers in Abkhazia, the CIS Heads of State Council made an ultimatum-like statement: in case the UN does not promptly begin the peacekeeping operation, they themselves will be ready to take their

peacekeeping forces into the conflict zone (Konflikty 2008: 336). And so it also happened – the UN and OSCE representatives did not participate in the next talks held in Moscow, on 14 May 1994 the Georgian and Abkhazian representatives signed the agreement formalising the establishment of CIS peacekeeping forces, and on 15 May the Chairman of the Abkhazian Supreme Soviet and on 16 May the head of state of the Republic of Georgia turned to the CIS Heads of State Council with the request to send CIS peacekeeping forces to Abkhazia. It was realized on 21 June 1994. On the same day, the Russian Minister of Foreign Affairs A. Kozyrev considered it important to inform the UN Secretary-General that the so-called advance troop of the forces was “immediately formed from the Russian forces already based in Abkhazia” (Konflikty 2008: 284). Although there was objection in the UN to the peacekeeping in the neighbouring country, (SIPRI 1994: 203) UN Security Council controlled by the world’s great powers issued its resolution 934 (30 June 1994) with praises to the “arrival” of CIS peacekeeping forces in Abkhazia.

Although on 20 March 1992 Moscow had collected signatures from its allies to form collective CIS peacekeeping forces, the formation itself was met with resistance – during the summit in Moscow on 21 October 1994 only Tajikistan had agreed to send its motorized rifle division to the collective forces (Konflikty 2008: 355). The document on the peacekeeping mission in South Ossetia, drafted promptly after the success in Abkhazia, stated straightforwardly that “the relative stability in the conflict zone can be guaranteed only by the Russian peacekeeping battalion”, and it was signed on 6 December 1994 by Russia, Georgia, North Ossetia, South Ossetia and the OSCE representatives (Konflikty 2008: 289–290).

The trumps in the game to retain the forces in Abkhazia were given to Russia by Shevardnadze himself, who after the escape from Sukhumi (September 1993) was faced with a new/old adversary in the form of the supporters of the former president Zviad Gamsakhurdia (Zviadists) in their attempt to reclaim power. At the same time, in September–October in Moscow Shevardnadze’s former ally Yeltsin found himself on the verge of falling when the conflicts escalating from the Supreme Soviet had to be suppressed with the armed forces. There were several supporters of Abkhazian separatism on the losing side and thus it was decided by Shevardnadze to play his cards suddenly on Yeltsin and Russia. His visit to Moscow and meetings with Yeltsin yielded a surprising solution – on 8 October 1993 Georgia’s affiliation with the Commonwealth of Independent States was announced although Shevardnadze had once again firmly excluded it only a few

days earlier. The given application came into force on 3 December 1993 and the affiliation was ratified by the Georgian parliament on 1 March 1994.

As the stakes were high, Yeltsin came on 3 February 1994 to sign the Good-neighbourly relations and cooperation agreement in Tbilisi. It declared that the parties of the agreement will not join military affiliations that are directed against the other party. The main problem for Russians was the definition of status of national minorities, and it was announced during the discussions that the ratification of the agreement in State Duma will be considered only after the solution of the conflicts in Abkhazia. It was a bitter message for the Georgian Supreme Soviet, who nevertheless ratified the agreement on 17 January 1996 after heated discussions.

Shevardnadze formalised the presence of Russian troops by signing the military base lease agreement with the Russian Prime Minister Chernomyrdin in Tbilisi, 15 September 1995, allowing Moscow to deploy 15 000 men into four bases – in Vaziani (near Tbilisi), Batumi, Gudauta and Akhalkalaki for 25 years. Also the given agreement was formed without the knowledge of parliament, and... the Georgian Supreme Soviet did not even come to ratify the agreement, sending their leader a significant message at a significant moment.

Meanwhile Shevardnadze had also initiated an oppositional process by approaching the USA (NATO) and the European Union, without attracting any attention at first. It was only understandable as the West had shown no inclination to, so to speak, come to Georgia. And the very next day came a reply to Shevardnadze's clearly provocative statement: "If the West does not like Russia's return to its former colonies, let the West suggest an alternative" (New York Times 1994) – at the press conference US President Bill Clinton excluded the possibility of sending the US troops to Georgia under the UN flag.

Three weeks later, on 23 April 1994, Georgia affiliated with the NATO Partnership for Peace programme – a step that nowadays is considered the beginning of Georgia's politics to NATO. As known, Lithuania, Estonia and Latvia joined the PfP earlier, in January–February 1994, but quite soon – by 31 August 1994 – Russia also completed withdrawal its troops from there. The situation in Georgia was the opposite – the number of Russian troops in Georgia had grown into a 15000–20000-strong force. And all in a perfectly legal form – based on either bilateral agreements (Georgia–Russia), or agreements under the UN auspices and OSCE observation.

The given course of action was primarily dependent on one person – Eduard Shevardnadze – whom the West preferred to see not as the firm-handed

Communist Party leader of Soviet Georgia, but as the clever Minister of Foreign Affairs of USSR and one of the foremen of Gorbachev's perestroika. His return to power in Georgia was only possible due to his supporters from the Soviet times (whose nomenclature Shevardnadze had influenced), as they were afraid of democracy, panicked by Gamsakhurdia's radicalism and thus saw Shevardnadze as the restorer of general order. Similarly, they expected him to normalise the relations with the Russian elite who considered him as one of their own.

It may be stated that in significant situations Shevardnadze thought on the level and in the interest of Moscow rather than Tbilisi, when considering, for instance, the explanations given in connection to the decision to join CIS – having used force against his opposition, in order to secure the Western support, Yeltsin needed the former Minister of Foreign Affairs of USSR more than Shevardnadze needed Yeltsin and CIS (Russia: 236–237, 586). It may have been the cunning of a fox (as Shevardnadze had been called) that may be confirmed by his analogous sudden outburst to back Putin in 2003 (Lakoba 2004: 129–131), when Shevardnadze was once again on the verge of falling, which eventually did also happen. However, in reality Shevardnadze could outwit neither of the Russian presidents and his relations with Moscow's elite structures led to a situation where the West turned their back on him.

THE AID OF WORLD GEOPOLITICS

To the surprise of many, the fate of Russian forces in Georgia came to be dependent on the radical shifts in the global geopolitics and in the functioning of international agreements. As the solution to the problem depended on Russia, Georgia managed to make use of the last low point in the Russian political influence, in the time of the most extensive spread of democracy in Europe (1997–2004), when in addition to the above, the world politics was dominated by the US and thus the orientation to the latter was clearly beneficial. Even in case the subject was the state of Georgia with a negative (post-Communist) reputation and a leader such as the political gambler Shevardnadze.

The year 1997 has primarily come to be known as the year when NATO and the EU began their extension to the east. As both NATO and the EU signed separate agreements with Russia and Ukraine, for the first time the West had to deal with not one but two major competing countries, from which Ukraine clearly wished for closer partnership with the rest of Europe. It is important to stress

that ever since mid-1990s (after the partial withdrawal of occupation forces from Eastern Europe!) the democratisation of world and regional politics was largely expressed in the fact that reconciliations and new geopolitical shifts emerged in public and literally before the eyes of a large number of states (GUAM or the political union of Georgia, Ukraine, Azerbaijan, Moldova was set up at the Council of Europe meeting, etc.). In the given significant period, the participation in European/Eurasian summits did not depend on the degree of democracy at home (G.W. Bush's administration reinstated the boycotts). The clear democratic dominance of the participants gave the governments with weaker democracy or under strong external internal pressure the certainty needed for forming alliances to disengage from the dictate of authoritarian great powers and move forward on the road of democracy and market economy.

The Ukrainian change of position on the geopolitical map gave a realistic content to the contract of the century, signed on 20 September 1994 by Azerbaijan and eleven Western companies, to transport oil to Europe past Russia.

All thus abruptly enhanced the independence of the countries bordering the Black Sea which were adopting western values, also their role in big politics, and thus Georgia did not want to miss their second chance in history to tie them to the West.

On the first occasion the relations had remained unformed primarily due to the attitude of United Kingdom and France. This time, the USA marked a considerably stronger force whose entrance and action in Georgia was clearly marked by the loss of long-time bridgehead (1953–1979) in the neighbouring Iran which had become one of the major operational bases for radical Islamists. Thus, it was only logical in the US strategic interests to turn their attention to South Caucasus and stake on Georgia. Due to the presence of Russian forces (those in Armenia were qualified as a presence of Russian interests), it immediately stood for a conflict with the Kremlin. The new initiative to withdraw the foreign forces came from Georgia, however, it naturally could not be the case that Shevardnadze who had invited the Russian forces himself now suddenly decided that the Russian bases are no longer needed and began demanding their withdrawal – such a sudden turn could only result from a newly-formed alliance with the USA.

As already mentioned above, the landing of the EU, NATO and the USA in Georgia was relatively unnoticed, however, proceeded consistently. In April 1996, Georgia, Armenia and Azerbaijan signed a partnership and cooperation agreement with the European Union, in July 1996, Georgia applied for the

membership of the Council of Europe, in July 1997, Shevardnadze participated in the NATO summit in Madrid, in July 1997, Tbilisi was visited by the NATO Secretary General J. Solana, and in March 1998, Georgia and the USA signed a security and military agreement. Also the idea of the so-called Southern Energy Corridor was gradually forming – on 29 October 1998 an agreement was signed with participation of the US Secretary of Energy in Ankara, and on 19 November 1999 the contract to build oil pipeline in Baku–Tbilisi–Ceyhan. In both cases Georgia was represented by president Shevardnadze and the final decision on BTC was made during the OSCE summit in Istanbul. Meanwhile, in April 1999, prior to NATO summit in Washington (participated also by E. Shevardnadze), it was announced of the withdrawal of Georgia, Azerbaijan and Uzbekistan from the CIS Collective Security Treaty (the involvement had been determined in the bases agreement from 15 October 1995).

In November 1999, two different summits were held in Istanbul. The OSCE Summit Declaration (19 November 1999) included Russia's promise to 54 states to withdraw "Russian troops from the Moldovan territory by the end of 2002" (which was never fulfilled). Meanwhile, the annex of the *Final Act of the Conference of the State Parties to the Treaty on Conventional Armed Forces in Europe* was signed by the representatives of 30 states and included the Russian-Georgian joint statement from 17 November 1999, in which Russia agreed to disband and withdraw the "Russian military bases" at Vaziani and Gudauta, and at the repair facilities in Tbilisi, by 1 July 2001 (Final Act 1999).

Typically of the Russian diplomacy, also extortion was resorted to – immediately prior to the summit in Istanbul, there were presidential elections and referendum held in Abkhazia (3 October), culminating in the adoption of the act of state independence of the Republic of Abkhazia on 12 October in 1999. The given act confirmed the validity of the constitution of Abkhazia adopted on 26 November 1994, however, the act itself did not contain any reference to the statement made with the named constitution regarding the possibilities of the federal state of Abkhazia-Georgia (Konflikty 2008: 175–176, 360) – the separatists had taken their project onto a new level. As could have been presumed, the Istanbul summit declared the referendum and election held in Abkhazia "unacceptable and illegitimate".

NON-PERFORMANCE OF ISTANBUL AGREEMENTS AND NEW BEGINNING

On 26 June 2001, the Russian authorities informed the CFE states of the withdrawal of their forces from the basis in Vaziani, which was immediately entered by Georgian armed forces. In reality, it remained the only point in the Istanbul agreement to be performed by Russia, and although on 19 July 2001 they announced of the withdrawal of forces from Gudauta (adding that it now houses the “rehabilitation centre for the peacekeepers”), neither Georgia nor OSCE were allowed to verify the statement.

It is difficult to say how seriously the Western leaders had taken Moscow’s readiness to fulfil the promises given in Istanbul (the bases were not of relevant value and after the closing Russia would still have been present with their so-called peacekeepers), however, due to NATO’s plans of extending to the east, Russia was prepared for a long war of position and the retention of the bases provided a good opportunity for that. Having evaluated its role in the war against terrorism initiated by the USA, Moscow openly wished to be treated equally to the USA, and achieved it. A typical feature in the Abkhazia-related UN Security Council resolutions 1287, 1311, 1339, 1364, 1393, 1427, 1462, 1494, 1524, 1615, 1666 (January 2000–March 2006) is the inclusion of the phrase “considering the decisions in Istanbul”, but not once is their non-performance mentioned. If the final document of the NATO summit in 2002 hoped for the “swift fulfilment” of the (non-performed) commitments of Istanbul, then the meetings in 2004 and 2006 merely wished for the performance of the “remaining commitments” agreed upon in Istanbul. A typical feature in the statements was the recall of the non-commitment to the Istanbul agreement without mentioning the non-performing party.

Nevertheless, “the withdrawal of forces” came to be heard on the international arena and now a lot came to depend on Georgia’s own developments. With a hindsight, it has been mentioned that during Shevardnadze’s period the Georgian parliament only adopted three resolutions to demand the withdrawal of Russian forces (2 October 1996, 18 July 2001, 26 August 2002). Considering also a few other resolutions targeted against the Russian forces (attempt to tax the property in their use, appeal to the president to veto Russia’s membership in WTO, which was later annulled, etc.), we have a sufficient overview of the level of democracy in Georgia at the time – all the resolutions demanded action from the head of state, as the majority of the parliament were members of the Union

of Citizens of Georgia based on the fidelity to the leader. The seasoning added by the small opposition was tolerated until needed.

Before that, on 18 December 2000, Eduard Shevardnadze had used an international conference in Tbilisi to declare that in 3–4 years Georgia will be a member of NATO.

The following events in Georgia were strongly influenced by Russia's new war in Chechnya. The use of the Pankisi and Kodori Gorges in the Georgian territory by the Chechen fighters caused several conflicts between Russia and Georgia, in which Georgia had only one option after both Russian Minister of Foreign Affairs I. Ivanov (15 February 2002: Osama bin Laden hides in Pankisi Gorge) and US Secretary of State C. Powell (in the UN on 5 February 2003: al-Zarqawi men hide in Pankisi valley) had mentioned the links between Chechen fighters and Al-Qaeda: in April–May 2002 there were US Special Operation Forces in Georgia to train Georgians for the war against terrorism.

Despite of that, in 2002–2003 there were numerous inconsistencies in Georgia, which somehow left the further development of the state undetermined. Thus, in 2002, the new ambassador R. Miles declared the democratic change of president in Georgia in 2005 as his main mission, although it was already clear that the authorities with the Soviet background (N. Nazarbayev, etc.) preferred not to leave power structures. On 7 March 2003 there was an unexpected meeting between V. Putin, E. Shevardnadze and Abkhazian prime minister G. Gaguliya in Sochi. The mandate of the Russian peacekeepers was extended by six months until the given meeting, now however, Putin agreed with Shevardnadze that the peacekeepers would remain until one of the parties demand their withdrawal. On 15 August 2003 in Tbilisi, the head of the Russian energy networks A. Chubais announced that Gazprom had signed a 25-year cooperation agreement with Georgia and that the company RAO EES led by him has bought 75% of the shares of the US company AES operating in Georgia – the given acquisition in 1998 for 25 million dollars had been the first major US investment in Georgia. The given unexpected (re)turn in the economic policy was marked by comments such as “No need for the 11th Red Army again [reference to the occupation of Georgia in 1921] – its work will be done by Gazprom” (Lakoba 2004: 128–130).

Also the well-known Rose Revolution on 23 November 2003 provided plenty to think about, as the first foreign partner of the new and old authorities was the Russian Minister of Foreign Affairs Igor Ivanov, who arrived hastily in Tbilisi and 5 days later already had a meeting with the Adjarian, Abkhazian and South

Ossetian separatist leaders. A week later (5 December) Tbilisi was visited by US Secretary of Defence Rumsfelt on his way from Azerbaijan, calling for Russia to close its bases in Georgia. Rumsfelt knew very well that exactly that particular message was expected of him – it was clear that the leader of the Rose Revolution, graduate of Columbia University Mikheil Saakashvili, was ready to play his cards on the US support in taking Georgia to NATO and the EU. This, however, was not possible with Russian bases in the Georgian territory, which was also mentioned in Saakashvili's first speech as the president.

The discussion of the foreign bases by the Georgian revolution leaders was in clear contrast to the new models adopted by Western capitals in their relations with Russia: the deadlines established in Istanbul in 1999 remained the last ones (although the time of withdrawal of forces from Moldova was extended by a year – 31 December 2003) and the above-mentioned play with terminology began. At the same time, it was attempted to, so to speak, calm the Georgians and convince them to accept the reality à la “see, Germany waited for 42 years for its unification”. One of the cornerstones of the US foreign policy Ronald D. Asmus makes an apt remark on in his recent book is that Georgian public seemed to care more for regaining the lost territories than many Western observers wanted to believe (2010: 74). As there was no mutual (will for) understanding, even the US administration's Georgian policy grew increasingly more cautious. Characteristic of that could be G. Bush's speech at the central square of Tbilisi on 10 May 2005 in which he recalled the violence used on Georgians by the Soviet army at the selfsame spot in 1989, but failed to mention Russian military bases in favour of reaching “peaceful unity” in the “sovereign and free Georgia”.

The new Georgian parliament elected in the flow of the revolution was not as restricted as those during Shevardnadze's time and did not restrain themselves in the issues of foreign forces. Everybody understood that in the occupied areas time worked on behalf of the separatists and Russia. After Tbilisi, the revolution was repeated also in Adjara on 5 May 2004, where separatism has been historically less marked but nevertheless based on the Russian naval base. Moscow's prompt reaction was once again expressed in the Foreign Minister I. Ivanov's hasty arrival at the territory and departure with the overthrown leader of the Adjarian regime. From that point onwards, there was even talk of a third and fourth Rose Revolution, with reference to the submission of Abkhazia and South Ossetia to the central government. Quicker results were expected from South Ossetia, however, the events in Tbilisi and Batumi discouraged the separatist leaders, and Russia was immediately present with its assistance: in July 2004

began another arrival of ‘volunteers’ from all over Russia in South Ossetia and the Russian State Duma announced that their aim is to defend the safety of the citizens of the Russian Federation.

TBILISI HAS ITS WAY AND GEORGIA... LOSES

Giving a speech at the UN General Assembly on 21 September 2004, Saakashvili called the closing of Russian bases the “touchstone” of the “present solution to the transition to democracy”, assuring that there will be no new military bases in Georgia. Russia must have made some conclusions from the changes in Tbilisi, because before they had tried to keep the bases for 15, then 14 and eventually 13 years, and now they only asked for 8 more years (until 2008), and instead of 500 million dollars for the expenses of the resettlement of the armed forces, they now asked for 250 million dollars. In the resolution adopted on 10 March 2005, the Georgian parliament stated that Russia had only partially performed the agreements signed in Istanbul as there was still a 300-strong unit in Gudauta. The war technology from Tbilisi, however, had been taken to Batumi and Akhalkalaki. With reference to Moscow’s avoidance of the settlement of the issue in negotiations, the parliament demanded the government to close Russian bases not later than 1 January 2006, i.e. three years earlier than Moscow would have been willing to do it unless a new schedule for the withdrawal had been agreed upon before 15 May 2005. It was added that Saakashvili’s participation in celebrations of the 60th anniversary of the Allied victory on 9 May in Moscow depended on the negotiations of the withdrawal of foreign forces. As Moscow declined from answer by date, Saakashvili did not participate in this solemn (especially for Russia) ceremony, but surprisingly quite soon, on 30 May 2005, there were talks between the Georgian and Russian Ministers of Foreign Affairs in Moscow in which it was agreed that the Russian base in Akhalkalaki will be closed no later than the end of 2007, the headquarters in Batumi and Tbilisi in 2008.

Saakashvili’s tactics baffled everyone, including the EU and the US leaders. But at the same time, Georgia had found firm allies. The immense popularity of the Rose Revolution and the inability/unwillingness of the FOG to solve the problems closely related to one of its members led to the establishment of the New Group of Friends of Georgia (NFOG) on 4 February 2005, including (Russia’s neighbours) Estonia, Latvia, Lithuania, Poland, Romania, Bulgaria, with later affiliation by the Czech Republic, Hungary, Slovakia, Ukraine and Sweden.

The foundation of an alternative group was an unprecedented step in post-Cold War relations between the East and the West, between the great powers and all others. The parallel co-existence of NFOG and FOG was, and still is, one of the most curious phenomena in the post-Cold War international relations. As the more recent group consciously selected the name of the previous one by emphasising merely the new aspect, it may be considered both an opposition and a challenge. It was the conscious and principled opposition by the small and medium-sized states against five great powers, or rather against their agreement policy heedless of values and the interests of smaller countries, which was the result of permanent compromises between four democratic powers and the authoritarian Russia. The latter openly sought the restoration of her previous influence in world affairs (Alatalu 2012: 193).

Georgia's tactics was simple – president Saakashvili and the government made every effort to internationalise the topic of withdrawal of troops and discuss it everywhere (during his visit to the White House on 5 July 2006, Saakashvili made futile attempts to include the problem in the G8 summit agenda), and openly discussed – after the rejection of the offer of autonomy – the establishment of the so-called counter-government in Abkhazia (on 29 July 2006 in Kodori Gorge) and South Ossetia (10 May 2005), which clearly showed that the Georgian authorities believed in the reunification of their homeland.

On 11 October 2005, on 15 February and 18 July 2006, the Georgian parliament adopted three new 'withdrawal' resolutions demanding, among others, replacement of Russian peacekeepers in South Ossetia by international police forces. While introducing the last resolution, the Speaker of the parliament N. Burdjanadze considered it important to draw attention to the possibility of a dangerous precedent – in the given area Russia attempted to be simultaneously both neutral and "defend Russian citizens".

In September 2006, the Georgia–Russia relations deteriorated once again due to incidents in South Ossetia and Abkhazia, however, it all culminated with the arrest of Russian spies in Tbilisi. The given event angered the Russian elite to such an extent that the Minister of Defence Sergei Ivanov declared (29 September 2006) Georgia a "bandit state" and the commander-in-chief Vladimir Putin gave (11 October) an order for "withdrawal before the prescribed time" from Tbilisi (by 31 December 2006) and confirmed premature withdrawal also from Akhalkalaki and Batumi. It was realized on 13 November 2007.

Saakashvili's team and the Georgian nation had clearly achieved a political victory. And even prematurely. On the other hand, it was difficult to celebrate,

as having brewed for more than a year, the conflict with the opposition had eventually (7 November) culminated in a conflict between protesters and security forces and the establishment of state of emergency. The cost of the victory in foreign policy was the loss in internal politics. Saakashvili began to improve his position with manoeuvres with the elections, however, the steps taken in the foreign policy by others came to mark the fate of Saakashvili and Georgia in the events of the following year (2008).

The most influential of these is US president Bush's failure in providing Georgia and Ukraine the plan of action for NATO membership during the summit in Bucharest in April 2008. Moscow immediately saw its chance, as for at least three years Kremlin had claimed that proclamation of the independence of Kosovo – opposed by Russia – may be answered by similar decisions in Abkhazia and South Ossetia. Both Condoleezza Rice and Saakashvili heard it from Putin. Saakashvili returned from his meeting with Putin in February 2008 in firm belief that there would be war (Asmus 2010: 74, 75, 144). Prior to the Bucharest meeting, Moscow announced, and twelve days after the Bucharest meeting established, direct official contacts with both Abkhazia and South Ossetia. On 30 May, the railway troops notoriously marched into Abkhazia until August. The Western reaction to the event was – according to Saakashvili – the first statement by the USA, France, United Kingdom and Germany denouncing Russian activities within the FOG. Despite public radicalism, Saakashvili made a secret attempt (dated from 21 June–3 July) to agree with Russia on division of Abkhazia, which was rejected by Kremlin (Asmus 2010: 140). As Germany was the official coordinator of the FOG, the Minister of Foreign Affairs Walter Steinmeier made a surprise visit to Georgia and Abkhazia (13–18 July) together with a 3-stage solution plan for the Abkhazian conflict, which, however, proved to be unsuccessful. In his book Ronald Asmus describes the astonishment of American policymakers as they later read the memcons of the meeting between Bush and Putin in Sochi, soon after NATO summit in Bucharest – Putin's threats against Georgia were answered by the US president's silence? “Was it a sign that the United States would not strongly oppose a Russian move against Georgia?”, Asmus asks (2010: 140). At the same time, there is the well-known story from history of the Korean syndrome, according to which the Korean war began as US president H. Truman for some reason had left out South Korea from the list of US supported countries, and therefore North Korea presumed that their neighbour had been left on their own and thus began the assault.

In any case, one was immediately reminded of the syndrome when acts of war broke out in the seemingly forgotten South Ossetia (Alatalu 2012: 202) Also when browsing back the article, it is not difficult to be convinced that in 1989–2008 there was considerably less strife in the name of South Ossetia than Abkhazia. Even if the western powers had made a public sign of being interested (only) in Abkhazia, it would have been logical enough to deduce that the fate of South Ossetia will rather be the concern of Georgia. At one point Tbilisi did decide to risk by using force there and fell into a trap. Considering the prior events, one cannot help but think that long before the August war things had already been planned so that the possible clash should – if it ever was to – take place far away in the mountains and not in the potential paradise of holiday-making businessmen. On 4 July 2007, situated nearby Abkhazia Sochi was announced as the location of the Olympic Games – an event that raised the value of Abkhazia even as a nest of separatism. Its value is also confirmed by the fact that Abkhazia began military action against Georgia only after the course of the war had been determined (10 August 2008).

As we know, the August war, in which Georgia's two main aims were to achieve control over its whole territory and oust the last contingent of the occupation forces hindering the named control, ended with Georgia's defeat. The resolution adopted in Georgian parliament on 28 August 2008 declared the Russian forces, including the so-called peacekeepers in the Georgian territory, as "military occupation units", whereas the Autonomous Republic of Abkhazia and the autonomous region of South Ossetia were declared as "territories occupied" by the Russian Federation. Harsh and precise words. Although even the supporters of the resolution may have not had much hope that the given areas could ever again be part of Georgia.

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THE FOREIGN POLICY OF TURKEY – BETWEEN TRANSATLANTICISM AND ORIENTALISM

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ABSTRACT: The article explores the transformation which the Turkish foreign policy has been undergoing in the last decade since the post-Islamist Justice and Development Party had come to power. Whereas in the cold-war era Turkey concentrated its foreign policy on bolstering the alliance with the United States and on efforts to join the European Communities, last couple of years have seen the country diversify its international engagement. Turkey has been using ‘new’ instruments, such as soft power, to build up its regional status. Yet, the ambitious foreign policy is constrained by the regional developments, the Arab Spring turmoil being the prime example.

KEYWORDS: Turkey, foreign policy, Arab Spring

INTRODUCTION

FOR OVER FOUR decades of the Cold War era, Turkey was part of the Western bloc. The Soviet threat made Turkey turn its back on the neighbourhood and imposed a close, yet not untroubled partnership with the United States, with American soldiers and nukes deployed on Turkish soil. Having contributed soldiers to the Korean war, Turkey soon became member of NATO. Since the

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early 60s, Ankara has been striving to join the European Communities. Hence, the bipolar order unambiguously defined Turkey's transatlantic credentials.

After the demise of the bipolar order, Ankara had to reinvent its foreign policy and redefine its strategic interests regarding its closest neighbours. As noted by Gülnur Aybet, when the Cold War ended, Turkey struggled to determine its place within the transatlantic community (Aybet 2010: 141). The 90s are often dubbed the "lost decade", both as far as Turkish domestic and foreign policy is concerned. Turkey was hit by internal crises – political (the velvet *coup d'état* in 1997, frequent government turnover) and economic dire straits. In external relations, it was punching well below its weight, experiencing extremely tense relations with its neighbours.

Under the government of the Justice and Development Party which took office in 2003 (and has been governing the country ever since, which is an extraordinary situation in the modern history of the country), Turkey has been trying to pursue a more active policy *vis-à-vis* the neighbouring regions, the Middle East being the most striking example (AKP Parti Programı 2002). For the last ten years, Turkey has been seeking the status of a regional power. Thus, it is important to explore what foreign policy tools this state is leveraging to enhance its international clout; and looking from the transatlantic perspective – how the geopolitical outcomes of the Arab Spring reshape Turkey's regional policies. The article attempts to address these questions.

TURKEY AS A 'NEO-GAULLIST' STATE

The 'new' Turkey under the rule of the post-Islamists has been trying to manage a multi-dimensional policy, which means that it has a comprehensive perception of its foreign relations – a good rapport with one country does not preclude a strategic alliance with another – this is a departure from the Cold War era, in which Turkish foreign policy was monopolized by transatlantic, Western outlook. Graham Fuller, describing the Turkish foreign policy, states that today it is at once, "independent, nationalist, Islamist, pan-Turkish, global and Western, and the challenge lies in the integration and reconciliation of those varied interests" (Fuller 2008: 169). Turkey cherishes, on the one hand, the alliance with the United States, on the other – intensifies relations with Russia. It is active in the post-Soviet area, increasingly visible in Africa and, last but not least, tries to bolster its status in the Middle East. As justly noticed by Ayşe Zarakol, the post-

-imperial states attach huge importance to building of their prestige and status in the international arena and to gaining of recognition and respect among other players. Whereas for several decades Turkey had been attempting to build its international prestige by closely affiliating itself with the European Union, today it falls back on more sophisticated strategy of increased activity in the region, presenting itself as the leader of the Middle East (Zarakol 2012: 739–745).

Thus, recent years have seen Turkish foreign policy adapting to the new, post-Cold War, more flexible international context, which does not ascribe Turkey to only one strategic option. Turkey is no longer a “prisoner of a narrow concept of geopolitics”, which characterized its relations with the US for many years (Lesser 2006: 83). In other words, the West lost its sanctified place in Turkish strategic considerations (Ülgen 2010: 11). As a result of transformation of its internal politics, Turkey has engaged in increasingly independent, assertive, ‘non-aligned’ and sometimes even challenging foreign policy. In one of his television interviews, Prime Minister Erdoğan recalled his conversation with Vladimir Putin, in which he expressed the readiness for Turkey’s membership in the Shanghai Co-operation Organisation, *in lieu* of integration with the European Union. Of course, as commented by Sami Kohen, a seasoned Turkish journalist, today such pronouncements should be perceived as a tall story (Kohen 2012). However, they aptly illustrate the state of mind not only of the post-Islamic government circles, but also of the wider Turkish political elite. The Cold War ‘no alternative’ for western orientation in foreign policy was replaced by Turkey intensifying relations with Russia, Brazil or China. The example of the latter – the tentative decision made by Turkish defense industry authorities to purchase Chinese missile defense system – has perplexed Ankara’s Western allies.

Therefore, one needs to agree with Ömer Taşpınar, who, recalling the French experience of the 60s, writes about “Gaullist Turkey”. Turkey which is aware of its own potential and independent of the USA, rejecting the role of a “strategic protectorate” of the West. The activities undertaken by Ankara on the international arena are sometimes concurrent with the goals set by Washington and Brussels, and sometimes divergent, but the issue is not that Turkey is becoming more anti-western, more Oriental or Islamic, or that it implements a *neo-Ottoman* vision of its foreign policy. As stated by Ahmet Davutoğlu – the country’s foreign minister – in his *Strategic Depth*, the oft-quoted seminal work on the ‘new’ Turkish foreign policy, “Turkey is unable to cut itself away from Europe, neither geographically nor historically” (Davutoğlu 2008: 550). An alternative for the Kemalist, a pro-European, secular Turkey is not an Islamist, theocratic, anti-

-European and anti-western one – such a false dichotomy was presented several years ago by Zbigniew Brzezinski (2005: 62). The binary, zero-one schemas which assume that Turkey can be either pro-western or anti-western are anachronistic in the era when new powers arise. It is true, however, that Turkey is becoming increasingly “ideologically agnostic”, and its international identity is more and more multi-dimensional.

No doubt that in the new international order the USA and the European Union will find it increasingly difficult to manage relations with the emerging, less predictable “*neo-nonaligned*” powers (Lesser 2011a: 8). In this new era, a partnership between Turkey and the West will be more of *à la carte* and frequently *ad hoc* style. It shall be, as one of the researchers stated, fuelled by convergent (national) interests of both sides, and not by the amorphous notions of geopolitics and identity (Lesser 2010). Integration with the EU structures is no longer perceived in terms of identity. For those who rule Turkey today, the European identity is only one of many identities that the country holds. The policy adopted by the AKP towards the EU is the result of sensible calculation of profits and losses, and not of unconditional attachment to the idealized West. For the Justice and Development, membership in the EU is only an instrument that would enable Turkey to anchor its internal reforms and facilitate integration with the increasingly globalized world. This, in turn, is expected to bring measurable economic benefits.

TURKEY AS A SMART POWER

Paradoxically, as relations with the EU and the United States cooled off, Turkish foreign policy and instruments used by the state have become more western in nature. Ahmet Davutoğlu, formulating the objectives of foreign policy of the ‘new’ Turkey and prospects of normalizing relationships with the country’s neighbours, recalled the example of the post-war reconciliation between France and Germany, which, by intensifying their economic and cultural contacts, managed to overcome political and military crises and restore peace on the shell-shocked continent (Davutoğlu 2011: 144–145). Until 2011, Turkey attempted to treat its Middle East neighbours in European style, and replaced the hard power elements of its foreign policy – confrontation and containment – with instruments of dialogue, engagement and *soft power*. In other words, instead of *securitizing* relations with its neighbours, which was the case in the 90s, Turkey wanted to

build stability zone in the Middle East region. A renown Turkish scholar Kemal Kirişçi notes that the goals that Turkey wanted to achieve in its relations with neighbouring countries and the instruments used do not differ much from EU ambitions pursued under the European Neighbourhood Policy (Kirişçi 2011: 27). Juliette Tolay sees Turkey as the embodiment of the new, idealistic concept of post-modern, borderless world (2011: 134). By promoting the free flow of people (thanks to the liberalization of the visa regimes with neighbouring countries), as well as trade (TUIK 2013), Turkey relinquished the realistic perspective of the regional balance of power and the perception of international relations in binary, zero-sum categories, and adopted a more liberal concept of openness and interdependence.

One of the Turkish journalists characterized the new image of the Turkish foreign policy in the following way: “[...] significant steps were made to turn Turkey into a regional power. One of the fundamental elements of this policy [after AKP came to power] are the friendly relations with neighbouring countries. The other one is the proactive strategy in foreign policy. An example of that policy was initiative taken as regards the Cypriot and Aegean issues” (Çevikalp 2007). The active and initiative-taking Turkey became one of the most important players in the region. This new activity of Turkish foreign policy is displayed primarily in the intensification of economic relations with Middle Eastern countries. “AKP’s victory can help solidify Turkish self-confidence in foreign affairs, as the country assumes a less defensive and more active, and in many ways a more constructive role regionally and internationally” (Barkley, Çongar 2007).

TURKEY AS A ‘LONELY PLANET’ IN THE REGION

A cold shower for Turkish ambitions and dreams of a “global superpower” came along with the Arab Spring and the subsequent geopolitical shifts taking place in the Middle East. The Arab revolutions have clearly shown how constrained Turkey’s potential to influence the regional politics really is. Turkey’s weaknesses have already been noticed and elaborated upon by the US Ambassador to Ankara, who in a cable dated January 2010, disclosed by *Wikileaks*, stated that “Turkey has the ambitions of a Rolls-Royce, but the capabilities of a Rover” (Yeni bir Ortadoğu doğuyor 2010). Today Turkey, just as in the 1990s, is surrounded by hostile countries, such as Cyprus and Israel. Relations with Syria, which have improved significantly over the past decade and were a testing ground, or even

a textbook example of the new foreign policy of the new Turkey, turned out to have very fragile foundations. Today both countries are, in fact, again at war, as they had been back in 1998. In the last couple of years, rising tensions, or indeed hostility, marred Turkey's relations with Iran, and the divergent interests of the two countries' regional policies are increasingly overt. The audit of Turkey's and Iran's interests in the region shows that in most areas these two are rivals, not allies. Iraq, Syria, Afghanistan, reaction to regional developments in the wake of the Arab Spring, relations with the West – on all these issues the interests and goals of both parties are irreconcilable. This should come as no surprise – after all, it is hardly possible for two post-imperial states, with different identities and with regional ambitions, to remain allies in the long run. The same could be said of the deteriorating relations between Ankara and Baghdad.

The Arab Spring led to a radical re-evaluation of Turkey's geopolitical setting. The “zero problems with the neighbours” paradigm, being the idealized concept of peaceful but unrealistic foreign policy, was replaced by the reality – “zero neighbours without problems”. Ivan Krastev concluded that there is “zero chance for zero problems” (2011). Some pundits of the Turkish foreign policy note that the Davutoğlu doctrine boiled down to “zero problems with authoritarian regimes” and point out, as evidence, to the fact that in 2010 – shortly before the wave of changes in the region took off – Prime Minister Erdoğan accepted the Human Rights Prize, granted by Muammar Gaddafi (*sic!*) (Vatan 2011; Milliyet 2011). Turkish politicians did not find it appalling to mingle with authoritarian leaders of the Middle East.

The Arab revolutions have illustrated the tension between the two dimensions of the Turkish foreign policy – the normative and the *Realpolitik* one. When economic interests were not threatened, Turkey would spoke loudly of the need for democratic changes in the region. Prime Minister Recep Tayyip Erdoğan was the first foreign politician who, broadcast by Al-Jazeera television, called president Mubarak to step down. The case with Tunisia is similar. But when the interests of Turkish businessmen were closely linked to the regime in force, Turkish authorities were much more reserved in their “pro-democracy zeal”. A good example is the Turkish position on Libya, where Turkish businessmen invested billions of dollars; or the case with Syria, where the additional factors defining Ankara's policy were border issues, and the Kurdish problem.

Changes occurring as a result of the Arab Spring have demonstrated that the neighbourhood is not a place where Turkey can engage in idealistic, unilateral and independent policy. Co-operation with the West, which had been optional

for Turkey over the past decade, has now become an imperative. Turkey has realized that its strategic role it plays in the Middle East does not stem from the fact that it is a Muslim power – there are plenty such countries in the region – but from the fact that it is a Muslim power with strong ties with NATO and the EU. The influence exerted by Turkey in the Middle East results simultaneously from its Western, European identity and from the Muslim, Middle Eastern one. Without the European – or, more broadly, Euro-Atlantic anchor, Turkey would have been one of the many prosperous, large Muslim countries, but with no added value for the region's security and stability.

At the same time, Turkey has made efforts to build its attractiveness for the Arab societies through rising autonomy in the international arena, and through the ability to oppose the interests of Western countries and Israel in order to defend its own national goals. Closer relations with Israel in the 1990s should be perceived as an abnormal, unreal process, not fitting in the geopolitical reality and contradictory to the identities of both countries – especially given the fact that Turkey is governed by a post-Islamic party, while a nationalist party co-rules Israel. The anti-Israel moods of the Turkish public add to the picture. As Turkish society gained subjectivity and more influence on the decision-making processes, a breakup of the Turkish-Israeli relations was inevitable. Çengiz Çandar was, therefore, right to say that Turkish-Israeli relations in the 1990s – despite being called strategic – in fact were opportunistic, given Turkey's ambitions regarding the region (2010: 10).

The post-Arab Spring geopolitical setting again pushes Turkey into closer co-operation with the USA, NATO and the European Union. As noted by Emiliano Alessandri and Joshua W. Walker, the post-Ottoman area is too large and too unstable for a single state to be able to shape it – and such ambitions have been demonstrated by Turkey over the past decade (2012). Several years ago, Turkey was punching well below its weight, but recently it has overestimated its capacity and potential. Hence, the analysts are right to speak of overblown ambitions, while the capacities and potential of Turkish foreign policy remain limited.

The events of the past two years have laid bare not only the administrative, organizational and financial constraints of Turkey, but also the geopolitical limitations of managing a “Turk-centric” policy in the Middle East. Turkey simply cannot afford to remain in a “not-so-splendid isolation”, to recall the term which characterized British foreign policy of the late 19th century. We currently see the growing convergence of strategic interests of Turkey, the USA and Europe. Turkey

remains very strongly integrated into the transatlantic structures and institutions – not only through its NATO membership. Turkish leaders have understood that with the dynamic changes occurring in the region, “the benefits of NATO are more important than the image of a non-aligned state” (Outzen 2012); and it was one of the reasons why they agreed to station the elements of the American missile defense shield on Turkish territory. This led to discontent with Turkey’s neighbours, mainly Iran and Russia. The same countries protested when the transatlantic allies – the USA, Germany and the Netherlands – deployed Patriot missiles in Turkey. Teheran even accused Ankara of getting ready for a military invasion on Iran.

Periodic discrepancies in Turkish-American relations do not mean that Turkey intends to break up the alliance with the US, which has been in force for decades. The same can be said of the relations with the European Union. Even if accession negotiations proceed as slowly as they do now, the alliance that has been formed over many years is too strong, and the benefits for both parties too large, for a breakup of the partnership between Turkey and the EU, or more broadly, with Europe.

After ten years of using new instruments of foreign policy – dialogue, mediation, promotion of trade relations and the faith that *soft power* does indeed work miracles – it becomes unavoidable, due to vital geostrategic interests, for Turkey to turn again towards the *hard*, power-based policy instruments. Mehmed Ali Birand wrote in one of his columns that, “in this region [the Middle East] *soft power* is not enough” (Birand 2011). Soli Özel stated, in a similar vein, that the use of the soft instruments has “hid the paradox that Turkey’s entire strategy was predicated on, and its popularity was a function of, the existing status quo in the Arab world. Turkey could balance its dual goals of working with regimes and insinuating Turkey into all regional problems, including inter-Arab politics, while endearing the country to Arab populations and perhaps inspiring them, only as long as the Arab world remained stagnant” (Özel 2011: 73).

We are currently witnessing the third wave in Turkish foreign policy (Yenigün 2010: 63–86; Lesser 2011b). The first one was the period of Cold War and the 1990s. The second – the decade of the rule of the Justice and Development Party (AKP) with its idealized, sometimes grotesque rhetoric and the *zero problems* mantra, which symbolized the policy of ‘love’ in relationship with neighbouring countries, whereby the *securitized* policy was replaced by trade interests and bonds with the transatlantic partners – the USA and Europe – by increasingly closer ties with the region’s regimes. Today, the third wave of changes in the

region and the destabilization of close neighbourhood force Turkey to resort to hard instruments, including brinkmanship. As stated by Emiliano Alessandri and Meliha Benli Altunışık, the events of the Arab Spring forced Turkey to use instruments of *smart power* instead of *soft power* (Alessandri, Altunışık 2013: 4). Indeed, if Turkey wants to be an influential actor, it needs to use both hard and soft instruments. The idealistic, long-term vision must be coupled with pragmatic and reactive actions, undertaken in the short-term perspective. In other words, Turkey must learn how to balance its historical and cultural, idealistic vision of the foreign policy with a larger dose of pragmatism and *Realpolitik* (Kahraman 2011: 706).

CONCLUDING REMARKS

Second decade into the government of Justice and Development Party, Turkey has moved from being a peripheral country to a more central player. For many years, Turkey has been perceived as a satellite of the West, a flank in the Cold War, or a buffer holding back the expansion of Soviet influences in the Middle East. Nowadays, it engages in more autonomous, independent policy, and is thus becoming a frontline state. Turkey is striving to emancipate itself from the limitations of the international system which for years determined its position in the international order – making it not the subject, but rather the object of ‘big game’ played by the superpowers in Cold War rivalry. The re-discovered, multi-faceted or hybrid cultural and geographical identity – location in Europe, Asia, the Middle East, the Balkans and the Caucasus all at once – makes Turkey a key partner, albeit not always an easy one, for the West – the European Union and the United States. It can no longer be passed over in geopolitical calculations.

Turkey should be perceived by the EU and the USA as an important strategic ally – especially as the USA gradually withdraws from the broadly defined North Africa and Middle East and the centre of gravity of its politics *pivot* to the Pacific. Turkey is key to filling this gap and an important factor in stabilizing the Middle East. The developments in the Middle East, with Syria and Iraq actually being failed states today, mean that Turkey holds geopolitical and strategic sway and is an important element of the geopolitical shifts occurring in the region. This is important in times of shaping the new paradigm of relations in the Middle East, in the aftermath of the Arab Spring and with new regional set-up.

The *orientalization* or, put differently, the *re-ottomanization* of Turkish foreign policy does not imply Turkey is abandoning its pro-western orientation. The West should not be taken aback by the fact that Turkey is engaged on many fronts – in political and economic terms. Washington and the European capitals have to come to terms with the new reality in place whereby the rising powers – and Turkey certainly is one of them – become autonomous players and their foreign policy is no longer a simple function of American or Western interests. Mustafa Akyol rightly notes that Ankara is not abandoning the West, but rather the xenophobic foreign policy which characterized the self-contained Turkey for decades (Akyol 2008). Replacing the Cold War policy of self-inflicted isolation in the region, Turkey is attempting to act as a regional leader. It no longer wants to react to changes occurring in its neighbourhood – it wants to shape that neighbourhood. From an introvert state, it has changed into an extravert one, open to co-operation not only with partners from the region, but is also endeavoring to tighten ties with other rising powers.

From the Turkish perspective, relations with the United States and the European Union remain key, both from the standpoint of its internal policy and international relations. If the EU accession process becomes more dynamic, this will allow Turkey to anchor and consolidate the on-going, albeit bumpy, democratization processes. Moreover, the image of Turkey as a modern democracy and functioning economy in the Middle East is to a large extent dependent upon its affiliations with the EU. In one of the interviews, Minister Ahmet Davutoğlu stated that, “integration with the EU is the strategic, historic choice of the Turkish nation [...]. Our involvement in other regions is an advantage in our relations with the EU, and not an alternative for the EU”. Looking at the other side of Atlantic, relations with the USA and NATO will remain the main pillar of the security policy of Turkey, which today is a lonely planet in an unstable region of the Middle East.

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ECONOMIC AND STRATEGIC DETERMINANTS OF THE TRANS-PACIFIC PARTNERSHIP

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ABSTRACT: This article provides an economic and political analysis of the past and current state of the Trans-Pacific Partnership (TPP) project. The TPP talks, which have been ongoing since March 2010 and now involve 12 nations (Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States, and Vietnam), are aimed at lowering trade barriers across a much wider range of sectors than classical preferential trade agreements. Namely, it aims at not only removing tariffs on goods and services, but would also cover labor and the environment, intellectual property, government procurement and state-owned enterprises. The latter are forced by the US as the cornerstone of the Obama Administration's economic policy in the Asia Pacific. TPP is thus a vital part of a plan known as 'Asia Pivot' strategy and represents American attempts to re-engage Asia. If completed, TPP agreement could serve as a template for a future trade pact among 21 members of Asia-Pacific Economic Cooperation regional group.

KEYWORDS: Trans-Pacific Partnership; Asia-Pacific economic integration; global trade liberalisation; Free Trade Agreements in Asia; US 'Pivot' to Asia

ON ONE HAND, the Trans-Pacific Partnership (TPP) can be seen as one of the direct consequences of the WTO Doha Round impasse and the lack of real-world prospects for imminent solutions in trade liberalisation on a global scale. On the other hand, there are relevant factors here which are strictly connected with strategic policy objectives of the participating states, as can be seen vividly

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in the example of the United States and Japan. The initiative taken in 2005 by New Zealand, Singapore, Chile, and Brunei Darussalam to conclude a free trade agreement has evolved, following the accession of the US (March 2010) into the currently ongoing TPP negotiations among twelve member states. The outline of the agreement was first announced on 12 November 2011 by the leaders of the nine member states (Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, Vietnam, and the US) participating in the Asia-Pacific Economic Cooperation Summit (APEC) in Honolulu. The proposed agreement differs fundamentally from existing free trade agreements and therefore is often called a “new-generation agreement” or an “agreement for the 21st century” (Prestowitz 2013).

Among many recently concluded free trade agreements, the Trans-Pacific Partnership is of particular importance, not only because of the leading role of the US, but also for at least two other reasons: firstly, the agreement is open to other countries, including non-APEC countries; secondly, it goes beyond the traditional rules of trade liberalisation and will introduce new higher standards in terms of both the degree to which markets will be opened and the quality and scope of the regulations covering trade and investment. It should be pointed out that, while economic interests are fundamental to TPP, the increasing influence of political and strategic factors have quickly become clear, including: factors related to the changing balance of global power, the ongoing rivalry between great powers, especially the US and China, and the intersecting vectors of the vital interests of India, Japan, Australia, and the ASEAN countries.

In the assessment of many experts, the soaring military and economic power and wealth of China is a challenge to US global leadership and remains, in fact, an essential element of the much wider process of the shift in world power and wealth from the West to the East (Brzezinski 2012: 23). In view of the fact that Asia is currently the world’s most dynamic region (Kupchan 2012: 74–85), the US announced in 2011 a new strategy of engagement in the Asia-Pacific region (the ‘Pivot to the Asia-Pacific’), which included intensified diplomatic, economic and strategic activity in the region (Clinton 2011a). The number of countries participating in the negotiations of TPP grew, with the accession of Japan, to twelve. The key role of the US in this project denotes its first-class international rank and creates the basic premise of attracting new member states to the negotiations. According to the assumptions of US strategists, TPP as a multilateral agreement should be a response to global economic challenges in the 21st century. President Barack Obama’s November 2009 announcement of the inclusion of the US in

the negotiations on the Trans-Pacific Partnership underscored that the aim of this project is the completion of an ambitious agreement of a new generation corresponding to the challenges of the present time. The US demanded from all nations taking part in the negotiations the declaration of their acceptance of liberalisation without exception in all sectors of the economy and of their readiness to accept the total elimination of tariff barriers. From the perspective of the US, TPP is also a platform to increase their role in the Asian region, and thus has become an instrument of the Obama administration's new strategy, in line with the American vision of increased involvement in the region. Of vital importance is the need to exert balancing influences on an increasingly assertive China, and ultimately to strengthen America's superpower status and protect its at-risk supremacy in the Asia-Pacific region. This issue gained new momentum through the inclusion of Japan in the negotiations, a move which also triggered reflections in China and later in South Korea. Similar pressure has been exerted by the negotiations, starting in June 2013, on the Transatlantic Trade and Investment Partnership (TTIP) agreement between the US and the European Union (*Remarks by President...*).

After three years, the TPP negotiations have entered their final phase and representatives of 12 countries have passed joint regulations on the most difficult issues, such as agriculture, origin of products, textile articles, protection of intellectual property, state-owned companies, and a mechanism to resolve disputes. Now they must solve problems concerning ratification and implementation of the treaty, rules governing the admission of new member states, and definition of ways to update the agreement and clear a path that could lead in the future to a free trade area covering the entire Asia-Pacific region. They are also in the process of considering how TPP will affect the global trading system.

THE PACIFIC FOUR (P4) AS A PRECURSOR OF TPP

Among the APEC countries, the idea of an agreement protecting trade first appeared in the 1990s. Chile, New Zealand and Singapore, due to their relatively open economies, were the first countries to establish informal contacts and initiate an exchange of views on this topic, a process which usually took place on the occasion of the meeting of APEC leaders. During the 2002 summit, it was announced that an agreement had been negotiated under the name Pacific Three Closer Economic Partnership (P3 CEP), which had been officially launched by

the President of Chile and the Prime Ministers of New Zealand and Singapore (*History of...*). Prior to the final round of negotiations in April 2005, Brunei Darussalam came forward with a request for inclusion as a founding member. The conclusion of negotiations on the agreement under the final name, the Trans-Pacific Strategic Economic Partnership Agreement (TPSEP), popularly known as P4¹, was announced on 3 June 2005, during a meeting of the trade ministers of APEC countries in Jeju, South Korea.

The United States began to turn towards TPSEP in an attempt to recover trade and reconstruct investment dynamics after the meltdown caused by the financial crisis in 2007-8. The new attitude of the US administration was introduced in 2008², when during a meeting of representatives of the governments of the P4 member states in New York, Trade Representative Susan C. Schwab announced that the US would accede to negotiations with the countries of the P4, bearing in mind the broad perspective of regional economic integration in the Asia-Pacific region. Subsequently, however, as a result of the presidential elections, stagnation followed in this area. Nevertheless, in a follow-up to the declared position of the US, Australia, Peru and Vietnam joined the negotiations, which resulted in the transformation of the P4 into the P7. The newly established administration of President Obama had, by the end of 2009, developed a new vision for the US engagement in the Asia-Pacific region, giving it a high-priority ranking within the wider concept of commitment, which persists to the present day and should lead to the signing of the TPP agreement. For the first time, President Obama signalled a new direction for the US policy in commercial matters in Asia on 13 November 2009, during his visit to Tokyo, where he declared that the United States was ready to participate in activities implemented by the Trans-Pacific Partnership to create a regional agreement, open to a wider membership and guaranteeing high standards suited to the requirements of the 21st century³. This was given more concrete form on the following day, at a meeting of the APEC in Singapore, when US Trade Representative Ron Kirk explicitly stated that the US would formally accede to the negotiations. The announcement of this decision signalled a fundamental turnaround in American politics.

¹ 'Trans-Pacific Strategic Economic Partnership Agreement', <http://mfat.govt.nz/downloads/trade-agreement/transpacific/main-agreement.pdf>.

² See www.ustr.gov/schwab-statement-launch-us-negotiations-join-trans-pacific-strategic-economic-partnership-agreement.

³ See text of Obama's Tokyo address, Washington Wire, WSJ, <http://blogs.wsj.com/washwire/2009/11/13/text-of-obamas-tokyo-address/>.

The first round of negotiations was held in March 2010 in Melbourne with the participation of representatives of eight countries: Australia, Brunei, Chile, New Zealand, Peru, Singapore, the US and, at its own request based on its status as an associate member state, Vietnam. The negotiations dealt initially with organisational issues and, to a lesser extent, with the main substance of the agreement. By the spring of 2011, the negotiators were concentrating on the definition of areas to be included in the negotiations. Then the first draft provisions appeared on market access for goods, telecommunications, customs cooperation, financial services, technical barriers to trade, institutional-legal issues, and protection of the environment. After appointing a date for conclusion of the negotiations, namely, the APEC Summit in Honolulu, Hawaii (November 2011), the pace of work accelerated. Subsequently, proposals were prepared in new areas, such as services, investment, government procurement, and rules of origin. As “horizontal issues”⁴, the questions of cohesion, supply network management, regional competitiveness, promotion of development and the activities of small and medium-sized companies were included in one segment. Although the P4 agreement contained a clause enabling the accession of new states, there were no detailed provisions regarding the relevant procedures. Therefore, to the extent that progress in the negotiations had been achieved and the number of participating members increased, it became indispensable to define the procedure formally qualifying new states to enter the negotiations. One of the conditions was that the representatives of the candidate state would hold a series of bilateral meetings with representatives of states already participating in TPP negotiations. This would serve to determine the degree of preparedness of the candidate, as well as facilitating the discussion of the often difficult matters which form the subject of negotiations. After obtaining an endorsement in bilateral talks, the formal participation of the candidate state would be required in a meeting of all TPP states to get their support *in corpore*. From the beginning, the provision was adopted to exclude participation as an observer (*Trans-Pacific Partnership Agreement*). Vietnam joined the formal talks as a full member at a meeting of APEC leaders in Yokohama in November 2010. Also in 2010, Malaysia, after holding the requested bilateral meetings and having its application approved by all participating countries, joined the

⁴ An exception was made for Vietnam, approving its request to participate as an associate member, provided that following the third round of negotiations Vietnam either acceded to the negotiations on the rights of members, or completely withdrew from them (Elms, Lim 2012: 31).

negotiations (ibidem). This has to be regarded as primarily a strategic step, as Malaysia already had free trade agreements with most of the TPP partners. The government in Kuala Lumpur was, however, convinced that this was the right step in the direction of deepening integration, as well as enabling an extension of cooperation with the US, which, from Malaysia's perspective, is an particularly important trading partner and source of investment⁵. Malaysia decided to take radical steps aimed at internal liberalisation of economic relations, among them the introduction of open access to government procurement and elimination of rules favoring national companies based on the so-called policy of *bumiputra* (Kennedy 2012: 5–6).

At the end of 2011, Canada expressed willingness to join the ongoing negotiations of the nine member states (Elms, Lim 2012: 31). Canada already had a true opportunity for accession to the agreement under the P4 formula in 2005, but decided not to enter the negotiations. As the formal conditions for the application of new states changed in 2011, the partners were able to demand bilateral talks first to determine whether Canada met the criteria for admission to TPP negotiations. For example, New Zealand announced its opposition to Canada's attempts to maintain existing regulations regarding the supply of milk products, which had been introduced to protect the interests of Canadian farmers. Canadian representatives had been pushing unsuccessfully to exclude foreign dairy products on its domestic market. The US entered a reservation regarding a Canadian regulation on the protection of intellectual values and citing difficulties with Canadian membership in the NAFTA agreement⁶. Finally, Canada, along with Mexico, joined TPP talks in 2012.

From the outset, the negotiations were generally difficult because of the different experiences and expectations of the negotiating parties. Despite intense work and efforts aimed at eliminating differences in approaches to negotiating issues, progress was rather poor. A comprehensive negotiated text of the agreement was still far off, both in the negotiating round in Singapore (April 2011) and the next two rounds in Ho Chi Minh City (June 2011) and Peru (October 2011). It was only at the APEC summit in Honolulu, Hawaii in November 2011

⁵ In 2009, unwillingness to liberalise access to government procurement and the use of preferences in the context of the *bumiputra* policy caused an impasse in the negotiations of a free trade agreement between Malaysia and the US (*Miti to Make...*).

⁶ Preferential trade agreements began to be included especially after the completion of the Uruguay Round of WTO in 2011.

that the trade ministers were able to present a 5-page preliminary draft of the Trans-Pacific Partnership agreement (*Remarks by President...*). This covered the following areas: general market access, regional market access, intersecting trade issues (regulatory cohesion, competitiveness, small and medium-sized businesses, economic development priorities), new trade-related challenges (digitisation of the economy, ecological technologies), and provisions relating to the open nature of the agreement, including updating of records and the eventual accession of new members. The draft agreement covers the basic issues of trade relations, namely: rules of competition (announcement of the preparation of the regulatory and institutional framework), services (the creation of an open and transparent market for trade in services), customs issues, e-commerce, environmental protection, financial services, government procurement, intellectual property protection, investment, cooperation on labour issues, institutional issues, market access, rules of origin, standards, sanitary and phytosanitary measures, technical barriers to trade, validity of regulations for an interim period, telecommunications, textiles and clothing, and commercial equivalents (subsidies, anti-dumping duties, countervailing duties).

Shortly after the APEC summit in Honolulu, the issue of TPP was included within the broader dimensions of the US policy of increased engagement in the Asia-Pacific region, known under the slogan 'The Pivot to the Asia-Pacific'. This process was reflected in President Obama's visit to Australia (Clinton 2011b) (16-17 November 2011) and in the subsequent participation of the US in the East Asia Summit held in Bali, where, after a decade of wars in Iraq and Afghanistan, the Americans presented the doctrine of a new policy in the Asia-Pacific region, including a plan to give greater momentum to the TPP negotiations (Nazeer 2011). Efforts to obtain the support of the member states of ASEAN became evident⁷.

The intensive work of about 700 individuals, constituting the group of experts and negotiators who, at the APEC summit in Bali (October 2013), held 19 formal rounds of negotiations, indicates the determination of the participating states, including, first of all, the US, to move forward and search for compromises. During the Bali summit (8 October 2013), leaders of the negotiating agreement member states (*TPP Leaders*) called on the negotiators to finalise the arrange-

⁷ In a meeting not attended by the US President Obama, who, due to an internal situation (absence of a compromise on the federal budget), cancelled his participation in the APEC Summit at the last minute.

ments. Despite the previously fixed deadline for conclusion of the negotiations by the end of 2013⁸, many observers of the negotiations estimate they may be extended, to be eventually concluded at the close of the following year.

AMBIVALENT APPROACH OF CHINA

One problem in the implementation of the objectives of TPP turns out to be the critical attitude of China, which is pursuing plans for accelerated modernisation of its military capability and strengthening its position as the second (to the US) economic power in the world. China, motivated by the potential for strengthening its own influence regionally and globally, is promoting East Asian economic integration, including an extension of the agreement on free trade with the ASEAN countries such as South Korea, Japan and other countries of the region. From the beginning, the Trans-Pacific Partnership project was seen by Beijing as a competitor to a vision of economic cooperation in East Asia to be pursued under the leadership of China. In turn, many countries in the region accepted the announcement of increased US commitment in Asia due to the fear of Chinese domination, and in particular Chinese aspirations to take control of the South China Sea and its natural resources. In the view of these countries, the US offers an alternative, affording an opportunity to solve the key issues of security and economic integration, while incorporating the vision of increasing the benefits of dynamic economic development. During the APEC summit in Honolulu (11 November 2011), the 6th East Asia Summit in Bali (14-19 November 2011) and bilateral talks (16-17 November 2011) with the leaders of Australia, the US clearly expressed the reorientation of its foreign policy towards the Asia-Pacific region, at the heart of which lay their vested economic, military and geostrategic interests. A strong motivation here was the desire to maintain world leadership, and indeed the imperative of counterbalancing China and its ambition to expand its influence in the region as well as, in the future, on a global scale.

However, bearing in mind the aspect of Chinese-American competition, Simon S.C. Tay, political scientist and director of the Singapore Institute of

⁸ S. Tay, the author of *Asia Alone: The Dangerous Post-Crisis Divide from America*, published in 2010, indicates increasing trends towards the independence of Asia from the United States and stresses the need to strengthen policies maintaining ties between the US and Asia, in view of both the benefits gained in this respect by both parties since the end of the Second World War and the obvious state of interdependence.

International Affairs, expressed the opinion that has characterised the approach of the Member States of ASEAN: namely, that they will not be compelled to make a choice between the US and China, because they actually want to work with both nations (Tay 2010). In his assessment, the strong rhetoric and actions of the Americans has always disturbed the dynamics of international cooperation in the region (Koike 2013).

There are many experts who view TPP above all as an economic and strategic challenge to China, especially following the US's agreements with certain countries (Australia, the Philippines, South Korea, Singapore) to strengthen the American military presence in the region. At the same time, they believe that China's strategic objectives encompass not only to outclass the US as a superpower, but also to limit American economic dominance, all in order to rebuild the position and dominance of the Middle Kingdom, with the long-term aim of bringing the neighbouring countries to heel as vassals (Friedberg 2011).

Favourable to the implementation of the Trans-Pacific Partnership is the fact that the US is seen in Southeast Asia as a factor for stabilising security, its attractiveness becoming stronger in the context of a growing China's ambitions to acquire the status of regional power. By consolidating the principle of free trade in the Pacific region, all countries are guaranteed to participate in benefits that would not be possible under the dominance of China. One widely shared view is that the process of involving China in global affairs must be carried out with the participation of the US. China is regarded as a kind of guarantor of economic growth, the US as a guarantor of security. At the same time, it is stressed that the member states of ASEAN do not want to operate exclusively in the space between the competing interests of the great powers. With regard to territorial disputes in the South China Sea, it is characteristic of the ASEAN approach, based on respect for China's position, that it rejects any attempt to internationalise disputes, while emphasising the need to ensure freedom of navigation.

The problem of the growing power of China, and hence the threat to the global leadership of the US, has long been the subject of analysis of well-known think tanks in many countries. It has been examined by Aaron L. Friedberg, who stressed that China treats the East Asia region as 'its own backyard' and, while strengthening its wealth, political and military power under the authoritarian rule of a single regime, will become more and more assertive (Wade 2009). Although there is no indication that the leaders of China aspire to a confrontation with the US, they are consistent in their policy of expanding their own influence in the region, while eroding that of their rivals. They apparently

assume that their conflicts with smaller states leave Washington no choice other than to remain on the sidelines. This approach is, in Friedberg's opinion, based on unsound reasoning, because the US's treaty commitments (to the Philippines and Japan) obligate it to certain defined responses in the case of a conflict. The current international situation, however, is temporary and apparently evolving in the direction of a balance of power in which China will have more room to take advantages of its growth and a stronger international position. The US does not seek a confrontation with China; rather, the aim of its policy remains a more predictable and liberalised China. At the present stage, China's economic success has had an impact on its dynamic transformation in variety of strategic areas, among others on modernising and increasing the operating capacity of its armed forces. In conjunction with changes in China's diplomatic stance, this is a cause for growing concern on the part of many countries in Asia, and in fact for their favourable attitude to the increased involvement of the US in Asia (Jacques 2009).

Many experts consider it erroneous to promote a policy of containing or halting the growth of Chinese power, in particular the application of military pressure for this purpose, which would inevitably lead to tension and threats to international security, including a new cold war⁹. Henry Kissinger believes that the problem America's facing is not military in nature, but rather primarily economic. If the Chinese economy, as Goldman Sachs predicts, is ahead of the American economy by 2027, and if it is almost double that of the US by 2050, 'hawkish' reactions to China's growing power will have to be considered pointless (Cheong Suk Wai 2012). Instead, in his opinion, America must focus on restoring its own economic strength and come to terms with the fact that economic growth in China and a slowdown in its own economy are not merely the result of political mistakes, but rather constitute one of those historical changes on which governments have relatively little impact. On the other hand, the view that China's growth will continue without limits does not stand up to criticism (Kurlantzick 2007). The global slowdown is evident in differential indicators in China as well; the only question is how quickly the process will run its course. Some experts (A.L. Friedberg) are confident that certainly some problems are

⁹ Kissinger sees in the implementation of the concept of the Pacific community a way to alleviate strategic tensions in the modern world, which would set up a framework for peaceful cooperation between the US, China and other countries along the lines established after the Second World War in the Atlantic Community (Kissinger 2011: 528).

becoming exacerbated, as reflected by the 'one child policy' and the migration of young people from rural to urban areas. This will bring visible consequences within the next decade in terms of both economic growth and changes in social consciousness. China generally discounts its rapid rise in order to strengthen relations with the countries of the region. However, as many experts underline, the long-term objective of China's policy is to expand its sphere of influence while weakening that of the US. China's policy in terms of preferential trade agreements can be seen as a continuation of the 'charm offensive' policy aimed at strengthening the soft aspects of economic domination (Liu 2013). The China-US summits thus far show that both sides have in view the need to avoid conflicts that could put their relationship at risk. China, however, fears that the new US engagement in the Asia-Pacific region is intended mainly to just block Chinese growth.

THE ACCESSION OF JAPAN

Japan indicated its intention to contribute to TPP negotiations in 2010, when it occupied the Chair of the APEC¹⁰. This was first mentioned in remarks by Prime Minister Naoto Kan and later as well by Prime Minister Yoshihiko Noda. The chances of achieving this goal were limited, mainly because of strong opposition from farmers, fishermen fearing the loss of grants, and the service and pharmaceutical sectors. The industrial sectors showed a positive attitude. At the beginning of 2012, Japan quite actively cooperated with the ASEAN countries to create a free trade area within the framework of the Regional Comprehensive Economic Partnership, RCEP, which included, in addition to the 10 ASEAN countries, Japan, China, India, South Korea, Australia, and New Zealand (Singh 2013). To Japan, it was an attractive solution, due to the agreement's standards, which were lower than those adopted in the TPP framework. Thus, member states of the partnership, including the US, failed at the time to take into account the possibility of Japan's accession, mainly due to its unreadiness to implement the necessary structural reforms. A change in that position came after the election

¹⁰ After the meeting of the representatives of ASEAN and Japan in April 2012, the intention was announced to launch negotiations to create a Free Trade Area in Asia covering 16 countries. It was done in the context of the previously announced plans for the conclusion of the tripartite FTA between Japan, China, South Korea and the bilateral FTAs between Japan and South Korea and South Korea and China.

in December 2012 and the creation of a new government with Prime Minister Shinzō Abe, who, on 15 March 2013, announced Japan's intention to accede to TPP negotiations, although formerly he had clearly preferred bilateral free-trade agreements and kept a healthy distance from multilateral integration initiatives. The issue of Japan's accession has been the subject of informal discussion during, among others, the 16th round of negotiations held in Singapore in March 2013 (*KEI Notes...*).

Many participants in that round expressed the opinion that the inclusion of Japan in TPP negotiations would present a major challenge, especially in light of the adopted resolution to finalise the negotiations by the end of 2013. Accordingly, the announcement of Japan's accession was greeted with mixed reactions¹¹. On one hand, it meant a rise in the prestige of the agreement and an increase in its scope; on the other hand, it threatened the prospective conclusion of the negotiations. Japan faced the need to acquire the support of member states negotiating the TPP agreement, which in some cases (e.g. the US) involved a need for internal procedures. Following Japan's decision to join the negotiations and its acceptance according to the procedures of TPP, the negotiating group's membership increased to twelve. Observers pointed out on that occasion that the inclusion of the negotiations of the third-largest economy in the world meant the further strengthening of the strategic-economic prestige of TPP, as well as of the main vision of the project, i.e. regional economic integration. The government of Singapore, which led a vigorous diplomatic campaign to enable Japan to join the negotiations, expressed its belief that Japan would be a valuable partner, especially as a factor stimulating economic growth in the region.

The accession of Japan to TPP has, according to many experts, deeper implications than merely increasing trade opportunities and tightening competition in the production and marketing of agricultural products. Already the choice of Abe as Prime Minister has shown the interest of the Japanese establishment in emerging from a long phase of slow economic growth. The path to this goal is to be cleared by the policies of Prime Minister Abe, known as 'Abenomics' (Robles online). Participation in TPP is expected to be the main driving force in Japan's return to sustainable economic growth, as well as launching the country on the

¹¹ In the US, a group of more than 40 congressmen and senators sent a letter to President Obama, dated 14 March 2013, expressing opposition to Japan's inclusion in the TPP. A copy of the letter is available on the website <http://conyers.house.gov/index.cfm/press-releases?ID=5d9fb0bb-2687-46af-a132-d3fe11a36ae6>.

path of structural reforms in order to enhance its international competitiveness. Opposition from Japanese farmers stands in contrast to the support of the Japanese Business Federation. In Abe's view, the concept of TPP is also an important factor in strengthening the US alliance, a key point in its strategy concerning relations with China. In support of the new government policy, the Japanese largely agree with the argument that economic revival is a prerequisite for the long-term security of the country, and TPP could solidify Japan's position as the main geopolitical and economic leader in the region.

The inclusion of Japan in TPP can be treated as an attempt by Abe to overcome a certain degree of marginalisation and the dim presence of Japan in the broader process of shaping the new arrangement. Formerly, economic strength was paramount, but Japan now feels a compelling need to strengthen its international position. By joining the TPP project, Japan will be allowed to participate, along with the US, in the creation of a new economic order and to confirm the status quo in the Asia-Pacific region. Tokyo, embroiled in conflict with Beijing concerning the islands of Senkaku/Diaoyu, is striving to use TPP to strengthen its own position in the game with China. A new accent in this respect was sounded by plans officially announced by the Chinese Ministry of Commerce to consider accession to TPP negotiations (*China to Study...*). This has not been followed up, which is understandable, especially in the context of the explicit treatment of this project by Beijing as one of America's instruments for the reduction of China's growth and power. However, this does not mean that the question of China's participation in TPP has been decided definitively (*The TPP Trade Negotiations...*).

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To summarise, it should be stated that the primary goal of TPP is the conclusion of a new-generation agreement on free trade, but global economic competition is not the only thing at stake in the entire project. The strategic contest for leadership in the region, where the most important developments in contemporary world affairs are taking place, is also crucial. The course of this contest indicates the direction of transformations in the global system (*Groser – Trans-Pacific...*). The ability of the US to play a leading role in establishing the TPP initiative is an answer at least to some of today's strategic challenges and, to no small degree, the challenges of leadership in the first quarter of the

21st century. By establishing the principle of free trade in the Pacific region, all nations are guaranteed to participate in benefits that would be unrealistic under Chinese dominance. The growing assertiveness of Beijing, with its expression of the desire to take control of important areas of the basin of the South China Sea, is a significant factor in the rising international tension in the region, causing concerns in Washington and almost all ASEAN countries, although this is not always openly articulated. TPP negotiators were unable to conclude negotiations by the end of 2013, as previously assumed, due to difficulties related to Japan's opposition to opening its strongly guarded agricultural and automotive markets. Expectations that Tokyo and Washington might break this impasse during President Obama's visit to Japan in April 2014 were not met, and the negotiations are still in progress.

In the long term, TPP should encompass all members of the APEC. If this happens, the zone will cover 2.7 billion inhabitants (40% of the population of the globe); its territory will produce an aggregate income of 39 trillion dollars (50% of global GDP) (Singh 2013). Relocating the main focus of the US policy to the Asia-Pacific region, on one hand, is to be read as the realisation of the 'Obama: Pacific President' policy, and on the other hand, as a correction resulting from a historical process of the relocation of the strategic-economic centre of gravity from the West to the East. The countries of ASEAN, referring generally to the US initiative, have clearly highlighted the indispensability of continuing their cooperation with a second partner on the scale of China (Ciorcari 2010: 213–215). In turn, the United States, with a view to relations with China, has reaffirmed on several occasions their intention to maintain their commitment to the Asia-Pacific region, at the same time calling for China, as the second largest world economy and one which has experienced the benefits of access to foreign markets for more than 10 years, to open its markets more widely in the interests of the whole region, as well as those of the world economy (U-Wen 2012).

The final shape of the Trans-Pacific Partnership is not yet clear, because work on its substance is still underway, and the expectations of the negotiating parties are too diverse to enable one to guess the difficulties faced by negotiators. Much depends on how its final arrangements will appear in relation to the provisions of a number of preferential trade agreements in force today, not only in Asia, but on a global scale. TPP, as a new-generation agreement addressing the challenges of the 21st century, may not be limited to traditional trade liberalisation regulations. It is expected they will reach further, to the principle of a fully free market. To achieve a compromise which benefits all parties will not be an easy task, even

less so in that the partnership is subordinate to more than just economic benefits. On the contrary: in the process of creating this agreement, strategic factors play a particularly important role.

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POLITICAL SYSTEMS

**ELECTORAL PARTICIPATION
OF POLES RESIDING ABROAD IN NATIONAL
AND EUROPEAN PARLIAMENT ELECTIONS.
THE ANALYSIS OF RESULTS AND FACTORS
INFLUENCING THE ATTENDANCE***

*Magdalena Lesińska***

ABSTRACT: The article presents the phenomenon of external voting: participation of citizens residing abroad in elections that take place in country of origin. Author offers the comparative analysis of data from parliamentary and presidential elections over last two decades (1990–2011) and elections to European Parliament (2004–2014) that took place in Poland. The noticeable increase in number of votes from abroad is the result of the growing stock of Poles residing abroad since Poland's accession to the EU in 2004, the legal and institutional changes towards simplifying voting procedures, but also the consequence of the fact that emigration of Poles became an issue of media interest and target group for political parties during the electoral campaigns.

KEYWORDS: external voting, electoral participation, Polish diaspora, national and European Parliament elections

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INTRODUCTION

In most European countries, citizens residing abroad have the right to vote in national elections. Moreover, governments facilitate the access to procedure of voting abroad in order to strengthen emigrants' engagement in national affairs. In Poland, any citizen who is of age has a right to vote in parliamentary and presidential elections and in referendums, can vote abroad, whether he or she lives there permanently or is there only temporarily. The parliamentary and presidential elections that have taken place in Poland since 2004 have featured a previously unknown attendance among the Poles living abroad. Although their actual impact on the results is negligible, the emigrants' votes are significant symbolically and play a role in political rhetoric.

The aim of this article is to analyse the dynamics in the number of votes cast by Poles residing abroad in national elections over the last two decades, particularly the elections that have taken place after the Poland's accession to the EU which resulted in mass emigration, the so-called post-accession wave. With the accession, Poles became citizens of the EU and were granted the right of free movement and of employment in other member states. The emigration of Poles after 2004 is unparalleled not only because of its magnitude, dynamics and directions of the outflow, but also because of its character, which was very unlike the previous post-war waves. It was a mass outflow of unexpected dynamics, unforeseen by both Polish authorities and society, and the receiving countries.

The author endeavours to determine the causes and conditions of the observed dynamics in electoral mobilisation among the Polish citizens residing abroad in recent years. The text is divided into five sections. In the first one, the concept of external voting and comparative overview of voting procedures are presented, as well as pros and cons of granting voting rights in national elections to citizens residing abroad. The next sections contain an analysis of the electoral participation of the Polish diaspora (meaning Polish citizens living abroad) in national (presidential and parliamentary) elections over the last twenty years (1990–2011), and in European Parliament elections (2004, 2009 and 2014). Major trends, voting results from abroad and their distribution, as well as political profile of Polish population abroad are also discussed. The last section of the article is devoted to an analysis of the role of different factors influencing the level of attendance and its noticeable increase in time period after 2004. Among others, the focus is put on impact of simplified legal procedures, the engagement of media and political parties.

A COMPARATIVE OVERVIEW OF EXTERNAL VOTING LEGISLATION AND DEBATE AROUND IT

The external voting (granting passive and active voting rights in national elections to citizens living abroad) is a very complex phenomenon that poses considerable challenges. Most states have a very active policy towards their diasporas and help strengthen their ties with the home country. One of the most important things a state can do to keep the emigrants interested in the situation of their home country is to give them suffrage in national elections.

There are many pros and cons of external voting (Bauböck 2007; Lafleur 2011; Rubio-Marin 2006). One of the most important of these arguments is the basic tenet of democracy: extending suffrage to citizens living abroad is the fullest realisation of the principle of universality of elections; it is also the basic democratic right of any citizen that cannot be taken away from him or her even if he or she temporarily or permanently lives abroad. Opponents of the idea point out that people living abroad are not directly subject to the legal and political system of the home country and usually do not pay its taxes, and thus should not have the right to decide who should form the government. Another argument against giving voting rights to citizens living abroad is that, since they are non-residents, they cannot be fully aware of its political situation and of the candidates, and therefore their choices are often random. However, in the Internet and mass media era, this argument seems weak at best.

The scope of voting rights and ways of voting accessible for citizens residing abroad vary from country to country. The national voting systems differ considerably, e.g. in case of types of elections, voting procedures, eligibility criteria and registration systems. The existing provisions for external voting depend on history, tradition of law, political culture and electoral system design, but also on political pragmatism. The political elite's opinion on granting suffrage to citizens living abroad may depend on the impact their votes can have on the results of national elections. If it is merely symbolic – as is the case in Poland – the right is not controversial. However, if emigrants participate in huge numbers and their votes can have a significant impact on the final result, and especially if their population is made up of influential members of the opposition (e.g. the case of Venezuela), the question of voting rights for non-resident citizens may become the subject of passionate political struggle.

The worldwide comparative survey related to external voting was conducted by International Institute for Democracy and Electoral Assistance and the Federal

Electoral Institute of Mexico. It covered 213 countries and depending territories all over the world. According to collected data, external voting is allowed currently by 115 countries and depending territories, including 28 from Africa, 16 from both Americas, 41 from Europe, 30 from Asia and Oceania (*Voting from abroad...* 2007: 12–13). Only three European countries (Cyprus, Malta and Slovakia) do not include any form of external voting in their electoral legislation. It is worth to notice that there are more than one of voting procedure. Among European countries that allow their citizens living abroad to vote just eight permit only the traditional procedure of voting, in which one must case a ballot in person. Most of the countries have implemented other ways of voting – by post, via Internet or by proxy. The simpler methods are designed to encourage citizens to vote and therefore increase voter turnout. Simplification of voting procedures is particularly important in case of citizens living abroad who are usually dispersed throughout the receiving country and far polling stations, which are circumstances discouraging their participation.

THE LEGAL AND INSTITUTIONAL FRAMEWORK OF EXTERNAL VOTING IN NATIONAL ELECTIONS IN POLAND

The Polish Electoral Code (*Kodeks wyborczy*) does not require residence for voting in parliamentary and presidential elections, as well as in referendums. Poles are entitled to cast votes from abroad, whether he or she lives there permanently or is there only temporarily, provided that his or her name is on the list of voters abroad¹. To get on the list, one has to register in advance (three days before election day at the latest) at an appropriate consulate. In the past, a voter had to appear there in person. Today the consul registers voters based on an oral, written, telephone, wire, fax or e-mail application. The electronic system of registration was used for the first time in presidential elections of 2010. Moreover, Polish citizens, while voting in polling stations abroad, need to have a valid Polish passport (or a Polish ID when voting in the EU country) (Electoral Code 2011, article 35). The list of the polling stations is set up by

¹ Polish citizens residing abroad are also eligible to run as candidates in national elections (parliamentary and presidential, according to Electoral Code 2011, article 11), however, in practice, to conduct a campaign and to gain voters' support in the native country is particularly difficult from abroad (Korzec, Pudzianowska 2013: 4).

Ministry of Foreign Affairs (in consultation with State Election Commission) and determines their location.

Poles residing abroad can cast votes from abroad in national elections by voting in person or by correspondence. The 2011 election was the first one when it was possible to vote by post. To do it, a citizen had to register to vote at the closest consulate in the receiving country. The consulate would then send him or her a ballot by post. The voter had to fill it in and send it back to the consulate, where it was opened in the presence of a committee on election day and added to all the other votes cast at the consulate. The 2011 election showed this form of voting was not very popular among Polish citizens living abroad; only 16,440 people voted by post.

In the parliamentary elections, electoral constituencies abroad are part of the electoral constituency Warsaw 1. This system is called “assimilated representation”, when the votes cast abroad are assimilated in one voting district in the country (Korzec, Pudzianowska 2013: 11). It means that all people who vote abroad cast their votes for the candidates from one constituency and have therefore little impact on the general result, for their ballots are aggregated to those cast in Warsaw. Their votes have therefore a purely symbolic meaning rather than any real impact. However, in presidential elections, where votes are cast for specific candidates, those cast abroad have a real value. In the 1990 and 1995 presidential elections, citizens residing abroad could only participate in the first round. This law was later changed and, as of the year 2000, Polish citizens abroad could vote in both rounds of all elections.

THE PARTICIPATION OF POLES RESIDING ABROAD IN NATIONAL ELECTIONS IN 1990–2011

In the years 1990–2011, there were seven parliamentary and five presidential elections in Poland. The statistics on the electoral participation of Poles residing abroad are presented in table 1. Since 2005, there has been a notable increase in the number of those entitled to vote (i.e. registered at polling stations outside Poland) and voting abroad. In the parliamentary election of 2007 and the presidential election three years later, the number of votes cast was significantly higher than in previous elections in Poland as well as abroad. The highest number of votes was recorded in 2010 presidential elections (203 thousand), even though

votes cast abroad constitute around 1% of all votes cast in any Polish national election.

In the 2011 parliamentary elections, the number of votes cast decreased to 119 thousand. This represents a decrease of 30 thousand (or 20%) compared to the 2007 parliamentary election, and by 84 thousand (or 42%) compared to the 2010 presidential election. At the same time, however, the highest turnout was noted (85%, when the average turnout in elections in years 1990–2010 was 74%). A voter turnout, however, is not a reliable indicator in analysing the dynamics of electoral participation of Poles abroad. It is important to note that voter turnout is the ratio of those who registered to vote abroad (and not all those residing abroad at the moment) to those who really voted abroad. Therefore, voter turnout, as a stand-alone statistic, does not prove much, except that those who went to the effort to register themselves before elections generally cast a ballot.

Table 1. Votes cast abroad in parliamentary and presidential elections in Poland (1990–2011)

Elections	Number of persons registered to vote	Number of voters	Number of polling stations abroad	Turnout (%) ^b
1990 Presidential	143,586	113,251	177	78.9
1991 Parliamentary	57,648	40,834	156	70.8
1993 Parliamentary	57,870	41,918	117	72.4
1995 Presidential ^a	79,896	67,683	127	84.7
1997 Parliamentary	53,848	44,561	144	82.7
2000 Presidential ^a	69,625	57,649	167	82.7
2001 Parliamentary	41,817	26,749	165	64.08
2005 Parliamentary	49,840	35,611	161	71.59
2005 Presidential ^a	80,071	48,179	162	60.19
2007 Parliamentary	190,637	148,946	205	78.13
2010 Presidential ^a	277,016	203,477	263	73.50
2011 Parliamentary	139,415	119,678	268	85.84

Source: State Election Commission Database

- a) The results of the presidential elections are presented for the first round (the election of 1995) and for the second round (the elections of 2000, 2005 and 2010).
- b) Turnout refers to the ratio of the number of persons eligible to vote (registered to vote) to the number of votes cast abroad during an election.

In 2007, the number of people who voted abroad was six times higher than in 2005. In the 2010 presidential election, the increase over 2005 was four-fold. Most votes were cast in the UK, Ireland, the US and Germany. Around 75% of all votes from abroad were cast in these countries (see Table 2).

Table 2. Number of votes cast abroad in national elections in selected countries (2005–2011)

	2005 Parliamentary	2005 Presidentiala	2007 Parliamentary	2010 Presidentiala	2011 Parliamentary
UK	2,431	3,318	36,296	43,979	31,107
Ireland	883	1,577	13,952	14,449	7,298
US	5,578	9,337	28,073	37,005	21,491
Germany	4,199	5,731	14,591	21,449	11,933
All votes from abroad	35,611	48,179	148,946	203,477	119,678

Source: State Election Commission Database

a) The results of the presidential elections are presented for the second round.

The most dynamic increase in participation abroad was noted between the presidential elections of 2005 and 2010. In the second round of the 2010 election, over four times more votes were cast than in the previous one (48,179 in 2005 vs. 203,477 in 2010). In 2010, compared to 2005, 13 times as many Poles voted in the UK, nine times as many in Ireland, almost five times as many in the US, and four times as many in Germany. A similarly high increase was also noted in other receiving countries of the post-accession emigration: in Norway the increase was eleven-fold (396 in 2005 vs. 4,564 in 2010), in Spain – six-fold (995 in 2005 vs. 5,793 in 2010), and two-fold in Italy (2,424 in 2005 vs. 4,882 in 2010).

Despite the dynamic increase in votes cast abroad during a national election, it is important to note that, given the overall number of Poles officially living abroad, their electoral participation is not very high. When we compare the estimates of the Central Statistics Office (GUS) regarding the overall number of Poles living abroad (emigrants or people staying temporarily abroad for more than two months) with the number of votes cast abroad in national elections, we can see that in 2005 only 3.3% of emigrants actually voted, in 2007–6.5%, and in the presidential election of 2010–10.8%. In 2010, one in ten Poles living

in the UK and in Ireland voted, whereas in Germany the number was only one in twenty.

In parliamentary elections of 2011 slight decrease in number of votes from abroad was recorded. It was caused by a wave of return migration and subsequent decline in the number of Poles residing abroad, but also by the fact that in the 2011 election, politicians did not focus on emigration and the situation of Poles living abroad in electoral campaigns as they had in the past².

After 2004 many changes have been implemented in the organisation of elections to encourage would-be voters and to facilitate voting for citizens living abroad. The number of electoral constituencies abroad has been increased, voter registration has been simplified, and the option to vote by post has been implemented. In the 2005 election and later, a record number of polling stations was established abroad. In the recent election of 2011, there were 268 of them, especially in the countries where the number of Poles has been traditionally high and in those where it had increased in the post-accession period (see Table 3). Between the 2005 and 2010 presidential elections, the number of polling stations in the UK increased from 3 to 41 (and to 43 in 2011), in Ireland from 1 to 11 (and 16 in 2011), in Germany from 5 to 12 (11 in 2011), and in the US from 15 to 28 (27 in 2011). New stations were also established in countries where the number of voters had never been high but which became destination countries of the post-accession wave of emigration. Compared to 2005, there was an increase in the number of polling stations in 2010: from one to three in Italy, from one to four in Norway, and from three to eleven in Spain (the numbers did not change in 2011).

The increased number of polling stations abroad has certainly made voting easier for Poles living abroad, which resulted in more external votes. However, the 2007 election showed that many stations abroad were not prepared for the increased turnout. In the most popular polling station in Poland (Warsaw), 2054 ballots were cast in 2007. In the same election, the station Chicago 4 issued over twice as many ballots (5,781), as did the station London 3 (5,397). Others (London 1 and 2, Dublin 1 and 2, Cologne in Germany) issued over 4 thousand

² Interesting phenomenon of elections of 2011 was electoral strategy of one of the main political parties – PSL (*Polskie Stronnictwo Ludowe*). Among PSL candidates in Warsaw constituency were representatives of Polish diaspora organizations. The strategy that Poles abroad support them in elections turned out to be an utter defeat: the top candidate on the list, Władysław Kozakiewicz, representing Polish diaspora in Germany, gained 605 votes (0.5%), and PSL gained 1,858 votes from abroad (1.5%).

Table 3. Number of polling stations abroad in national elections in selected countries (2001–2011)

	2000 Presidential	2005 Parlia- mentary	2005 Presidential	2007 Parlia- mentary	2010 Presidential	2011 Parlia- mentary
the UK	2	3	3	20	41	43
Ireland	1	1	1	4	11	16
the US	21	14	15	21	28	27
Germany	6	5	5	6	12	11
Italy	2	3	3	3	3	3
Norway	1	1	1	2	4	4
Spain	2	3	3	7	11	11
All polling stations abroad	167	161	162	205	263	268

Source: State Election Commission Database.

ballots each. The dynamism of the increase is particularly visible in the results of the parliamentary and presidential elections in the UK and Ireland since 2005. In 2005, a little over 3 thousand people voted for president. In the following years, the number soared to 36 thousand in 2007 and over 43 thousand in 2010. A similarly significant increase was observed in Ireland, where 883 people voted in 2005 and 14 thousand people in 2007, in the US, with 5.5 thousand voters in 2005 vs. 28 thousand in 2007 and in Germany, where the number of voters increased three-fold (from 4 thousand to over 14 thousand voters) (see Table 3).

THE POLITICAL PROFILE OF POLES RESIDING ABROAD IN THE LIGHT OF ELECTION RESULTS

In the last decade, the dominant divide of the Polish political scene has been shaped by the main two parties: the centrist-liberal Civic Platform (*Platforma Obywatelska*, PO), and the conservative-right wing Law and Justice (*Prawo i Sprawiedliwość*, PiS). In the 2005 and the 2010 presidential elections, the leaders of the two parties competed in the second round. In both cases the right-wing candidate representing PiS (Lech Kaczyński in 2005 and Jarosław Kaczyński in 2010) gained 70% of votes in the US and 71 & 72% in Canada.

Meanwhile, liberal-centrist candidates from PO (Donald Tusk in 2005 and Bronisław Komorowski in 2010) gained 71 & 72% of votes in the UK and 82 & 83% in Ireland, respectively. Map 1 presents the distribution of votes in the presidential election.

A similar distribution has emerged in the parliamentary elections. Centrist and left-wing parties are most popular in the receiving countries of the post-accession emigration, whereas members of the Polish diaspora of the Americas vote traditionally for right-wing parties. This tendency was confirmed by the results of the 2007 parliamentary election: the centrist-liberal PO gained 74.5% of support in the UK and 77.3% in Ireland (as well as 62.7% in Germany and 54.87% in France), whereas the right-wing PiS got 66.14% of votes in the US and 67.12% in Canada. The distribution did not change much in 2011: the PO kept its high result in the UK (57%), in Ireland (55%), in Germany (57%), and in France (51%), whereas PiS gained support of 67% of Poles living in the US and Canada.

The noticeable increase in number of Poles voting abroad in national elections after 2004 cannot be explained as a direct consequence of the post-accession wave, i.e. more Poles living abroad, and of its fluid character, because the growth of voters also occurred in countries where the number of Poles did not increase, or even where it decreased (as is the case in the US and Canada). It can therefore be hypothesised that it was a polarisation of the Polish diaspora, as encouraged by politicians, that mobilised the 'new' post-accession diaspora and caught the interest of the 'older' waves of emigration, mainly in the US and other American countries, causing them to vote as well.

The visible cleavage may be due to the region of origin of emigrants and therefore the history of their clusters. Polish emigrants in America come predominantly from Eastern and Southern Poland, from traditionally conservative and nationalist regions (the Sub-Carpathian region in the South-East of the country has been the traditional source of emigrants to the Americas). The post-accession wave consists of young people living in the era of open borders and fluid mobility, unburdened by history, appreciative of Poland's accession to the EU, and supporting liberal economic reforms and socio-political changes in their home country. Ideological divides, relating to values, identities and history, are geographically and demographically entrenched in Polish society and are echoed in cleavages present in the diaspora, which in turn have been purposefully exploited by politicians from the main parties and by presidential candidates in their campaigns in order to mobilise their electorates in Poland and abroad.

THE PARTICIPATION OF POLES RESIDING ABROAD IN ELECTIONS TO EUROPEAN PARLIAMENT SINCE 2004

Polish citizens residing abroad are able to cast votes in European Parliament elections (EP elections) just like in parliamentary and presidential elections. After Poland's accession to the EU, Polish citizens participated in elections to European Parliament three times: in 2004, 2009 and 2014. Poles residing in EU country have one of two options: to vote for Polish candidates registered in Poland, or to vote for candidates from the country of residence.

In 2014 EP election, there were 174 polling stations operated in 86 countries. The most popular ones were located in the main cities in Western Europe and the US, where Poles are concentrated. The top five cities include London (in 5 polling stations 3,281 persons were registered to vote), Chicago (4 polling stations – 2,656 registered voters), Brussels (2 polling stations – 2,472 registered voters), Paris (2 polling stations – 1,704 registered voters), and New York (2 polling stations – 1,186 registered voters). Moreover, among registered voters 6,001 persons declared willing to vote by mail ballot (postal voting), and among them 4,745 persons sent back their votes by post. The general data on participation of Poles in EP elections abroad since 2004 are presented in Table 4.

Table 4. Votes cast abroad in EP elections since 2004

Elections to EP	Number of persons registered to vote	Number of valid votes	Number of polling stations abroad	Turnout (%) ^a
2004	26,792	14,237	165	54.6
2009	25,921	19,031	189	74.4
2014	36,375	29,829	174	87.7

Source: State Election Commission Database

a) Turnout refers to the ratio of the number of persons eligible to vote (registered to vote) to the number of votes cast abroad during an election.

Taking into account the distribution of votes, two political parties gained 61.97% of all votes from abroad (PO – 32.95%, PiS – 29.02%). Similarly to the national elections, PO won in most of European countries, as well as in Asia, Africa, South America and Australia, whereas PiS gained the highest support in

the US and Canada. Unexpectedly, the third place was taken by the far rightist party – New Right (Nowa Prawica – Janusza Korwin-Mikke), which gained 15.01% of votes from abroad, and the highest support in the UK, Ireland and Iceland. The detailed voting results of political parties are presented in Table 5.

Table 5. Political parties' distribution of votes from abroad in EP election of 2014 in Poland

	Political party	Number of votes	Result in%
1.	PO (Platforma Obywatelska)	9,828	32.95
2.	PiS (Prawo i Sprawiedliwość)	8,655	29.02
3.	Nowa Prawica – Janusza Korwin-Mikke	4,476	15.01
4.	Europa Plus – Twój Ruch	1,255	7.51
5.	SLD-UP	2,241	4.21
6.	Ruch Narodowy	1,036	3.47
7.	Polska Razem Jarosława Gowina	920	3.08
8.	Partia Zieloni	694	2.33
9.	Solidarna Polska Zbigniewa Ziobro	463	1.55
10.	Polskie Stronnictwo Ludowe	261	0.87
	Together	29,829	100

Source: State Election Commission Database.

The voters from abroad are included in constituency Warsaw I – the largest one in Poland, where the number of valid votes in EP elections of 2014 amounted 777,613. It means that votes from abroad constituted 3.8% of all valid votes cast in this constituency. It confirms that in practice the impact of votes from abroad on general election results is very minor. The estimated costs of organization of PE elections abroad reached 488,000 PLN in 2009 and 978,000 PLN in 2014³, which means that the cost of one vote from abroad was respectively 25 PLN and 32 PLN.

³ Information obtained from the Press Office of Ministry of Foreign Affairs.

THE FACTORS INFLUENCING THE DYNAMICS OF ELECTORAL PARTICIPATION OF POLES RESIDING ABROAD AFTER 2004

Among the factors influencing the dynamics of electoral participation of Poles residing abroad the most important one is post-accession migration and increase of number of Polish citizens in EU countries after 2004. The role of legal and institutional procedures, as well as the process of organization of elections, which was modified and became more friendly to voters (online registration system and significant increase in number of polling stations abroad), were also significant. Additionally, another factor requires to be mentioned: the fact that post-accession migration became an issue of special interest of media and public opinion, and Poles abroad turned out to be an important target group for political parties during electoral campaigns.

The political elites' efforts to politicize emigration and the diaspora became visible after the elections of 2005. For the first time, political parties have included emigration as an important issue in their electoral platforms and appealed directly to emigrants and their families. The importance of the emigration issue for public opinion and political elites was reflected in the media. Post-accession migration and the realities of Poles abroad and their family members remaining at home became a subject frequently present in the media; this interest evolved into widespread public and political discourse over the twin issues of emigration and diaspora.

Although post-accession emigration has become, ever since 2004, one of the main topics in the media, the discourse concerning emigration is very diverse (Richter 2012). The media focus on the negative impacts of mass emigration, such as loss of a young and talented generation (the 'lost generation' motif), the acceptance of low-skilled jobs by educated people ('brain waste') and the abandonment of children ('euro-orphans'). The topics that were particularly discussed in the early post-accession period included: reasons for emigrating, the nature of emigration, its consequences and the likelihood of return. The media portrayals of post-accession migration, as polarised as elsewhere, may be described as cosmopolitan vs. patriotic. The former claims that Poles are European citizens who are taking advantage of their right to free movement, whereas the latter emphasises that real Poles (the patriots) do not leave their homeland at a time of difficulty in its journey to dynamic growth.

The impact of votes from abroad on the overall result of elections is negligible, but symbolically extremely important. It is due to their propagandist value that, in order to encourage the emigrants to vote, political elites have started to appeal to them as a target audience in electoral campaigns. Poles living abroad became a separate target group, and emigration – considered as the situation faced by Polish citizens abroad and by their families who were left behind, as well as the impact of mass outflows on Poland's society and economy- became one of the key concerns in the platforms of political parties and presidential candidates. During the electoral campaigns, the negative effects of mass emigration on Polish families and households were discussed heatedly. The main message of the campaigns was addressed not only to emigrants themselves, but also to the families they had left behind. It was particularly obvious in the 2007 election, when right- and left-wing parties alike emphasised that it was the economy and the abandonment of reforms that forced young Poles to emigrate.

The 2010 campaign took place at a time of a return wave, when voters worried how to reintegrate the return migrants who decided to weather the crisis in the home country, in the domestic labour market. From the very beginning of the crisis, the media presented very colourfully the spectre of a sudden mass return of Poles, first from Iceland, then also from the UK and South European countries. Candidates and political parties tried to outdo each other by presenting support projects for the returning emigrants. In the run-up to elections, leaders of the political parties and presidential candidates visited the biggest centres of the diaspora with great regularity. Representatives of the centrist Civic Platform party visited the UK, where they met with young ex-pats, students and managers, and the leaders of the right side of the political spectrum wooed the Polish diaspora in America. The political elite, who politicised the very process of emigration and included it in electoral campaigns and political programmes, targeted particular segments of the Polish diaspora, referencing and therefore deepening the existing cleavages.

By emphasising the existing cleavages inside the Polish diaspora, political parties and presidential candidates strengthen the simplified distinction between the right-wing, conservative 'old' diaspora and the centrist, liberal, post-accession 'new' one in order to mobilize voters abroad during election campaigns. The effectiveness of such a strategy has been proven by the results of the elections and the visible divide in external voting trends. In the US and Canada, where the number of Poles did not increase, or even decreased, the number of voters reached previously unseen levels. It proves that Poles who had been inactive in earlier elections have started to take interest and vote.

SUMMARY

The analysis of the level of participation of Poles residing abroad in national elections reveals interesting dynamics in recent years. Few important causes of this phenomenon deserve to be pointed out here. First and foremost, the mass outflow of Poles after Poland joined the EU in 2004 gave rise to a dynamic increase of the number of Poles living abroad, and to the fact that the topic of emigration and emigrants became important to Polish society and political elites, which was reflected in political and media discourse.

The modifications in organization system of elections abroad, especially the simplified registration procedures enabling to register online, and increased number of polling stations abroad, particularly in the receiving countries of the newest wave of emigration, have certainly made voting easier and brought about more external votes.

The course of electoral campaigns was another important factor influencing the increase of level of interest in elections and number of votes cast from abroad. Since electoral campaign of 2005, and especially of 2007 and 2010, emigration and Poles abroad became one of the key issues in political programs and electoral campaigns. The message was addressed directly to emigrants, but the main target groups were their families left behind in the country.

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**THE ROLE OF THE EUROPEAN PARLIAMENT
IN THE PROCESS OF MULTI-LEVEL GOVERNANCE:
THE CASE OF THE WEST BALKANS STATES**

*Artur Staszczyk**

ABSTRACT: This article addresses the problem of the EP's role in the process of multi-level governance illustrated with the example of EU expansion policy through the accession of the West Balkan states. As an effect of the European integration process, resulting in the transfer of decision-making competences from the state level to the transnational level, nation-states have lost their monopolistic position in the European decision-making process. This has enabled the formation of multi-level political system within the EU. Within the system, there is a multi-level governance model, with the EP as its crucial element. This article reveals an important role of the EP as a transnational decision-making centre, which with its specific competences (giving consent to the accession of a country to the EU, giving consent to sign international agreements crucial for the integration process, budget rights, co-decisions on the form of the EU law with an ordinary law making procedure) considerably forms the policy of the EU in relation to the Balkan countries. The explanation of the policy's functioning and its outcomes are based on the concept of multi-level governance, which is analyzed herein in depth.

KEYWORDS: multi-level governance, European Parliament, European integration, West Balkans

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INTRODUCTION

The role of the EP in the process of forming the policy of the EU in relation to West Balkans is inscribed in the European Union's model of management defined as multi-level governance – MLG. The concept explaining the dynamics of decision-making process in the EU was first formed at the beginning of the 1990s by Gary Marks. It was an important breakthrough in the attitude of the researchers considering the EU issues, since until that time the area of studies on the EU was prevailed by neofunctionalism and intergovernmentalism theories that explained not only foundation and development of the EU but also its functioning. That was consistent with the assumption that the same theoretical approaches might explain the foundation and the evolution of the EU and its functioning. G. Marks defined MLG as a system of continuous negotiations between governments on several territorial levels: transnational, national, regional and local, the core of which was ceding some functions and competences of a country to a higher level – transnational, and other to a lower level – subnational (regional or local). This means that governance in the EU, especially on the transnational level, may take place out of a nation-state, which in some governance aspects may be omitted, e.g. when a decision-making process takes place between the transnational EU institutions and the subnational authorities (regional, sub-federal). However, it should be stressed that within the political system of the EU, a nation-state may preserve some scope of control and influence on the decision-making process with the functioning of the EU institutions with international nature – the European Council, Council of the European Union (compare Piattoni 2010: 17, 19, 23; Ruszkowski 2010b: 265–266). The role of a nation-state in a decision-making process results from accepting specific EU's system construction, including a fundamental role of institutional balance. This means that none of the EU institutions shall have exclusive legislative or executive competences which guarantee mutual balance and prevent outvoting the decision-making process by one institution. It should be underlined that also the MLG concept assumes that the governments representing interests of nation-states remain the most important elements of the European political system. However, according to the MLG assumptions, a nation state, as a result of an intensification of the integration, shall not monopolize a decision-making process at the EU level, and is not the only source of expressing national interests (competences of subnational authorities). At present, decision-making competences within the EU are not an exclusive domain of national governments, but they are divided

between various actors, functioning at many levels. Transnational institutions, especially the European Parliament (EP), the European Commission (EC), or the Court of Justice of the European Union (CJEU), have independent influence on a decision-making process and nothing more may be brought to the role of the agents of the nation-states governments. This means that in accordance with the MLG model, the functioning of the European decision-making process may not be explained without the analysis of transnational institutions' influence on the process. Additionally, collective participation of member states in the decision-making process results in a decreased role of individual governments in the process, so that they have to accept decisions introduced in the whole EU, which from their point of view is the source of not only profits, but also losses. In relation to the subnational actors, the MLG concept rejects the opinion that they function only within a nation-state. According to the concept's assumptions, a state shall not monopolize connections between state and European entities, and internal policies exceed the frameworks of a nation-state and are implemented also on the transnational level. This results in the lack of the monopolistic control of the state over the implementation of all internal policies and the necessity to share decisive competences with subnational and transnational authorities (compare Hooghe, Marks 2001: 3–4; Marks, Hooghe, Blank 1996: 346–347).

To sum up, MLG may be specified not only as a process taking place in the EU, but also as a theoretical approach useful for the analysis of the European integration issues. However, it should be stressed that the MLG concept does not construct cohesive integration theory, but mostly offers comprehensive approach within which the explanation of institutional development of the Union is less important than understanding processes and outcomes of the European policy (Pollak, Słomiński 2006: 64). Within the approach, the key point of reference are individual state and non-state actors operating on various levels of the EU's political system. This pluralistic structure is supplemented with the decision-making procedures and the Union policy characterized with mutual dependence, complementary functions and overlapping competences (Szymański 2013: 187)

In case of EU's policy in relation to West Balkans, it is difficult to define unambiguously the EP's role in forming the policy in the context of MLG. The stabilization and association process is mainly of international nature, which is related to the key role of the EU Council and the European Council in the area – the Union institutions dominated by member-state governments. However, the analysis of the role of individual transnational institutions in its formation

justifies the assumption that the EP is the EU's institution with crucial influence on the decision-making process taking place within its frameworks. This happens because the spill-over effect is conducive to spilling the integration from one area to another, which determines the creation of transnational governance model with crucial role of the transnational EP functioning out of a nation-state and, in some sense, over it. As a result of the intensified integration, the EP's role as a non-state actor with competences delegated from nation-state level is increased. As the process is developing, more and more power and competences are given to the transnational institution (EP), which increases not only its independence from the governance of the state-members, but also the abilities to influence the qualities of the states and other actors of the international scene (compare Ruzzkowski 2010a: 15–17).

Thus, this article is aimed at the verification of the hypothesis that the EP, with its mostly international character, plays an important role in the area of forming the EU's policy in relation to West Balkans. The role is inscribed in the multi level governance model functioning within the political system of the EU. That is why in order to identify the role of the EP in the formation of the policy, the methodological assumptions made for the purposes of this article include, above all, the decisive analysis research method (for more see Sielski 2004: 291–298). This results from the fact that the EP, despite its limited competences, is a transnational decision centre for the EU's policy in relation to Balkan countries, and with other national and transnational entities it is a participant of a decision-making process, within the framework of which decisions are made. Additionally, in view of the exhibition of its axiological orientation (underlining the importance of democratic values in the EU's policy), the EP is also a subject of influence in relation to the Union decision-making process.

THE INSTRUMENTS OF THE EU POLICY IMPLEMENTATION TOWARDS WEST BALKANS

The name 'West Balkans' is used by the EU in relation to Albania and the countries of former Yugoslavia: Bosnia and Herzegovina, Croatia, Montenegro, Kosovo, Macedonia, and Serbia. It should be underlined that the term does not address Slovenia, which together with Poland and other countries of Central European region has been included in the EU's foreign policy line. In 1990s, due to the armed conflict accompanying the fall of Yugoslavia, the EU's engagement

in the issues of West Balkans was focused on the reconstruction of the region and the actions aimed at the de-escalation of tensions and conflicts in the post-Yugoslav region. Only at the end of 1990s the EU recognized the necessity to elaborate a comprehensive approach to West Balkans region, which resulted in the inauguration of the Stabilization and Association Process – SAP, in 1999. The assumptions of the process include the elaboration of stabilization and association systems, development of economic and trade relations, development of economic aid, support of democratization, civic society, cooperation in scope of the judiciary and foreign affairs, conducting political dialogue (*Proces stabilizacji i stowarzyszenia*). The next step of the EU was taken at the summit of the European Council in Maria de Feira in 2000, where West Balkan countries – SAP participants, were recognized as possible candidates to the EU membership. The stance was confirmed by the European Council in June 2003 in the Thessaloniki Declaration.

The decisions made by the EU mean that the territory of West Balkans is included in the expansion policy, which enables the Union to take active part in the region, thanks to a range of its influence instruments. One of the most important is the prospect of signing an accession treaty. However, the path to the signing is long, and its beginning depends on an interested country's obtaining a status of a candidate state. So far only Croatia has passed the difficult process of the accession to the EU and on July 1, 2013 became a member of the organization. Additionally, the status of the EU candidate country has been given to such post-Yugoslav countries as: Macedonia (officially the Former Yugoslav Republic of Macedonia), Montenegro, and Serbia. The following countries have the status of potential candidates: Albania, Bosnia and Herzegovina, Kosovo (for more see Rey 2013; Saczuk 2012). This means that SAP, despite the establishment of common restrictions and uniform criteria, is based on the fundament of diversity, consisting in the fact that the EU reserves the right to individual evaluation of each Balkan country considering its advancement level in the process of meeting standards set by the EU. Stabilization and Association Agreements – SAA – have the key meaning for the operation of SAP. The agreements are the most important SAP legal instruments signed by the EU separately with individual Balkan countries. They specify frameworks and mechanisms aiding the countries included therein in their route to receive full EU membership. The agreements regulate both political and economic questions and address such detailed issues as: political dialogue, abiding human rights and democratic regulations, regional cooperation, free flow of goods, employees, capital, services, rules of competi-

tiveness, protection of intellectual property, safety, and the judiciary. It should be stressed that the EU's permission to sign SAA is conditioned by the positive evaluation of the EU candidates' progress in their implementation of rules and regulation giving basis for the functioning of the Union (compare Muš 2008: 11–12).

Also the financial support is provided to Balkan countries within the SAP. The most important financial instrument facilitating the EU expansion process through the accession of West Balkans is the Instrument for Pre-accession Assistance – IPA. In 2007–2013, the IPA financial envelope was planned for the amount of 11.5 billion EUR. In the new financial perspective for the years 2014–2020, the EU have elaborated a new financial instrument – IPA II – with the budget of 14.1 billion EUR. The instrument is aimed at the support of the beneficiary states in adopting and conducting political, institutional, legal, administrative, social and economic reforms, so they are able to implement the process of adaptation to rules, standards, policies and practices of the Union, in view of their future membership. The goals of IPA II include the strengthening democratic institutions, human right protection, including the rights of minorities, development of civic society, development of regional and cross-border cooperation, strengthening public administration, receiving the EU standards in economy, improvement of the infrastructure, increasing the research potential, development of technology and innovation. The pre-accession aid shall address the following areas: accession process, regional development, employment, social politics and human resources development, agriculture and rural areas development, regional and cross-border cooperation of countries (compare *Rozporządzenie Parlamentu Europejskiego i Rady ustanawiające Instrument Pomocy Przedakcesyjnej*).

The establishment of the partnership with West Balkan states is also a part of the functioning of the SAP. The partnerships set the frameworks of priority actions, as well as the financial frameworks for the stabilization of Balkan states and all the region, in the context of the further integration with the EU, since the countries are recognized as potential EU candidates. When a country included in SAP receives the status of an EU candidate state, the European partnership is superseded with the partnership for the membership, allowing for a candidate state's nature and specifying priorities for focusing the accession process (for more see *Partnerstwo z Bałkanami Zachodnimi*).

THE COMPETENCES OF THE EUROPEAN PARLIAMENT IN THE IMPLEMENTATION OF THE STABILIZATION AND ASSOCIATION PROCESS

In the analyzed policy, the special role of the EP as a transnational decision-making centre is expressed in signing international agreements, including the accession treaties. The EP plays crucial role in the process of accession to the EU. Upon the request of appropriate commission, political group, at least 40 MPs, the Parliament may address the European Commission or the Council of the EU to participate in a debate before the start of negotiations with the candidate countries. The motion of an European country to access the EU is forwarded to appropriate parliamentary commission that is regularly informed by the Council and the Commission on the progress in the negotiation process. At every stage of the negotiations, the Parliament may pass requirements and demand consideration for them before signing an accession treaty. When the negotiations are finished, and before signing the accession treaty, a draft agreement is presented to the EP, which based on a report of an appropriate commission gives their consent, by majority of votes, to the candidate country's accession to the EU (see *Regulamin Parlamentu Europejskiego*, art. 74 c).

Since the Treaty of Lisbon, the competences of the EP, which include monitoring, opening and financing negotiations considering the accession of countries to the EU, include one more element, which is the obligation to inform public opinion about a motion considering the membership. The role of the EP is also increased by superseding the absolute majority with the simple majority of votes in case of the EP's giving consent to admission of new countries. The accession procedure expresses the core of the multi-level governance in the EU, since the decision-making process next to the participation of the EP is implemented by a range of other cooperating actors. A candidate state files a motion considering its membership in the Council of the EU, which then makes an unanimous decision on its accession to the EU. The European Commission conducts accession negotiations on behalf of the member states and when they are closed, issues its opinion to the Council of the EU. Before starting the negotiations, the European Council gives a country the official status of an EU candidate state and agrees on the qualification criteria, which are the individual accession conditions, next to basic Copenhagen criteria. The accession conditions and resulting adjustments in the Treaties giving grounds for the Union are subject to the agreement between the member states and the candidate state. The agreement is subject to the rati-

fication by all parties, in accordance with their constitutional requirements (see *Wersja skonsolidowana Traktatu o Unii Europejskiej*, art. 49). At present, Croatia is the only West Balkan country with completely implemented accession procedure. The country joined the EU on July 1, 2013, and on December 1, 2011 in accordance with their prerogatives the EP passed, with the majority of 564 votes, 38 against, and 32 abstained, a legislative resolution giving consent for the accession of Croatia to the EU (see *European legislative resolution of 1 December 2011*).

Also in case of the SAA signing procedure, which is a basic SAP legal instrument, the concept of multi-level governance is applied. In accordance with Art. 218 of the Treaty on the Functioning of the European Union (TFUE), the Council of the EU is an organ authorized to undertake negotiations, sign and enter into agreements, and issue negotiation guidelines and appoint negotiators. The organ's key role in the process of entering into SAA is reflected in its competence to make decisions in case of entering into the agreement. In case of SAA, the decision is made unanimously by the Council of the EU. However, the Council of the EU does not monopolize the whole decision-making process in case of signing SAA, since an important role is also played here by transnational organs, such as the European Commission and the EP. The competence of the European Commission is to present own recommendations to the Council of the EU in order to launch the agreement negotiations. Additionally, authorized by the Council of the EU, the European Commission conducts negotiations with regard to signing the agreement and signs it subject to further decision made by the Council of EU. The role of the EP in the process of signing SAA is determined by the provisions of Art. 218.6.a of the TFUE, which impose on the Council of the EU the obligation to obtain the consent of the EP to sign an international agreement of the type (see *Wersja skonsolidowana Traktatu o funkcjonowaniu Unii Europejskiej*, art. 218). The consent of the EP is expressed when the negotiations are terminated, but prior to signing the agreement, and it has the form of a legislative resolution (see *European Parliament resolution of 19 January 2011*). Moreover, in accordance with Art. 90 of the EP Regulations, at every stage of the negotiations the Parliament may, based on a report of proper commission and after examining all appropriate motions, accept the recommendations and make suggestion to take them into consideration prior to signing the international agreement under question (see *Regulamin Parlamentu Europejskiego*, art. 9).

The zone of the EP's actual powers in the process of forming the EU's policy in relation to Balkans is supplemented with its budget powers. After the changes introduced by the Treaty of Lisbon, the EP has direct influence on the amounts

granted to Pre-Accession Assistance Instrument IPA II. Pursuant to Art. 212 of the TFUE, the Parliament and the Council, in accordance with ordinary legislative procedure, accept means necessary to perform actions in scope of economic, financial and technical cooperation, including aid especially in the financial area provided to third states other than developing countries (see *Wersja skonsolidowana Traktatu o funkcjonowaniu Unii Europejskiej*, art. 212). The regulation considering the establishment of IPA II, being an instrument of the above tasks' implementation, was adopted by the Council of the EU and the EP in March 2014. This took place within ordinary legislative procedure, which in the law making process grants the EP a position equal to the Council of the EU (see *European legislative resolution of 11 December 2013*). This proves the increase of the EP's competences in comparison with the situation before the Treaty of Lisbon was introduced. In the previous financial perspective, the regulation on the establishment of IPA was adopted only by the Council of the EU based on Art.181^a of the European Community Treaty, which made the Council obliged only to consult the EP (see *Wersja skonsolidowana Traktatu ustanawiającego Wspólnotę Europejską*). The then existing consultation procedure authorized the EP in the decision-making process only to issue unbinding opinions (see *Council Regulation [EC] No 1085/2006 of 17 July 2006*).

A similar evolution of the EP's competence, resulting in the organ's obtaining real decision-making rights, enabling it to fit into the multi-level governance model, took place in case of the establishment of the European partnership with West Balkans. The regulation of the Council of 22 March 2004 (see *Council Regulation [EC] no 533/2004 of 22 March 2004*) and the regulation changing it give the legal basis for the European and accession partnerships signed between the EU and the Balkan countries. Before the Treaty of Lisbon was introduced, the regulations were adopted in accordance with the consultation procedure and based on Art. 181a.2 sentence one of the European Community Treaty. The role of the EP was limited to issuing unbinding opinions to the text of the legal act suggested by the European Commission, within which the EP could present own amendments (see *European Parliament legislative resolution on the proposal for a Council regulation*). Presently, the legal acts are adopted in accordance with ordinary legislative procedure, which undoubtedly strengthens the role of the EP in the decision-making process implemented with the Council of the EU and the European Commission.

The evolution of EP's competence in the field of EU policy toward Western Balkans, being part of EU foreign policy, shows the growing role and importance

of the EP. The extension of the powers of EP, initiated by the adoption of Single European Act and successful entry into force of the Treaty of Lisbon, is part of the neofunctional logics spill-over, i.e. spilling-over of the integration process to new fields and areas. The nature of this process is to substitute the consultation procedure with the co-decision procedure (a simple legislative procedure). It makes the EP a co-decisive authority in relation to many areas of the EU foreign policy, excluding dominated by intergovernmental cooperation mechanisms Common Foreign and Security Policy of the EU. A further enlargement of the EU decision-making powers in the field of the EU policy toward Western Balkans is subject to deepen the European integration, including the establishment of transnational political framework within which it will be possible to conduct foreign policy outside the national institutions. In the case of non-performance of the project increasing the EP's role in shaping the EU foreign policy in the Western Balkans, it will remain in the sphere of demand.

THE EUROPEAN PARLIAMENT AS THE INFLUENCE ENTITY IN THE IMPLEMENTATION OF THE STABILIZATION AND ASSOCIATION PROCESS

The role of the EP in forming the EU policy in relation to Balkans is also brought to being so called 'influence entity' ('political influence entity'). The EP influences the form of the Union policy by means of forming its parliamentary dimension, e.g. by the establishment of delegations to various bodies, such as common parliamentary commission (Macedonia), parliamentary commissions for stabilization and association (Albania, Serbia, Montenegro), bilateral inter-parliamentary meetings (Bosnia and Herzegovina, Kosovo) with the participation of representatives from the parliaments of Balkan states (see *European Parliament decision of 12 March 2014*). The EP delegations keep and tighten contacts with the parliaments of Balkan states, enable joining MPs and other representatives of candidate states in the European debates. It is important, since the functioning in common bodies enables the representatives of Balkan states to get acquainted with the nature of the EU's functioning. An important role of the EP delegations also consists in disseminating in Balkan states values constituting foundations of the Union, such as freedom, democracy, human rights, rule of law. Declarations and recommendations are adopted within the bilateral parliamentary commissions. They are addressed to the Stabilization and

Association Council, as an organ functioning on the ministerial level, the task of which consists in the supervision of the application and implementation of SAA, the Union institutions and state organs included in SAP. The content of the documents depends on the specificity of a Balkan country, but in general it is focused on such questions as: reforms of the judiciary, administration, election system, fighting against corruption and organized crime and discrimination phenomena and practices, protection of the minority rights, development of democracy and the freedom of media, civic society development, evaluation of a given country's progress in the EU integration process, problem of relations with neighbours (see *European Union – Montenegro: Stabilisation and Association Parliamentary Committee*).

The EP also influences the position of candidate states, the EU member states and the Council of the EU by the adoption of non-legislative resolutions (once a year the EP adopts in the form the position in relation to the progress of individual countries in the stabilization and association process [for more see *European Parliament resolution of 6 February 2014*]) and recommendations in relation of the Council of the EU (for more see *European Parliament recommendation to the Council of 25 October 2007*). This may be exemplified with the recommendation considering the decision of the Council on entering into stabilization and association agreements. The actions of the EP reflect the opinion of European societies and result in greater transparency of the expansion process. The EP Committee on Foreign Affairs plays an important role in the formation of the parliamentary dimension of SAP. The committee appoints regular reporters for the candidate states and the potential candidate states, conducts regular exchange of views with the commissioner for expansion and the EP delegations to common parliamentary commissions.

In the resolutions adopted by the EP and referring to the process of the EU expansion through the accession of West Balkan countries, a special attention is paid to the questions related to the judiciary, fundamental rights and the system of justice and internal affairs, which should be discussed at the beginning of the accession negotiations. According to the EP, unbiased and independent judiciary, democratic political system, freedom of speech and medial pluralism, citizens' trust in law and order, effective fight against corruption and organized crime constitute priorities of the EU's expansion policy. Additionally, the EP pays much attention to the development of the social dialogue and the civic society in Balkan states. In its resolutions, the EP stresses the necessity to propagate the atmosphere of tolerance, especially in relation to the ethnic minorities, mutual respect, good

neighbourhood relations, regional and cross-border cooperation, as conditions necessary for securing stability in the countries and achieving reconciliation between the nations. Moreover, in the opinion of the EP, the gender equality and counteracting discrimination should be given higher priority within the expansion policy and the EP underlines that the equality of men and women, as a fundamental right, is a basic value of the EU and a key principle in its foreign policy. The necessity of full cooperation with the International Tribunal for the Former Yugoslavia and the solution of the contentious territorial issues with the neighbours in compliance with the provisions of the international law are considered by the EP the basic conditions which must be met by Balkan states on their way to the EU membership. It must be stressed that for the EP the policy of the EU expansion through the accession of West Balkan states is above all an instrument of modernization, democratization and stabilization of the region, as well as the instrument for strengthening the EU in the internal and international aspect (for more see *European Parliament resolution of 26 November 2009*; *European Parliament resolution of 22 November 2012*).

Although non-legislative resolutions adopted by the EP do not have a legally binding nature, they are of crucial political value. They constitute a form of expressing EP's opinion and an instrument of political influence on the decision-making process implemented within the EU. In the context of the policy of the EU expansion through the accession of Balkan states, the resolutions are above all used for such values as democracy, human rights, law of justice, especially followed by the Parliament, to be taken into consideration in the Union and national strategies and decisions determining the nature of the foreign policy of all Union and its individual members, and to include the clauses referring to the values in international agreements signed by the EU.

By analyzing the EP position in case of integration of Western Balkans with EU, it is important to stress that the EP is the European institution, which is strongly in favor of European perspective for the region. The accession of the Balkan countries to the EU is treated by the EP, on the one hand, as an impetus to modernize these countries, and on the other hand, as a guarantor of the peace in Europe. Emphasizing the importance of Western Balkans for the security in Europe, EP tries to aim for the achievement of the EU geopolitics objective of foreign policy, which is to promote the European values in relations with other countries. Therefore, the EP's support for integration with Western Balkans depends on progress in the implementation of reforms in the countries of the region adapting to the requirements of EU membership.

SUMMARY

The EP is a transnational institution significantly co-forming the EU policy in relation to Balkans, both within the framework of formal decision-making procedures and by political influence on the remaining actors of the decision-making process. The role of the EP as a decision-making centre is continuously increasing, which results from the intensification of the European integration process. Thus, nation-states lose their monopolistic position in European decision-making process and the importance of transnational institutions as actors of the process is increased. The phenomenon may be observed, among others, in the EU expansion policy through the accession of West Balkans. The policy is formed both by the state and transnational actors, and participates in the functioning within the EU MLG model, assuming mutual sharing decisive competences. The application of MLG competences during the explanation of the EP's role in the expansion process is justified as a result of the evolution of the EP's competences over time. The organ that at the beginning of the European integration process was equipped above all with the competences of consultative and control nature, has become an institution with many legislative competences resulting from the reforms of the founding treaties. They enable defining the EP as an important actor of the decision-making process, also in relation to the EU's expansion policy. The role of the EP in the process is also strengthened by the fact that this is the only organ of the EU that may invoke democratic legitimating. This is the only European Union institution composed of the members elected during general elections by the societies of the European states. Thus, the EP in its actions may refer to the European public opinion and form it, which undoubtedly makes it more important in the multi-level political system of the EU. The democratic legitimization enables the EP to exert some influence on the decision-making process not only in a formal way, but also to undertake informal actions that increase its influence on the shape of the European Union policy in relation to West Balkan states.

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FLEXICURITY TOWARDS RESPONSIBILITY FOR THE LABOUR MARKET CHANGES

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ABSTRACT: The concept of flexicurity has been a key issue in the discussions and activities of institutions of the European Union in the field of employment and social policy for about two decades. The purpose of this article is to analyze the idea of flexicurity in the context of responsibility for development of the labour market. The responsibility is mostly transferred to the state and employees, while the employers are exempt from accountability for the social costs associated with the fluctuations in the economic cycle. The article contains the analysis of the labour market flexibilisation process and its compensation with the security system, critical approach to flexicurity models and challenges associated with the implementation of this concept.

KEYWORDS: flexicurity, social security, flexibility, labour market, responsibility

INTRODUCTION

In most definitions, flexicurity means shifting the focus from job security to maintaining the employment security. Instead of protecting specific job places, it contributes to the development of employability. The implementation of the idea leads to a greater emphasis on active labour market policies, lifelong learning and modern social security systems, supporting the job seekers, and to the promotion

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of equal opportunities for all. The aim is to create a win-win situation favourable for both employees and employers (Mandl et al. 2010: 47).

The concept of flexicurity appeared in the 1990s. Some researchers say that the term was first used by the Dutch sociologist Hans Adriaansen, in connection with the Dutch Flexibility and Security Act, while some argue that the origins of the concept is to be found in the reforms of labour market introduced by the Danish social-democratic government in the mid-1990s.

Flexicurity has also been a key issue in the discussions and activities of the European Union in the field of employment and social policy for about two decades. The concept of combining flexibility and security was noted at the level of EU policy in 1993 in the White Paper on *Growth, Competitiveness and Employment* (COM 1993) developed in the Delors Commission.

The purpose of this article is to analyze the idea of flexicurity in the context of responsibility for development of the labour market and the situation of the labour market participants. The hypothesis of the work is that the responsibility for the labour market situation, where the concept of flexicurity is being implemented, is transferred to the state and employees; the employers are exempt from responsibility for the social costs associated with the business cycle or erroneous decisions of the enterprises management. The issues that have been taken are related to the ratio of flexibility and security within flexicurity programmes, critical approach to flexicurity models and challenges associated with the implementation of this concept.

FLEXIBILITY AND SECURITY PROPORTIONS

Representatives of varied political, economic and social doctrines perceive flexicurity differently. The neo-liberal perspective emphasizes the need for greater flexibilisation and deregulation of the labour markets and questions whether the standard employment contract should remain a reference point within welfare state. It is the same way with the social partners: while employers see flexibility as a way of increasing their competitiveness, worker movements tend to see it as a new form of social risk (Auer 2010: 371–386).

In liberal approach to flexicurity, enhancing security is not the prime goal. It is rather a means to attain a deliberate compromise between employers, who seek for the deregulation of labour markets, and employees, who wish to protect their rights (Tangian 2009: 12). Transnational Labour Market theory refers to social

solidarity in the context of risk sharing as a way of facilitating the transition, instead of compensating the costs caused by the market dynamics through generous transfers. The TLM approach see in the idea of flexicurity the empowerment of individuals by enabling them to transit from one work situation to another in case of economic or social change or shifting the individual preferences (Schmid 2014: 89–95).

The socially orientated researchers notice that the process of flexibilisation is inherently harmful, that is why it needs to be compensated with security. Thus, there are also other approaches to the concept, not only those perceiving the process as desired by both employers and employees, which guarantees better career chances and provides a new dimension of security (COM 2007a).

Flexibility and security have been divided into 14 subsections (Tangian 2009a: 14).

Flexibility:

1. external flexibility,
2. internal flexibility,
3. functional flexibility,
4. wage flexibility,
5. externalisation flexibility.

Security:

6. labour rights (equality of atypical workers with normally employed workers),
7. in-work income (salaries, overtime payments, etc.),
8. out-of-work income (disability insurance, pensions, etc.),
9. job security (adaptability of working conditions to aged persons, after a sickness, in reintegration),
10. employability (education, training, etc.),
11. employment security,
12. social security (provisions for child care, parental leave, etc.),
13. social dialogue (provisions for works councils),
14. work-life balance (combinatorial security).

Although the security aspect is in the proposed division composed of many issues, the analysis of the division leads to the conclusion that the degree of flexibility is not counterbalanced by the security resources, especially in the context of external flexicurity. Labour rights of atypical contract workers are not the same as the rights of normally employed workers, so it is not eligible to call them equal. The author of this article is not finding the justification for compensating

the cyclical decline in wages using social security tools. This is the responsibility of the employers to provide stable salaries including the phase of recession. It also seems that the aspect of social dialogue should be treated as separate in the relation to flexibility and security category, or it should appear as a component in both sections. In the process of social dialogue at the enterprise level, social partners are the trade unions and employers. Every social partner involved bears the responsibility for the decisions that are adopted as a result of social mediation and arbitration. The negotiations concern not only the sphere of security, but also the consent to a certain level of work flexibility. Thus, the classification of social dialogue only in the security section states incorrectly that trade unions are not responsible or have no influence on the process of increasing flexibility of the employment and the workers, but only have impact for the level of compensation of the negative consequences of this process.

The concept was meant to be a part of the process of the European Social Model implementation, which is based on such values like respect for the dignity of an individual, solidarity, social cohesion, equality and social justice (Jepsen, Serrano-Pascual 2006). These values were meant to be introduced into the special kind of contract between the government and citizens, as well as between one citizen and another, in which job security, progressive tax rates and large social transfer payments were guaranteed. “[...] the majority of Europeans took the view that poverty was caused by social circumstances and not individual inadequacy. They also showed a willingness to pay higher taxes if these were directed to alleviating poverty” (Begg 2011: 59). The idea is also connected with one of the trends in welfare – activating-welfare-states (Gilbert, Van Voorhis 2001).

It seems, however, that in the cohesive societies, there are more and less cohesive individuals and entities. The smallest tendency to social solidarity have got the for-profit entities. Social responsibility should be enforced on these entities by the state (solidarity, as this is a part of value systems that cannot be imposed). In the concept of flexicurity compensation range of negative changes in the labour market, which is largely perpetrated by the company, is insufficient. If modern states are not even able to enforce compensation of the costs caused by the operation of the economic system, they should abandon the fantasies of social responsibility. The exception is France. The rich French citizens were willing to take the social responsibility on and have allowed the government to do some essential fiscal system reform. So, the exceptional contribution to higher income earners has been introduced (Guardian Editorial 2011: 36). However, in the case of French society, we are dealing with a peculiar mentality of social

solidarity. If European societies ever deal with epidemics of such mentality, the law enforcement of compensation or responsibility will be no longer needed. So far it is.

FLEXICURITY MODELS RECONSIDERED

The Dutch and Danish approaches are said to represent two different notions of flexicurity (Viebrock, Clasen 2009: 7), however, for the author of the article, the level of security seems to be comparable.

Flexicurity in Denmark is composed of three elements: flexible labour market with low employment protection, generous unemployment support, and activation programmes. The high flexibility of the labour market, which means occupational and geographical mobility, is being balanced by the two left components. That is why the flexicurity system works. However, the main burden of the functioning of the system rests with the state, the state bears most of the social costs, which are a negative side effect of economic growth. The system causes that the entrepreneurs do not have to feel responsible for the employees or bother for compensation in case of downsize. High-priced responsibility of the state was revealed in the current recession, resulting in the crisis of public finances. In Denmark, current crisis has caused a right-wing turn in politics, which has led to a political neglect of the security-side of flexicurity (Jørgensen 2011: 1).

What distinguishes Dutch flexicurity system is the permission for non-standard employment (rapidly developing timework agencies) with social security rights which are said to be comparable to those guaranteed in standard employment. However, the differences are evident: while there is a high level of employment protection for workers employed under traditional, stable contracts, the flexible employment workers are facing a low level of employment security. Another characteristic of the Dutch system is that the employees are able to save a percentage of their wage in case of unemployment. This system sends the responsibility for employment and dealing with the unemployment situation to employees. It is said that the process of globalisation, which is blamed for deepening competition and erratic business cycles, introduces the need to shift the responsibility for demands of the changing market (Sultana 2013: 149). What is more, transnational corporations move from one country to another making permanent employment restrictive for efficient economic performance.

The global economy has imposed economic priorities over social ones (Tangian 2004: 9).

The Dutch miracle has already been falsified through detailed research in 2001. Although the registered unemployment was about 2.5%, the actual unemployment was much higher than the officially registered. It was revealed that the labour market situation of the most vulnerable groups, such as the long-term unemployed, older unemployed, disabled workers, ethnic minorities, and the under-skilled, was really difficult. The author suggested that the general condition of the Dutch labour market was satisfactory mostly due to the long prosperity phase of the business cycle. However, the prosperity has been already threatened in 2001 because of increasing price inflation. The results of the research allowed to predict that the negative economic situation would cause a significant increase of unemployment and influence the process of marginalisation of vulnerable groups and flex-workers. It was concluded that Dutch work and welfare policies were not as effective as it was propagated (Van Oorschot 2001). As it turned out, the cited study had a high prognostic value, as the unemployment in the Netherlands has grown steadily from 2010, during the ongoing recession, and in January 2014 it reached the level of 8.8% (Trading Economics 2014).

The research on negotiation model of Dutch flexibility conducted in 2009 revealed a growing predominance of flexibility at the price of security. What is more, the Dutch trade unions take care of numerous small security issues rather than focus on a few flexibilisation aspects of prime importance, which unfortunately outbalances all security advantages. So called “good practice example” as the Dutch experience, often referred to by the European Commission and OECD, turns out to be not as good as believed (Tangian 2009b).

The exemplary implementations of the concept of flexicurity exclude from the risk management process on the labour market the entities which have a significant impact on the profile and volume of employment – the enterprises – thus providing the companies a privileged position. The approval for such an action is also present in the literature: “Flexicurity is a degree of numerical [...], functional and wage flexibility that allows for labour markets’ (and individual companies’) timely and adequate adjustment to changing conditions in order to maintain and enhance competitiveness and productivity” (Wilthagen, Tros 2004: 170).

Both the Danish and the Dutch employment system are commonly considered as benchmarks, while the Japanese example has not, so far, been unambiguously interpreted as a form of flexicurity. In Japan, the practice of lifelong employment

is meant to cause that the employees are loyal to the employer, and the employer is willing to invest in human capital, which increases the functional flexibility. Alternatively, in the case of Denmark, a high level of income and employment security (employability) provided by the government can assist the employees in taking more risks on the external labour market, thus creating a higher level of labour mobility. However, the relationship between flexibility and security can turn out to be a disadvantage, for example, when hiring and firing policies lead to high uncertainty of employment or reduction of investment in human capital (Bredgaard, Larsen 2010).

The lifelong employment provides high (though informal) job security, where the stability of employment and low external flexibility is the opposite of high internal flexibility. Internal flexibility consists of mobility in-house positions and jobs, vocational training and retraining, wages dependent on seniority and working time flexibility. Traditionally, the Japanese employment system has created stability and employment maintenance in the enterprises. In 1979, the courts also agreed on strict rules on dismissals for economic reasons. The following conditions must be met before the dismissal of permanent staff:

1. The employer should indicate important and unavoidable reasons for the redundancies.
2. The employer should make every effort to avoid the redundancies (e.g. the employees' transfer to the subsidiaries, the expiration of the employment of temporary and part-time workers, facilitating early retirement, overtime work reducing).
3. The employer must consult their plans with trade union representatives.
4. The employer should establish an acceptable standard and apply it when choosing employees for dismissal. In the case of unjustified dismissal, employers are not only obliged to pay compensation for the entire period of the exemption, but even to restore the dismissed employee.

Internal flexibility is not a silver bullet. In the phase of recession it often results in a reduction of wages or reduction of working time, which is also associated with decreased quality of life. However, what fundamentally differs the internal flexibility from the external one is the desire to maintain the employee and the level of employment in general. The external flexibility system reacts firmly to fluctuations in the business cycle. This leads to reduction of employment, often mass reduction, or transfer of the investment to another country with lower production costs, which for the host society means the loss of job places.

FLEXICURITY CHALLENGES AND REFORM SUGGESTIONS

The revised Lisbon Strategy of 2005 emphasized the importance of increasing persistent economic growth, productivity, competitiveness, and the process of creating better jobs. In order to achieve these objectives, there must be an increase in labour market flexibility combined with greater social protection for employees. The balance between labour market flexibility and social security is described as flexicurity. However, as it turned out, it is not enough to create a lexical hybrid combining two social phenomena and to construct a top-down common standard of the concept implementation for all EU member states. Each EU member state has its own model of industrial relations based on particular historical, economic, political and social characteristics. The states in the process of socio-economic system transformation faced especially difficult situation. It has been pointed out that employment flexibility and lowering social protection were the sole alternative for transforming labour markets. In the situation of low administrative capacity of labour market institutions, weakness of trade unions and poor law enforcement, the employees experienced high labour market flexibility and increased job insecurity (Philips, Eamets 2007).

The Europe 2020 Strategy, which is a continuation of the Lisbon Strategy, gives the concept of flexicurity strategic dimension, describing it as a model solution to the labour market in the member states. In the strategy, there appears the aspect of increasing the social responsibility in the business sector, but without diving into the topic or giving any specific guidance (COM 2010: 21–22).

Despite the fact that the concept of flexicurity has become the basis for the management of national labour markets in the supranational organisation, there are differences in its understanding by the European institutions. The European Commission claims for further flexibilisation, while the Council is promoting strengthening the standard working relationships in accordance with national practice of the member states and limiting the atypical employment relationships (Keune 2008: 92–98).

As far as working relationships and work ethos are concerned, the imperative of flexible utilisation of labour power intensifies the trend to design work tasks in ways that deskill people, given that constant turnover and short-term contracting make intensive training unviable (Sennett 2006). Such a process can affect not only the quality of work, but also the attitude to work, the loss of perspective from which the work was traditionally seen – as a constitutive value in human life.

Challenges formulated in the European Commission Report in 2007 are still to be responded, *inter alia*:

1. dealing with contractual segmentation,
2. transition security (in case of redundancy),
3. tackling the segmentation between low paid (low skilled) and high paid workers,
4. situation of the countries in transition with high range of unemployment and few activation initiatives (COM 2007b).

At least some of the difficulties can be overcome by implementing the proposed, corresponding reforms, including: flexinsurance, basic minimum income and workplace tax. Flexinsurance is another lexical hybrid created to describe a model in which the contribution of an employer to social security of an employee should be proportional to the level of the contract flexibility. Such a solution stimulates employers to hire on more favourable conditions. The basic minimum income model presupposes a flat-rate income paid by the state to all citizens, regardless of their incomes and material status. The basic minimum income programme generates additional state's expenditure, however, this can be covered by the flexinsurance and progressive taxation. Workplace tax is meant to be a kind of punitive tax for the employers who offer bad working conditions. This kind of taxation is supposed to stimulate enterprises to reconsider the workplace environment they offer. A part of the tax can be transferred directly to the employee as a compensation for unacceptable working conditions. Nevertheless, it is emphasized that the major part of the tax should be charged by the state (Tangian 2008: 25–27).

The proposed model executes the compensation of social costs generated by unsustainable human resources management or its lack. It is also an attempt to divide the responsibility for the changes occurring in the labour market into reasonable proportions. In this model, the state must generally take over the role of the controlling authority. It should determine the quota categories for flexinsurance, the remuneration of the basic minimum income and the workplace tax. The alternative model management shall be introduced with social partners, the state however should make a decisive contribution. The flexinsurance is supposed to minimize the contractual segregation and the redundancy proceed, so the transition security system would not be that expensive.

The process of flexibilisation met a resistance in countries with old traditions of labour movement. Balancing flexibility and security got a very negative response from French and German trade unions, because “the idea of partnership

represents a threat to the independence of unions and a denial of the importance of worker's rights and positions, notably at the enterprise level" (Wilthagen, Tros 2004: 179). From the trade union perspective, the transformation of labour rights into security measures is disadvantageous, since it is doubtful whether social guarantees sufficiently compensate a higher risk of employment loss. The trade unions in the European Union do not reject the concept of flexicurity as a whole, they do not agree, however, with the understanding and interpretation of this idea by the Commission. In the unionists' perspective, labour market reform should better balance and take into account national traditions and the social partners opinions (Tangian 2008: 20–24). According to the trade union definition of flexicurity, it is a "deregulation-only policy but not at the price of relaxing employment protection of normally employed" (Klammer 2004: 283).

Flexicurity has also been reconsidered in terms of social dialogue and social power of the social partners. It is said that flexicurity loses its potential for clearly guiding the social partners: almost any possible topics of negotiation can be interpreted in the framework of flexicurity, from working time to wages or collective dismissals. The social dialogue concerning flexicurity should be intensified and aimed at improving the trade unions' position (Pedersini 2008: 23). However, it is the flexicurity which weakens the position of trade unions, since the dialogue can be conducted only within the top-down regulated system.

CONCLUSIONS

Flexicurity is meant to be a form of adjustment of capacities to the risks related to business cycle and life cycles. However, the risks associated with the life cycle have been already regulated by a system of social security. Eventual periods of unemployment cannot be regarded as a natural phases of life cycle. That is why the concept of flexicurity has been primarily designed as an antidote to the effects of fluctuations of the business cycle, dividing responsibility for fluctuations in the labour market between all of the social partners.

However, the reality of the labour markets management turns out to be different. The individual responsibility of employees for their skills, mobility and usefulness to employers seems to be preferred. The breaks in employment caused by the recession, sanctioned by the system of external flexibilisation, are beginning to be regarded as a natural stages in human life cycle. The employees share the responsibility for social security as compensating mechanism for unstable

labour market with the state. The enterprises, especially transnational corporations, are excluded from the process or are involved in a small extent.

The perspective of the researchers – members of the model flexicurity societies presented in the article – indicates that the concept promoted by the European Union should not be treated as a finite, complete solution that fits into the structure of each European society, regardless of the level of development. Deliberate implementation should mean taking into account the current capabilities of the citizens and the state in the context of social security, encouraging employers not only to participate in social dialogue, but also to take responsibility for the situation on the labour market. Fluctuations of the economic cycle and the associated risks do not justify the privileged position of the economic entities when it comes to the division of responsibility for the consequences of decisions that generate social costs. Suggested reforms involving the introduction of flexinsurance, basic minimum income and workplace tax should be treated as valuable, empirical verification worthy suggestions, as well as a contribution to further critical analysis of the assumptions and effects of different ways of implementing flexicurity concept.

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**DEPENDENCE PATH IN THE PROCESS OF ACHIEVING
TRANSITIONAL JUSTICE ON THE POST-SOVIET AREA.
COMPARATIVE STUDIES ON THE TRANSITION IN
ESTONIA, GEORGIA, AND POLAND***

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ABSTRACT: The aim of this article is to present the dependence path and the number of factors which influenced its shape in the process of achieving transitional justice on the post-Soviet area. In comparative studies carried out in Estonia, Georgia and Poland, it has been demonstrated that there were a number of factors that diversified the process of transformation from the authoritarian to democratic system. The need to settle accounts with the Soviet authoritarian regime was diverse and depended on historical and geopolitical conditions, as well as on the political system which was adopted by individual states after the dissolution of the Soviet Union. It has been observed that in Georgia the process of achieving transitional justice was not initiated but replaced, after consolidating the democratic system, by the process of achieving historical justice; however, in Estonia and in Poland, the problem of settling accounts with the outgoing authoritarian regime constituted one of the key issues of the transformation.

KEYWORDS: post-Soviet area, transitional justice, dependence path, the politics of memory, transition, Estonia, Georgia, Poland

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INTRODUCTION

The landscape of the world after the Cold War was highly diversified. The countries which emerged as a result of the dissolution of the Soviet Union or were freed from its influence faced a situation in which they had to decide about the direction of their future actions. From the perspective of the last 25 years, it is possible to distinguish three alternative paths: 1) returning to an authoritarian system; 2) creating authoritarian-democratic hybrid of a political system; 3) creating a democratic system. The countries from the second and third group faced the necessity of settling accounts with the previous system (Bukalska, Sadowski & Eberhardt 2009: 2–3). Such actions did not have to reach the level of complete squaring accounts with the representatives of the outgoing regime, and mostly those were partial processes. Achieving transitional justice on a level which would be acceptable for a given society constituted one of the conditions for transition (David 2011).

The aim of this paper is to present the level of determinism in the process of achieving transitional justice on the post-Soviet area. In this context, dependence path, understood as a set of objectively existing and historically present dependencies, influences all changes occurring during transition. However, it should be noted that the theoretical perspective which is represented by the dependency theory does not presuppose an identical course of changes, it only sees the existence of determinism and the inevitability of changes (Greener 2005: 62–72; David 2000: 15–40). The comparative studies conducted in Estonia, Georgia, and Poland aim at covering the possibly widest spectrum of dependencies in question. The post-Soviet area is not homogeneous; there were differences in social and political changes between the Baltic states, the South Caucasus, or Central and Eastern Europe. Nevertheless, the thesis advanced in the article assumes that despite the different timeframes and the background of transition, there is a certain dependence path which determines the process of achieving transitional justice in the transition period.

The studies were based on the comparative method which aims at comparing the way and the level of achieving transitional justice in three post-communist states. This is a part of the scientific project “Politics of Memory as the Constitutional Factor of New Identity during the Transition from Authoritarian Regimes”, conducted at the Nicolaus Copernicus University in Toruń, under the academic supervision of Prof. Joanna Marszałek-Kawa. The project focuses on the cases of Chile, Estonia, Georgia, Spain, Poland, and the Republic of

South Africa. The research procedure was based on the analysis of texts that were written during the period of transition by state authorities responsible for settling accounts with the authoritarian regime. The analysis concerned mostly state documents, documents of organisations and committees which were established in order to reveal and document violations of human rights, as well as some reports and analyses created by governmental and non-governmental organisations.

The issue concerning transitional justice is broadly discussed in humanities and social sciences. Many-sidedness of this problem leads to researches conducted in a variety of disciplines: historical (e.g. David 2000: 15–40; Torbakov 2011: 209–232), legal (e.g. Hayner 2010; Czarnota 2009: 11–21; McAdams 1997; Snarski 2010: 211–228), or political (e.g. De Brito, Enríquez & Aguilar 2001; Kroker 1998: 225–247; Skąpska 2007: 7–31; Teitel 2000). The complex studies on transitional justice are conducted by truth and reconciliation commissions tasked with providing documentation for offences and crimes committed by the outgoing regimes. In Poland, there is a scientific institution with investigatory powers called The Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation (*Instytut Pamięci Narodowej – Komisja Ścigania Zbrodni przeciwko Narodowi Polskiemu*) whose main tasks include providing and administering documentation, prosecuting Nazi and communist crimes, and performing an educational role in this regard. In Estonia, the corresponding institute, the Estonian Institute of Historical Memory (*Eesti Mälu Instituut*), carries out research on the history of Estonia under the German and Soviet occupation. The predecessor of this Institute was the Estonian International Commission for Investigation of Crimes Against Humanity (*Inimsusevastaste Kuritegude Uurimise Eesti Rahvusvaheline Komisjon*), which was established in order to prosecute Nazi and Soviet crimes against the Estonian nation. The institutes from Estonia and Poland are also members of the Platform of European Memory and Conscience, which is an educational project of the European Union. However, in Georgia, no official institution which would settle accounts with the communist regime has been established. Comprehensive studies on transitional justice are conducted by the International Center for Transitional Justice in New York. This organisation was founded in order to give help to states in which historical injustice together with any kind of abuse result from the actions of the previous regime.

DEPENDENCE PATH IN THE PROCESS OF DECOMMUNIZATION. DETERMINISM VS. TRANSITIONAL JUSTICE

According to Lech Nijakowski (2008: 138), the concept of dependence path includes 'a broadly understood context of social institutions which makes citizens of a given state dependent on the past of their nation and on the choices made by their predecessors, even if they intend to implement fundamental reforms' [own translation]. This suggests that 'the direction and significance of social changes established in the past decide about the here and now as well as about the future of nations' [own translation].

One of the most important processes which belong to a wide process of transition from an authoritarian to democratic system on the post-Soviet area is the very process of decommunization. It includes a number of activities aiming at departing from political, social, scientific, and cultural patterns of communist regime.

Dependence path in the process of achieving transitional justice may be defined as a set of all these contexts that influence and determine the course of this process. In the case of states which emerged as a result of the dissolution of the Soviet Union (Estonia, Georgia), and states which regained sovereignty (Poland), certain elements of common past which influenced the course of the decommunization process can be observed (Stańczyk 1997: 27–43; Forest & Johnson 2011: 269–288). The metaphor of a path or a railway track perfectly conveys the importance and the role of determinism in the theoretical orientation such as historical institutionalism. Colin Hay (2002) shows that the analysis of historical processes allows to explain processes of political evolution. Deep institutional and historical tradition influences the direction of further development (Hay & Wincott 1998: 951–957).

Sven Steinmo (2008: 127) suggests that "historical institutionalists understand that behaviour, attitudes and strategic choices take place inside particular social, political, economic and even cultural contexts. Rather than treating all political action as if fundamentally the same irrespective of time, place or context, historical institutionalists explicitly and intentionally attempt to situate their variables in the appropriate context. Thus, by deepening and enriching their understanding of the historical moment and the actors within it, they are able to offer more accurate explanations for the specific events that they explore than had they treated their variables outside the temporal dimension? In this case, the most significant historical, social and economic context is the dissolution of

the Soviet Union and consequently, the end of the Cold War and of the bipolar distribution of powers in the international arena. Regaining independence and sovereignty was, however, only the first step on the new path. States such as Belarus, or the Central Asian states, are still under the influence of the Russian Federation, an international and legal successor of the Union of Soviet Socialist Republics. They depend on Russia mostly in the economic, but also political and military dimensions. Since 1990s, some of these states have been creating a specific political hybrid. Ukraine may serve here as an example of a state where full democratic standards have not been introduced (Prokop & Galewska 2013: 19–32). The third group of states, where the case studies in question belong, despite the seemingly different contexts, decided to complete the transition. One of the elements of transition from an authoritarian to democratic system was settling accounts with the outgoing regime.

On one hand, the process of squaring accounts with the authoritarian regime on the post-Soviet area took the form of decommunization. On the other hand, those actions aimed at achieving transitional justice. It is necessary to explain here the concept of transitional justice. According to International Center for Transitional Justice, this term is understood as ‘the set of judicial and non-judicial measures that have been implemented by different countries in order to redress the legacies of massive human rights abuses. These measures include criminal prosecutions, truth commissions, reparations programs, and various kinds of institutional reforms’ (*What is Transitional Justice?*). Achieving transitional justice aims to bring the oppressors to justice and to compensate victims.

The idea that there exists a need for achieving transitional justice originated in the second half of the 20th century. It was strongly connected with the social need for settling accounts with the outgoing authoritarian regime. With time, this concept evolved and was broadened by the necessity of dealing with war crimes and any other violations of human rights during military conflicts (Czarnota 2009: 11–21). Adam Czarnota mentions the crucial role of law in the process of achieving transitional justice. He points out that ‘(...) on one hand, law serves as a tool of achieving transitional justice as it creates particular legal institutions in order to achieve particular political goals. On the other hand, as the analysis of particular cases shows, the aim of transition is achieving a state in which human rights are respected and protected. Such situation means that we talk about a legal state which has its English name: the rule of law. This suggests that there is a need for establishing a stable legal system in which human rights are protected. If we use law instrumentally – and transitional justice itself is based

on using the law instrumentally – it is hard to achieve the stability of law’ [own translation] (Czarnota 2014). This implies that law and transitional justice are merged.

It is necessary to underline that the process of achieving transitional justice occurs exclusively during the transition. It is not possible to talk about transitional justice after the transition, which means after forming a new political system (in case of the states in question, it means the transition from an authoritarian to democratic system). One of the most frequently cited criteria is establishing a new system (McAdams 1997; Snarski 2010: 211–228). This formalism refers to legal and political criteria, which means enacting a new constitution that acts as a point of reference for a legal system of a new state. After finishing the process of transition, only a certain post-transitional or historical justice can be achieved. However, as it is mentioned by Czarnota (2014) and David (2011), it only occurs within the frames of an already stabilized legal system.

THE PROCESS OF ACHIEVING TRANSITIONAL JUSTICE ON THE POST-SOVIET AREA

On the post-Soviet area and the near abroad, the states approached the process of achieving transitional justice in various manners. Undoubtedly, the need to settle accounts with Soviet authoritarian regime was diversified and depended on historical and geopolitical conditions as well as on a political system which was adopted by individual states after the dissolution of the Soviet Union (Forest & Johnson 2011: 269–288). The post-Soviet area includes, apart from Russia, four groups of states: 1) the Baltic states, 2) the Central Asian states, 3) the South Caucasus states, 4) the Central and Eastern European states; whereas the near abroad (*ближнее зарубежье*) expands the area of Russian influence as it comprises the states which belonged to the Council for Mutual Economic Assistance and the states that were the members of the Warsaw Pact. Therefore, it is justified to assume that the states affected by the Soviet authoritarianism include the area of the former Soviet Union as well as the states which were under direct control of the Soviet Union and therefore lost their sovereignty.

The aim of comparative studies is to present the differences in the process of achieving transitional justice in Estonia, Georgia and Poland. However, it is also crucial to analyse the reasons for these differences. The factors which influence the process of achieving transitional justice are, first of all, of historical character

(such as the tradition of own statehood, national identity that is established in a particular society, and the sense of being different from other nations, which in this case means separateness from the Soviets), but also economic (such as the level of economic independence or economic growth) as well as legal and constitutional (such as the pace of introducing legal changes and the consolidation of a new political system).

The states in question are undoubtedly linked by a historical moment of the dissolution of the Union of Soviet Socialist Republics which acted as the trigger for the transition (Bernhard 1996: 309–330). However, the history of Estonian, Georgian and Polish nations together with economic and legal differences caused a different course of this process. First of all, it is necessary to take into account the legal and constitutional factor – the new constitution in Estonia was enacted one year after regaining independence; in Georgia, this happened after four years; and in Poland, after eight years. Nevertheless, each of these states during the period from regaining sovereignty to consolidating the new political system had to address the problem of settling accounts with the authoritarian system, both in the material dimension (damages, compensation and verification of the documents of repression) as well as in a political and moral sense (shaping the politics of memory carried out by the state, determining the status of the victims of the system and of those who were responsible for repressions).

ESTONIA

The Republic of Estonia, a state established after the transformation of the Estonian Soviet Socialist Republic, is a democratic country. Although the Democracy Index categorises Estonian political system as flawed democracy (Campbell, Pözlzbauer, Barth & Pözlzbauer 2013), there are no major reservations in this regard. The process of transition in Estonia was initiated in 1988 when the Popular Front of Estonia was established. Already in 1989, action groups began the process of creating civic committees whose activity intended to achieving independence (Smith 2013). On March 30, the Supreme Council of the Estonian Soviet Socialist Republic started the transitional period, in which the state was renamed back to the Republic of Estonia and the Baltic Assembly was reactivated. Those actions allowed to prepare the ground for the actual transition which began together with the dissolution of the Soviet Union and with proclaiming independence

on August 20, 1991, and finished on July 3, 1992, when the new Constitution was adopted. The relatively short transitional period resulted from the fact that Estonia was one of the most developed Soviet republics (Mole 2012). The Constitution of Estonia refers to previous documents, but is based on standards created by democratic states (Marszałek-Kawa et al. 2013: 6–7).

In the years 1991–1992, during the period of actual transition, the need of settling accounts with the authoritarian system was clearly visible. The beginning of the long-standing process of vetting is marked by the date of August 20, 1992, when the obligation of taking the oath of conscience was introduced (Mole 2012). It was based on a written declaration that a person who was to assume a public function did not have any relationships with the Committee of State Security of the Soviet Union. The main goal of the law was to eliminate from the public and political life former agents and collaborators (also secret ones) of the intelligence agency, and the vetting was to include all agents and collaborators. It was also necessary to verify people cooperating with the Nazi in the years 1941–1944, as well as with the Soviets in the years 1940–1941 and 1944–1991 (the Centre for Eastern Studies 2009: 22).

The specificity of Estonian vetting was the result of several vital factors. Firstly, it was a very poor condition of the archives of the intelligence agency which functioned in Estonia. Most of the KGB archives (*Комитет Государственной Безопасности*) was brought to Moscow or destroyed (Tamm 2013: 651–674); therefore, it was impossible to institute proceedings on the basis of documents. Secondly, it was the instability of the state caused by the necessity for creating institutional structures based on new personnel (the Centre for Eastern Studies 2009: 21). Thirdly, there was a sense of national injustice due to the German occupation during the World War II and, later, the dependence on the Soviet Union (Melchior & Visser 2011: 33–50).

The process of achieving transitional justice in Estonia was distinctively marked by the need for immediate reconstruction of the state in the times of political crisis. It resulted from the changes of personnel and institutional modifications mainly in the political and administrative spheres. Decommunization was a direct result of the decision about creating an independent, democratic state. The process of vetting was one of the first and most important elements of settling accounts with the previous regime.

GEORGIA

The Democratic Republic of Georgia, similarly to the Republic of Estonia, was established as a result of the dissolution of the Soviet Union, and is both a legal and international successor of the Georgian Soviet Socialist Republic. The political system adopted by Georgia is a democracy which is assessed by Economist Intelligence Unit as a hybrid regime. It is important to underline that in Georgia there are noticeable democratic aspirations (Campbell, Pözlzbauer, Barth & Pözlzbauer 2013). The changes in Georgian political system were initiated in 1991, when the referendum on regaining independence took place. Independence tendencies were displayed a decade earlier during the process of perestroika. The proclamation of independence and establishing the Democratic Republic of Georgia occurred on April 9, 1991 (Gogishvili, Gogodze & Tsakadze 1996). The stabilization of the state was, however, endangered by the internal conflict between the followers of Zviad Gamsakhurdia and Eduard Shevardnadze, as well as by the 1991–1992 South Ossetian War and the 1992–1994 Georgian-Abkhaz Conflict. The process of transition was finished on August 24, 1995, when the Constitution of the Democratic Republic of Georgia was adopted (Marszałek-Kawa et al. 2013: 7). It is necessary to underline the complicated process of transformation which, according to a number of scholars, was finished during the Rose Revolution in 2003 (Tatum 2009: 156–171).

The process of transition in Georgia in the years 1991–1995 had a different character than the processes in Estonia and Poland. The characteristic features of the first stage of democratization of the Georgian state were both the initial chaos caused by the two domestic wars (Gogishvili, Gogodze & Tsakadze 1996), as well as the continuation of institutions and personnel of the Georgian Soviet Socialist Republic by the administration of Eduard Shevardnadze (the former USSR Minister of Foreign Affairs). Until the time of the Rose Revolution, it is not possible to talk about any attempts to settle accounts with the Soviet regime (Shatirishvili 2013; Tatum 2009: 156–171). Despite some partial changes of personnel after 1995, in the period of actual transition the process of achieving transitional justice was not initiated.

It is justified to advance a thesis that in Georgia it is not possible to talk about the category of transitional justice. The Freedom Charter, a collection of laws aimed at dealing with authoritarian regime, was passed only on May 31, 2011. In such time frames, it is acceptable to define the actions of Mikheil Saakashvili's administration as initiation of the process of achieving transitional justice

(Jones 2013). The Freedom Charter was to solve the problem of the presence of agents and collaborators of the intelligence agency in political life, as well as to remove Soviet symbolism from public awareness.

POLAND

After the dissolution of the USSR, the Republic of Poland regained its sovereignty. Although the state did not enjoy full independence, it did not have the status of a Soviet republic and its territory was not incorporated into the Soviet Union. Nevertheless, the Polish People's Republic after transforming into the Republic of Poland regained the right to self-determination, which had been lost due to the results of the World War II (Bernhard 1996: 309–330). The political and economic transition in Poland began relatively early (Stańczyk 2010: 27–43). A number of changes were initiated in the 1980s, or even the 1970s (strikes caused by carrying out central economic planning). The activities undertaken by a huge social movement “Solidarity” (“*Solidarność*”) led to the Polish Round Table Talks, which started in February 1989 and finished in April 1989, and later to the parliamentary elections in June 1989 (Bernhard 1996: 309–330). In 1990, there were presidential elections, and in 1991 Poland had the first fully democratic parliamentary elections. The constitution was being changed gradually. First, the Constitution of the Polish People's Republic was significantly amended in 1989. Then, the Small Constitution was passed on October 17, 1992. Finally, the current Constitution of the Republic of Poland came into effect on October 17, 1997. Transition in Poland was focused mainly on constituting a new democratic state, introducing free market, and creating civil society following the example of western states (Marszałek-Kawa et al. 2013: 7–8).

The process of achieving transitional justice in Poland was based mainly on vetting of public officials and cleansing the public sphere (e.g. decommunization of street names, removing communist symbols) (Kącka 2014: 277–292). At the beginning, Tadeusz Mazowiecki's government supported the thick line policy (*gruba kreska*), which regarded vetting and historical justice as disadvantageous for Poland (Kuglarz & Sułek 2001). In the years 1991–1997, five bills on vetting were presented in the Sejm. However, the law which regulated the vetting procedure was not passed until April 11, 1997. It seems that at first there was a “wild” vetting, based on incomplete, partially destroyed or falsified archives of

the Security Service of the Ministry of Internal Affairs. Until 1997, those actions constituted a particular form of political fight. Undoubtedly, dealing with those affairs suggested a strong need for settling accounts with the officials of the socialist regime.

In Poland, the symbolic sphere played an important role in creating sovereignty of the state (Kącka 2014: 277–292). That symbolism included mostly independence traditions (Nijakowski 2008). Apparently, the problem of achieving transitional justice was one of the most frequently discussed goals of the transition, apart from the economic and political ones. This issue is still present in public debates; however, it refers more to historical justice and defining coherent historical policy of the state.

CONCLUSION

Comparative studies conducted in Estonia, Georgia and Poland indicate that it is not possible to talk about a uniform, the same for all the cases in question, dependence path in the process of achieving transitional justice. The reasons behind the ensuing divergence include historical, economic and cultural differences. As a result of a number of diversified factors, states such as Georgia did not initiate the process of achieving transitional justice, but substituted it with a form of historical justice after consolidating the democratic system. However, both in Estonia and in Poland, the problem of settling accounts with the outgoing authoritarian regime remained as one of the crucial issues of the transition.

Therefore, dependence theory can be applied to similar cases, which are characterized by a similar set of dependencies. Nonetheless, all the states which emerged as a result of the dissolution of the Union of Soviet Socialist Republics faced the problem of either accepting or rejecting the socialist representatives and symbols. In none of the researched states transitional justice on the post-Soviet area has reached a satisfactory level. As a consequence, settling accounts with socialist regime is continued. It is possible to advance a thesis that there is a high probability that the level of settling accounts with the past will not reach a satisfactory level (partially due to the incomplete archives or no definitive legal solutions). However, it is necessary to notice that the post-totalitarian trauma remains an important social problem.

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**RESEARCH INTO THE CONDITIONS OF POLITICAL
ATTITUDES WITHIN THE PROJECT
“POLITICAL PREFERENCES: ATTITUDE –
IDENTIFICATION – BEHAVIOR”**

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ABSTRACT: Research on electoral identifications and attitudes and voting behavior is among the most popular planes of analysis of the citizens' political participation. The presented article is a report from research carried out in the framework of the project “Political Preferences: Attitude – Identification – Behavior” in 2009–2014. It discusses the main assumptions and research directions, the tools used and, finally, the results obtained in the project. The presented research project is of a nationwide character, and is conducted on a representative sample of voters.

KEYWORDS: elections, voting behavior, political attitudes, political identifications

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In 2009, the initiative of the scientific circles gathered around the centers in Katowice, Torun, and Wrocław launched the nationwide project “Political Preferences. Attitude – Identification – Behavior”. Its primary goal was to explore the issues of political attitudes and electoral behaviors, in particular the factors which determine political identifications. Because of the conviction that the extent of the citizens’ involvement and, ultimately, the decisions made in the electoral process are determined by multiple factors, representatives of various scientific specialties were invited to the project, making it – from the very beginning – an interdisciplinary study on the analysis of the conditions of electoral attitudes and behaviors. Its results are regularly presented in the journal “Political Preferences” and other publications by the team members, both in Poland and abroad.

Political preferences are of interest to many scientific disciplines, which results in using different approaches to and descriptions of the identified political behaviors, and therefore enables drawing complementary conclusions. The substantive aspect of the analysis may refer, for one thing, to the dynamics of their change, understood as the stability or instability of preferences, short- or long-term temporal perspective, the role of the structural factor in creating individual behaviors, and the significance of the geographical aspect in distinguishing between occurring attitudes.

There is a specific category of political behaviors, namely the electoral behaviors, which occur between the electorate and political parties or individual candidates, and are expressed during the vote. Electoral behaviors can be studied both on the individual and aggregated level. In the former case, it involves the conditions and motivations of individuals which influence decisions during voting. Whereas on the aggregated plane the bonds on the social level are being examined. It is possible to present the phenomenon of electoral behavior in three model approaches. The narrowest approach identifies it with just the participation in or absence from the vote, which is considered to be the most common form of citizens’ participation in the political space. The decisionist approach refers to the sources of decisions made by a voter, both regarding the participation in the elections and the direction of allocation of individual backing. Whereas the broadest conception treats electoral behaviors as individual or collective forms in the election of persons or political parties to hold public offices. The abovementioned positioning of electoral behaviors allows the carrying out of the research process in a way which directs it towards different planes, including socio-structural, identification, participation, and ideological plane.

Research focusing on electoral attitudes and voting behavior are one of the most popular planes of analysis of political activity overall. The separateness and autonomy of national party systems force individualization of research process design in each case. It is, of course, also possible to carry out comparative studies for different countries, but they usually offer more generalized conclusions. Examples of such studies are the election-focused editions of the Eurobarometer, commissioned by the European Parliament (EP Eurobarometer [EB79.5]), or research conducted by ESOMAR (*European Society for Opinion and Marketing Research*). The Polish, domestic studies on electoral behavior began shortly after the democratic transformation of 1989, although in the initial period their geographical coverage was regional and local only. The main centers pursuing research projects in this field were the University of Warsaw and the Polish Academy of Sciences. In the latter institution in particular, a group of researchers centered around Professor Radosław Markowski laid the groundwork for the development of research in political participation, defining the broad research directions and serving as a source of inspiration for other researchers. The projects of the Comprehensive Polish Elections Survey (*Polski Generalny Sondaż Wyborczy*) and Polish National Election Studies (*Polskie Generalne Studium Wyborcze*), carried out by this team, offered the most comprehensive analysis of electoral behavior in Poland (Cześnik 2007; Markowski 1999; 2002; 2004; Markowski, Jasiewicz 2006; Markowski, Wnuk-Lipiński 2001). In the twenty-first century, an interesting example of a study on attitudes and behavior of voters was The Polish Elections (*Polskie Wybory*) project, carried out at the University of Silesia (Glajcar, Wojtasik 2010; Okrzesik, Wojtasik 2011; Kolczyński, Wojtasik 2011; Turska-Kawa, Wojtasik 2012).

One of the fundamental methodological assumptions of the presented research project was the crystallization of the socio-demographic profiles in the aspect of the possible diversification of electoral behaviors and political identifications. These profiles included socio-demographic variables (sex, marital status, age, professional status, province, residence: city–countryside), socio-economic status of the surveyed (material status, household income, declared material status), political identification in the terms of preferred party, and the placement of ideological declarations with their transposition of the left wing–right wing scale. Social variables are some of the key factors allowing the individualization of political identifications of voters. The knowledge of the relationships between social factors and political attitudes and behaviors is important in the explanatory aspect, as well as in the descriptive and the prognostic ones.

The research was performed each time on a country-wide representative sample of adult Poles with the right to vote. Samples were selected according to stratified quota (the population was divided completely and exclusively into the strata, comprising voivodeships, whereas the quota sampling procedure included the following variables: residence in a city or in the countryside, sex, and age). The actual research was preceded by a pilot survey (N=200) meant to verify the research tool – the usefulness of the individual issue regarding their understandability and the organization processes related to the research.

In November and December 2013, the project was carried out the 5th time. It was an unusual year as the team conducting the research grew both in terms of numbers and disciplines represented by the scholars. This allowed the analyses to become interdisciplinary to a greater extent, and the analyzing became more profound due to several new and interesting threads. The project was being carried out by scientists from renowned academic centers from all around the country: the University of Warsaw, Nicolaus Copernicus University in Torun, The John Paul II Catholic University of Lublin, University of Wroclaw, University of Gdansk, University of Szczecin, University of Warmia i Mazury in Olsztyn, Adam Mickiewicz University in Poznan, and the University of Silesia in Katowice. Similar to the previous years, in 2013 the project was directed at recognizing the determinants of electoral behaviors and political and party identifications. The study of the conditions and citizens' motivation for active participation in the political life are important from the viewpoint of building a civic society, which includes electoral participation as an important aspect. What is more, the authors of the project also sought the factors distinctive for party electorates and individuals according to different ideological declarations regarding the attitudes towards socially important issues.

The study was carried out using a questionnaire constructed for research purposes. The tool consisted of three parts. The first part was directed towards recognizing the socio-economic and demographic characteristics of the electorate. In the second part, it was the political preferences of the surveyed that were interesting to the researchers, operationalized by the question regarding the declared readiness to electoral activity and the direction of vote allocation should the elections were held the following Sunday. The responders were also asked to declare their position in the one-dimensional left-wing–right-wing political space. The third part was meant to explore various areas of social behaviors, attitudes, values, and beliefs which can significantly differentiate between electoral behaviors. The surveyed were asked to present their attitude towards a series of

statements using a five-point scale, with the answers ranging from “I certainly do not agree” to “I certainly agree”. The indicated issues are only a few of the research areas touched upon in 2013. There were also analyses of the attitudes towards the women’s participation in politics, celebrityization of political life, sense of representation of civic interests on the political scene, perceived reliability of political activities, activity of citizens on the local scale, and many others. Each of them was analyzed in relation to party preferences and ideological self-identification. At the same time, they were all verified by specialists, which resulted not only in comprehensive descriptions but also attempts at finding the causes of the diagnosed state and the prognoses of possible consequences.

The gathered analyses are presented in the “Political Preferences” journal and on the website www.badania-elektoratu.us.edu.pl, where articles from the previous years are available as well. In its conception, “Political Preferences” aim at the promotion of empirical research in the aspect of electoral behaviors. The multi-aspect and interdisciplinary study on the conditions of political behaviors of individuals and their motivation for active participation in political life is important from the viewpoint of building a civic society, which is characterized by electoral participation as an important factor. The initiators of the journal are particularly keen on the cooperation with researchers in various scientific disciplines which enrich the empirical analysis of the indicated issue: political science, psychology, sociology, linguistics, philosophy, and others. The extent of the citizens’ involvement and, ultimately, the decisions made in the electoral process are conditioned on many levels, which offers the opportunity to identify and analyze the correlations occurring between them.

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REVIEWS

***Poland's EU-Council Presidency under Evaluation. Navigating Europe through Stormy Waters*, ed. by Ireneusz Paweł Karolewski, Thomas Mehlhausen, Monika Sus, Nomos Verlagsgesellschaft, Baden-Baden 2014, pp. 180.**

Almost three years after accomplished Poland's EU Council Presidency, there is a book on an education market which examines the Polish performance in this matter. Although there are relatively big number of reports (especially on-line) which treat about this issue, it must be said that they do not depend on scientific basis. Moreover, they were submitted shortly after the Presidency, without time for in-depth analysis. Available publications either concentrate on evaluation of domestic, technical preparations (Ministry of Foreign Affairs of Republic of Poland 2012), treat the subject in general (Kaczyński 2011), are just subjective opinions presented during a summative conference (Czaputowicz, Czachór 2012), or represent the position of a specific interest group (Polish Confederation of Private Employers Lewiatan 2012). The *Poland's EU-Council Presidency under Evaluation. Navigating Europe through Stormy*

Waters edited by Ireneusz Paweł Karolewski, Thomas Mehlhausen and Monika Sus offers a reader a complex and detailed, well researched analysis, which is strongly supported by theoretical framework. This publication delivers an interesting contribution to the issue of Polish Presidency and it fills the research gap in aforementioned subject.

The conceptual framework of the book, which was adopted from the former examination of German presidency in 2007 (Kietz, Perthes 2007), provides considered and clear structure of analysis. To understand the construction and the character of contributed articles, it is important to pay attention to the explanation of this framework, which is described in first chapter. The next eight empirical chapters deal with wide spectrum of policy fields, which are crucial for an assessment of the Polish Presidency. The last, tenth chapter, draws conclusions concerning the comprehensive performance and confronts the theoretical expectations with empirical results.

As it is well explained at the beginning of the book, the analysis of the Polish Presidency departs from the functions, poten-

tial of influence, and limitations of EU Council presidencies in general. According to that, Karolewski and Mehlhausen, making their analysis based on rich literature that tried to conceptualize presidencies in the past, distinguish six functions of presidency: management, agenda-setting, internal mediation, inter-institutional agency, external representation and media spinning. Each of those is studied by executing the self-conception of the Presidency, where *honest broker's* aim is the EU's collective interest (in other words, a common good), while the second orientation's aim, *self-centered president*, is national/governmental interest. Those functional and behavioral dimensions are complemented by contingency dimension, which enables the objective assessment of Presidency by taking into account the circumstances beyond its control. They contain endogenous variables (e.g. domestic background or timely preparations) and exogenous variables (like external shocks or usurpative initiatives taken by other actors).

The first empirical chapter deals with general performance of the Polish Presidency. Piotr Kaczyński pays attention to the limitations of the Presidency which resulted from adoption of the Treaty of Lisbon. As an outcome, the rotating Council Presidencies became politically irrelevant, what applies also to the Polish case. Although the author indicates some limitations, he also remarks that this experience was an important lesson for Poland to improve its position in the EU in the future. Chap-

ter no. 3, written by Anne Lauenroth and Nicolai von Ondarza, focuses on the institutional aspects of Polish Presidency and also points out the limitations of the rotating Presidency. However, in this contribution authors notice that, despite of difficult circumstances, Poland achieved more than could have been expected. The following chapter, by Irene Hahn-Fuhr and Kai-Olaf Lang, concentrates on Eastern Partnership – a pivotal area of Polish activity during the Presidency, which is described as an example of ‘ambitious realism’. In the next part, Ernest Wyciszkievicz deals with areas of climate and energy policies, describing the Polish approach as differentiated depending on the issue. In next two chapters, respectively by Monika Sus and Paweł Tokarski, the authors explore complicated and multifaceted issues of the Common Foreign and Security Policy as well as EU Single Market. In chapter no. 8, Janusz Józef Węc focuses on the EU's enlargement process, in which Polish Presidency is considered as a force giving EU's development a new impetus. The next chapter by Mario Kölling deals with negotiations of the Multiannual Financial Framework 2014–2020, which is interesting since Poland is the main beneficiary of the Structural and Cohesion Funds. The last chapter is dedicated to editors' conclusions and final evaluation, which can be summed up as a ‘mission satisfactorily accomplished’.

Poland's EU-Council Presidency under Evaluation... is a well-considered and well-prepared book. The study provides

an honest analysis of Polish performance during the Presidency, which is based on theoretical framework and strongly supported by empirical examination. It takes into consideration the context, creates research design, distinguishes variables, analyzes them, and finally presents meaningful conclusions. With its shape, it resembles a typical academic work rather than just experts' summary or commentary. It cannot be described as a complete research, because it does not encompass every issue of EU's activity (e.g. health, equality policy, migration, culture, etc.), but this is probably because of the capacity limitation. By contrast, it can be called a complete book, because it touches upon crucial areas of the Presidency from Polish perspective.

In merits-related categories, it gives an objective image of the Polish Presidency, which is discussed in detailed and professional manner. Interesting is the fact that almost every chapter mentions two significant international events which dominated policy-sphere during the Presidency, namely: financial crisis in the Eurozone and the Arab Spring. It shows how interconnected and depended on each other are the different issues in modern international relations. The conclusions are not unduly critical, but also not completely positive; the authors try to shed light on failures and on successes equally. The main thesis argues that despite the Lisbon Treaty limitations, the Presidency still remains an important element in the EU political system.

And after the lecture, it is hard to disagree with such an evaluation.

The incontestable value of this publication is the way how it have been prepared. It is a result of cooperation between German Institute for International and Security Affairs (SWP) and Willy Brandt Center for German and European Studies of University of Wrocław. The collaboration between units from Poland and Germany brought different inputs into this study, and had been precluded by personal meetings and discussions of editors. Such an understanding between scholars can be easily sensed while reading the book, as it takes clear analytical and logical path. Time used for preparing a publication shows that it was a process that enriched the content of the book rather than being just a joint-initiative.

Due to its character, the book is recommended more to academia, experts, politicians and decision-makers. Specific notions, mentioned institutions or decision-making elements, which are taken as granted and not explained at all, narrow down the potential audience. What is valuable is that this study is supported by wide plethora of sources, although not every one of them is mentioned in bibliography at the end of chapters. But having considered used insights, theoretical framework and argumentative background, this cross-policy field analysis sketches a firm roadmap for further studies of Polish, or other, EU Presidencies.

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Ronald Dworkin, *Justice for Hedgehogs*, Belknap Press, USA 2011, pp. 506.

The quotation from Archilochus: "The fox knows many things, but the hedgehog knows one big thing" is the main adage of Ronald Dworkin's (1931–2013) penultimate book¹ titled: *Justice for Hedgehogs* (Dworkin 2011). The most famous use of this metaphor one can find in the context of political thinking that is present in Isaiah Berlin's essay *The Hedgehog and the Fox: An Essay on Tolstoy's View of History* (Berlin 1993). Other writers who referred to above-mentioned idea are: Stephen Jay Gould (2004) and Steven Lukes (2003). The author of the reviewed book focuses on a 'thing' hedgehogs know which is 'one big thing'. We can read at the beginning of the opus: "Value is one big thing. The truth about living well and being good and what is wonderful is not only coherent but mutually supporting: what we think about any one of these must stand up, eventually, to any argument we find compelling about the rest. I try to illustrate the unity of at least ethical and moral values: I describe a theory of what living well is like and what, if we want to live well, we must do for, and not do to, other people. The idea – that ethical and moral values depend on one another – is a creed; it proposes a way to live" (Dworkin 2011: 1).

¹ The last book he had written is titled *Religion without God* (Dworkin 2013).

The genesis of this book is connected with antecedent event symposium on the content of *Justice for Hedgehogs*, attended by: Russ Shafer-Landau, Daniel Star, Michael Smith, David Lyons, T.M. Scanlon, Amartya Sen, Kwame Anthony Appiah, F.M. Kamm, C. Edwin Baker, James E. Fleming, Hugh Baxter, Martha Minow & Joseph William Singer, Samuel Freeman, Frank I. Michelman, Robert D. Sloane, Robert G. Bone, Stephen Macedo, Jeremy Waldron (“Boston University Law Review” 2010, vol. 90, no. 2). The brainstorming and interchange of ideas and concepts had an important influence on the shape of the book, what is frequently underlined by the author.

The book is structured in the following order: first chapter, titled *Baedeker*, is a kind of roadmap, the remaining eighteen chapters are divided into five parts: *Independence, Interpretation, Ethics, Morality, Politics*; at the end we can read epilogue titled: *Dignity Indivisible*.

All the works of Harvard philosopher are characterised by an argumentative approach; a moral and political reasoning is the core of his theory and we already can find it in his first works. In *Justice for Hedgehogs* he modifies his early theses. In the work titled *Taking Rights Seriously* (Dworkin 1977) he insisted on the standpoint that morality and law are two different systems, but in the new book he changed his mind toward the thesis that there is a nexus between this two branches, and this nexus is the interpretation. The interpretation is such a meaningful concept because the law has an in-

terpretative nature. Major characteristic of Dworkin’s style is the use of the first person plural, which underlines interpretative dimension of considerations – the interpreter cannot stand out of his society’s perspective; every interpretation has social character. Hence, we face this kind of sentences: “Every effort we make to find a trap door out of morality confirms that we do not yet understand what morality is” (Dworkin 2011: 39); “We assume that the speakers we aim to understand employ the same logic as we do and that their beliefs are in general true, though not necessarily true in each case” (Dworkin 2011: 148); “We share these concepts, as I said, not because we agree in their application once all other pertinent facts are agreed upon, but rather by manifesting an understanding that their correct application is fixed by the best interpretation of the practices in which they figure” (Dworkin 2011: 160); “We are responsible (if we are) because what we believe is at least in large part fixed by how things are” (Dworkin 2011: 236).

Justice for Hedgehogs is permeated with a plethora of plots: metaphysical, epistemological, ethical, political and legal, so it is impossible to describe all of them in such a short form like review. We are going to focus on main and most interesting issues of this book, namely: 1) the basic principles of the theory; 2) the relation between ethics and morality; 3) the critical view of the internal skepticism; 4) the meaning of interpretation; 5) the role of the truth in moral investigations.

The author treats the equal concern for fate and full respect for responsibility as basic principles which constitute the core of his moral theory. These principles indicate proper manner of distribution, because, according to the author, there is no distribution which could be politically neutral – every act of distribution is caused by law and policy. It leads us to the conclusion that policy precludes any possibility to avoid values. Concern for fate and respect for responsibility direct us to the territory of ethics.

Ethical considerations are focused on the category of 'good life' which is related to such concepts as *eudaimonia*, fulfilment or happiness broadly construed. The main object of this consideration is an individual human life. It is the way which everyone should choose in his own interest. But this is not the limit of human activities. Besides this dimension of human life, we have to deal with the category which Dworkin names 'living well' and which is related to our relationship with other people. As the effect, we face the fact that morality and ethics are strictly correlated. The connection has the interpretative character what means that the man who does not act right toward other people cannot achieve a 'good life'. The other side of the issue is that someone can have a bad life despite living well. This situation appears when someone dares greatly and fails, but also goodness of his life does not depend only on his decisions. On the other hand, someone has a good life while he is not living well. This kind of situation

takes place when someone chooses immoral means to achieve good life's goals. This kind of person acts wrong, because depreciates responsibility. So which one of these principles is most important? As the author figured out: "Which is then the more fundamental ethical responsibility? Living well. It is ethically irresponsible for you to live less well in order to make your life a better one, and inappropriate for you to take pleasure or pride in your life's goodness when you achieved this at the cost of living badly. We might say (using a term developed by economists that John Rawls made popular among philosophers) that the value of living well is lexically prior to the value of a good life" (Dworkin 2011: 201).

Most interesting issue from epistemological point of view is a criticism of skepticism², which was present in earlier Dworkin's works, for instance *Law's Empire* (Dworkin 1986). The Harvard philosopher is known as skeptic about skepticism. First of all, the author shows a typology of skepticism, and subsequently shows its meaning for interpretation as a social practice. Talking about the core of skepticism, Dworkin employs the idea that there is a common thing amongst every kind of skepticism. It is denying an *ordinary view*, and *ordinary view* is a perspective of every man possessing a moral sense. Moreover, skeptics claim that there is no objective truth in

² Ronald Dworkin uses a word 'skepticism' which is preferred in the American English language. The British version is 'scepticism'.

moral reasoning. The ordinary view is based on the intuition and obviousness. If we see an act of robbery, then we do not need a moral reasoning which gives us an evidence of wrongness of this act. But when we cannot catch the incident by the sight, then we need a moral reasoning – for example, in the case of war in Iraq, citizenry of United States could not see this phenomenon, so they needed moral investigations. Ronald Dworkin, inspired by Mark Johnstone, writes about the analogy between aesthetic and moral claims: “Your lover really is beautiful, although you might have to take the right interest in her to see it. You do not reason or infer her beauty. You see it the way a chessmaster sees a stalemate in three moves. But this cannot be, in either of those cases, a causal kind of perception. You see that the boys burning a cat are depraved, but the sense in which you see that provides no further evidence or argument for their depravity as an eyewitness’s seeing does provide further evidence of a stabbing’ (Dworkin 2011: 439).

The typology of the skepticism is described in the following way. There are two orders that exist within moral philosophy. First of them has substantive character and questions related to it concern internal dimension of the system of ideas, whereas second order is constituted by metaethical questions – which means questions about the system of ideas itself. The extension of this distinction is a division between ‘internal skepticism’ (first order) and ‘external skepticism’ (second order). The former must as-

sume the truth of certain general moral claims – “They rely on morality to denigrate morality” (Dworkin 2011: 31), while the latter assumes Archimedean point – the external perspective – “They are able to denigrate moral truth, they say, without relying on it” (Dworkin 2011: 32). One of the subdivisions is made within the external skepticism and it leads to the ‘error skepticism’ and ‘status skepticism’. The former consist on value-neutral metaphysics which eliminates the morality from the categories of our universe. The latter claims that the ordinary view is not a description, but it consist in masked orders – ‘Cheating is wrong’ in reality means ‘Don’t cheat!’. The internal skepticism, however, takes various forms – besides the key examples, which are cultural relativism, we can find the *internal error skepticism*, which Dworkin describes subsequently: “Other people are internal error skeptics about the place of morality in foreign policy. They say that it makes no sense to suppose that a nation’s trade policy can be either morally right or wrong. They reject positive moral judgments that many other people hold [...]” (Dworkin 2011: 33). Another example of the internal skepticism is *global internal skepticism*. Only supernatural power could settle down moral claims as true, so our claims cannot be universal and our acts are irrelevant in the face of universe. At this stage, the skeptical problem touches upon the investigation into determinism and non-determinism. But what does it mean in the context of the social life? To answer this, Dworkin uses an inte-

resting case of astrology and religion. Every attempt to negate astrology or theism in itself is not astrological or religious assertion: “However, if we define an astrological judgment as one that describes the character and extent of planetary influence, then the statement that there is no such influence is indeed an astrological judgment. If we define a religious position as one that presupposes the existence of one or more divine beings, then atheism is not a religious position. But if we define it as one that offers an opinion about the existence or properties of divine beings, then atheism certainly is a religious position” (Dworkin 2011: 40–41). In social terms, it means that every interpretation takes place within a social life context and there is no such thing like Archimedean point. The only version of skepticism that makes sense is the internal skepticism understood as critical approach to the functioning moral concepts.

The author indicates that there are three types of interpretation: collaborative, explanatory and conceptual. Moral reasoning belongs to the last one of these types. It means that moral concepts are designated of given values and interpretation takes place only within the net of moral concepts. Justice is a moral concept which makes sense only in the connection with other moral concepts, the same way it works in Plato’s *The Republic*, where the clue is investigation into the nature of justice, made by the analysis of related moral concepts. As Dworkin writes: “We can in principle continue this expansion of our argument, exploring other va-

lues until, as I said, the argument meets itself” (Dworkin 2011: 163).

The last element which we would like to describe in this review is the role of truth in the moral reasoning. The idea of objectivity seems to be indefensible on the philosophical ground. The majority of thinkers claims that objectivism is some kind of superstition. Ronald Dworkin proposes a different approach. He recognizes truth as a cause of moral claims and moral arguing. Hence, this category is relevant regardless of metaphysical difficulties. He employs an excellent case connected with this thesis. He starts from Darwinism and one of its theses. The reason for condemnation of homicide is to keep the gene pool (1). This is the reason for which this condemnation was spread to the whole world (2). This anthropological thesis leads us to the conclusion that homicide is wrong – and it is objective truth (3). For a question: what makes moral claims true, Dworkin replies: they are made true through an “adequate moral argument for their truth”. “Of course that invites the further question: What makes a moral argument adequate? The answer must be: a further moral argument for its adequacy. And so forth” (Dworkin 2011: 37). The employment of this category to the political and moral philosophy is a very innovative move in the context of the nature of these disciplines.

Justice for Hedgehogs is undeniably extraordinary book. But the most important thing is it presents not only political doctrine and specified vision of policy or

justice. It is rather a tool-box with methods that show how to argue and reason; therefore, this book also has a vast heuristic and practical potential. As a conclusion, we can say that Dworkinian ‘skepticism about skepticism’ is a robust attempt to rescue liberal discourse from its own impasse.

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POLISH ABSTRACTS

Lukasz Dominiak, *Trzy konkurencyjne wizje sprawiedliwości dystrybutywnej. Argumenty nie wprost za libertarianizmem*

Artykuł ten analizuje za pomocą metody równowagi refleksyjnej warunki tła naszych rozważnych sądów na temat sprawiedliwości dystrybutywnej, wygenerowanych przez eksperyment myślowy określany mianem „Trójki dzieci i fletu”. Eksperyment ten został zaproponowany i w interesujący sposób skomentowany przez Amartya Sena w jego książce pod tytułem *The Idea of Justice*. W swym artykule stawiam tezę, że – w przeciwieństwie do konkluzji, które Sen wywiódł z tego eksperymentu myślowego – aby użyteczna i egalitarna wizja sprawiedliwości dystrybutywnej mogła pozostać w mocy, szereg innych twierdzeń dotyczących życia społecznego oraz dystrybucji zasobów, których nie jesteśmy chętni zaakceptować, musi być prawdziwych. Argumentuję również, że nie jest prawdą twierdzenie Sena, iż zdecydowanie o tym, który ze wzorców dystrybucji powinien przeważać w tym eksperymencie myślowym, nie jest wcale „trudne”. Co więcej, twierdzę też, że tzw. naturalny czy libertariański model dystrybucji nie zakłada tych samych warunków tła, co użyteczny i egalitarny model dystrybucji, a których to warunków nie jesteśmy skłonni zaakceptować. W artykule swym dochodzę do wniosku, że biorąc pod uwagę cały szereg niespójności, nieintuicyjnych konsekwencji oraz sprzecznych z doniesieniami nauk szczegółowych implikacji rozwiązań użytecznych i egalitarnych, to naturalny model dystrybucji stanowi jedyne rozwiązanie dylematu fletu.

Słowa kluczowe: sprawiedliwość dystrybutywna, libertarianizm, użyteczność, egalitaryzm, geneza państwa

Magdalena Kozub-Karkut, *Global governance – konceptualizacja współczesnych stosunków międzynarodowych. Cztery ujęcia teoretyczne*

Artykuł przedstawia miejsce, jakie w horyzoncie nauki o stosunkach międzynarodowych może zajmować termin *global governance*. *Global governance* zdefiniowane zostało jako próba nazwania współpracy funkcjonujących w świecie instytucji i organizacji międzynarodowych, a także działających w globalnej skali podmiotów prywatnych.

Dodatkowo przedstawione zostało drugie rozumienie *global governance* – jako próba konceptualizacji współczesnych stosunków międzynarodowych. Pytania badawcze stawiane w artykule to pytania o to, w jaki sposób najbardziej wpływowe teorie stosunków międzynarodowych reagowały na termin *global governance* oraz dlaczego tak bardzo modne w latach 90. XX w. określenie nie zdołało utrzymać swojej popularności. Wnioski artykułu wskazują, że wieszczona przez popularyzatorów terminu *global governance* instytucjonalna transformacja nigdy nie nadeszła i pozimnowojenny porządek międzynarodowy nie poddaje się żadnym formom *global governance*.

Słowa kluczowe: *global governance*, realizm, liberalizm, neoliberalny instytucjonalizm, społeczny konstruktywizm

Małgorzata Gmurczyk-Wrońska, *Francja w stosunkach międzynarodowych w drugiej połowie XX i na początku XXI wieku – priorytety polityki zagranicznej*

Francja po II wojnie światowej straciła na krótko pozycję decydenta w stosunkach międzynarodowych. Jej dyplomacja dostosowała się jednak szybko do systemu dwubiegunowego. W polityce zagranicznej zaczęto stosować zasadę manewrowania pomiędzy ZSRR, Stanami Zjednoczonymi i Wielką Brytanią oraz współtworzyć struktury przyszłej Unii Europejskiej. To w UE Francja znalazła miejsce do wzmocnienia swojej roli mediatora i arbitra. Obecnie we francuskiej polityce zagranicznej występuje wiele ciągłości wywodzących się jeszcze z okresu XIX wieku i lat 1918–1939, ale i pewne modyfikacje związane z wypracowywaniem przez to państwo nowych kierunków w polityce zagranicznej, dopasowywaniem taktyki do głównych celów mających zapewnić Francji bezpieczeństwo, silną pozycję w UE i na świecie.

Słowa kluczowe: Francja w stosunkach międzynarodowych, polityka zagraniczna Francji, francuska dyplomacja, Charles de Gaulle, Sarkozy, Hollande

Toomas Alatalu, *Rosnące znaczenie Gruzji – nowe spojrzenie na lokalną i krajową politykę w latach 1918–2008*

Dzisiejsza dominująca po zimnej wojnie geopolityka zachodnia musi brać pod uwagę rywalizującą z nią geopolitykę wschodnią. Niniejszy artykuł dotyczy gruzińskich zagranicznych baz wojskowych i ich wykorzystania w celu wspierania separatyzmu w krajach sąsiednich. W stosunkach pomiędzy Abchazją, Osetią Południową, Gruzją i Rosją w latach 1918–2008 szczególną uwagę przywiązuje się do okresów przestoju politycznego, kiedy konflikty kontynuowane były jedynie w formie „wojny słów i wypowiedzi”, w co zaangażowana była również Rada Bezpieczeństwa ONZ. Artykuł skupia się również na zmianie geopolitycznej wizji Gruzji w wyniku rewolucji róż czy też polityki zagranicznej E. Szewardnadze i Rosji.

Słowa kluczowe: Gruzja, wycofywanie wojsk, separatyzm, wojna na słowa

Jakub Wódka, *Turecka polityka zagraniczna. Między atlantyzmem a orientalizmem*

Artykuł analizuje przemiany zachodzące w tureckiej polityce zagranicznej w ostatniej dekadzie pod rządami postislamistycznej Partii Sprawiedliwości i Rozwoju. Turcja, która w czasach zimnowojennych w swojej w polityce zagranicznej koncentrowała się na budowie sojuszu z USA i aspiracjach członkowskich we Wspólnotach Europejskich, w ostatnich latach dywersyfikuje kierunki zaangażowania międzynarodowego. Otwiera się na nowe regiony, przede wszystkim Bliski Wschód, ale również intensyfikuje relacje z innymi wzrastającymi potęgami. Budując swoją pozycję w regionie, wykorzystuje „nowe” instrumenty dyplomatyczne, takie jak *soft power*. Ambicje Ankary w polityce zagranicznej ograniczane są jednak przez wydarzenia w regionie, przede wszystkim związane z arabską wiosną.

Słowa kluczowe: Turcja, polityka zagraniczna, arabska wiosna

Stanisław Czesław Kozłowski, *Ekonomiczne i polityczne determinanty Partnerstwa Transpacyficznego*

Artykuł zawiera ekonomiczną i polityczną analizę projektu Partnerstwa Transpacyficznego (TPP). Trwające od marca 2010 r. negocjacje z udziałem 12 państw (USA, Australii, Brunei, Kanady, Chile, Japonii, Malezji, Meksyku, Nowej Zelandii, Peru, Singapuru i Wietnamu) mają doprowadzić do zawarcia wielostronnego porozumienia o wolnym handlu, obejmującego obok otwarcia rynków dla towarów i usług także regulacje wychodzące poza klasyczne zapisy tego typu umów. Dlatego porozumienie w sposób zasadniczy różni się będzie od dotychczasowych umów o wolnym handlu, stąd mówi się w tym przypadku o umowie nowej generacji lub porozumieniu XXI w. Potencjalnie po podpisaniu i ratyfikacji TPP może być modelem zarówno dla przyszłych umów między państwami APEC, jak i innych państw. Wprawdzie u podstaw TPP legły interesy gospodarcze, ale dość szybko dały o sobie znać wpływ czynników polityczno-strategicznych, zmieniający się globalny układ sił, rywalizacja USA i Chin oraz krzyżujące się w regionie wektory żywotnych interesów Indii, Japonii, Australii oraz państw ASEAN.

Słowa kluczowe: Partnerstwo Transpacyficzne, Azja-Pacyfik: integracja ekonomiczna; globalna liberalizacja handlu, Azja – porozumienia o wolnym handlu, „Pivot to Asia” – nowa polityka USA w Azji

Magdalena Lesińska, *Partycypacja wyborcza Polaków za granicą w wyborach krajowych i do Parlamentu Europejskiego. Analiza wyników i uwarunkowań frekwencji*

Artykuł analizuje zjawisko partycypacji wyborczej obywateli rezydujących za granicą w wyborach krajowych, które mają miejsce w państwie pochodzenia. Autorka przedstawia analizę porównawczą danych z wyborów parlamentarnych i prezydenckich w Polsce

z okresu dwóch ostatnich dekad (1990–2011) oraz do Parlamentu Europejskiego (2004–2011). Widoczny wzrost partycypacji wyborczej Polaków mieszkających poza krajem jest niewątpliwie wynikiem zwiększenia się ich liczby w wyniku fali emigracji, jaka nastąpiła po wejściu Polski do EU w 2004 roku. Wpływ miały także wprowadzone zmiany prawne i instytucjonalne w systemie organizacji wyborów za granicą oraz fakt, że Polacy za granicą stali się przedmiotem zainteresowania mediów oraz grupą docelową dla partii politycznych w okresie kampanii wyborczych.

Słowa kluczowe: głosowanie za granicą, partycypacja wyborcza, polska diaspora, wybory krajowe, wybory do Parlamentu

Artur Staszczuk, *Rola Parlamentu Europejskiego w procesie wielopoziomowego zarządzania: przypadek państw Bałkanów Zachodnich*

Artykuł porusza problem roli, jaką odgrywa PE w procesie wielopoziomowego zarządzania na przykładzie polityki rozszerzania UE o kraje Bałkanów Zachodnich. Wskutek rozwoju procesu integracji europejskiej, skutkującego transferem kompetencji decyzyjnych ze szczebla krajowego na ponadnarodowy, doszło do utraty przez państwo narodowe monopolistycznej pozycji w europejskim procesie decyzyjnym. Pozwoliło to na ukształtowanie się w ramach UE wielopoziomowego systemu politycznego. W ramach tego systemu funkcjonuje model wielopoziomowego zarządzania, którego PE stał się istotnym podmiotem. W artykule ukazano znaczącą rolę PE jako ponadnarodowego ośrodka decyzji, który poprzez posiadanie określonych kompetencji (wyrażanie zgody na przyjęcie państwa do UE, wyrażanie zgody na zawarcie kluczowych dla procesu integracji umów międzynarodowych, uprawnienia budżetowe, współdecydowanie o kształcie prawa UE w ramach zwykłej procedury ustawodawczej) w sposób istotny kształtuje politykę UE wobec państw bałkańskich. Wyjaśnienie funkcjonowania tej polityki i jej skutków autor publikacji oparł na koncepcji wielopoziomowego zarządzania, która w artykule jest przedmiotem pogłębionej analizy.

Słowa kluczowe: wielopoziomowe zarządzanie, Parlament Europejski, integracja europejska, Bałkany Zachodnie

Agnieszka Makarewicz-Marcinkiewicz, *Flexicurity. W kierunku odpowiedzialności za przemiany rynku pracy*

Koncepcja flexicurity stanowiła kluczową kwestię w debatach i działalności instytucji Unii Europejskiej z zakresu zatrudnienia i polityki społecznej przez ostatnie dwie dekady. Celem niniejszego artykułu jest analiza idei flexicurity w kontekście odpowiedzialności za rozwój rynku pracy. Odpowiedzialność jest przerzucana na państwo i pracowników, podczas gdy pracodawcy są zwolnieni z odpowiedzialności za koszty społeczne związane z fluktuacjami

cyklu koniunkturalnego. Artykuł zawiera analizę procesu uelastyczniania rynku pracy i jego kompensacji poprzez system zabezpieczenia, krytycznego podejścia do modeli flexicurity oraz wyzwań związanych z implementacją tej koncepcji.

Słowa kluczowe: flexicurity, zabezpieczenie socjalne, elastyczność, rynek pracy, odpowiedzialność

Joanna Piechowiak-Lamparska, *Ścieżka zależności w procesie osiągania sprawiedliwości okresu przejściowego na obszarze poradzieckim. Badania komparatystyczne okresu tranzycji systemowej w Estonii, Gruzji i Polsce*

Celem artykułu jest ukazanie ścieżki zależności oraz szeregu czynników ją kształtujących w procesie osiągania sprawiedliwości okresu przejściowego na obszarze poradzieckim. W badaniach komparatystycznych przeprowadzonych w Estonii, Gruzji oraz Polsce wykazano wiele czynników różnicujących przebieg transformacji z systemu autorytarnego do demokratycznego. Potrzeba przeprowadzenia rozliczenia sowieckiego reżimu autorytarnego była zróżnicowana i zależała między innymi od uwarunkowań historycznych, geopolitycznych oraz od systemu politycznego, który został przez poszczególne państwa zaadaptowany po rozpadzie ZSRR. Stwierdzono, iż w Gruzji nie zainicjowano procesu osiągania sprawiedliwości tranzycyjnej, niejako zastępując ją po skonsolidowaniu systemu demokratycznego formą procesu osiągania sprawiedliwości historycznej. Natomiast zarówno w Estonii, jak i w Polsce problem rozliczenia ustępującego reżimu autorytarnego był jedną z kluczowych kwestii okresu transformacji ustrojowej.

Słowa kluczowe: obszar poradziecki, sprawiedliwość okresu przejściowego, ścieżka zależności, polityka historyczna, transformacja ustrojowa, Estonia, Gruzja, Polska

Danuta Plecka, Agnieszka Turska-Kawa, Magdalena Musiał-Karg, Karolina Tybuchowska-Hartlińska, Agnieszka Łukasik-Turecka, Robert Alberski, Waldemar Wojtasik, *Badania uwarunkowań postaw politycznych w ramach projektu „Preferencje polityczne: Postawy–Identyfikacje–Zachowania”*

Badania identyfikacji, postaw i zachowań wyborczych należą do najpopularniejszych płaszczyzn analizowania politycznej partycypacji obywateli. Prezentowany tekst jest raportem z badań realizowanych w ramach projektu “Political preferences: Attitude – Identification – Behavior” w latach 2009–2014. Omawia on główne założenia i kierunki badawcze, stosowane narzędzia oraz uzyskane wyniki. Przedstawiany projekt badawczy ma charakter ogólnopolski i jest realizowany na reprezentatywnej próbie wyborców.

Słowa kluczowe: wybory, zachowania wyborcze, postawy polityczne, identyfikacje polityczne