



ATHENÆUM

Polish Political Science Studies

Polskie Studia Politologiczne

vol. 60/2018

wydawnictwo
adam marszałek

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Technical editing: Iwona Banasiak

Cover design and logo: PMK Design

Proofreading: Damian Kaja

The hard copy is an original version ISSN 1505-2192



Publikacja „Athenaeum Polskie Studia Politologiczne” w języku angielskim i udostępnienie wersji cyfrowej w wolnym dostępie to zadania finansowane w ramach umowy 525/P-DUNdem/2018 ze środków Ministra Nauki i Szkolnictwa Wyższego przeznaczonych na działalność upowszechniającą naukę

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POLITICAL THOUGHT



THE POLITICAL PHILOSOPHY OF “THE NATION”: IDEA, REALITY, AND THE CONSTITUTION*

FILOZOFIA POLITYCZNA „NARODU” –
IDEA, RZECZYWISTOŚĆ, KONSTYTUCJA

Piotr Ahmad**

— ABSTRACT —

When we think of our understanding of the category of ‘the nation’, turning to the most important official document and source for which this category is central – namely, the constitution of the modern democratic state – could yield new insights into how the category of ‘nation’ could be understood and interpreted. No other document is focused on ‘the nation’ and/or ‘the people’ to such an extent and, likewise, no other act seems so dependent on a particular understanding of the term of ‘the nation’/‘the people’. In this study, I decided to analyze how specific constitutions of selected democratic states (particularly in Europe) choose to define the category of ‘the people’/‘the nation’, and why, providing contemporary explanations as well as exploring relevant historical background of how the understanding of this capital category came to be shaped. This perspective serves as lens through which I exam-

— ABSTRAKT —

Prezentowany artykuł stanowi swego rodzaju próbę socjologicznej i politologicznej analizy kategorii (pojęcia) „narodu” jako idei i rzeczywistości społecznej czy też, ściślej rzecz ujmując, sposobu manifestacji „narodu” w praktyce społecznej, zwłaszcza w dziedzinie stanowienia prawa. W tym duchu wydaje się zasadne zwrócenie uwagi na to, jak „naród” istnieje i jest „myślany” w tekście fundamentalnego aktu prawnego każdego współczesnego państwa, którym jest ustawa zasadnicza. W żadnym innym akcie prawnym pojęcie ludu/narodu nie gra tak istotnej, centralnej wręcz roli. Z drugiej strony, co również należy podkreślić, sposób użycia pojęcia ludu/narodu istotnie wpływa na wydzwięk konstytucji jako całości i na jej charakter – bardziej lub mniej liberalny bądź konserwatywny, kulturowy bądź polityczny, etniczny bądź obywatelski. W tekście przedstawiam analizę dwóch kluczowych z tego punktu

* This article grew out of the research conducted when writing my unpublished Ph.D. thesis titled: *Identity and politics. The category of nation in Europe*, which I defended in the Institute of Philosophy and Sociology of the Polish Academy of Sciences in Warsaw, Poland on February 24th, 2017.

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ine 'the nation' as a sociological and political category.

Keywords: nation, national identity, nation and constitution, the idea of nation, civic nationalism

widzenia zagadnień: 1) jak teksty konstytucji wybranych państw Europy i świata definiują pojęcie ludu/narodu oraz 2) jakie polityczne konsekwencje płyną z użycia pojęcia ludu/narodu w jego różnych interpretacjach.

Słowa kluczowe: naród, tożsamość narodowa, naród a konstytucja, idea narodu, naród obywatelski

WHAT IS A NATION – AN UNANSWERED QUESTION

Qu'est-ce qu'une nation? [What is a nation?], Ernest Renan (2017) asks in an oft-quoted passage in March 1882. More than one hundred and thirty years later, this question remains without a definite answer. There is no agreement, even among interested scholars, as to whether anything like 'the nation' even exists. The spectrum of attempted answers has stretched from the organic, primordial view of Anthony D. Smith (1999), with his concept of an *ethnie*, to Rogers Brubaker's statement that the nation is 'political claim and a category' rather than an 'ethno-cultural fact' (2004). Similarly, Craig Calhoun (1997) defines the nation in terms of discourse.

The meaning of this term or category remains elusive (Szacki, 2004, p. 9) and contested, not least due to controversies around supposedly dangerous nationalism and supposedly neutral – or even positive – patriotism. There seems to be an internal tension within the category of the nation itself, one that cannot be easily resolved by simply declaring that we are now in a post-national or post-nation-state reality. Far from it – after Brubaker (2004), we can note that the category of 'the nation' remains an important locus of identity just as the nation states remain crucial loci of power. Referring to the problem of the nation as an object of scientific enquiry, sociologist and historian of sociological thought Jerzy Szacki begins with a supposition that if we are to get closer to solving the 'meaning of the nation' conundrum, we must first abandon the question of what the nation actually is as an entity or a 'real collective' in any sense (Szacki, 2004). Unlike Brubaker, though, he does not go on to say that nation is merely a claim or construct; rather, he ventures to examine how the nation *exists* or, more specifically, how it *manifests itself* (emphases mine) in 'social practice', in other words, how it becomes Benedict Anderson's 'imagined community' (Anderson, 2006). The nation here, therefore, is

an idea which expresses itself in the social life – but it exists nonetheless and is not simply a claim, in the sense that it has real consequences and implications for the lives, choices and identities of its members. Very much like the famous Thomas theorem, the nation is ‘an idea that becomes real in its consequences.’ Asking whether nations are real in ontological sense seems unlikely to yield any useful answers; what seems more productive is *looking at* the nation as an existing entity, regardless of whether it actually is one or not.

The question we are facing, therefore, is most likely not what a nation is (or what is the essence of (a) nation), but, rather, what *kinds* of nations we are dealing with and, secondly, *how* a nation might exist in the life (identity, mind, everyday social life) of individuals and social groups. The attempt to answer how the nation manifests itself in the social life has led me to the conclusion that, perhaps, it would be useful to point to the different dimensions of the category of nation. Not attempting to answer the question of how we should define ‘the nation,’ I will strive to show how the understanding of this category – and the category of citizenship, for the two are closely linked – is defined in the constitutions of selected contemporary democratic states.

Speaking of the German model of citizenship, Brubaker (1992) argues that it remained limited and, in a way, ethnocultural, even towards the end of the 20th century. As an example of this, he cites the federal government’s attitudes to the second generation German-born Turks and, on the other hand, to the ‘ethnic’ Germans who had come home from the Eastern Europe and the Soviet Union; the former were denied citizenship while the latter enjoyed all rights and privileges from the day they arrived. I will present a modification of Brubaker’s view of the German model of nationhood, arguing that it underwent a vital redefinition in the most recent federal constitution and that, as a result, it is open to further debate to what extent it is a model with an ‘ethnonational inflection’ (Brubaker, 1992, p. 170). In fact, the main point of my argument will be that the German model of nationhood focused on ethnicity has been suppressed by a more ‘political’ model, at least as far as the text of the constitution is concerned, if not in practice.

In this study, I chose a threefold understanding of the category of nation. Firstly, a nation is an *ethnos*, a community of culture (language, religion). Secondly, as stated by de Lazari (2016, pp. 185–186), a nation could be a ‘nation-state’ without a fully formed civic identity or the liberal-democratic understanding of the rule of law. Contemporary Russia could be a case in point here.

I believe that putting the term ‘nation-state’ in quotation marks could be a legitimate way of expressing a fundamental difference between the understanding of

political authority and governance in Russia and the one prevalent in liberal democracies of the West; another reason for this distinction is that Russia, until very recently, had not had a 'Russian' state identity in the same sense as the French or Americans have a 'national' identity focused on their respective states. Russia, being a relatively young, post-Soviet state, federal and multi-ethnic, has had to cope with the Soviet legacy of 'the new man', *homo sovieticus*, who would have disowned nationality in favor of the new Soviet, post-national (and fiercely anti-national) identity; interestingly, Francine Hirsch (2005, pp. 4–5), in her study of the USSR, while not disputing the reality of 'the Soviet nation', does point out that, contrary to the belief popular even among scholars within the field, the Bolsheviks were in fact very much interested in changing (and even fostering!) ethnic 'national' identities within the USSR borders and, to that end, enlisted the help of an army of ethnographers, linguists, geographers, and other scholars in order to collect as much ethnographic data as possible.

Finally, a 'civic (or political) nation' could be taken to signify a community of citizens possessing a fully developed awareness and appreciation for the rule of law, in which all relations, transactions and interactions between members are governed by applicable law, duly promulgated by legitimate authority (Zubrzycki, 2002, p. 275). Brubaker (1992, pp. 10–11) similarly distinguishes between the 'German' model of the nation as an 'ethnocultural fact' and the French 'political' model, however he frames this opposition somewhat differently, focusing on citizenship; while the German model is that of a 'bounded', exclusive citizenship, the French model, in his view, leans towards an 'expansive' model of 'territorial citizenship', which assumes unification and assimilation.

According to Brubaker (1992), the two models of nationhood were shaped by two distinct historical processes which influenced how citizenship is viewed in Germany and in France even today. As he explains, while the French concept of citizenship developed from the resistance of the 'third estate' to the multitude of privileges enjoyed by aristocrats, clergy and other corporations, in Germany the citizenship centered on the belonging to the *Kulturnation*, fostered as it was by the philosophers, poets and political thinkers, such as Herder and Fichte, who, judging by his famous Addresses to the German nation, seems to have taken the Herderian notion of the unique character of the German nation almost literally (Brubaker, 1992, p. 5–6).

Why should we be concerned with how 'the nation', or citizenship, for that matter, is framed and conceptualized today? Let me once again turn to Brubaker. He defines citizenship as 'an institution through which the nation state constitutes

and perpetually reconstitutes itself as an *association of citizens, publicly identifies a set of persons as its members* (emphasis mine), and residually classifies everyone else in the world as a noncitizen, an alien' (Brubaker, 1992, p. 11). Brubaker thus underscores that citizenship is, first and foremost, about membership and exclusion rather than political and civil rights. This is how I read his statement about a paradox that the present globalized world has brought us: as much as we are connected thanks to globalization and immense opportunities to travel, work and live abroad, the states' insistence on whom to exclude and to control who enters and leaves its borders is growing stronger by the day. Being more united than ever, we are at the same time more divided than ever. How the criteria of belonging to 'the nation' evolved, therefore, remains relevant today.

Having made these introductory remarks, I will now proceed to examine how the category of 'the nation' functions in the constitutions of France, Germany and the United States from the point of view of textual and theoretical analysis.

FRANCE

The Constitution of the French Republic dated 5th October 1958 (with further amendments) explicitly refers to the ideas associated with the Revolution of 1789. Already in the Preamble of the Constitution, it is said that the rights of man and the self-determination of nations (fr. *peuples*) are its basic principles. The rights of man mentioned in the preamble naturally allude to the Declaration of the Rights of Man of 1789, which stated that, based on natural law, every human being has an inalienable right to liberty and equality (*The Avalon Project*, 2017). I would like to note here that the categories of 'the people' and 'the nation' at the time and in the aftermath of the Revolution were synonymous. The Revolution(s) which shook Europe later, in 1848, in some countries known as Springtime of the Peoples, were in fact a re-awakening of *national* sentiments. Conversely, in Russia the meaning of nationality was much less straightforward. For example, a philosopher of Russian history and thought Andrzej de Lazari (2000) cites a Russian politician and poet Peter Wiazemsky as saying in 1824 that 'the word *narodny* corresponds to the French *populaire* and *national*, and that in Russian one can say *piesni narodnye*, which corresponds to the French *chanson populaire*, but one can also say *dukh narodny*, which corresponds to the French *esprit nationale*'. These fundamental values are the source of other rights and liberties: right to security, right to private property and the right to civil disobedience (*The Avalon Project*, 2017). Article 3 of

the Declaration claims that ‘the nation/the people’ constitute the basis and principle of sovereignty and no individual or collective entity can lawfully exercise any powers unless their legitimacy is derived from ‘the nation.’ The French Constitution is heir to this tradition, for it begins with the following statement: The French people (*le peuple français*) solemnly proclaim their attachment to the Rights of Man and the principles of national sovereignty as defined by the Declaration of 1789 (French National Assembly, 2017).

It cannot be stressed enough that in the French constitution ‘the nation’ is an exclusively political – and in no way ethnic – category. Inasmuch as the German model of ‘the nation,’ rooted in Romanticism, is inherently ethnic, the French model has evolved within the political framework of citizenship in the spirit of Enlightenment. The same is true of the Constitution of the USA (analyzed below), famously beginning with “We, the people of the United States...” “We the people...” encompasses the nation of all citizens, regardless of their ethnic origin, creed or cultural background they happened to be born or raised in.

At this point, perhaps, it could be worth noting that the meaning of the American ‘people’ might not have been obvious in the past. When in 1989 the Polish President Lech Walesa, widely credited with a major role in the overthrow of Communism in the Central-Eastern Europe, addressed the joint session of the Congress, he famously began his speech with ‘We, the people...’ More precisely, that is how his words ‘*My, naród*’ (in Polish) were rendered by the translator. Members of the Congress, upon hearing a direct allusion to the preamble of their Constitution, rose from their seats to a spontaneous ovation. One could, however, ask a legitimate question: did they really understand ‘the people’ in the same way as the Polish President? It would seem that at that time Walesa had not yet conceived of ‘the people’ of Poland as the political nation of citizens. ‘We, the people of Poland,’ was, for Lech Walesa, still a traditional community of Polish Catholics, a nation hitherto oppressed by the Communist regime and therefore a *nation-against-the-state* (emphasis mine), not a modern nation-state with its givens of citizenship and public participation.

Going back to the Constitution of France, in the light of tradition in which the act of the Constitution is set, the best way to understand the French *le peuple* is most likely to see ‘the people’ of France as the French nation of citizens. This idea is deeply ingrained in the articles following the preamble. According to the Constitution, France is a democratic and secular republic which guarantees all French citizens equality before the law, regardless of their ethnic origin, race or creed (Article 1). Crucial evidence for the French understanding of the idea of ‘nation’

in its strictest sense can be found in Articles 2 and 3. In the former, we will come across the famous phrase stating that the government of the republic is based on the principle of 'rule of the people, by the people and for the people' (*gouvernement du peuple, par le peuple et pour le peuple*). Similarly, next paragraph states that 'the sovereignty of the nation (*la nation*) shall vest in the people'. It is also at this point that the Constitution mentions 'French citizens' for the first time. It could be said, therefore, that for the French, as for the Americans, as we shall see below, both terms, 'the people' and 'the nation', are inextricably linked and have, essentially, exactly the same meaning. This is corroborated, for example, in Article 5, which states that one of the president's main duties is to guarantee and guard the independence of *the nation*, that is, we can speculate, the nation of all citizens of France! (*indépendance nationale* in the original French, emphasis mine). Article 11, in turn, allows for the president to call a national referendum in case any law is to be passed that would significantly impact the social life and the economy of 'the nation' (*la nation*). *La nation* encompasses all French citizens; this concept of 'the nation' carries no trace of ethnicity. Finally, Article 16 uses the term *la nation* yet again, speaking of *indépendance nationale*.

GERMAN FEDERAL REPUBLIC

The Preamble of the Federal Constitution states: "Conscious of their responsibility before God and man; inspired by the determination to promote world peace as an equal partner in a united Europe, the German people, in the exercise of their constituent power, have adopted this Basic Law. Germans in the Länder of Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hesse, Lower Saxony, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Rhineland-Palatinate, Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein and Thuringia have achieved the unity and freedom of Germany in free self-determination. This Basic Law thus applies to the entire German people" (*Damit gilt dieses Grundgesetz für das gesamte Deutsche Volk*) (The Bundestag, 2017).

At this point, we need to interrupt our analysis of the German Republic's contemporary political systems and consider a historically problematic concept of *Volk*. This concept carries with it a clearly undesirable historical baggage.

The term itself, Romantic to the core, goes back to the philosophy of Johann Herder, who was one of the most famous proponents of an ethnic, culturally and organically conceived nation as a community of kinship and language that, in itself,

is much less controversial than the links between the concept of *Volk* and the ideology of *volkisch*, which later served as one of the ideological underpinnings of the Nazi movement. One of the key scholars researching the *volkisch* category, Georg Mosse (1966), claimed that its growth had been fuelled by the unique circumstances in which people of the *fin-de-siècle* Europe found themselves: rapid industrialization, breakdown of traditional family and work-related structures and authorities, as well as the decline in importance of the hitherto unquestioned value systems and reference points used in making everyday life decisions. According to Mosse, someone living in the end of 19th-century Europe would have been alienated, uprooted from the world of values and tradition that he had known; it is no wonder, then, that they would have in them a certain longing for the past, for a return to an idyllic 'state of nature' (in the sense of Jean Jacques Rousseau, of course, not Hobbes). This desire found its expression in the time of *Sturm und Drang*, an epoch of resurgent interest of writers, poets and painters in the traditional folklore, antique and 'mythical' past, old poems and sagas singing the praises of valiant warriors – Vikings, Franks, etc. According to Nicholas Goodrick-Clarke (2005), *volkisch* ideology was a conglomerate of incoherent and unfounded beliefs and ideas, judgments and pseudoscientific hypotheses. All of them had several common denominators: belief in an innate superiority of 'Germans' (racial, moral and political); belief that the 'Germans' were predestined to domination in Europe by some God-ordained mandate, a nostalgic longing for the return of the supposed Golden Age of German history (which was commonly placed in the Middle Ages), fascination with Old Germanic mythology and – which was new – a belief in occult practice.

We can see that the concepts of *Volk* and *volkisch* – if framed in this way – are thoroughly ethnic, in that they implicitly point to alleged racial superiority, to shared (mythical) past and to the common 'German' culture. I appreciate that the term *Volk* does not necessarily have to be understood in ethnic terms, however here and throughout this article I purposefully understand *Volk* in strictly Herderian sense and in connection with the *Volkisch* ideology. Having made this point as a background to further analysis, we can now go back to the text of the contemporary German constitution.

After World War II, Germany was forced to radically reconsider its ethnically conditioned thinking about the nation. Romantic tradition from Herder to Schelling and Hegel had 'programmed' the Germans 'culturally' (Hofstede, 2001; de Lazari, Nadskakuła, & Żakowska, 2007) in such a way that it was in Germany where the Nazi ideology could come to the fore; it could not have taken hold in a vacuum,

but was one of the tragic consequences of the conceptualizing of the nation in a cultural, ethnic way. Once Europe had experienced two totalitarian menaces – Nazism and Communism – contemporary Germans had to give up on a hitherto taken for granted framing of the nation in cultural terms. As I hope to show, current German Federal Constitution provides ample proof that this was in fact the case. In the preamble to the document, quoted above, we will not find the slightest reference to German history or culture.

The Constitution itself uses two words to define the German nation: *das Volk* and *alle Deutschen* (cf. Article 12). The nation/the people of Germany is defined as ‘all the Germans.’ We might ask – who are ‘all the Germans,’ as understood by the Constitution? The answer to this question is provided, albeit indirectly, by Article 16, which closely ties the term ‘German’ with the citizenship. It is first said that ‘nobody can be deprived of German citizenship’ and, below, the same article states that no German can be extradited to another country. It follows, then, that the Constitution regards as German (i.e., a member of the German nation) everyone who has not been deprived of the citizenship. Reading of articles that follow only confirms this perspective; Article 20 states that ‘all state authority is derived from the people (*das Volk*)’ and, in the next paragraph, defines *das Volk* as ‘all Germans’: ‘All Germans (*alle Deutschen* again) have the right to resist any person seeking to abolish this constitutional order.’ Article 33, in turn, points to the connection which exists between the category of ‘Germany’ and the political principle of community (*demos*), the principle being one and shared set of laws: ‘Every German shall have in every *Land* the same political rights and duties.’

THE UNITED STATES OF AMERICA

The Constitution of the USA is of primary importance for this study, not only as a first of its kind in the history of written constitutions, but also because – just like the French constitution – it introduces into constitutional law the idea of the nation as a first and foremost political community; that is why I have decided to include the US case, even though obviously it is not, strictly speaking, a European country (albeit without doubt it does belong to the ‘Western’ political tradition). The American constitution begins with the below preamble:

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and

our Posterity, do ordain and establish this Constitution for the United States of America” (The United States Senate, 2017).

What seems especially striking here is that – unlike the other Constitutions analyzed in this text – the American supreme law does not clearly define the nation verbatim. Instead, in most cases it uses the term ‘citizen’, as in Article 1, which defines conditions of access to political offices: ‘No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States...’ Furthermore, Article 2 states: ‘No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President’ and, finally, in Article 4 we read: ‘The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States’.

In addition, the phrase ‘the people’, which signifies the nation, interestingly does not appear in the main text of the Constitution; instead, this term is frequently mentioned in various Amendments to the Constitution. In recent years, the precise meaning of ‘the people’ has warranted attention from various US courts and the Supreme court, who have been compelled to rule on who was and who was not included within the group referred to as ‘the people of the United States’. Below, I am presenting two examples of this issue from the practice of the criminal justice system.

The articles of the Constitution quoted earlier implicitly point to the idea that ‘the people of the United States’ is comprised of all citizens of the United States, i.e., every person who has been granted the citizenship in accordance with applicable law. Moreover, as we have seen, for example, in Articles 1, 2 and 4, the Constitution creates an intrinsic link between the citizenship and the right to exercise political rights. Citizenship can be obtained by anyone who fulfills certain formal and legal criteria, regardless of their ethnic or cultural background. Therefore, it comes as no surprise that the legislator refuses to precisely define the more detailed criteria for who ‘the people’ are. Instead, we have an indirect reference to citizenship, as well as the goals towards which the Constitution is created. It is worth noting, that these goals are primarily political (establish Justice, insure domestic Tranquility, provide for the common defense) and social (promote the general Welfare, and secure the Blessings of Liberty) in nature. It seems that the question of what exactly the term ‘the people’ refers to had not created major legal controversies in the more recent past (*Harvard Law Review*, 2013). However, since 1989, both federal and Supreme courts have taken to providing the definition for this phrase on at least two occasions. In the *United*

States v. Verdugo-Urquidez, the Supreme Court of the United States ruled that 'the people' refers to 'persons who are part of the national community' or those who have 'substantial connections' with the country. Tellingly, this ruling remains silent on the idea of citizenship.

Conversely, in the 1998 case *District of Columbia v. Heller*, the Court, while acknowledging the 1990 *Verdugo-Urquidez* ruling, nevertheless pointed out that 'the people' refers to 'all members of the political community' (emphasis mine), firmly placing the focus of belonging to the nation on citizenship.

American authorities had suspected one Rene Verdugo-Urquidez of leading an international cross-border drug smuggling cartel and being involved in the murder of a DEA agent. Even though they had failed to obtain a search warrant, the DEA agents – and their Mexican counterparts – searched the suspect's apartment in Mexico where they also seized some documents belonging to the suspect. The defendant objected to this on the grounds of the Fourth Amendment, which guarantees that 'the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated'. The Court overruled this, pointing out that the Amendment does not apply to a foreign citizen and/or to the search and seizure conducted outside of the United States. Additionally, the Court referred to the criteria of belonging to 'the national community' and having 'substantial connections' with the country, which the defendant was found to be lacking (*Harvard Law Review*, 2013). Thus, the Court excluded the defendant from 'the people' of the United States. One of the judges disagreed with the ruling, claiming that 'the people' should not be understood in a restrictive manner, as it is used in the Fourth Amendment not to exclude anyone, but simply to underscore the importance of the Amendment's subject matter (*Harvard Law Review*, 2013).

In the *Heller* case, 'the people' was unambiguously defined exactly as the Constitution understands this term: as a political nation of citizens. This perspective was not without its problems, however; this approach could mean that only persons enjoying full political rights (including the right to vote) could be said to belong to 'the people'. This interpretation meant that undocumented migrants would find themselves in a no man's land when it came to applying any amendments to their respective cases. In one such case, *Portillo v. Munoz*, which was related to the right to the possession of arms, the Court concluded that the term 'the people' does not apply to undocumented migrants. The defendant then objected to this ruling on the basis of the *Verdugo-Urquidez* precedent, stating that he had 'substantial connections' with the USA as he had been working in the country for eighteen months.

In doing so, the defendant protested his exclusion from the membership of the American ‘people’ and effectively used a precedent to substantiate his claim (*Harvard Law Review*, 2013).

THE UNFINISHED PROJECT – THE ‘RUSSIAN’ NATION

In previous sections, we have looked at countries in which the model of citizenship (and nationhood) had all the time required for it to develop and establish itself. There are countries, however, where it is by no means certain which concept of ‘the nation’ – ethnic, civic, or some combination of the two – will appear and prevail. Russia could be a prime example and a case in point. It is appreciated that, due to its multi-ethnic composition, relatively recent formation and the baggage of the Soviet past, Russia is not a typical case of national identity formation and that, for these and other reasons, it merits a separate article or monograph; nevertheless, I would like – if only briefly – to mention several issues with the Russian meaning of ‘the nation’ which, in my view, require further and more extensive research.

The Russian constitution does not use the term ‘Russian nation.’ Instead, the term *mnogonacyonalnyi narod* (literally: ‘multinational nation/people’, less literally: ‘multiethnic nation’) is applied. In a multicultural country such as this, cohesion of the state requires that a plethora of ethnic identities are somehow either supplanted by or accompanied by an all-encompassing state identity. It is in this context that scholars Olga Malinova, Philipp Casula and others (Malinova & Casula, 2010; Hosking, 2003, p. 28) explore a crucial distinction between *russkiy* and *rossiyskiy*, both of which are usually – and, as we will see, confusingly – rendered in English as ‘Russian.’ As an example, de Lazari (2009, pp. 146–147) has observed that a Muslim inhabitant of Moscow, born of a Chechen father and a Ukrainian mother, most likely would not be *russkiy*, because he/she would not have been raised in an ethnic ‘Russian’ cultural heritage. Instead, what they could be, is *rossiyskiy* – while having a distinct ethnic/cultural heritage, a *Rossiyanin/Rossiyskiy* (not *Russkiy*!) would be a **citizen** of the Russian Federation (emphasis mine). De Lazari (2009) has proposed that, while Russia might be inhabited by ethnic the *Russkiye* (i.e., people brought up in Russian culture), as well as a multitude of people from many different cultures (Kazakhs, Ukrainians, Chechens, etc.), Russia needs to foster another, state-driven identity that would be not *russkaya* but *rossiyskaya*. Such ‘Russian’ (*rossiyskaya*, not *russkaya*) identity would be, of course,

aimed at strengthening the legitimacy and presence of the Russian state in the everyday lives of Russian citizens, but, according to de Lazari (2016, pp. 185–186), it would not be – at least for the time being – a civic identity in the Western sense. In Russia, concludes de Lazari, a civic identity proper, understood as an identity focused on the institutions of civic society, independent from the state, is confined to the still small circle of Russian ‘Westerners’ (‘occidentalists’) – writers, scholars and journalists who reject the notion that Russian identity, however defined, is inherently anti-Western and/or anti-European, and who claim that in Russian society there exist several competing strategies of national identity creation (Tisz-kow, 2017; Piwowarow, 2017).

CONCLUSION

This article attempted to present a perspective on selected aspects of the historical development of the concept of ‘nation’ with reference to the contemporary democratic state, while at the same time showing how two different theoretical concepts of national community can be visibly present in the texts of contemporary constitutions. In Germany, the evolution from the ethnic to the political concept of the nation was caused by the need to disown the tragic and criminal legacy of Nazism and the Holocaust. In the USA and other multi-ethnic nations, the constitution of ‘the people’ as a political community ensured that people of many cultures, religions and ethnic backgrounds living in the same state could become a nation despite all the differences. The examples of France, Germany and the USA could provide a viable model for the transformation of an ethnic nation into ‘the people’ as the community based on voluntary membership, citizenship and respect for the shared laws and values, regardless of the citizens’ cultural/ethnic backgrounds.

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THE OBAMA DOCTRINE AND THE USE OF AMERICAN MILITARY POWER IN THE MIDDLE EAST

DOKTRYNA OBAMY I WYKORZYSTANIE
AMERYKAŃSKIEJ POTĘGI MILITARNEJ
NA BLISKIM WSCHODZIE

*David T. Jervis** 

— ABSTRACT —

This article examines the use of American military power in the Middle East during the presidency of Barack Obama. While some have characterized those responses as confusing, inconsistent, and/or inadequate in number, this study argues that there is a way to understand and explain Obama's decisions, the "Obama Doctrine". The article develops and applies the Doctrine to America's use of force, or not, in Afghanistan, Iraq, Syria, Libya, and elsewhere.

Keywords: Barack Obama, American military interventions, drones, Afghanistan, Iraq, Libya, Syria, Islamic State

— ABSTRAKT —

Przedmiotem artykułu jest analiza wykorzystania amerykańskiej potęgi militarnej na Bliskim Wschodzie w czasie prezydentury Baracka Obamy. O ile dla niektórych działania te były niespójne i/lub niewystarczające pod względem ilościowym, o tyle przeprowadzona analiza dowodzi, że można znaleźć dla nich uzasadnienie. Artykuł rozwija i stosuje doktrynę do analizy wykorzystania/niewykorzystania amerykańskiej siły militarnej w Afganistanie, Iraku, Syrii, Libii i innych państwach.

Słowa kluczowe: Barack Obama, amerykańskie interwencje militarne, drony, Afganistan, Irak, Libia, Syria, Państwo Islamskie

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Barack Obama made a number of confusing and seemingly contradictory decisions on issues of war and peace, especially in the Middle East. As an illustration, consider the events of December 2009. On the tenth of that month, the President accepted the Nobel Peace Prize, given for his efforts to create a “new climate in international politics”, one in which “[d]ialogue and negotiations are preferred as instruments for resolving even the most difficult international conflicts” (The Nobel Peace Prize, 2009). Nine days earlier the President had acted differently, sending 30,000 additional U.S. troops to Afghanistan (he had dispatched 20,000 previously). Yet the dispatch of those troops was tempered by the President’s decision that they would begin to leave that country in July 2011. This pattern would prevail throughout Obama’s presidency. Sometimes he would use American military power, but in other cases, he would not – even in apparently similar cases or in a second case occurring in a country where he had previously used military power. While inconsistency is present in many administrations, it seems especially true in Obama’s case. For instance, he acted differently in the two wars he inherited. In Afghanistan, as indicated above, Obama increased the number of American soldiers in 2009 but promised to withdraw at least some of them in 2011. Almost all U.S. troops were withdrawn by late 2014, with only about 10,000 remaining at the end of his term. If the pattern in Afghanistan was an increase in the number of troops soon followed by withdrawals, the pattern in Iraq, the other war Obama inherited, was a more rapid withdrawal until all U.S. forces had left by late 2011. But then Obama authorized a new military effort in 2014 to fight the Islamic State.

Or consider the cases of Syria and Libya, essentially similar and concurrent cases in which the ruling government killed large number of citizens calling for its removal. In the Libyan case, the United States participated in a United Nations-sponsored effort to protect civilians, a mission that soon expanded to include the overthrow of Muammar Qaddafi’s government. However, later, when the security situation in Libya deteriorated because no group was strong enough to establish a national government, the U.S. responded differently, deciding not to use military power. In contrast, the U.S. did not employ its military power against Syrian President Bashar al-Assad, even though his government killed more Syrians than Qaddafi had killed Libyans and even though Assad’s regime used chemical weapons. In still another twist, while Obama did not intervene against Assad, he did intervene in Syria against the Islamic State (ISIS) beginning in August 2014.

Other examples of the use of military power, or not, include the widespread use of drones against terrorists in, especially, Pakistan, Yemen, and Somalia.

Obama did not seriously contemplate military against Iran's nuclear program, preferring sanctions and negotiations as the means to deal with that threat, nor was any thought given to military intervention in response to the humanitarian crisis in Yemen.

The analyst is thus left with apparently confusing responses to a wide variety of situations. This study argues that, contrary to surface appearances, there was a logic and consistency to Obama's decisions about the use of the American military. It will identify four tenets of the "Obama Doctrine" based on Obama's thoughts and actions both before he assumed office and in eight cases during his presidency when he contemplated military action. The cases are organized into three categories: wars he inherited, i.e., in Afghanistan and Iraq; wars he initiated, i.e., against the Islamic State, humanitarian intervention in Libya, and the use of drones; and cases in which the U.S. did not intervene militarily, i.e., in the Syrian civil war, following the Assad government's use of chemical weapons in 2013, and in response to Iran's nuclear weapons program.

The tenets of the Obama Doctrine center around answers to four questions:

In what circumstances should the United States use its military power?

Would the intervention require the use of ground troops?

What was the extent of international and regional support?

Is there a very good chance of success?

The bulk of this article will illustrate and apply these guidelines. The conclusion will demonstrate that their application clarifies and makes more consistent Obama's application of American military power.

IN WHAT CIRCUMSTANCES SHOULD THE UNITED STATES USE ITS MILITARY POWER?

The logical place to start is Obama's thinking about these questions prior to when he became President. Obama was not, as some of his early supporters hoped or his critics feared, opposed to all wars. The first substantive sentence of his now famous 2002 speech expressing opposition to the Iraq war was, "I stand before you as someone who is not opposed to war in all circumstances" (Transcript, 2009). While more philosophical in his Nobel Prize acceptance speech, Obama made the same point, asserting a "hard truth": "We will never eradicate violent conflict in our lifetimes. There will be times when nations – acting individually or in concert – will find the use of force not only necessary but morally justi-

fied”. This was “not a call to cynicism”, but rather “a recognition of history, the imperfections of man and the limits of reason”. Nonetheless, while sometimes necessary, “war at some level is an expression of human folly” (White House, 2009b). That is, Obama had a bias against the use of force, a bias reinforced by his interpretation of the American experience: “Since World War II, some of our most costly mistakes came not from our restraint but from our willingness to rush into military adventure – without thinking through the consequences” (White House, 2014a). Thoughts such as these violated what Obama identified as the “Washington playbook”, i.e., a way of thinking prominent in the foreign policy community that was “characterized by a preference for military action over diplomacy, a mindset that put a premium on unilateral U.S. action over the painstaking work of building international consensus” (White House, 2015). To cite a specific example, the playbook emphasized the importance of American credibility and following up on threats with military action, a critique often articulated after Obama failed to bomb Syria following its use of chemical weapons. Obama, on the other hand, would argue that “dropping bombs on someone to prove that you’re willing to drop bombs on someone is just about the worst reason to use force” (as cited in Chollet, 2016).

It is ironic, therefore, that despite this bias against the use of American military power, Obama was the first two-term U.S. President who was fighting a war somewhere on every day of his presidency. This is largely overlooked because of the nature of the wars Obama fought, in Afghanistan, in Libya, using drones, and against the Islamic State, each of which had fewer risks and lower costs for Americans. That is, while he engaged, literally, in continuous war, none of these wars bore any resemblance to the Iraq war, something the Obama Doctrine was determined to prevent. Obama, himself, reflected on this irony, reportedly telling an aide in 2011, i.e., relatively early in his presidency, “Turns out I’m really good at killing people. Didn’t know that was gonna be a strong suit of mine” (as cited in Zenko, 2017).

Obama identified two types of situations in those early speeches where the use of force might be appropriate, wars to defend and protect American security interests and certain humanitarian situations. Like all previous Presidents, Obama endorsed the use of American military power in situations where the security of the United States was threatened. For instance, he approved of the American Civil War and World War II. He also supported the war in Afghanistan that followed 9/11: “our campaign to take out Al Qaeda base camps and the Taliban regime that harbored them was entirely justified” and if necessary in

the future, “I will not hesitate to use military force to take out terrorists who pose a direct threat to America”. Obama even endorsed the preemptive use of force in certain circumstances, believing the U.S. had the “right to take unilateral military action to eliminate an *imminent* threat to our security” (Obama, 2007; emphasis in original). Force might also be used in response to certain humanitarian tragedies. As he argued in the Nobel Prize speech, “I believe that force can be justified on humanitarian grounds, as it was in the Balkans, or in other places that have been scarred by war. Inaction tears at our conscience and can lead to more costly intervention later” (White House, 2009b). Still, he did not endorse all such interventions: while there is a lot of tragedy in the world, “we’ve got to be hardheaded at the same time as we’re bighearted, and pick and choose our spots... There are going to be times where we can do something about innocent people being killed, but there are going to be times where we can’t” (as cited in Goldberg, 2016). This distinction between actions taken to protect American security and actions taken to promote humanitarian goals is an important one for understanding when and how Obama applied American military power. Any humanitarian intervention had to meet all of the other criteria of the Obama Doctrine, while actions taken to protect U.S. security had to meet fewer of them.

Obama’s thinking about the appropriate circumstances for the use of American military power can be illustrated by different policies regarding the wars he inherited. As indicated above, he believed the war in Afghanistan was a necessary and legitimate one. Throughout his term, he believed the United States was “compelled” to fight in Afghanistan, because the “security of the United States and the American people were at stake” there (White House, 2009a). Given those sentiments, Obama increased the American troop commitment, nearly doubling the size of the American combat force in 2009. While the number of troops would be reduced throughout Obama’s presidency, they would never be reduced to zero (Livingston & O’Hanlon, 2017). The U.S. and Afghanistan signed a new Status of Forces Agreement in late 2014 that allowed approximately 10,000 U.S. forces to remain until the end of 2016. As the 2016 deadline approached, there was another agreement that allowed American forces to remain in the country beyond that date. Obama justified these continuing commitments because, “I believe this mission is vital to our national security interests in preventing terrorist attacks against our citizens and our nation” (as cited in Landler, 2017; New Afghan Government..., 2014).

Contrast those decisions with what Obama did in Iraq, the other war Obama inherited. He had been critical of the Iraq war from the beginning, describing it

as a “dumb war” and a “rash war”, because “Saddam poses no imminent and direct threat to the United States or to his neighbors”, i.e., the American intervention was unnecessary from the perspective of American security interests (Transcript, 2009). Given that belief, he sought to reduce the American role in Iraq from his first full day in office, convening a meeting of the National Security Council to discuss timetable to implement the withdrawal agreement President Bush had concluded with the Iraqis. Some in both the U.S. and Iraqi militaries had hoped that a residual number of troops might remain in the country after December 2011, the scheduled date for total withdrawal, and negotiations were initiated to do so. For many reasons, however, those talks did not come to fruition. One reason was the apparent lack of interest from the administration about extending the U.S. troop presence. Secretary of Defense Leon Panetta lamented that the White House was “so eager to rid itself of Iraq that it was willing to withdraw rather than lock in arrangements that would preserve our influence and interests” (Panetta, 2014).

The protection of America and Americans was an important rationale used in two of the wars Obama initiated, the more extensive use of drones and the fight against the Islamic State. The use of drones was necessary because “our nation is still threatened by terrorists” and “we must... dismantle networks that pose a direct danger to us and make it less likely for new groups to gain a foothold...” (White House, 2015). The U.S. had to re-enter Iraq in 2014 because of the security threat posed by the Islamic State: “If left unchecked, these terrorists could pose a growing threat beyond that region – including to the United States” (White House, 2014b). The third intervention authorized by Obama, the humanitarian action in Libya in 2011, was done even though he recognized that “this [was] not so at the core of U.S. interests...” (as cited in Goldberg, 2016). He did not, however, agree to a subsequent intervention in Libya, in 2012. Reasons for these different responses will be examined below.

Of all of the cases of American inaction, Syria has probably received the most criticism. There were many reasons why Obama did not endorse military action there. An important one was his belief that the U.S. had few vital interests in the country, reflected, perhaps, in the fact that the U.S. had severed diplomatic relations three times since that country’s independence, most recently in 2014. Syria was the most prominent foe of Israel, but its military power paled compared with that of the Jewish state. There was only limited Syrian-American trade, averaging just \$642 million per year in the five years preceding the outbreak of the Syrian civil war (Jervis, 2017).

Thus, Obama was willing to use American military power when American security interests were threatened. This is a step toward understanding his decisions about the use of military power. Yet threats to American security, alone, did not guarantee American military action, a conclusion illustrated by the Iranian case. Obama had no doubt about the security threat of an Iranian nuclear weapon: it would “spark an arms race in the world’s most unstable region and turn every crisis into a potential nuclear showdown”, “pose an unacceptable risk to Israel”, and more broadly, “unravel the global commitment to nonproliferation that the world has done so much to defend”, yet he resisted calls for military action (White House, 2015). Nor, as the Libyan intervention in 2011 demonstrates, was the absence of security threats an absolute bar to the use of American military force.

WILL MILITARY ACTION REQUIRE AMERICAN GROUND TROOPS?

If the answer to the initial criterion of the Obama Doctrine must be answered in probabilities, i.e., Obama typically used military power in response to security threats but typically did not in cases of humanitarian tragedies, his answer to the second question was unequivocal. If ground troops were required to realize U.S. aims, then Obama would not authorize the use of American military power. He had good reasons for this. An obvious one was the material and human costs. In terms of soldiers’ deaths, 4,487 Americans were killed in Iraq between 2003 and 2011, and 2,392 were killed in Afghanistan between 2001 and May 2017. The U.S. spent more than \$3.5 trillion on these wars between 2001–2016 (O’Hanlon & Campbell, 2012; Livingston & O’Hanlon, 2017; Crawford, 2016). Obama also believed the dispatch of large numbers of combat troops could have adverse consequences on the ground. Iraq had demonstrated that an “ill-advised U.S. military incursion into a Muslim country, which in turn spurs on insurgencies based on religious sentiment and nationalist pride, which in turn necessitates a lengthy and difficult U.S. occupation, which in turn leads to an escalating death toll on the part of U.S. troops and the civilian population”. As if those consequences were not enough, Iraq also showed that the use of ground troops “fans anti-American sentiment among Muslims, increases the pool of potential terrorist recruits, and prompts the American public to question not only the war but also those policies that project us into the Islamic world in the first place” (Obama, 2007).

Yet he inherited wars in Iraq and Afghanistan where large numbers of American troops had already been deployed. In both, he tried to reduce the American combat presence as quickly as he could. In Afghanistan, the number of combat troops was actually increased from fewer than 40,000 when he assumed office in 2009 to 100,000 by early 2010, but only briefly. The number of troops was reduced after 2011, first gradually and then with greater speed: to 90,000 by early 2012, 70,000 in 2013, 40,000 in 2014, and to approximately 10,000 by early 2015. In Iraq, there was a much more rapid withdrawal, from 142,000 at the start of the administration to approximately 50,000 by the summer of 2010 to zero by December 2011. Not only were the numbers of U.S. forces reduced in these countries, but their mission changed; they devoted less time to actual combat and more to counter-terrorism efforts and training indigenous forces. The impact of the reduced numbers and changed missions is reflected in U.S. casualty figures. In Iraq, 822 American servicepersons had been killed in 2006, 908 in 2007 and 314 in 2008, but with the onset of the changes initiated by Obama, the numbers were far smaller: 149 in 2009, 60 in 2010, and 54 in 2011. U.S. troop fatalities did increase in Afghanistan in the early years of the Obama administration following the 2009 surge – to 312 in 2009, 499 in 2010, and 418 in 2011 – but following the summer 2011 decision to reduce the size of the American combat presence, the pattern was broadly similar to that in Iraq: 128 killed in 2013, 55 in 2014, 22 in 2015, and 14 in 2016 (O’Hanlon & Campbell, 2012; Livingston & O’Hanlon, 2017).

Yet another way to demonstrate Obama’s reluctance to use American ground troops, even in deployments to protect American security, is to examine the most novel aspect of his military policy, the use of drones. A major advantage of drones was that their use avoided the kinds of dangers Obama identified with the dispatch of combat troops or Special Forces. Even when it might be possible to deploy a team of Special Forces to kill or capture terrorists, e.g., the May 2011 raid against Osama bin Laden’s compound, doing so “would pose profound risks to our troops and local civilians – where a terrorist compound cannot be breached without triggering a firefight with surrounding tribal communities, for example, that pose no threat to us; times when putting U.S. boots on the ground may trigger a major international crisis” (White House, 2013). The centrality of drone strikes to Obama’s military policy is illustrated by his decision on January 23, 2009, i.e., just his third day in office, to launch two strikes on Waziristan, Pakistan. Yet another way to demonstrate their importance is to note that there was at least one occasion when an American citizen, Anwar al-Awlaki, was targeted

and killed. This was the first time since the Civil War of the mid-19th century in which an American citizen was targeted and killed without a trial (there were other instances in which Americans – including al-Awlaki's son – were killed, but they had not been targeted; Zenko, 2017; Shane, 2015). According to the Bureau of Investigative Journalism, the U.S. conducted 1307 drone strikes in Afghanistan during Obama's presidency, 373 in Pakistan, 142 in Yemen, and 32 in Somalia. There were also reports of drone strikes targeting Libya, Syria, and Iraq. Obama's use of drones was so extensive that one scholar has argued that "Obama's embrace and vast expansion of drone strikes against militants and terrorists will be an enduring foreign policy legacy" (Bureau of Investigative Journalism; as cited in Zenko, 2016).

The Obama-initiated war against ISIS also did not rely much on American combat troops. At the end of Obama's administration, there were approximately 500 personnel permanently stationed in Syria and 5,000 permanently stationed in Iraq. Not only were the numbers of ground forces low, but their mission was a relatively safe one, i.e., to advise America's allies rather than engage in direct fighting. Rather than ground troops, the primary American military role against the Islamic State is bombing; as of June 21, 2017, the U.S. had conducted a total of 18,117 strikes in Syria and Iraq, 9,235 in Syria and 8,882 in Iraq (Sisk, 2017; U.S. Department of Defense, n.d.).

If Obama was hesitant to deploy combat troops in cases undertaken to advance U.S. security interests, he was even less willing to do so in cases of humanitarian intervention. One of the reasons he authorized U.S. intervention in Libya in 2011 but not in 2012 was that the U.S. role would be limited to the use of air power in the initial case, while any intervention in 2012 would need to be much more robust, requiring the use of ground troops to bring order to a chaotic situation involving fighting between multiple Libyan militias.

Concern about the need to dispatch ground troops also helps explain the unwillingness to use American military power in Syria, either as part of a humanitarian mission or in response to the Assad government's use of chemical weapons. Providing air support to defend humanitarian safe havens in Syria, for example, would require a large troop commitment. The Chairman of the Joint Chiefs of Staff, Martin Dempsey, argued in July 2013 that establishing a no-fly zone would require the deployment of "thousands" of American forces and create risks such as "the loss of U.S. aircraft, which would require us to insert personnel recovery forces". Given those needs, Obama rejected humanitarian intervention in Syria. He also rejected military action in response to Assad's use of chemi-

cal weapons once he learned that Pentagon contingency plans to capture the weapons concluded that at least 75,000 troops would be needed to do so (as cited in Lubold, 2013). As he later argued, “The notion that we could have – in a clean way that didn’t commit U.S. military forces – changed the equation on the ground there was never true” (as cited in Goldberg, 2016).

WHAT IS THE EXTENT OF INTERNATIONAL AND REGIONAL POLITICAL SUPPORT?

As a general rule, Obama believed it was important for the U.S. to have international support for its military actions; “it will almost always be in our strategic interests to act multilaterally”, because doing so “allows the United States to carry a lighter load when military action is required and enhances the chances for success”, plus the “painstaking process of building coalitions forces us to listen to other points of view and therefore look before we leap”. However, in cases of threats to U.S. security, while international support was always preferable, “our immediate safety can’t be held hostage to the desire for international consensus...” (Obama, 2007). This desire for political support extended to domestic forces within the target country as well. These requirements were crucial to his approval of humanitarian interventions and important, but not essential, in cases of intervention on the basis of security threats. The reasons for the distinction are clear. Where the U.S. acted to protect its interests, its concerns superseded those of the international community, local government or local population. In humanitarian interventions, in contrast, the U.S. was acting on behalf of the civilian opponents of an abusive government, and, in practice, seeking its overthrow. Yet if that goal was achieved, the question as to what followed was an important one. Was there an organized, competent, and pro-American – or at least not anti-American – movement that could quickly assume power? The U.S. “had learned the hard way” in Iraq, according to Secretary of State Hillary Clinton, “that it’s one thing to remove a dictator and another altogether to help a competent and credible government take his place” (Clinton, 2014).

Let’s apply these general points by examining how Obama responded to the three types of cases identified above. Regarding wars he inherited, the war in Afghanistan had always had international support, sometimes rhetorical and sometimes real, while the war in Iraq never did. With respect to local political forces, the U.S. had difficulties with both the Afghan and Iraqi leaders. Afghan

leader Hamid Karzai was particularly difficult. Obama's Special Representative for Afghanistan and Pakistan, Richard Holbrooke, described the Afghan leader as "incompetent" (as cited in Chandrasekaran, 2014). Karl Eikenberry, the ambassador in Kabul, told Clinton that "Karzai is not an adequate strategic partner", and he "continues to shun any responsibility for any sovereign burden..." (as cited in Nasr, 2014). By 2011, these doubts had been validated. Karzai had interfered massively in the 2009 presidential election, was publicly critical of Obama's surge of combat troops, and periodically lashed out at the United States. Difficulties in Kabul likely reinforced Obama's decision to begin to reduce the size of the American military presence (Jervis, 2015).

The pattern with the Iraqi leader Obama inherited, Nouri al-Maliki, was similar. Poor local governance provided another reason to withdraw American forces. One insider described Maliki as "both ineffectual and dictatorial", "deeply sectarian", and someone who had "not amounted to the kind of leader" that Iraq needed (Nasr, 2014). The American ambassador, Christopher Hill, was also critical of the Iraqi leader: "Maliki was far from my ideal candidate" in the March 2010 Iraqi elections (Hill, 2014). A major problem for American observers was Maliki's sectarian rule. These sectarian policies had manifested themselves prior to the departure of American troops, but their final departure in December 2011 was followed by even more extensive restrictions on Iraq's Sunni population, something that contributed to the rise and success of the Islamic State. Obama believed Maliki had "squandered" gains made during the American occupation, because of his "unwillingness to reach out effectively to the Sunni and Kurdish populations". As a result, Obama insisted that Maliki be removed before the U.S. returned to Iraq to fight the Islamic State (as cited in Goldberg, 2015). The importance of local and regional support was reflected in Obama's speech outlining his anti-ISIS strategy: while American efforts could make a "decisive difference", the U.S. "cannot do for Iraqis what they must do for themselves, nor can we take the place of Arab partners in securing their region" (White House, 2014b).

There were mixed answers regarding the political support question in the two of the wars Obama initiated. The drone war was very unpopular internationally and, one can surmise, in the countries in which drones were being used. A Pew Research Center report in 2014 found that majorities or pluralities in 39 of the 44 countries surveyed opposed the use of drones; in 27 of those countries, more than 70% of the public opposed American policy (Pew Research Center, 2014). Despite that, the U.S. continued to use drones, because Obama believed they were

being used to protect America's security and were more effective than alternative military actions. The fight against the Islamic State, on the other hand, has widespread international and regional support. More than seventy countries are participating in the current war against the Islamic State, although far fewer are involved in military activities (U.S. Department of State, n.d.).

A factor contributing to Obama's decision not to use military strikes against Iranian nuclear facilities was that there was little international support for doing so. Rather, there was strong global support for the Joint Comprehensive of Action, a diplomatic solution that the U.S., Iran, and several other states agreed to. According to the President, "every nation in the world that has commented publicly, with the exception of Israel, has expressed support", as had to United Nations Security Council (White House, 2015).

Logically and in practice, there was a need for widespread international support in cases of humanitarian intervention. One reason Obama endorsed the 2011 humanitarian intervention in Libya was that it had widespread international and local support. Both the United Nations and the Arab League formally supported military action, and some members of the Arab League promised to participate. While the North Atlantic Treaty Organization did not give formal approval, two of its members, Great Britain and France, promised to take the lead militarily and fourteen of the organization's twenty-eight members eventually contributed to the military effort (Daalder & Stavridis, 2012). There was also domestic support in Libya and support from apparently competent and pro-American people. Before deciding to support intervention, Clinton had met with Mahmoud Jibril, head of the Libyan opposition. Philip Gordon, one of Clinton's aides, later noted that Jibril "said all the right things about supporting democracy and inclusivity and building Libyan institutions, providing some hope that we might be able to pull this off. They gave us what we wanted to hear" (as cited in Becker & Shane, 2016). In practice, however, the Libyan opposition was not able to deliver competent government or security once it came to power, something made apparent by the September 2012 attack on the American diplomatic compound in Benghazi and the murder of Ambassador Christopher Stevens. Any effort to restore order to the country would require sending ground troops that would fight the many Libyan militias. Obama had no appetite for doing so. Nor did many of those who had supported the earlier intervention. By 2012, international support had largely evaporated; the Europeans, who had been prime movers in 2011, were distracted by the EU's financial crisis and it was clear that the United Nations would not endorse any further military action, given Russia's anger that

the 2011 resolution to protect Libyan civilians had, in effect, become a means to bring about regime change.

The absence of widespread international and regional support helps explain Obama's decision not to involve the U.S. militarily in Syria. Both the international community and Syrian political forces were divided. The United Nations Security Council would never endorse intervention in Syria, because Russia was allied with the Assad regime. In Syria, itself, there was disagreement about the desirability of foreign military intervention, and the domestic opposition was "hopelessly factionalized", a result of both internal disagreements and different foreign supporters (Lynch, 2016). The absence of international support also helps explain Obama's decision not to retaliate following the Syrian government's use of chemical weapons in 2013. Among the NATO allies, France supported military action, but Germany did not, and the expected British support was dashed by a negative vote in the House of Commons. In the region, Turkey and Saudi Arabia expressed verbal support, but would not participate in any strike. Other Arab governments were silent (Chollet, 2016).

IS THERE A GOOD CHANCE FOR SUCCESS?

A final thing often inhibiting Obama's use of military force were doubts about what military force could accomplish. If, as noted earlier, Obama worried about the adverse consequences of the use of American military power, the concern here is that its use would not realize American objectives. This sentiment was expressed in two ways; sometimes it served to prevent American military action and in cases where the U.S. decided to act, it required that military force be limited and supplemented by other elements of American power.

Consider the wars Obama inherited. With respect to both Iraq and Afghanistan, he believed there was not a military solution. In Iraq, after a decade of war, American troops had achieved many victories, but "Iraq remains gripped by sectarian conflict, and the emergence of al Qaeda in Iraq has now evolved into ISIL" (White House, 2015). Rather, military efforts needed to be supplemented with political, diplomatic, and economic initiatives, so as the number of combat troops was reduced, the use of other elements of American power increased. This is most clear in the Afghan case. While Obama had authorized a large increase in combat troops in December 2009, the troop increase was to be supplemented by a number of non-military components: increased foreign aid, a "civilian surge"

to accompany the military one, and diplomatic efforts to ease tensions between Afghanistan and Pakistan. Reflective of these changes, non-military spending in Afghanistan increased by 80% between fiscal years 2009 and 2010 and remained above FY2008 levels through FY2013 (White House, 2009b; Belasco, 2014). In Iraq, the argument was somewhat different, i.e., that the military had achieved what it could – reducing violence and the threat posed by al-Qaeda – but that many other needs remained. This was Obama’s message in February 2009, when he announced the timetable for U.S. troop withdrawals from the country. As the troops left, the U.S. would continue “a strong political, diplomatic, and civilian effort” to “advance progress and help lay a foundation for lasting peace and security”. To do so, non-military spending in Iraq increased 50% between FY2009 and FY2010 (Obama’s Speech..., 2009).

The fight against the Islamic State was similar to both Iraq and Afghanistan in that Obama recognized that success would be based on more than military power. Although that effort remains largely military, the website of the Global Coalition Combating ISIS identifies tasks such as re-establishing and improving public service in areas re-captured from ISIS, combating its ideology, and restricting the flow of foreign fighters to the region. The drone war is less relevant in this context. It is a very narrow effort with one, primarily military, purpose: kill terrorists. Still, Obama recognized that killing terrorists was not enough to end terrorism. As a result, his fight against terrorism would include diplomatic, political, economic, and public diplomacy efforts (The Global Coalition; Stern, 2015).

Obama did prepare military options to deal with the Iranian nuclear issues, but his preference was for a negotiated solution. He used “diplomacy, hard, painstaking diplomacy, not saber rattling” to unify global opinion against Iran and in favor of a negotiated solution. This was a preferable approach because, as he later argued, “military action would only set back Iran’s program by a few years at best”, “would likely guarantee that inspectors are kicked out of Iran”, and “would certainly destroy the international unity that we have spent so many years building”, while “a negotiated agreement offered a more effective, verifiable and durable resolution” (White House, 2015). To those preferences was added a practical problem: as late as 2010, the U.S. did not have the assets in place for a military strike nor the plans to carry one out (Chollet, 2016).

The two Libyan cases also illustrate the importance of the military utility question. In 2011, when this issue first arose, Obama’s advisers gave him two alternatives – do nothing or support British and French calls for no-fly zones. Obama rejected both, because neither would be sufficient to protect civilians:

“This notion that we’re going to put some planes in the air to fly over a massacre just doesn’t make a lot of sense. We could feel really good about ourselves, on the right side of history, and people would still get killed” (as cited in Mann, 2013). Instead, he endorsed a more robust UN resolution that allowed for air attacks on Libyan ground forces. But in 2012, he rejected a second, more demanding intervention, because he knew from Afghanistan and Iraq that American forces, or even multinational forces as in Afghanistan, would have a very difficult mission establishing and preserving order following intervention in Muslim lands.

Justifying non-intervention in Syria, Obama told West Point graduates in May 2014, that “As frustrating as it is, there are no easy answers [in Syria], no military solution that can eliminate the terrible suffering anytime soon” (White House, 2014a). This was true regarding any of the interventions that were proposed. No-fly zones to protect Syrian civilians would not work, according to Dempsey of the Joint Chiefs of Staff, because the Syrian government relied largely on land-based weapons when attacking civilians. Obama also doubted the utility of a military response to the Syrian government’s use of chemical weapons. He later argued that “our assessment” was, that “while we could inflict some damage on Assad, we could not, through a missile strike, eliminate the chemical weapons themselves”, with the resulting “prospect of Assad having survived the strike and claiming he had successfully defied the United States, that the United States had acted unlawfully in the absence of a UN mandate, and that would have potentially strengthened his hand rather than weakened it” (as cited in Goldberg, 2016; Lubold, 2013).

SUMMARY AND CONCLUSIONS

In summary, the Obama Doctrine explains why, when, and how the President made decisions about the use of American military power. Those decisions were actually quite consistent. This conclusion applies the tenets of the Doctrine to what superficially appear to be inconsistencies in Obama’s approach to issues of war and peace.

Iraq and Afghanistan

Obama took fundamentally different approaches to the wars he inherited in Afghanistan and Iraq, increasing troop levels – if briefly – in the former and reducing troop levels from the start in the latter. That he believed the war in

Afghanistan to be in U.S. security interests and the war in Iraq to not be in American interests helps explain these differences. Also relevant is that the war in Afghanistan had some grudging international support, while the war in Iraq had little.

Despite the different American policies, the trend in both cases was a significant reduction in the level of American combat troops. These two cases provided strong evidence of the limited utility of military force, at least military force not supplemented by other components of American power. Yet despite that, Obama was willing to have the military return to Iraq to fight the Islamic State. As noted above, the war against ISIS had global and regional support and would not require the use of large numbers of combat troops. Moreover, relevant for Iraq but not Syria – and Iraq was always the more important of the two for the U.S. – there was a government in Baghdad that the Americans had confidence in at the time of the 2014 intervention.

Syria and Libya

That the U.S. participated in a humanitarian intervention in Libya but not Syria, despite the fact that both situations began at roughly the same time and that the Syrian catastrophe became much worse can be explained by noting that the Libyan intervention had widespread global, regional, and local support, while none of these were present in the Syrian case. Moreover, Obama believed, erroneously as it turned out, that a successful intervention in Libya could occur without using American ground troops but that achieving success in Syria would be difficult even with the dispatch of American troops.

The tenets of the Doctrine also help to explain why the U.S. did not later intervene in Libya but did intervene later in Syria. By 2012, any intervention in Libya would have required ground forces and an uncertain prospect of success. Intervention in Syria in 2014, in contrast, had widespread global and regional support and would not require the use of large numbers of American ground troops. Moreover, Obama deemed ISIS to be a security threat to the United States, itself, something that the Syrian civil war was not.

ISIS and Iran

While Obama was willing to use American air power in response to the threats to American security created by ISIS, he was not willing to do so against the Iranian

nuclear program, perhaps a greater long-term threat to American security. The tenets of the Obama Doctrine help explain this apparent contradiction. While neither mission would require American ground troops in large numbers, military action against ISIS – supplemented with other elements of U.S. power – had greater chances of success than an attack on Iranian nuclear facilities. Moreover, military action against the Islamic State had broad global support, while military action against Iran had little.

Drones

The final case is the easiest to explain. Obama authorized drone strikes on a regular basis because he believed they advanced American security interests without requiring the use of combat troops, the two most important tenets of the Obama Doctrine. They were also quite successful in that they killed a number of terrorist leaders (although critics argued they also killed many civilians, something that should be weighed against their success). That using drones to kill terrorists had little global support was less important in light of the way they satisfied three of the tenets of the Doctrine.

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THE SONGUN DOCTRINE AS THE MOST IMPORTANT FACTOR OF INTERNAL AND INTERNATIONAL POLICY OF NORTH KOREA

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POLITYKI WEWNĘTRZNEJ I MIĘDZYNARODOWEJ
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— ABSTRACT —

The subject of our interest is to present the significance of the Songun doctrine (Military First) in the North Korea's internal and international politics. At the beginning, we intend to trace the concept of the Juche ideology and its essential implications for the role of the army in a country ruled by the Kim dynasty since the end of World War II. In the remainder of this study, we would like to characterize the theoretical and explanatory aspects of the Songun doctrine, focusing in particular on reviewing of its principles in terms of politics, economy, culture and propaganda aspects. In the context of the current situation in the Democratic People's Republic of Korea, an important role is played by the Byungjin doctrine, initiated by the country's leader Kim Jong-un and mentioned in our article, which in the future can contribute to the beginning of reforms in Korea's economy. In summary, we presented forecasts for

— ABSTRAKT —

Przedmiotem naszego zainteresowania jest przedstawienie znaczenia doktryny Songun (armia pierwsza) w polityce wewnętrznej i międzynarodowej Korei Północnej. Na wstępie zamierzamy prześledzić pojęcie ideologii dżucze i jej zasadniczych implikacji dla roli wojska w kraju rządzonym przez dynastię Kimów od zakończenia II wojny światowej. W dalszej części niniejszej analizy chcielibyśmy scharakteryzować aspekty teoretyczno-eksplanacyjne doktryny Songun, zwracając szczególną uwagę na rozpatrywanie jej zasad w wymiarze politycznym, ekonomicznym, kulturalnym oraz propagandowym. Ogromnie istotnym problemem poruszonym w naszym artykule, obecnym w kontekście sytuacji w Koreańskiej Republice Ludowo-Demokratycznej, jest także zainicjowana przez przywódcę kraju Kim Dzong Una doktryna Byungjin, mogąca w przyszłości przyczynić się

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the future and our attempt to answer the question whether in the current international situation the Songun doctrine will be implemented in its present form.

Keywords: doctrine, ideology, Juche, Songun, Byungjin, DPRK, USA, Kim Il-sung, Kim Jong-il, Kim Jong-un

do zapoczątkowania reform gospodarki kraju. W podsumowaniu przedstawiliśmy prognozy na przyszłość i podjęliśmy się próby odpowiedzi na pytanie, czy w dobie współczesnej sytuacji międzynarodowej doktryna Songun będzie realizowana w dotychczasowej formie.

Słowa kluczowe: doktryna, ideologia, dżucze, Songun, Byungjin, KRLD, USA, Kim Ir Sen, Kim Dzong Il, Kim Dzong Un

INTRODUCTION

The most recent events in North Korea and threats to use force against Kim Jong-un's regime by the new President of the United States, Donald Trump, encourage us to study the meaning of the Songun doctrine in both internal and foreign policy of North Korea. This country, which has been in international isolation for decades and suffered economic crisis, wants to develop its nuclear program at any cost, which will assure regime survival. However, not only construction and development of nuclear weapons by DPRK communists is an important factor to maintain dictatorship of the Workers' Party of Korea. Despite the attempts to limit the influence of the army by the current state leader, Kim Jong-un, this instrument of power continues to play a significant role in shaping the political system, which the young dictator cannot ignore. The army as the main beneficiary of the existing policy of militarization of the country and supremacy in the field of influencing the society constitutes – next to the party – the most important part of the internal and external policy of the DPRK. Therefore, we are interested in the description of the Songun doctrine, which has been in force to this day with some modifications implemented by the current satrap, an ideology that in some way develops the most important assumptions of the policy conducted by the Workers' Party of Korea abroad, as well as in military, family and cultural aspects. In addition, we intend to answer the question if the Byungjin concept promoted by Kim Jong-un focused on strengthening of nuclear potential of the country with simultaneous implementation of economic reforms has an opportunity to succeed in the coming years. In the beginning, however, we need to explore the genesis of the Songun doctrine, which derives from the Juche concept.

JUCHE IDEOLOGY AND ITS CONSEQUENCES

North Korea, which had been in the Soviet zone of influence since 1945, had referred to strong military traditions since the beginning of its existence. Kim Il-sung, appointed personally by Joseph Stalin as the state leader, born on April 15, 1912, was presented by propaganda as guerilla leader of military groups fighting against the Japanese invader. Supposedly he was appointed general at the age of 14. What's interesting, when he arrived to Korea, Kim had problems with speaking his native language due to long absence in the country resulting from his life in exile in the Soviet Union (Szyc, 2012). The Soviet propagandists accurately noticed that Asian societies are intrinsically accustomed to the tradition of obedience to authority in accordance with the concepts of Confucianism. They also believed that references to military symbols will contribute to the increasing support to the leader and Kim's cult of personality. However, in the case of North Korea, during the initial years of Kim Il-sung's rule the assumptions mentioned above were not implemented in any way. Until Stalin's death in March 1953 and the "Secret Speech" delivered by Nikita Khrushchev at the 20th Congress of the Communist Party of the Soviet Union, Kim Il-sung was quite compliant with the USSR. This compliance was visible in particular in the context of the documents, from which we can deduce that the Korean asked the dictator for permission to a military campaign in South Korea in 1950 (Pichoja, 2011, p. 45; cf. *March 05, 1949. Meeting Between Stalin and Kim Il Sung; May, 1950. Record of a Conversation of Cde. Stalin with Kim Il Sung and Pak Heon-Yeong*). After a final armistice agreement was reached in Panmunjom on July 27, 1953, Kim, who was disappointed with insufficient economic support coming from Soviet and Chinese communist regimes, started to look for the third option, which was neutrality between both powers and decoupling North Korea from any outside influences. It was achieved thanks to the Juche ideology, announced officially by the Korean leader in December 1955. In the military aspect, the Juche idea was implemented starting from 1964, when it was announced that "the Juche idea promotes the military-first policy, which allows to defend the achievements of revolution against U.S. imperialist aggression". Its content was expanded three years later, concurrent with formulation of the ten principles for the establishment of a monolithic ideological system. In practice, it meant orders directed to party officials. They include – "The entire society has to function according to the ideology of the Great Leader Kim Il-Sung. The society has to adhere strictly to the principle of unconditional obedience to the Great

Leader. The authority of Kim Il-Sung is absolute. Disobeying the Great Leader is not allowed under any circumstances. Kim Il Sung's orders have to be accepted unconditionally. The party constitutes unity, centering on Kim Il-Sung. One has to learn everything from the Great Leader. One shall be grateful for political life given by Kim Il-Sung and trust him completely. The entire nation has to have a strong discipline and be obedient to the Great Leader Kim Il-Sung. Revolution initiated by the Leader has to be continued in the future" (Dziak, 2004, p. 58; cf. Gryniewicz, 2010).

The Juche philosophy was reviewed in four categories. According to Alicja Bartuś (2014), it should be divided into self-reliance in ideology, politics, economy and national defense. The first one specified autonomy in creating a brand new culture and ideology that differed from the ones in the past, based on praising the state leaders and attacking the alleged enemies of "Korean people", mainly the USA and South Korea. In addition, it anticipated breaking with tradition and history from before the communist period, referring to outside ideologies of the reigning dynasty. The second concept was self-reliance in politics. It assumed independent international policy aimed at striving to maintain sovereignty and independence at any price by isolation of the country from any outside influences. The idea mentioned above was accompanied by self-reliance in economy, which consisted in complete autarky and reluctance to any form of external dependence of the country with increased economic "efficiency" of an average Korean. The last concept was self-reliance in defense of the country, based on establishing of its own army by North Korea, militarization of people in their fight against "American and South Korean imperialists", maintaining complete autonomy and independence in the national defense process (Bartuś, 2014, pp. 50–51). Prof. Waldemar Dziak, an expert in North Korea, emphasizes that the main purpose of the Juche propaganda during the times of Kim Il-sung was promotion of the model of "Kim Il-sung's man". Such person, according to the author, was subordinate only to the "Great Leader". The main goal was to create a man completely obedient to authority, blindly relying on its activities. It was facilitated by education of people from a young age, making sure that they serve Kim Il-sung with great conviction as a natural impulse rather than under compulsion. There was a theory about "an immortal social-political life" of an individual, which in combination with the leader as the Devine Being is eternal and everlasting (Dziak, 2003, p. 210). It means that it is an "honor" to every Korean to praise the Great Leader as a perfect man, deprived of any flaws and shaped by the army. No major tangible benefits should be earned for work.

The perfection of Kim Il-sung or his son will never be achieved by a common resident of North Korea.

Another opinion on the Juche ideology, with which we should agree, is presented by B.R. Myers (2011). According to him, this idea was developed in order to depict Kim Il-sung as a great thinker, ardent nationalist, supported by humanist principles and concern for autonomy and independence (Myers, 2011, p. 40). The opinion of this author is not baseless, since Kim, being aware of the new “trends” in the Kremlin after the death of the head of the Soviet State, was looking for an original path to build social support. It was explained in, among others, his speech from December 28, 1955, entitled “On Eliminating Dogmatism and Formalism and Establishing Juche in Ideological Work”. The commander clearly stated in it that one cannot copy all Soviet methods of rule, saying that: “there should be no set rule that we must follow the Soviet pattern. Some advocate the Soviet rule and others the Chinese, but is it not high time to work out our own?” (Dziak, 2000, p. 217). He cleverly utilized all nationalistic and chauvinistic trends that were present at that time in the North Korean nation, deepened by injustices suffered during occupation of the country and Japanese cruelty of the past war and in the first half of the 20th century. Therefore, counting on increasing support among his people, Kim Il-sung, concentrating military around himself as a driving force of nationalism, was striving to strengthen the sense of hostility among the Koreans to all other nations that protest against violation of basic human rights by the regime. This trend had been promoted for many decades, leading to the development of foundations for a separate military doctrine in the 1990s.

THEORETICAL-EXPLANATORY ASPECTS OF THE SONGUN DOCTRINE

Defining the Songun doctrine, the North Korean authorities supported the idea of prioritizing the Army in social and political activities of the DPRK. The origins of the Songun doctrine date back to the period between the late 1980^s and the early 1990s, concurrent with the weakening power of Kim Il-sung and the rising power of his son Kim Jong-il, who was appointed by his father as his successor at the congress of the Workers’ Party of Korea in 1980. Facing new challenges in terms of politics and economy, problems and the ultimate demise of the USSR, economic reforms in China and establishing by both powers diplomatic relation

with the eternal enemy of Pyongyang – South Korea – Kim Jong-il started to strengthen his power and deepen isolation of his country in the international arena. It was facilitated by, among others, the Rangoon bombing conducted earlier at his order in October 1983 and detonation of a bomb onboard a South Korean airplane in November 1987, just before the Olympic Games in Seoul, which killed 115 people. Based on collected materials and reports of some high-ranking North Korean officials who defected to the West in the 1990s, it will be justified to put forward a thesis that Kim Jong-il's policy was not approved by his father. The old dictator, which had for decades been one of the most farsighted politicians of Asia, in the end of his rule realized that it would be necessary to conduct economic reforms maintaining North Korea's totalitarian regime. Playing a game of cat and mouse with the West in the case of nuclear potential, Kim Il-sung prepared the foundation for certain, then undefined, changes. Such suggestion is put forward by Prof. Dziak (2004) in Poland's only biography of Kim Jong-il, and Nicolas Levi, an expert in North Korea's elites, quoted by Konrad Klonowski (Dziak, 2004, pp. 47–48; cf. N. Levi, 2013). Grażyna Strnad, a respected researcher on the Korean Peninsula (2014), writes that the North Korea's leader, despite his critical attitude to Chinese economic reforms, facing economic problems and the cooling of relations between the new President of Russia Boris Yeltsin and North Korea, was willing to perform an unspecified modification of the system in the country and foreign policy of the DPRK, turning once again for assistance to China, which can be confirmed by the visit of Kim Il-sung to China in October 1991 and signing of an agreement on reconciliation, non-aggression and exchanges and cooperation between North and South Korea (Strnad, 2014, pp. 278–279). The economic condition of the DPRK after 1991 is accurately described by journalist Barbara Demick confirming that “Without cheap fuel oil and raw material, it couldn't keep the factories running, which meant it had nothing to export. With no exports, there was no hard currency, and without hard currency, fuel imports fell even further and the electricity stopped. The coal mines couldn't operate without electricity, and the shortage of coal worsened the electricity shortage. The electricity shortage further lowered agricultural output” (Fischer, 2015, p. 205). The deteriorating economy was accompanied by an increase in Kim Jong-il's personal control over the army; in 1992, he was appointed Supreme Commander of the Korean People's Army, continuing a purge of military officials that he deemed disloyal. After the death of Kim Il-sung, which circumstances remain unclear, on July 8, 1994, just before the meeting between the dictator and the President of South Korea, Kim Jong-il

had certain problems with strengthening his power, which was confirmed by naming his deceased father “Eternal President”.

In the process of gaining full power, the dictator’s son relied primarily on military. That is why, starting from the mid-1990s, the Songun ideology has been present in the public space of the DPRK. The word “Songun” means righteousness, honesty, truth or glory, but both the DPRK and the West adopted its different meaning. It assumes constant, systematic strengthening of the army, which is prioritized in allocation of resources from the state budget. In accordance with the mentioned idea, the leader has to establish an army, which can defend the country in every situation, regardless of internal and external conditions. The state that follows the Songun ideas is reluctant to any external influences, the Army is needed only during the war, but it should play the crucial role in all fields of life. Realizing the necessity of strengthening the support of the army for his activities, on January 1, 1995, the new leader of the country sent a letter to soldiers. We read in it: “The essence of the Songun policy is to defend security of the country and the revolutionary gains by strengthening the People’s Army as an invincible revolutionary armed forces and build up the driving force of the revolution and conduct all activities for socialist construction in a revolutionary militant manner with the People’s Army as a core and a main agent integrating North Korean society” (cf. *Songun Chongch’i [Army First]*). In 2003, indicating the genesis of the doctrine, he said that the main reason of its development were political system changes in East-Central Europe, saying that “Our party started pursuing Songun politics based on the scientific analysis of the international circumstances of our revolution [...]. Entering the 1990s, socialism collapsed in the former Soviet Union and the Eastern European countries, giving rise to a great change in the world political structure and balance of forces. [...] The reactionary imperialist forces spearheaded their attack towards our Republic, which is advancing constantly under the banner of independence, the banner of socialism” (Dziak, 2013, pp. 227–228). We also need to focus our attention on the time of the formal recognition of Songun as the official doctrine of the country. The beginning of the millennium in North Korea marked the consequences of the famine from the 1990s. In order to maintain power, Kim Jong-il was sort of forced to sign a treaty with military officials who demonstrated their will to play a stronger role in shaping the political system of the country. It was clearly suggested that it serves to “ensure continuity of the rule of the late Kim Il-sung” (Byung-ro, 2004, p. 101). In addition, the warming of relations between the two Koreas was reaching an end, initiated in the end of the past decade by the

“Sunshine Policy” of Kim Dae Jung, the President of South Korea, which resulted in the Inter-Korean summit in Pyongyang with Kim Jong-il and talks between the dictator and Madeleine Albright, the U.S. Secretary of State under the Administration of President Bill Clinton. The change in American administration in January 2001 and the transfer of power to George Bush, a Republican, changed Washington’s rhetoric on the DPRK, which inevitably led to deterioration of mutual relations and depicting the United States of America in North Korean propaganda as the main enemy of the state and warmonger. The situation was made even worse when Bush named the DPRK as one of countries of the so-called “Axis of Evil”, along with Iraq and Iran, financing international terrorism and breaking all human rights. It is no coincidence that in the beginning of the new millennium, North Korea increased its spending on the army, which led to strengthening of the Songun idea in the society by military mobilization motivated by defense against foreign intervention. Therefore it can be reasonably assumed that the Songun ideology has both internal and external grounds.

SONGUN PRINCIPLES IN NORTH KOREAN POLITICAL SYSTEM

In terms of interpretation of the Songun idea, one shall look at its principles. They are fundamental for understanding the situation in the DPRK. The Songun dogmas, presented by one of the most important North Korean theoreticians, Prof. K.P. Chon, serve as manifestations of the army’s influence on social life. The military must live and die with Soryong to the end. This implies that every soldier’s commitment and devotion to the leader is absolute and unconditional, and the military will achieve its assigned goals at all costs, with no regard for victims. For a soldier, the most important goal is defense of the nation, rather than material issues. Individual activity of man is meaningless. What matters most is a collective work for the greater good. Discipline that plays the most important role in the North Korean Army is the core of all actions, and the remaining members of the society have to be absolutely loyal to one another, if it does not violate the interest of the nation, primarily the Workers’ Party of Korea (Park, 2007).

Further strengthening of the role of Songun was sort of sealed by adoption of a new constitution of the country in 2009. The term communism was deleted in articles 29 and 40. Military issues were enumerated in articles 100 to 105. Based on them, it is entirely clear the Chairman of the National Defense Commission

is the Great Leader of the DPRK (note that the Commission was dissolved in 2016), and his term is the same as the management staff, and he is the Supreme Commander of the whole armed forces of the DPRK and commands and directs all the armed forces of the State. The most precise, however, is article 103, according to which the Chairman of the Commission has duties and authority to direct the overall affairs of the State, to personally guide the work of the Commission, to appoint or remove key cadres in the field of national defense, to ratify or rescind major treaties concluded with other countries, to exercise the right of granting special pardon, and to proclaim a state of emergency, a state of war and mobilization order within the country. He also issues orders and is accountable to the Supreme People's Assembly (Petrov, 2009).

In the economic aspect, the Songun doctrine makes the defense industry the core of the economic structure, followed by light industry and agriculture, which are considered coequally secondary. Due to this reason, the primacy of the army over economy makes that the economic situation of North Korea continues to be in dire straits. It is rightly emphasized that the military industry is the only one that brings in certain revenues. In accordance with the official data, military expenses of the DPRK generate 25% of GDP, and unofficially as much as 50% (Dąbrowski, 2017). These days, the army has 20,000 artillery pieces, 1,000 short- and medium-range missiles, 70 submarines, more than 400 patrol/missile boats and 563 combat aircraft, with more than 1.2 million armed men. However, according to former American Army Intelligence Officer Michael Pregent, North Korea's military is armed with obsolete conventional weapons, but it can threaten and destroy a significant part of Seoul in South Korea (Wallace, 2017).

The situation is similar in education. In the DPRK, military education starts from a young age, focused on popularization of the cult of army as an invincible power, resisting Western countries, in particular the United States of America and South Korea. Focus is placed on the central role of the military in the "patriotic" education of the nation, highlighting the necessity of defense against American imperialism. 14-year-old children get military training, regardless of gender. They learn how to use weapons and precise shooting, firing to, among others, targets fashioned after American soldiers. The most meaningful motivation is the one that regards learning of foreign languages by Korean children. Indicating the necessity of learning the language of the enemy – English and Japanese – North Korean children learn military vocabulary, in accordance with Kim Il-sung's "recommendation", that says that young people do not have to speak these

languages, but understand the basic military terms such as “arms down”, “hands up”, “surrender” (cf. Learning or Drill?).

In the family aspect, they present and require a military and traditional family model, based on the dominating role of the husband and a significant number of children. Woman in North Korea is not empowered and is frequently submissive to her man. Despite the officially atheist propaganda of the DPRK, we rarely see cohabitating couples. Families whose parents or children are on active duty receive from the state a larger food ration and additional perquisites. When children are in military training areas, the government sends special helpers to their families in order to assist them in household chores (Park, 2007).

A special role in the Songun doctrine is played by culture and propaganda. It is the key for the authorities in Pyongyang to have control over society. Referring to military traditions by ruling officials constitutes an important component of the forced integration between society and the army, as well as a reliable way for mobilization in terms of ideology. The most frequently presented arts refer to the military topics of defense of Korea against the USA and South Korea. A special role in this matter is played by choirs promoted by North Korean television. They are expected to shape the “revolutionary awareness” of a DPRK citizen. In addition, Western cultural influences, perceived as “decadent”, are sharply criticized in North Korean culture. Black and white propaganda used by the authorities is seen in particular in many propaganda films, glorifying North Korean armed forces, in particular their size and alleged level of technological advancement (Park, 2007).

However, the essence of the Songun doctrine is reflected primarily in the foreign policy of North Korea. Propaganda, from the beginning of this state, emphasizes that the military force of the DPRK and other “progressive” countries will make possible removing of Americans from Asia and “peaceful” unification of the Korean Peninsula. In communist media, politicians and military in Seoul are perceived as American puppets, financed by the military factors of Washington. Therefore, according to North Korean political and military factors, South Korea should not be treated as a serious partner in international relations of Asia. In the opinion of the propagandists of Pyongyang, defeating of “imperialists” will be possible after unification of the opponents of American policy and a joint attack on South Korea, obviously when the USA and South Korea strike first. The North, involved in aggressive foreign policy, based on strong army, tries to state that it strives to stabilize situation on the Korean Peninsula (Park, 2007). We have to notice that in the second decade of this century, we can notice

some trends in activities of the leader of the Korean state, which are aimed at changing the status quo in terms of the primacy of the military zone and the role of representatives of military administration in almost all fields of political and social-economic life.

KIM JONG-UN'S POLICY AND ATTEMPTS TO LIMIT ROLE OF MILITARY APPARATS IN THE POLICY OF NORTH KOREA

After the death of Kim Jong-il of a heart attack on December 17, 2011, his son Kim Jong-un, born in 1983 or 1984 (the exact date unknown), was appointed as his successor. International community and the Koreans themselves have been convinced that the young leader, educated in Switzerland, would become a hope for political and economic changes. However, due to the specificity of the North Korean rule system, it has been known from the beginning that such changes would not happen in the near future. Having the support of the military, Kim Jong-un had skillfully carried out his goals to maintain his power, showing towards his opponents brutality, not seen in the party management of the country since his father's removal of competitors to Kim Il-sung's legacy. The youngest of Kims, aware of the restrained support from his immediate family, started purges from first removal from the party and later the killing of Jang Song Thaek, his uncle and husband of the sister of the late dictator. Most likely, this execution was the revenge for lack of support to the candidacy of Kim Jong-un as successor of his father from the sister of the late dictator, Jang's wife, in 2008. Regardless of the actual reasons of his political fall and death, his removal started purging within military elites, reluctant to the rules of the present leader of the state. Kim Jong-un, getting rid of influential generals, was guided by two goals. Firstly, he wanted to strengthen his political power and control over the army. Secondly, it seems justified a statement that in this way he worked on development of his position in the management that would allow him to carry out economic reforms without asking for opinions from chief officials. It is no secret that the success of reforms could depend on reduction on spending on the army. In the meantime, Kim Jong-un did not officially abandon the Songun doctrine until 2013. During his first public speech at the event celebrating the centennial of the birth of Kim Il-sung, the new leader of the DPRK confirmed further strengthening of the North Korean Army, stating that expansion of the army is the "first, second and third" task of the state. According to him, North Korea

established a strong army, ready to offense and defense (Bartuś, 2014, p. 53). In April 2013, he said that “Songun was the General’s [Kim Jong-Il] revolutionary idea, his practice in the revolution, his political ideal and his political mode...”. In terms of strengthening of the Korean People’s Army as the most important instrument in the Songun policy, he described it as “the buttress, the main force of our revolution” and “[Kim Jong-Il] achieved the historic victory in the grim anti-imperialist, anti-US showdown in defense of the country’s security and socialism” by strengthening of the army (*Songun Chongch’i [Army First]*). The strong emphasis on the army seen in the speech was another attempt to convince the military that the current political direction, based on the power of the army, would be continued. We need to mention a special time for delivering his first speech. The first months of 2013 marked escalation of tensions on the Korean Peninsula, caused by American – South Korean military exercises alongside the North Korean border. It seems justified that Kim Jong-un, strengthening his power at that time, did not want to antagonize the army and formally guaranteed continuation of the Songun line. There was the risk that the situation may get out of hand, but it was clear that the Korean leader, considering a significant advantage of the American nuclear potential, would not risk a war. Pyongyang’s provocations have been used to strengthen the control of the current head of state over the army, just like the frequent visits of the leader to the military units stationed alongside the border (Malm, 2014). Educated in Europe, the dictator is well aware of the fact that quality of life in the West and other countries is so much higher than in his homeland. The North Korean authorities also realize that reforms are necessary. The first serious idea of the young Kim in this matter is development of a doctrine, which is described below.

THE BYUNGJIN IDEOLOGY AND ITS POSSIBLE IMPLICATIONS FOR THE POLITICAL SITUATION IN NORTH KOREA

Considering the statements on strengthening the leading role of the army in the DPRK, it would be justified to claim that Kim Jong-un does not think about any fundamental economic reforms, striving to continue the rule of his father. In reality, formulation of the Byungjin idea constitutes a certain modification of theories that have been present in North Korean propaganda. The discussed concept literally means economic development in relation to the possessed nuclear potential. The beginning of the Byungjin doctrine is referred to Kim

Jong-un's New Year's Speech of January 1, 2014. In it, he formulated five crucial assumptions for development of the country. Firstly, a strong emphasis on an external nuclear threat and the development of Korean own nuclear capabilities. Secondly, continuing praise of scientists in the defense industries of the DPRK, developing military hardware that is "light, unmanned, intelligent and of high precision", i.e., drones. Thirdly, a continued emphasis on "ambitious" construction, including entertainment facilities, residential buildings and economic projects that benefits Pyongyang the most, but is also having no negative impact on the countryside. Fourthly, it will be justified to focus on power generation to help modernize the national economy. And finally, fifthly, focus less on ideology and more on actual policies, which reflects Kim Jong-un's personal views (Frank, 2014).

It seems that Kim Jong-un realizes that in times of the changing international situation, the Songun ideology starts to be dysfunctional. For this purpose, the leader looks for an original concept, which according to his belief, would be able to save the regime. It is supported by the information on establishing the Space Agency of North Korea and new missile tests in 2017, condemned every time by the international community. In addition, it is worth mentioning that the 4th session of the Supreme People's Assembly disbanded the National Defense Commission, replaced with the State Affairs Commission, which in addition to Kim Jong-un as its chairman includes all important officials of the North Korean Party serving as deputy chairmen, both military officials and heads of economic departments (Pietrewicz, 2016). The makeup of the commission confirms that Kim Jong-un added representatives of both law enforcement and economic agencies. It allows to assume that in the coming years, military will play a less important role than so far, but it will remain one of the most significant players in the North Korean policy.

The pretext to broader considerations on the Byungjin doctrine was the 2016 Congress of the Workers' Party of Korea. It became a kind of coronation of Kim Jong-un as leader of the country. It also served as an opportunity to highlight the meaning of the new doctrine. During the sessions, emphasis was placed on an increase of nuclear weapons stockpiles in terms of quality and quantity, at the same time stressing that the DPRK does not want to use nuclear weapons and strives to assure peace on the Korean Peninsula through direct talks with Seoul and Washington on normalization of relations, to ease tension and reduce armed forces stationing on the demarcation line between North and South Korea. A statement of the Congress, published by the KCNA agency, specifies

that a potential attack from South Korea will be crushed by the army from North Korea, and the nuclear program of the country will be maintained as long as “the imperialists present a nuclear threat”, and nuclear development of the country is necessary due to the “hostility of the United States of America” (Martin, 2016). According to Prof. Dziak (2016), the official Songun doctrine is still maintained, but in practice the party increases its role, since Kim Jong-un does not want to be dependent on the army. According to an analyst, the military consists of ideological “fossils”, afraid of changes and loss of influences and positions. “And if not the army, then what’s left is the party. The Congress will pick a new political bureau, new central committee and will appoint Kim Jong-un as its chairman. It will strengthen the position of Kim and the party, increasing the control over the army. That’s why the first congress of the party in 36 years is needed” (cf. Parfieniuk, 2015). On the other hand, American publicists J. Person and A. Isozaki claim that development of the Byungjin ideology proves the unwillingness of the DPRK to abandon its nuclear program and intention to continue its policy as a deterrent. What is interesting, they criticize the US policy against Pyongyang. According to their opinion, American political elites misinterpreted the DPRK management as irrational, unpredictable and aggressive people. These stereotypes make impossible more sober analyses of the actual situation in the DPRK and true motivation of the country leadership. At the same time, the authors indicate that the Korean top officials drew the conclusion from past experiences of other totalitarian regimes and developed an answer to new challenges, in case of which the Byungjin ideology is one of the initial signs (Person & Isozaki, 2017).

International reactions to the Byungjin doctrine were very laconic and restrained. Park Geun-hye, former President of South Korea who was impeached, described it as a “far-fetched assertion” that was unrealistic. Another researcher from the Korean Institute for National Unification in Seoul, Kim Gap-Sik, stated that this program is unrealistic because it pursued “nuclear first, economy second”. There was also an opinion expressed by Chung Chang-Hyon, Director of the Institute of Korean Modern History, who indicated that “there was no change from the previous position of Pyongyang” (Suh, 2016, pp. 4–5). The Byungjin analysis also mentioned that Kim Jong-un in the rudiments of the doctrine refers to Kim Il-sung and the time of economic growth of the country in 1953–1961. Afraid of U.S. intentions to overthrow his government, it is possible that he realized that he should prevent a similar scenario in Pyongyang. Therefore, on the one hand, in addition to continuation of terror, they should implement economic reforms (Cathcart, Winstanley-Chesters, & Green, 2017,

p. 13). It seems fair to state that one of the first signs of implementation of the new doctrine took place in early 2015, when North Korea began reaching out diplomatically to Russia, Southeast Asia and Africa, lessening its dependence on China. These efforts have had little success, and North Korea remains unable to significantly expand ties with foreign partners (cf. *Military and Security Developments Involving the Democratic People's Republic of Korea*, p. 3). B. Seliger says that the Byungjin doctrine confirms that North Korea's strategy of bullying was unsuccessful, since warning foreign diplomats of a coming war while at the same time wooing foreign tourists and investors does not work. The author also states that the simultaneous development of nuclear potential and economy of the country cannot be reconciled with long-term development goals. On the other hand, there is some economic logic in Kim's policy – scaling down of the army accompanied by its modernization and increased spending on consumption. The author concludes that with time the DPRK authorities should focus on one direction of development. First of all, they have to make the country credible in the eyes of Western businessmen and significantly increase North Korea's trade with the rest of the world, particularly the part that remains neutral to the parties to the dispute on the Korean Peninsula. According to the author, tests of nuclear weapons and missile launches will not help, since they increase threat perception in other countries, not only in South Korea (Seliger, 2014, p. 26). We can agree with the analysts, since in many countries the problem of development of the Korean army is completely misunderstood. Sparse information from the DPRK, received mainly from defectors and anonymous diplomats, draw a picture of this country isolated from the rest of the world and identify it as a threat for the entire world. Therefore, there is no doubt that in long term, the DPRK would have to choose if it wants to follow the path of Chinese reforms and pragmatism in economic and military affairs, or it will continue on its current course, which vision is presented by the Songun doctrine.

CONCLUSION

Considering the above – is there a future for the Songun doctrine? In our opinion, the DPRK will be involved in the process of gradual departure from the “military first” policy and strengthening of consumption factors, maintaining its tough stance. We cannot expect any significant changes in short term, but preliminary reforms can start right now.

The article was motivated by the current events faced by North Korea. Slowly, it seems clear that the time of taking full power by Kim Jong-un seems to be close and we can count on the possibility of gradual implementation of certain promising economic ideas. We can notice that the dictator, aware of a low standard of living in North Korea, realizes that another delaying of reforms can lead to his fall. It cannot be excluded that once again the expected changes will be torpedoed by Kim's inner circle, including his family, army and the theoretical advisors from the Organization and Guidance Department, having the vast majority of responsibilities in the scope of internal and external policy of the country. The North Korean ruling elite sense that success of economic reforms can lead to the loss of its influence. Due to the traditions of inborn obedience and the use of ruthless political terror, we should not expect an outbreak of organized social protests. The society will not risk a highly probable defeat. In North Korea, like in no other country in the world, there is no open or hidden opposition to the authorities, and isolation from the world makes it impossible for any social self-organization to exist. Therefore, a slow departure from the Songun doctrine will not change political situation in the country, but depending on receiving permission from Kim Jong-un and his associates, it can contribute to improvement of economic condition of the society and gradual decoupling from China. Departure from North Korea's dependence on the Central State means return to the times of Kim Il-sung, who had for years skillfully balanced the Soviet Union and China against each other, trying to stay neutral between the two powers. Referring to the cult of the state founder and only modifying Kim Jong-il's assumptions can improve the international situation of the country and thus its economy, but only in an ineffective, short-term perspective. Will they succeed in these new undertakings? We have to wait for an answer to this question a little bit longer.

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POLITICAL SCIENCE CONCERNING RELIGION IN THE PERSPECTIVE OF MODERATE METHODOLOGICAL NATURALISM

POLITOLOGIA O RELIGII W PERSPEKTYWIE
UMIARKOWANEGO NATURALIZMU METODOLOGICZNEGO

*Łukasz Młyńczyk** 

— ABSTRACT —

The aim of the article is to define the methodological status of the proposed new sub-discipline of political sciences – the political science of religion (politology of religion). The diagram of naturalism adopted in the text indicates the choice of the perspective of cognition for an alliance of religions and politics as a single social and political phenomenon. The position expressed in the text aims to find a common knowledge base for the two most important social phenomena. The presented postulate takes into account the combination of knowledge in the field of political sciences and theology, sociology of religion, religiousness or history with the classical methodology of sciences, characteristic for mathematical natural science.

Keywords: political science of religion (politology of religion), naturalism, understanding naturalism, antinaturalism, understanding sociology, the political

— ABSTRAKT —

Celem artykułu jest próba określenia metodologicznego statusu postulowanej nowej subdyscypliny nauk o polityce – politologii religii. Przyjęty w tekście schemat rozumiejącego naturalizmu wskazuje wybór perspektywy poznania dla sojuszu religii i polityki jako jednego zjawiska społecznego-politycznego. Stanowisko wyrażone w tekście zmierza do znalezienia wspólnej płaszczyzny wiedzy dla dwóch najważniejszych zjawisk społecznych. Zaprezentowany postulat uwzględnia łączenie wiedzy z zakresu nauk o polityce oraz teologii, socjologii religii, religioznawstwa czy historii z klasyczną metodologią nauk, charakterystyczną dla zmatematyzowanego przyrodoznawstwa.

Słowa kluczowe: politologia religii, naturalizm, rozumiejący naturalizm, antynaturalizm, socjologia rozumiejąca, polityczność

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ASSUMPTION

Our actions are determined by the **cause** (causal explanation) and **purpose** (intentional explanation), hence the researcher of political phenomena may impose his or her own cognitive perspective on religion in the form of understanding naturalism, expressed by an integral explanation of political phenomena (including religion) in the form of synthesis of understanding sociology (Weber) and naturalism. The assumptions of the general methodology of science push the science of politics to the periphery of science, imputing a relatively low utility value of political science knowledge. If we assume that the consequence of research processes is to acquire the knowledge of utilitarian *par excellence*, the effect of applying which will be the ability to solve problems falling within its domain, then here appears, according to many, the obvious problem for political science. It is not about the ability to fulfill the material needs of society, but certainly about the reference to the problem, located in a specific unit of time (temporally) and strictly materially. In purely naturalistic terms, it is reasonable to say that political science using diverse research instruments may give the impression of being pre-paradigmatic (pre-scientific; Bachryj-Krzywaźnia, 2016). The explanation and understanding of political phenomena and processes can be determined by the effect of scientific inquiry in the area of interest to us. Interpretationism, which is an interpretation of the anti-naturalistic standpoint, presupposes the necessity of separating the natural sciences and social sciences, questioning the naturalistic judgement about general and universal validity of the laws of natural sciences, which are written on the pages of the general methodology of sciences. Intuitions suggest the choice of a position having its essence in an opposite type, so the naturalist is everything that one does not want to be an anti-naturalist, and *vice versa*. At the same time, it will be quite obvious that both rules have identical scientific rules. Thus, it is not anti-naturalism only a humanistic reflection, but an expanded form of interpretation, based on the methodology of the sciences, only that its generality in the form of rules and so is derived from the mathematized natural science. It is then legitimate to speak about political science as a discipline of science, in a methodological sense, not only an institutional one. As a social science, it has a poly-paradigmatic character, which means that theories at the same level of science development correspond with each other at the same time (Węsierski, 2011). The inability to refer to one comprehensive theory available in the social sciences does not prejudice the lower theoretical status of politics, because competing to explain the phenomenon

of approach consequently creates a complementary approach to it. Of these elements of the theory, the dialectic synthesis is not so much produced as is the overlap of explanations specific for social sciences, where one theory becomes more precise in explaining phenomena as long as it is accompanied by another, creating a new interpretation. The status and content of the theory does not change, but its range of action is shifted.

Contemporary problems investigated by political scientists, such as biopolitics, neuropolitics, evolutionary theory of politics, often reach to the instruments of medicine, biology, psychology or recently also physics. Therefore, the *sine qua non* condition is inference regarding the rules of the natural sciences. The essence of this was widely recognized in Poland by the Poznań methodological school, with the humanistic interpretation of Jerzy Kmita or the historiosophy of Leszek Nowak. Kmita assumed a cognitive situation in which the interpretation would be an effect of deductive inference in the humanistic sciences, and on its virtue the universality of laws of nature reduces the assumptions of the rationality of the causative entity (Grad, 2012). For Nowak, in contrast to Karl Popper and his theses included in *Nędza historycyzmu* [The Poverty of Historicism], the essence of discovering the laws of history was the use of the usual scientific method, i.e., idealization, where accepted hypothetical models explained the simple relationship possible between as few variables as possible, including the clause *ceteris paribus* (Nowak, 2011). Jerzy Topolski promoted the directive of integral explanation in the area of humanities (including political sciences). He combined the humanistic interpretation with deductive reasoning. The essence of this boiled down to getting an understanding of history by explaining it. This will be achieved when we combine the methodological individualism that gives us information about the intentions and preferences of subjects with the Weberian ideal type of rational action, which let us gradually strive to find the correctness of the historical process as the effect of knowledge about the causes. The presented article reaches into these traditions, and the attempt will be made to determine the epistemological status of the proposed subdiscipline of political science – political science of religion. The aim will therefore be to set out a framework for political science in relation to the concept of religion, understood as a social phenomenon.

EXPLANATION

Our actions always have a **purpose** similar to creating a world by God, so creating a political organization do we *de facto* create the world? In the case of using Ockham's razor and striving for the rationalization of the (temporal) political world, it would probably be necessary to disregard the religious (transcendent) world, because a world without God and religion would be rational theoretically and politically. Can political science, therefore, recognize religion only as a political phenomenon¹, unless it wants to refer to theism (what is supernatural) by choosing a relation to the political (moderate methodological naturalism)? In adopting religion in the world of the study of political scientists, we must realize that the simplified cognitive model refers to phenomena and processes to which we give a political character, and its basic function will be the interpretation of actions of entities with a possible cause and purpose. In spite of any fears, religion can be regarded as a natural phenomenon, available only in the human world, and thus subject to the laws of physics and biology. Assuming that religion will be a social phenomenon, deprived of uniqueness, which collectively acquires political knowledge through selecting the features of the political, talking about the need for epistemological, ontological and methodological separation of the specificity of political religion loses its primary arguments. One could hypothesize here that the shaped concept of political science in its final scientific version will always make a regression to political theology. Political scientists investigating the influence of religion should look for an answer to an important dilemma expressed in the possible elimination of the eschatological context from their considerations or give it an ideological function. The second alternative will appear when we acknowledge the fear of eternal condemnation (hell) as a real social fear, we force politics (politicians) to declare security (e.g., Locke's security agency) against this threat, which will also be on the side of a particular religion (set of beliefs – *reductio ad christianum*) and breaking the rule of religious freedom (Dworkin, 2014). This is because we use the social and utilitarian definition of religion, the essence of which is based on the understanding of the circumstances of its impact on the life of a specific community, which may consequently become a political organization of society. One can set religious and

¹ “The syndromic quality of political phenomena and their relationship with virtually all spheres of social life require a comprehensive and multi-faceted coverage of the subject of the study” (Węsierski, 2011).

anti-religious motivations that are competing against each other. However, we are talking here about the dominant role of natural religions in the political order, as evidenced by the British enlightenment of the important function of creating public order, also with the participation of religious dissident sects, for which Adam Smith emphasized strict morality (Himmelfarb, 2018). What deserves attention is that deists/skeptics such as Smith, even if they questioned religion as a source of morality, they nevertheless considered its alliance natural with human innate morality (Himmelfarb, 2018). Taken for the obvious by many, the primacy of reason in the case of British Enlightenment has never been questioned, but on the basis of science, the coincidence of religious utility has been suggested, reinforcing the general principles of good and evil. Even if we are skeptical about the existence of the “moral sense”, the fact of such human sensibilities (virtues) that bind their usefulness to the obtained benefit (Locke) must arouse reflection. Human tendencies described as natural, however, differ from predispositions, which can be defined as a function of political behaviors (including actions). The inclinations of human nature, which on political grounds can be found even in the existing certain moral feelings creating one society, remaining in the domain of natural law can be transferred to religion as a derivative of natural moral states that materialize in the form of human behavior, including religious. Indirectly, this is the reason why religion included in the framework of social cognition cannot free itself from politics. By illustrating this state, we can talk about subordinating religion to politics because in the mundane world (available to political scientists) they are recognized as social phenomena, not transcendent phenomena. Therefore, the politicization of religion, that is, the giving of its function to the political, is the highest dimension known to humanity today (Młyńczyk, 2015). Therefore, the relevance of religion has a potentially marginal value.

Of course, it should be stipulated that we do not have credible evidence that the political format of religion, for example, political action to implement the “Kingdom of God on Earth” (which is not a universal religious expectation), always makes use of it. The intermediate state, between the object and subject politicization (descriptive category) of religion, may mean the alternative pursuit of a valuable life by religious people and atheists and agnostics, expressed by taking just political decisions. In turn, a strictly subjective state can be found in the functioning of a political organization that is merely a function of religious determinism (autotelic postulate). Indication of the primary character of one of the above phenomena will be a choice based on belief, and not a choice of

a specific research program (*commitment*). It is not excluded that the adoption of a strategy within a selected research program, especially at the level of political science, may have a relevant status when we assume that the conclusions lead to the explanation and prediction of an identical phenomenon. This is how the established coincidence regulates only the issues of higher cognitive utility from the perspective of the cognizer, and not the object of cognition. In both of these cases, the consequence may be the creation of a belief among the recipients who may lose the ability to decide whether the knowledge provided is independent of his or her conviction. Bearing in mind the political science objection that it can only be a verbal science, and at the same time referring to Popper's criticism of neo-positivism (post-positivism), we must consider the dilemma regarding the possibility of obtaining social knowledge (political science), free from contexts based on political consensus. The basic weakness of political science as a discipline of social sciences in relation to the assumptions of the theory of science made by Karl R. Popper could be its forced absence in the theory of the three worlds (Popper, 2012). Of course, this is not about the fact of ignoring the science of politics, but about a certain general scientific inability of the social sciences. It is expressed in the impossibility of using knowledge in the field of social sciences while trying to solve social problems, because Popper's theory overlooks the social world (Grobler, 2016). But does political science want and can deal with this indirect lack of inclusion in what is essentially scientific? The components of knowledge may, in certain circumstances, not enter into the period of one's opinion – epistemology without the cognitive subject (Grobler, 2016): Popper gave an example of knowledge left in books after the destruction of man. In such a case, religious axiology (principle) could similarly be independent of the existence of God (the third world of Popper). Observation of political phenomena as products of our thinking, which are not naked facts, leads us to search for confirmations of accepted assumptions. Thus, it is possible to determine the statistical motivations of human actions and social behavior through their purpose and intentions (maximizing individual usability), gaining their apogee in the content of the political (Młyńczyk, 2015). According to the assumptions of naturalism, human aspirations and desires materializing in their behavior and natural phenomena are identical in terms of their causal explanation. If the pursuit of science is the discovery of rights, then it is analogous to social rights, although the latter are not universal and depend on the rules prevailing in society or cultural norms (Grobler, 2006). Statistical generalizations or statistical laws, as well as historical generalizations and qualitative theorems

are mainly available in the social sciences, so there are no strictly general laws (Węsierski, 2011). At this point, political science can benefit from the synthesis of a naturalistic and understanding approach (understanding naturalism), proposed to social sciences by Adam Grobler (2006). The attempt to place the matter of political science in Popper's 2 and 3 world would be based on the imitative experiences – goals and intentions of the observed entities (World 2) and the statistical repeatability of these goals and intentions expressed by objectified knowledge (World 3; cf. Młyńczyk, 2015). Explanation of political phenomena and processes within the framework of political science would have to assume a gradual neutralization of (second-world) imitative experiences expressed in scientific empathy (Verstehen) and incarnation (Dilthey, 1987), instead of reconstructing the objective (third-world) problem situation through its rational solution (Grobler, 2006). We can see, therefore, that all attempts by the researchers of political science in the context of imitation (World 2) allow only such an understanding of the manifestations of religion in political life, which was previously given the expected and highest priority. This statement in itself is not a complaint, because we do not decide whether it is about appreciation or depreciation of religious ideas. By analogy, we do not separate believers, and atheists and agnostics. Such a perspective allows us to understand, stopping the possible chance of explaining the problem closer to scientific objectivity and we do not claim anything more than that. To this extent, we are referring to the re-linking of human acts and social processes (Topolski, 1978). The goal people are trying to achieve can be determined by a certain law in the area of repeated individual desires and judgments (Młyńczyk, 2015), *per analogiam* to the physical order of the universe. If there are definitely no bare facts (Heller, 2016), then our action (conduct) results from “the theorization of observation”, and everything contains the primary cause, we strive to maximize the utility of the individual, which in political science can be expressed with temporality (autotelicity) and/or eschatology. Deprived of social contexts, eschatology in terms of metatheory determines what is fundamental in religion, thus eliminating the temporal nature of politics in a strictly methodological (naturalistic) dimension. The rational approach to a given goal stops at what is temporal, and therefore at the highest available point is based on the political.

Max Weber identified human action with behavior (*understanding sociology*) when, with an internal or external act, one or many acting, it binds a subjective sense, turning into social action, when the intentional sense of the acting person(s) is connected with the behavior of other people and he or she is aware

of it (Weber, 2002). In the case of naturalism, the action results from a repetitive law (cause and effect relationship). For understanding sociology, we have an imitative experience, in which action results from the recognition and not the functioning of laws (purposefulness and intentionality). It should be stressed that intention cannot be the cause of action; while remaining its component, it becomes something separate from the effect. As a consequence of capturing this moderately naturalistic moment of cognition, we can diagnose that human actions (partly imitative) are not motivated by rights but by an understanding of these laws. The whole is expressed by the synthesis of naturalistic (laws) and anti-naturalistic elements (understanding of laws) in a closed deductive integral assumption (see diagram). The political science of religion seems to us paradoxically practical, because in its empiric there are specific problems to solve. It results directly from the extended by the applicability condition of the definition of knowledge, where “to know something means, among others, being able to use your message to solve a practical or theoretical problem” (Grobler, 2016).

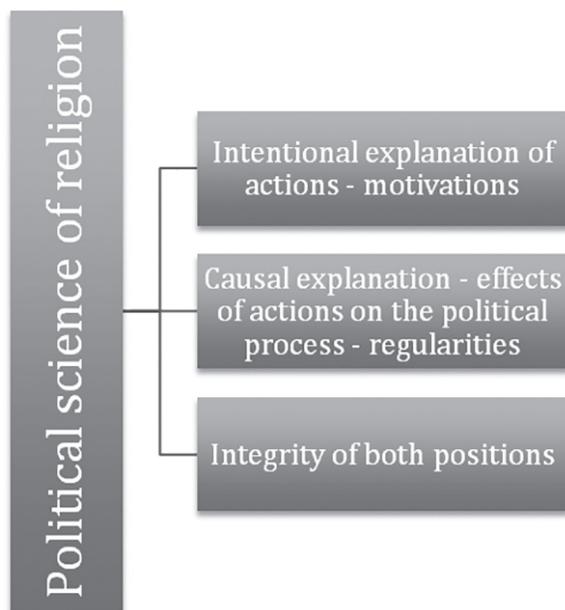


Diagram 1. The cognitive scheme of political science of religion

Source: own study.

MODERATELY NATURALISTIC DOUBTS

Why does political science need religion as it only hinders reaching the scientific truth? Optimizing of the political order does not guarantee the choice of a religious world, in this approach a rational, theoretically and politically, would be a world without God and religion. The null hypothesis would therefore assume that naturalism, expressed in the theory of evolution by means of natural selection, is a scientific theory *par excellence*, which would mean explaining the fate of the world without the influence of God. At the same time, if we assume that the original cause existed first (case and necessity), then the Ockham's razor will not apply (Dennet & Plantinga, 2014). Dworkin points out that usually in the political order people choose a religious world entering into conflict with atheists, because the latter represent a world that is morally unacceptable to the former, hence the conflict runs between what is natural and what is defined as the world of values (Dennet & Plantinga, 2014).

The dispute between naturalists and advocates of the intelligent design theory can also be inspiring for political science itself. Scientists-naturalists in the US pay a lot of attention to pointing out the errors of the biblical approach to creation, which a few years ago was considered cognitively unfounded (Dennet & Plantinga, 2014). It is possible to find the answer to the regret of the famous physicist Richard P. Feynman, who claims that people separated from scientific debate believe in supernatural phenomena, because no one is working on these problems with them (Feynman, 2005). The basic doubt concerns the issue of understanding religion (explanation vs understanding) as a natural phenomenon, through the function of making fair political decisions (Dennet, 2017). Unless, of course, we consider religion a natural phenomenon, available exclusively in the human world, and therefore subject to the laws of physics and biology (Dennet, 2017). In a Puritan view, the religious attitude contradicts naturalism, recognizing the world of values as completely independent. Then the solution will be to limit the recognition of political science of religion by recognizing its object of cognition as a social phenomenon, based in part on the achievements of natural sciences and psychology. At this point, not yet reducing religion, one might wonder whether it would be legitimate to study religion in social life through roles that religious people as well as atheists and agnostics attribute to it. We are facing them in the above axis, whose values oscillate around the opposition: smaller or larger implementation/exclusion. The causal link in physics requires space and time, and so does political science.

Let us repeat then: can political science recognize religion only as a political phenomenon, unless it wants to refer to theism (what is transcendent), reducing its socio-naturalistic manifestations to describe what is political (methodological naturalism)? Can we do in political science of religion without a specific reference to the problem of interfering with God in politics (the null hypothesis)? It is not our goal to carry such proof, but to draw political consequences from a world that contains the purpose and cause of its creation. The political consensus on the presence of God is in the public interest. In addition to the eschatological goals of believers, we have a justification for the religious position of atheists for their earthly life. The whole is contained in direct impact on the political organization of society. Next we have intermediate goals, expressing the scientific dispute between naturalists and theists, guaranteeing them the desirability of searching for their own justifications. An indirect benefit may be the creation of institutional order, which to the highest degree satisfies the needs of the society which it serves (evolutionary theory of politics). Political activities replacing divine intervention are in the interest of the opponents cited, because they prove the lack of necessity. Taking human existence as temporal, in the opinion of Mark Lilla (2009), the implementation of political goals will make it impossible to refer to revealed knowledge, that is, the unlawful knowledge, and political institutions separated from the problem of eternity will turn towards temporal. Nevertheless, people who believe in revelation take “earthly” decisions with specific political consequences.

Can basic concepts appear in political science, for example, power, political order, to avoid regressus ad infinitum? Dworkin believes, unlike Popper, that there is no absolute, infinite regress, because everything that exists, exists for some reason, so there must also be “some” primary cause. In the social sciences, there are no axioms, as in the case of natural sciences; or can the law of political science of religion have the status of universal laws? The universality of results is blocked intentionally, becoming a trace of inductive reasoning. This happens when the probability of successfully building a hypothesis depends on previous empirical knowledge, where relationships between, in our opinion, similar phenomena are a component of inductively acquired confirmations (Grobler, 2006). This leads inevitably to regress to infinity. Understanding what we use forces us to logically justify the theorem, which also requires justification, and that immediately needs the next justification. As the creator of *falsificationism* claimed, sentences can only be justified by sentences (Popper, 2002). When the justification is no longer justified, “arbitrary power” appears, and this enables us

to proclaim that “it is so” (Leder, 2016). Perhaps then, religious dogma is not so much mediated in political science as its transcendence (divine arbitrariness) is borrowed. There is a kind of tacit agreement between physicists (Heller, 2016), but nowadays we are dealing with its mutation in the form of a consensus that serves to achieve political goals resulting from research in the natural sciences. This happens due to giving nature rights to the laws of nature, whose management is dealt with by politicians. Andrzej Leder (2016) reconstructs the 20th century scheme of understanding social sciences, which we could call the fear of naturalism, and it results from a reducing look by articulating the negative effects of social cognition affecting the problem of “purity of race” and “perfect construction” (Leder, 2016). It is difficult to reproach these conclusions, especially when we realize their fusion with time and space (generalizations). It will certainly be another problem recognized as a phenomenon dominated by the political science of religion.

From the above, one more analytical circumstance, boiling down to the awareness of the scale of cognitive predilections among researchers in political science, is evident. Of course, the advantage is the inability and purposelessness of separating the context of discovery and the context of justification (Heller, 2016). What is more, we do not expect researchers to isolate their emotions, assumptions, views, make-up or just contextual dependence (Taleb, 2013). This may mean that some subjectively legitimate missionary context cannot be eliminated (cf. Michalak, 2015), both in relation to the strictly understood theological rules, as well as in their political secularization, as a format for eliminating the negative impact of undesirable phenomena and processes limiting the rights of some people by others.

One could consider a slightly different reference to the recommendations of the economy of thinking here. Therefore, it is not a question of getting rid of the explicative features of religion in its marriage with political science, but it is rather about the economy of epistemological rules. There is a surplus of opinions expressed by people who are openly committed, trying to get the desired effect by imposing the elements interpreted along with their correct interpretation. They achieve the influence expressed by the closure of the debate according to the recommended criteria. They do not go beyond this circle, wading more and more clearly in the antinomy. Dialectics stops them in a place where the knowledge of politics requires theoretical explanations, and not the duration of the claimant reductionism. The political trait ceases to have its properties when it is forced to represent the problem only in the form of a demand.

CONCLUSIONS

The specific cognitive position presented in the article concerns the directions of explanation for the subdiscipline – political science of religion, postulated in the sciences of politics. Undoubtedly, the reflection on religion coincides with that relating to politics from the very beginning of their existence. What is more, the political science literature, rich in the domain of political scientists, to a large extent has illustrated the problem of God and religion in the social and political life of humanity. Therefore, talking about the universal theoretical key for explaining the relationship between politics and religion from the point of view of the theory of science is groundless. We are, of course, fully aware of the fact that the highest priority has been given in political science to political theology, but it cannot be considered, in spite of enormous achievements, for a finite empirical theory whose status would be widely accepted. Proposed positions must take into account the factual methodological dependence of social sciences and the so-cited science on politics, where the quality of the theory and its laws closely depends on the existence and reference to another, often equivalent, and differently interpreting the empiric policy. A look at religion as a social phenomenon, considered by political science, may seem to suggest a conflict with people who define themselves as religious, less often anti-religious. This is due to the acknowledgment of its dominion as a non-alternative social model, which some unconditionally accept, others, in turn, firmly reject. For some, the very scientific reduction of cognition, expressed by the “disenchantment” of religion, is an incentive to fight for the right to publicly profess faith not so much in public space as in the scientific circuit. Atheists/agnostics usually use the appearance of expressions of a particular religion as an opportunity to demonstrate the oppressiveness of the codified system of values, contrary to their postulated freedom. Both these positions are reflected in the political literature, in which there is a large representation of doctrinaire positions, and they are given a strictly scientific dimension not by virtue of the adopted methodologies, but due to the affiliation of their representatives. The ideological and apologetic trend is dominant here. Meanwhile, the only thing a political scientist could do in this relationship was to show a polemical position on the basis of the general methodology of science. In the case of political science, we are forced to take into account all diseases resulting from adolescence. This does not directly mean that we are dealing with a poor theoretical reflection, but rather with the fact of a strong inclusion of the new subdiscipline, when the guards of the new

scientific niche do not keep proper vigilance. Then comes the effect that Polish political science has struggled with from its institutional origins, and hence the secondary circulation of people of science, transferring their previous scientific achievements. The flow of a large number of theologians, religion specialists, sociologists, and historians of religion and church is not a problem in itself, but raises doubts when the term “political science of religion” becomes just an overly wide umbrella.

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SECTORAL POLICIES



STRATEGIC IMPORTANCE OF NATURAL GAS IN POLISH ENERGY POLICY: A CRITICAL ANALYSIS

STRATEGICZNE ZNACZENIE GAZU ZIEMNEGO W POLSKIEJ POLITYCE ENERGETYCZNEJ – ANALIZA KRYTYCZNA

Krzysztof Tomaszewski* 

— ABSTRACT —

This article deals with the importance of natural gas as an energy source in Polish energy policy. Its purpose is to analyze the extent to which natural gas can provide for ensuring state energy security. This article covers issues related to the diagnosis of the gas sector in Poland (the most important economic entities, the functioning of the gas market), its role in the national energy strategy and prospects for future gas use. The article points out that natural gas, although important for maintaining and securing state energy security, is, however, not crucial in this regard. Multiannual strategies envisage diversification of the way of generating energy, which means the opportunity for renewable energy sources (RES) and nuclear energy. Natural gas has a secondary meaning in this context.

Keywords: energy policy, energy security, energy sources, natural gas, diversification

— ABSTRAKT —

Artykuł dotyczy znaczenia gazu ziemnego jako surowca energetycznego w polskiej polityce energetycznej. Jego celem jest analiza, w jakim stopniu gaz ziemny może stanowić podstawę zapewnienia bezpieczeństwa energetycznego państwa. Artykuł obejmuje zagadnienia związane z diagnozą sektora gazowego w Polsce (najważniejsze podmioty gospodarcze, funkcjonowanie rynku gazu), jego rolę w narodowej strategii energetycznej oraz perspektywami wykorzystania gazu w przyszłości. W artykule wskazano, że gaz ziemny, chociaż jest istotny dla utrzymania i zapewnienia bezpieczeństwa energetycznego państwa, to jednak jego rola nie jest kluczowa w tym zakresie. Wieloletnie strategię polityczne zakładają bowiem dywersyfikację sposobu wytwarzania energii, a to oznacza szansę dla odnawialnych źródeł energii oraz energii jądrowej. Gaz ziemny ma w tym kontekście znaczenie subsydiarne.

Słowa kluczowe: polityka energetyczna, bezpieczeństwo energetyczne, surowce energetyczne, gaz ziemny, dywersyfikacja

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INTRODUCTION

The issue of natural gas in relation to Poland is one of the key challenges in the field of energy security. Poland – as a member state of the European Union, tries, on the one hand, to have its own national strategy for ensuring energy security. On the other hand, it applies – in this respect – to the EU guidelines, which form the basis for the European energy policy created for many years. Building national energy policy is therefore subject to both internal and external (international) determinants. The first category is undoubtedly the issue of the structure of the national energy sector, which should be understood as, among others: condition of energy companies, quality of energy infrastructure, level of competitiveness of the sector against other sectors of the economy, specificity of energy balance or problems of energy self-sufficiency (Tomaszewski, 2014). The second category should include international conditions, i.e., the issue of the State's membership in international organizations, the nature of relations with the countries which are energy resources suppliers, cross-border infrastructure, the specificity of international agreements in the energy sector.

The purpose of this article is to analyze the conditions of Polish energy policy taking as an example of the natural gas sector. Blue fuel, as natural gas is often named, is an important factor for Poland in shaping the national energy policy and building economic security. It is crucial to put a research question on the importance of gas for the national economy in the context of other energy carriers that make up the energy balance of Poland. Is natural gas a real opportunity for Poland to build energy security in the medium and long term?

The basic hypothesis for verification – in the context of the above research questions – is: natural gas cannot be the basis for building an energy security strategy for Poland, but only a functional complement to the energy balance alongside other carriers (in particular: renewable energy sources, hard coal and lignite – in the future – nuclear fuel). This is due to the modest own resources and strong dependence of the state on external suppliers (in particular from the east – especially gas from the Russian Federation).

In the methodological dimension, system analysis will be used. It will enable a comprehensive look at the natural gas sector in Poland, through the perspective of the market and policies that include expectations about the future of this sector and its significance for the Polish economy.

Referring to the literature of the subject, attention should be paid to interesting analyzes of researchers from the AGH – University of Science and Technology in

Kraków (publications prepared by: M. Kaliski, J. Siemek, S. Rychlicki, S. Nagy, & A. Szurlej). They concern in particular technological and economic issues related to the issues of gas supplies to Poland. The economic approach with elements of security science and international relations is presented by scientists from the SGH – Warsaw School of Economics (including: K. Żukrowska, K. Księżopolski). The work of the following authors, including V. du Castel (2014), B. Jullien and A. Smith (2015), as well as N. Bachkatov (2012), are an inspiration to undertake a scientific attempt to synthesize problems of the economy and politics.

This text is a presentation of energy sector problems from a perspective of political sciences. It includes – in particular – some aspects related to the impact of power on the energy sector, issues of the energy strategy for Poland and relations between economics and politics. Due to the scope of the subject, national policy is the central point of reference. This is a limiter of the presented text. Nevertheless, one should also take into account the wider context and remember that it is also conditional on Poland's membership in the European Union.

THE NATURAL GAS SECTOR IN POLAND

Poland is a country where energy consumption is relatively diverse. The coal is the energy carrier of the dominant importance. Natural gas accounts for approximately 17 percent in the overall structure of primary energy consumption. This is definitely less than the average in the European Union.

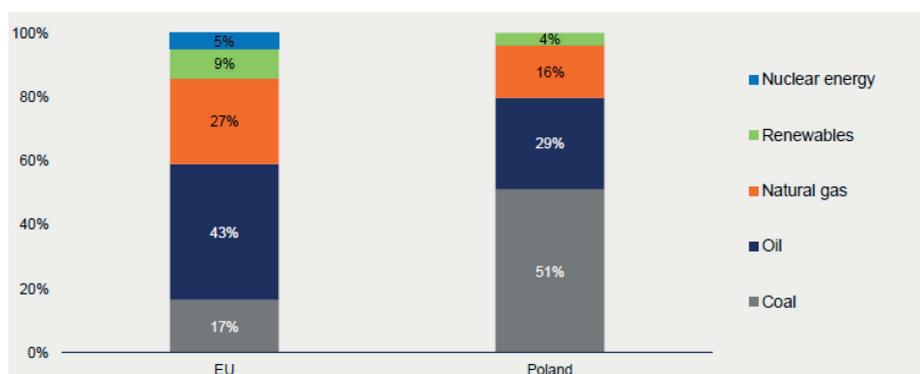


Diagram 1. Primary energy consumption by fuel in 2016 – European Union and Poland

Source: BP Statistical Review 2017; BP Energy Outlook 2018.

At the same time, in line with global trends, an increase in domestic gas consumption is observed. The share of natural gas in the primary energy balance in Poland is also gradually increasing. In 2016, it was at the level of approx. 13,63 percent, and compared to 2000, it increased by 2,69 percent (Ministry of Energy, 2017).

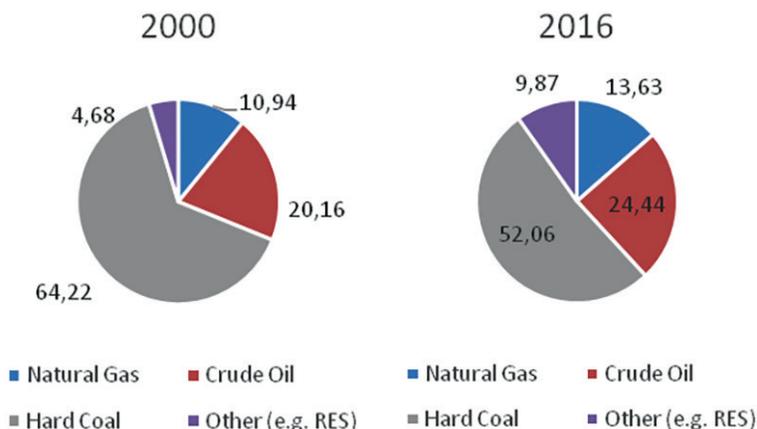


Diagram 2. Primary energy balance in Poland in 2000 and 2016 – comparison

Source: Ministry of Energy – Poland (2017).

The low level of dependence on natural gas goes hand in hand with a relatively high dependence of Poland on gas imports. Over 70 percent of the raw material is imported from abroad. Eastern direction is the dominating source of imports (PGNiG, 2017). Such a situation is the main reason for the Polish authorities' concern for security of supply. Dependence on deliveries from one direction means that action to diversify supply lines becomes a key action in energy policy (Bachkatov, 2012).

The main supplier of the raw material is the Russian company OAO Gazprom. Imports to Poland are carried out under a long-term contract, which is valid until 2022. This situation of strong dependence on supplies from one direction, however, is gradually improving. This is influenced by both the diversification activities undertaken by entities responsible for the gas sector, as well as a number of investments in infrastructure development (e.g., LNG terminal in Świnoujście), which allows Poland to use gas supplies from the country other than the eastern one.

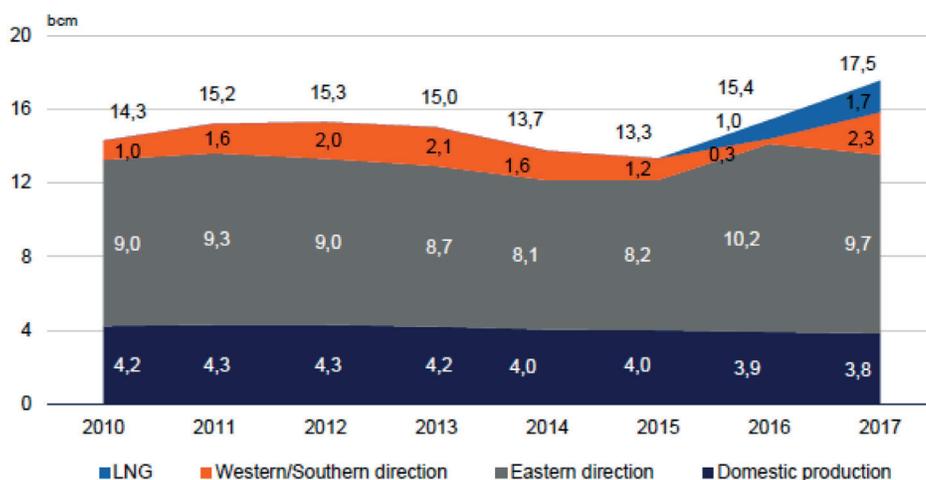


Diagram 3. Sources of Poland's supply of natural gas

Source: PGNiG S.A., March 2018.

Turning to the market situation of the Polish gas sector, it should be pointed out that its structure consists of entities conducting the following types of activities: transmission, distribution, trade, storage, exploration, and extraction. This structure is still highly monopolized. It results from the dominance on the market of one capital group, which is Polskie Górnictwo Naftowe i Gazownictwo S.A. (hereinafter referred to as: PGNiG S.A.), which directly or through its subsidiaries conducts all of the aforementioned activities, covering 98 percent of the market. The Polish gas market is in practice the domain of one vendor.

PGNiG S.A. belongs to a group of strategic energy companies in which the State Treasury owns its shares. It is also the third largest company¹ listed on the Warsaw Stock Exchange (PGNiG, 2018). This provides the government not only with an opportunity to influence the composition of the board, but also allows the appointment of a representative of the State Treasury to the composition of the company's supervisory board. In this way, there is a kind of synergy between the ideas of the state on the shape and functioning of the gas sector, and the implementation of these assumptions by the company. On the one hand, this situation guarantees that the largest Polish energy company operating in the gas

¹ In terms of market cap at May 23rd, 2018.

sector will be part of the government's plans for shaping energy policy, but on the other hand, the management and supervisory board must reconcile these demands with economic challenges, in particular raising the company's value and expectations of investors.

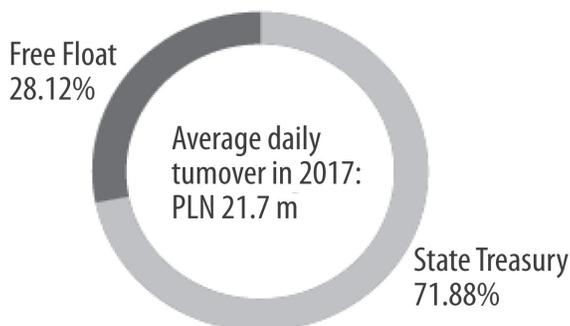


Diagram 4. Shareholding structure of PGNiG S.A. (as of December 31, 2017)

Source: PGNiG S.A., 2018.

PGNiG S.A. implements its activities directly, as well as by subsidiaries in virtually all areas of the gas market. According to the company's articles of association, it conducts activities in the sphere of, among others, exploration, extraction, natural gas trading and gas distribution to recipients (PGNiG, 2016). A functional division of the PGNiG company was made in 2004. A new entity was separate – the transmission company Gaz System S.A. Initially, it was part of the PGNiG S.A. Group, to become an independent entity in later years, although also controlled by the State Treasury². These two economic entities play a key role in shaping the Polish natural gas market³.

² Gaz-System S.A. is the Operator of the Transmission Network (TSO) in Poland. Its task is to transport gas through high-pressure networks. In practice, the company operates a network of gas transmission pipelines with a length of approx. 9.853 km, gas compressor stations and reduction and measurement stations.

³ In addition to PGNiG S.A. and Gaz System S.A. there are several independent entities involved in gas distribution and trade, including: CP Energia, EWE Energia, and G.EN Gaz Energia. In the field of natural gas production in Poland, apart from PGNiG S.A., such activities include the companies: Petrobaltic S.A., having an exclusive license for the exploration and exploitation of hydrocarbon deposits in the Polish maritime area, covering approximately 30.000 km², FX Energy Poland Sp. z o.o., RWE Dea Polska Oil Sp. z o.o.

Bearing in mind the weakness of competition in this energy sector, gas prices on the market are regulated. Responsibility in this respect rests with the President of the Energy Regulatory Office, which approves the tariffs⁴ (in accordance with the provisions of art. 23 of Prawo Energetyczne, OJ 2017, item 220 – consolidated version).

Turning to the analysis of the problem of own resources, it must be pointed out that natural gas deposits in Poland remain at the disposal of PGNiG S.A. and amount to 98 billion m³. Domestic conventional resources are concentrated mainly in the Polish Lowlands (66 percent), in the foothills of the Carpathians (30 percent), in the Polish economic zone of the Baltic Sea (3,5 percent), and in the Carpathians (Szurlej, 2008).

Natural gas is an important element of the energy market in Poland, mainly when it comes to large industry, which is the primary recipient of this raw material. To a lesser extent, this raw material is used for energy production (in particular due to the high costs of purchasing gas from abroad) and by individual consumers in households (GUS, 2016).

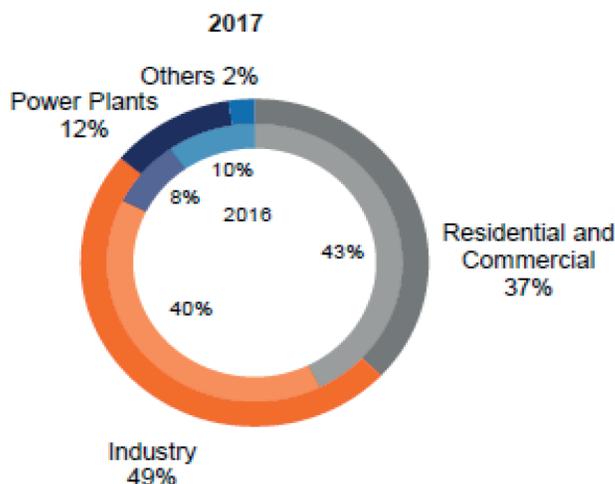


Diagram 5. Natural gas sales by sectors in Poland (2016 and 2017) – comparison

Source: PGNiG S.A., 2018.

⁴ The tariffs specify both the price of fuel and the rates of fixed and variable fees for transmission and distribution, subscription fees, connection fees for the network and penalties for illegal consumption of gaseous fuels.

Bearing in mind the portfolio of natural gas use and its share in the structure of production as well as primary energy consumption, the conclusion is that gas is not a key energy carrier for the Polish economy. Nevertheless, in the context of forecasts indicating an increase in demand for fuels and energy in Poland, guaranteeing the supply of this raw material is of key importance not only as a challenge for the future, but as a current task of Polish energy policy and is undoubtedly a matter of *raison d'état* (Kochanek, 2015).

To sum up the natural gas sector in Poland is an important pillar of the national economy. The key – from the point of view of this sector – enterprises remain dependent (to a large extent) on the state, and their activities reflect national interests. However, the problem that remains is a high dependence on external supplies of raw material and – from the market point of view – a lack of full liberalization of the sector.

NATURAL GAS – AS AN ELEMENT OF THE NATIONAL POLITICAL STRATEGY

The role of natural gas in the national economy is not subject to discussion. Bearing this in mind, the natural gas sector is the subject of strategic behavior on the part of the state and its structures. This is undoubtedly reflected in the national strategies adopted in the context of long-term shaping of the energy sector's vision. An example that confirms this thesis may be strategic documents known as: *Energy Policy of Poland* (in turn: ...until 2025, ...until 2030, ...until 2050). In this text, the moment of Poland's accession to the European Union was adopted as a starting point for further analysis. It sets a new way of thinking about the national economy in the context of membership in international integration structures. Three long-term strategies were designed during the period.

When describing Polish energy strategies, at least two of their constitutive features should be emphasized, one of which is an advantage, the other should be considered an "Achilles' heel". On the one hand – what is positive – is the fact that they arise based on a certain political compromise. This is a fundamental issue in shaping changes in the economy. They cannot be subject to cyclical party influences or election fluctuations and constant changes along with the new ruling teams, but they should be part of a continuum that will enable the desired economic change to be implemented (Lane & Wallis, 2009). At the same time, it will allow effective programming of structural changes in the economy.

On the other hand, as a negative element, it has to be pointed out that energy strategies have basic disadvantages in the form of relatively strong rooting in the political and economic reality in which they arise (Höglund et al., 2018). They are burdened with a weakness of predetermination, which means that they concern the problems of “tomorrow”, but they try to solve them with conceptual categories of “today”. In practice, they are conservative and to a small extent they focus on new, innovative solutions (Lisowski, 2005). Their weakness is also the lack of fastening in econometric models. They are based primarily on the predictions of experts. They are *de facto* built on the knowledge and experience of the people who created them (Johansson, 2009).

Referring to the natural gas issues, it should be noted that the following challenges appear in these strategies: ensuring stable gas supplies to Poland (especially in the context of diversification of directions), construction of transborder gas connections (with countries neighboring Poland) and new infrastructure (in particular LNG terminal).

Moving on to a detailed analysis of selected issues in relation to the natural gas sector, one should point to the first strategy of this type, i.e., the document: *Energy Policy of Poland until 2025* adopted in 2005 (hereinafter: PEP 2025). Its approval coincided with Poland’s accession to the European Union. It is therefore a kind of reflection of the way of thinking about the energy and gas sector that the European Union at that time adhered to. It was then decided that one of the most important directions of the government’s activities should be consistent building of a competitive gas market in accordance with the then energy policy conducted within the framework of European cooperation. This objective was to be achieved by stimulating competition and effectively eliminating barriers such as long-term contracts (PEP 2025). At the same time, it emphasized – as a key measure in the internal dimension – the need to diversify the directions and sources of natural gas supplies, maintain fuel reserves and ensure transmission capacities that would enable diversification. It also points to the insufficient level of cross-border connections that do not ensure the functioning of the natural gas market in an efficient manner. Such a provision was particularly important in the context of the EU policy of building an integrated natural gas market. The document for the first time also included the issue of the construction of technical infrastructure that would enable the import of LNG to Poland.

Another document of a strategic nature was *Energy Policy of Poland until 2030* adopted in 2009 (hereinafter: PEP 2030). This time, among the circumstances accompanying the adoption of the document, there were fluctuations in

the prices of energy resources in the world, and within the EU there was a new challenge – ecological issues. The natural gas sector was indicated mainly in the context of the security of gas supply, which reflects the EU efforts to strengthen the level of energy security of the Member States. In Poland, this has been transposed to the task of diversifying the directions and sources of this raw material supply. Attention was also paid to the need to increase storage capacity. As an interesting and far-sighted proposition one should also recognize the postulate of obtaining by domestic enterprises access to deposits located outside the country, but also to increase mining in Poland. No less important issues are: development of the transmission and distribution system, development of coal gasification technologies and obtaining gas thanks to that, and the use of methane exploited from surface wells. These ambitious goals, especially the issues of innovativeness, have not been further developed in the strategy, especially in terms of indicating the financial resources necessary to implement such projects. However, one cannot deny the fact that they completely forgot about economics. It was pointed out that the diversification will be preceded by an economic analysis – in terms of the alternative use – of the possibility of obtaining gas from domestic raw materials, including the use of new technologies (PEP 2030).

Some of the detailed entries have been successfully implemented. This applies in particular to the development of the natural gas transmission and distribution system (PEP 2030). The construction of the LNG terminal was to be a stage to achieve this goal, which was put into operation in the following years.

The document also plans to build a gas connection with the Norwegian Continental Shelf (PEP 2030), which was intended to allow it to become independent from deliveries from one direction. Tariff problems have not been forgotten. Legislative actions were announced to improve the sector and its modernization. Taking into account the guidelines of the then Directive 2003/55/EC⁵, it was planned to appoint a gas storage system operator to reduce the level of monopolization of the market in the sector.

However, these assumptions as to the activities in the gas sector are difficult to assess unequivocally. Although “specific objectives” have been set, there is a lack of detail in them. The time frame for achieving these goals has not been specified, nor has the sources of financing for the projects described in the strategy been

⁵ Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 Concerning Common Rules for the Internal Market in Natural Gas and Repealing Directive 98/30/EC, OJ L 176, 15.07.2003, pp. 57–78.

identified. Expected effects related to the decline in dependence on imports of raw material were combined with crude oil, which made it unclear what progress is expected and desired in this respect. Another key weakness is the identification of certain specific objectives with activities in the area of the gas sector. As an example, one can point to the demand for “access to natural gas deposits located outside Poland” by domestic enterprises. It is treated as both an action and an end in itself. So it has both a practical and teleological dimension.

Another document that concerned the issue of strategy in the gas sector was the project *Energy Policy of Poland until 2050*, processed by the Ministry of Economy until 2015. However, this document has not been officially adopted by the government, so there is no formal status of the strategy. Nevertheless, the analysis of the assumptions contained therein does not foster optimism from the previously analyzed ones. It was just as vague. It would be difficult to admit that it presented a coherent and precisely structured vision of the development of the energy sector (or – specifically – gas dimension). Work on the document continued parallel to the preparations of the Paris climate summit (COP 21). That is why environmental problems are an important element of the Polish strategic document.

As far as gas is concerned, the strategy included provisions on the development of competitive natural gas markets and on the maintenance and development of transmission and distribution capacities, including those infrastructures. Also mentioned was the expansion of cross-border connections with neighboring countries.

As a positive aspect of the new strategy, it should be pointed out that it contained the planned scenarios for the development of the energy sector: a) sustainable, b) nuclear, and c) gas + RES. It should be mentioned that both the first and the third option included increasing the importance of natural gas in the economy. According to the sustainable scenario, the role of gas will be of bigger importance than before, but fossil fuels, mainly on hard coal and lignite, were still to play a key role in the economy (Olkuski, Szurlej, & Janusz, 2015). The natural gas was to be used as a reserve power stabilizer in the power system (PEP 2050).

In a particularly interesting, from the point of view of this article, the “gas + renewable energy” scenario, a combined share of both components was assumed at the level of 50–55 percent. This variant predicts that the gas will supply in particular: the electricity generation sector, the chemical and petrochemical industry, as well as heating. It was the most favorable scenario when it comes to the development of the gas sector. It created real opportunities to modernize it due to the increase in demand for raw material. In addition, it would not

only make it possible to meet the requirements related to the EU energy policy, but would also imply fundamental modernization changes in the Polish energy sector. As shown by T. Olkuski, A. Szurlej and P. Janusz (2015), natural gas and renewable energy sources complement each other very well, because this raw material works perfectly as a stabilizing factor for relatively unstable production from renewable energy sources. This kind of scenario also seems to be accurate in the perspective of Poland's climate commitments.

The "nuclear" scenario is omitted in this analysis, due to the fact that the role of gas was the least significant in its course. An interesting analytical look at the discussed variants is presented in the table below.

Table 1. Energy balance in Poland until 2050 (analysis of the scenarios of the Polish Energy Policy until 2050) (Percent)

Scenario	Source of energy				
	Nuclear energy	Hard coal and lignite	Natural Gas	Crude Oil	RES
Sustainable	15	>20	15–20	15–20	15
Nuclear	40–60	10–15	10–15	10–15	15
Gas + RES	10	30	30	15–10	>20

Source: Olkuski, Szurlej, & Janusz (2015).

The analysis of the document *Energy Policy of Poland until 2050* allows to notice that during the discussed period there was a certain evolution in the way of thinking about the functioning of the gas sector (Mrozowska, 2016). While at the beginning of the 21st century it was obvious that the main strategic goals were primarily measures for: diversification of sources and directions of supply, construction of new transmission infrastructure and storage capacity, later in the process of more scenario analysis. As part of the developed options, gas appears as a substitute raw material for renewable energy sources and at the same time a factor whose wider use will allow Poland to meet international obligations in the field of environmental protection.

According to the information of the Ministry of Energy – as follows: ME (March 2018) – new works are being undertaken in the Ministry on the long-term energy policy of Poland. A significant influence on its final shape is to exert – according to the ME declarations – the EU policy in the field of energy and climate, in particular the so-called winter package – *Clean Energy for All Europeans* (European Commission, 2016). The energy resort also indicates that under the obligation imposed on

EU Member States, it also undertakes work on the *National Plan for Energy and Climate* (Ministry of Energy, 2018). This document is intended to present Poland's activities for the implementation of the five dimensions of the Energy Union, i.e., energy security, decarbonisation of the economy, energy efficiency, integrated energy market, and innovation (European Commission, 2017a).

PROSPECTS FOR NATURAL GAS IN POLISH ENERGY POLICY

The issue of natural gas – as mentioned in the previous paragraphs – belongs to the strategic challenges in the area of Polish energy policy. After analyzing the state of the sector and strategic visions, one should go to the realities to fully assess the importance of the natural gas sector for the national economy.

Based on government forecasts prepared in 2015 for the purposes of *Energy Policy of Poland until 2050* it appears that due to the gradual modernization and technological reconstruction of the Polish energy sector, the share of hard coal will decrease, and its role in meeting the demand for primary energy will decrease from the current 42 percent to 28 percent in 2050. At the same time, the significance of natural gas will increase from the current 13 percent to 18 percent in 2050, which will be associated with the popularization of this fuel in heating and combined heat and power plants and with the takeover by gas-fired power plants peak sources necessary for the anticipated development of non-disposable wind and solar sources (PEP 2050).

Table 2. Forecast of the size and structure of domestic primary energy demand by fuel (Mtoe)

	2010	2015	2020	2025	2030	2035	2040	2045	2050
Hard Coal	43,0	36,9	35,5	32,8	31,3	30,1	29,9	27,1	24,4
Lignite	11,6	14,3	13,0	11,9	9,1	2,5	2,6	2,2	2,1
Crude Oil	26,5	25,4	27,2	27,5	26,9	25,1	23,4	22,3	21,5
Natural Gas	12,8	14,1	15,2	15,3	15,2	16,1	16,1	15,8	15,5
Renewables	7,3	9,2	12,0	12,6	14,0	14,6	14,1	13,8	13,7
Nuclear Energy	0,0	0,0	0,0	2,8	5,6	10,8	10,9	10,6	10,3
Other	0,6	0,3	0,4	0,4	0,4	0,4	0,4	0,4	0,4
Total	101,8	100,2	103,2	103,3	102,5	99,5	97,3	92,2	87,9

Source: Ministry of Economy – Poland, 2015.

Taking into account the analyzed *Energy Policies...*, it should be emphasized that the same challenges occur on a regular basis: diversification of raw material supplies, underground gas storage, and development of the transmission and distribution network. The most important priorities for the Polish gas sector for the coming years are indicated in the figure below.



Figure 1. The most important energy investments in Poland, by Energy Policies...

Source: Polish Energy Policy until 2050 – assumptions and prospects for the development of the gas sector in Poland, Ministry of Economy, Warsaw 2014.

Natural gas is currently the cleanest – among fossil fuels – source of energy. Its combustion causes the smallest emission of pollutants, and thus the relatively lowest environmental burden.

As indicated by M. Kaliski and A. Szurlej (2008), the 19th century belonged to coal, the 20th century – to crude oil, the 21st century will belong to natural gas (the future, according to the authors, will be under the sign of hydrogen). The argument for this thesis is undoubtedly the increase in natural gas consumption in recent years. In addition, the natural gas market in Poland is characterized by a significant development potential in comparison with other European Union countries. In this context, it should be emphasized that while in the case of EU countries we can observe a nearly 14 percent decline in natural gas consumption

in 2010–2016, in the case of Poland there is a reverse trend, i.e., less than 12 percent increase in gas consumption (Kaliski et al., 2017).

The natural gas market in Poland, after joining the European Union, underwent significant transformations (Kaliski & Szurlej, 2009). These changes are connected with such factors as: implementation of the EU law, modernization of the economy, increase of competitiveness of energy enterprises, increase of citizens' awareness in the context of environmental protection.

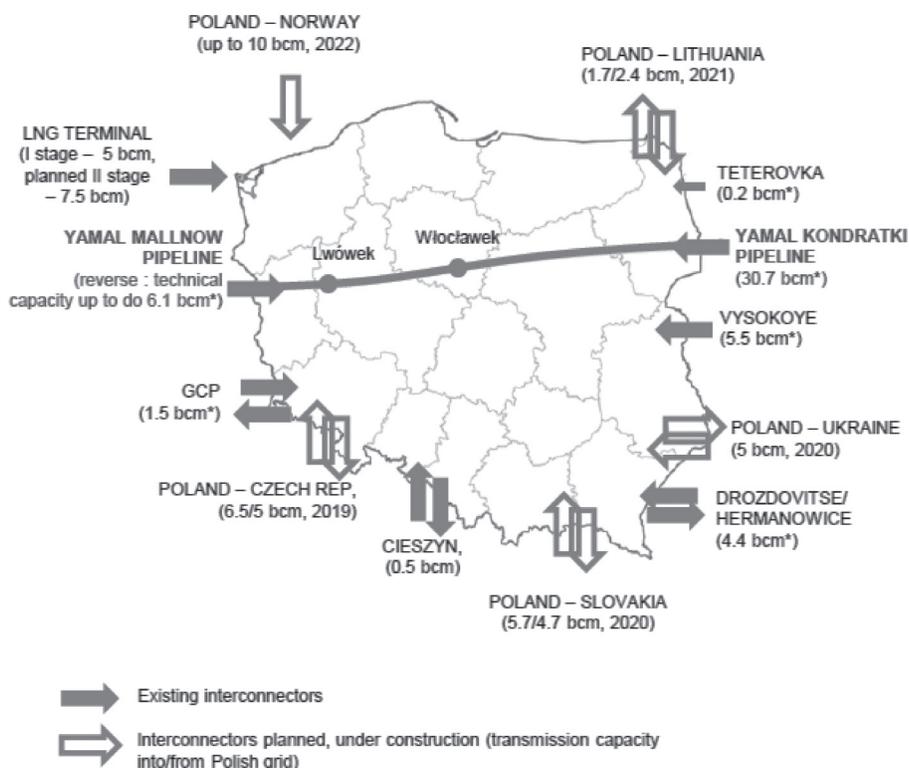
Membership in the EU means co-deciding about the future of European energy policy, but also gives a possibility of benefiting from financial support for the implementation of new investment projects. A clear example of this is the Connecting Europe Facility (CEF) mechanism, aimed at strengthening energy, transport and digital infrastructure in the EU in 2014–2020 (European Commission, 2018).

In November 2017, the European Commission announced a list of energy projects of community importance (the so-called PCI; European Commission, 2017b). Such status means that they use legally guaranteed facilities in the form of, among others, accelerated procedure of issuing permits and administrative decisions, or the possibility of receiving financial support. The list includes projects important from the point of view of Poland's energy security, including: the Poland-Denmark (Baltic Pipe) connection together with the necessary infrastructure development in both countries; project for the expansion of the LNG terminal in Świnoujście together with additional functionalities; Poland-Slovakia connection together with the extension of the internal network in Eastern Poland; Poland-Lithuania (GIPL) connection, Poland-Czech Republic (Stork II) connection together with the extension of the internal network in Western Poland (Ministry of Energy, 2017a).

Summing up, it should be recognized that most of the undertakings included in the *Energy Policies...* are successfully implemented. Building a strategy for the sector based on political compromise over party divisions favors the coherent undertakings that can be realized with the benefit of the political views on economy of the ruling elite.

As a successful attempt to diversify delivery directions, the LNG terminal in Świnoujście should be handed over in 2016. It provides the possibility of receiving natural gas at the level of 5 billion m³ per year (after possible expansion, the volume may be increased to 7,5 billion m³) as well as provides a strategic point of view – an important factor in building Poland's independence from Russian gas supplies.

In the context of the diversification postulate, it is also beneficial to build cross-border gas interconnectors (Janusz, 2013), which not only strengthens Poland's cooperation with its neighbors, but also positively influences the shaping of energy security in the region and is a response to Art. 194 TFEU, the task of developing interconnections between energy networks to which Member States are obliged (Tomaszewski, 2017).



Map 1. Gas interconnections

Source: PGNiG S.A., 2018.

The international activities of Poland for the construction of the North-South Gas Corridor should also be considered prospective. The project would connect the LNG terminal in Świnoujście and the Baltic Pipe, through southern Poland, the Czech Republic, Slovakia and Hungary with the proposed Adria LNG

terminal in Croatia. It would consist of many bilateral gas interconnections and national gas pipelines that already exist or are at different stages of implementation. In this way, a natural gas supply route from Norwegian resources would be built, which would protect not only Poland, but also the region of Central and Eastern Europe (Tomaszewski, 2017).

CONCLUSIONS

The natural gas sector is for Poland one of the key elements in the strategy of measures to improve the state's energy security. In subsequent, analyzed in this text, strategies regarding the future of energy policy, this raw material is indicated as an important component of Poland's energy balance both today and in the medium and long term perspective.

Referring to the hypothesis given in the introduction to the article, natural gas, although it is of great importance for Poland's energy security, cannot constitute a fundamental basis for building the energy security of the state. It results from several reasons:

- Poland's own resources are too poor to constitute a viable alternative to the supply of raw materials from abroad;
- shale gas deposits in which high expectations were placed turned out to be not very promising in the context of industrial scale operation (PGNiG, 2016; Książopolski, 2012);
- strategic assumptions of successive governments assume primarily the use of domestic hard coal resources for energy production;
- the European Union does not affect Member States in the direction of increasing the volume of natural gas in the national energy balance (Tylec, 2015). States have full discretion in this regard (Książopolski, 2015);
- importing gas from abroad is connected with: a) energy dependence, b) high costs, or c) the need to incur investment outlays. The first option: the purchase of Russian gas is both costs and the increase of energy dependence on the Russian Federation; second: purchases of LNG from foreign partners – higher prices compared to gas prices from Russia (Kaliski et al., 2017). The third option, which appears in connection with the plans for the construction of the North-South Corridor (Tomaszewski, 2017), means investment expenditures – both in Poland and in other countries participating in (and in the future – being beneficiaries of) this project.

Bearing in mind the above, natural gas remains a raw material for Poland, obtaining of which is a difficult challenge for the government as well as for the main company operating in this sector, namely, PGNiG S.A. Even if the initiative to import gas from directions other than Russia would be expensive or politically complex, it is, after all, worth taking. In this way, the negotiating position relative to the Russian Federation is strengthened. The former monopolist must reckon with the loss or weakening of its position on the market so far, which will allow obtaining better prices from the point of view of recipients.

In conclusion, the analysis of global energy trends indicates that the foundation of the energy security of the modern state is such a diversification of media that enables stable development of the economy.

In relation to Poland, it should be understood in the context of increasing the share of renewable energy sources (Deloitte, 2016), as well as postulate to build new generation capacities based on nuclear energy.

In the political dimension, it would ensure Poland's energy independence, and also allow for adaptation to the challenges posed to Member States by the European Union, which expects action under the treaty to develop RES (Bartnikowska, Olszewska, & Czekąła, 2017), energy efficiency and systematic strengthening of energy security (TFEU, Article 194), as well as environmental protection (especially reducing CO₂ emissions to the atmosphere).

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NEW DEVELOPMENTS OF THE EU CIRCULAR ECONOMY POLICY AND THEIR IMPACT ON EU WASTE LAW

NOWE ROZWIĄZANIA W POLITYCE UNII EUROPEJSKIEJ
DOTYCZĄCEJ GOSPODARKI O OBIEGU ZAMKNIĘTYM
I ICH WPŁYW NA UNIJNE PRAWO O ODPADACH

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— ABSTRACT —

The concepts of ‘green economy’ and ‘sustainable consumption and production’ determine the direction of political and legal changes as the goals of the 2030 Agenda followed also by the European Union and its Member States. ‘Circular economy’ as an element of those concepts includes waste management and is a vital element of EU environmental policy. Turning waste into resources presents a multidimensional challenge. In the years 2015–2018, the European Commission conducted works on the changes in the community law on waste which will enable the enforcement of ‘circular economy’ goals. In May 2018, four directives which will significantly remodel the obligations of Member States in the scope of waste management were enacted. Also in 2018, the Commission announced new proposals, as well as law changes, emphasizing the problem of plastic waste.

— ABSTRAKT —

Koncepcje „zielonej gospodarki” oraz „zrównoważonej konsumpcji i produkcji” wyznaczają kierunek zmian politycznych i prawnych jako Cele Agendy 2030, realizowanej również przez Unię Europejską i jej państwa członkowskie. „Gospodarka o obiegu zamkniętym” – jako element tych koncepcji – obejmuje również gospodarkę odpadami i stanowi istotny element polityki ochrony środowiska UE. Przekształcenie odpadów w zasoby stanowi wielopłaszczyznowe wyzwanie. W okresie 2015–2018 Komisja Europejska przeprowadziła prace nad zmianami w unijnym prawie o odpadach, które umożliwiają wdrożenie celów „gospodarki o obiegu zamkniętym” w życie. W maju 2018 roku uchwalone zostały cztery dyrektywy znacząco przemodelowujące zobowiązania państw członkowskich w zakresie gospodarki odpadami. Również w 2018 roku Komisja ogłosiła nowe propozycje, w tym zmiany prawa, eksponując zwłaszcza problem odpadów plastikowych.

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Keywords: Sustainable Development Goals, circular economy, resource efficiency, EU waste law, EU environmental policy

Słowa kluczowe: Cele Zrównoważonego Rozwoju, gospodarka o obiegu zamkniętym, efektywność wykorzystania zasobów, prawo o odpadach UE, polityka ochrony środowiska UE

INTRODUCTION

The issues concerning ‘circular economy’ have interdisciplinary character. In the broadest perceptible scope they are the object of intensive economic sciences research (Frodermann, 2018; Bermejo, 2014). Among the definitions, a special attention should be paid to the combination of ‘circular economy’ and ‘linear economy’. From this point of view, “[...] a linear economy is one defined as converting natural resources into waste, via production. Such production of waste leads to the deterioration of the environment in two ways: by the removal of natural capital from the environment (through mining/unsustainable harvesting) and by the reduction of the value of natural capital caused by pollution from waste. Pollution can also occur at the resource acquisition stage” (Murray, Skene, & Haynes, 2017). R.C. Brears indicates coherently the directions of changes necessary to switch from ‘linear economy’ to ‘circular economy’. The list of desired actions proposed by him can be divided into two groups: 1) concerning products (light-weighting, durability, efficiency, substitution, eco-design, maintenance and repair services, consumer options), 2) concerning waste (facilitating the clustering of activities to prevent by-products from becoming wastes, creating markets for secondary raw materials, waste reduction, waste separation; Brears, 2018).

The transition into ‘circular economy’ is also a goal of international cooperation within sustainable development and environmental protection. This cooperation is developing intensively and beside political dimension gains noticeable legal dimension. This process can be especially seen in the case of a particular international organization, i.e., the European Union. The aim of this work is to introduce the roots and paths of the formation of the ‘circular economy’ concept in the international context of the United Nations (UN) and then to introduce the course of the penetration of its guidelines first into the EU environmental policy and then into its legal system. Waste management is currently the area within which this process is the most consistently realized at the EU level and consequently in the legal systems of Member States. In 2018, a significant turn

took place in the EU ‘circular economy’ policy in the form of the amendment of the main EU directives of waste law, which issue a serious political, legal and social challenge to Member States and their legislative bodies. At the same time, further proposals emerged, making the actions towards ‘circular economy’ increasingly dynamic. However, the question is whether the EU Member States will be able to fulfil such rapidly growing obligations.

INTERNATIONAL BACKGROUND: ‘GREEN ECONOMY’
AND ‘SUSTAINABLE CONSUMPTION AND PRODUCTION’
AS SUSTAINABLE DEVELOPMENT GOALS

The environment (the whole of natural elements) is presented as a resource (resources) showing varying degree of renewability. Resources are only one of distinguished economic functions of the environment beside such functions as: amenity values, a sink for residual flows and a life-support system (Maitre-Ekern, 2017; Andersen, 2007). The access to the environment and the opportunity of using it as a necessary condition for economic development is not even in the global range and is not unlimited (Meadows, Meadows, Randers, & Behrens, 1972). The fundamental proposal formulated towards the challenge which is the impact of natural resources limits on a human life is the concept of sustainable development (WCED, 1987). In the legal aspect it is expressed as the sustainable development principle (Bukowski, 2009). In the Brundtland Report it was indicated, among others, that: “Humanity has the ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs. The concept of sustainable development does imply limits – not absolute limits but limitations imposed by the present state of technology and social organization on environmental resources and by the ability of the biosphere to absorb the effects of human activities. [...] Sustainable development is not a fixed state of harmony, but rather a process of change in which the exploitation of resources, the direction of investments, the orientation of technological development, and institutional change are made consistent with future as well as present needs” (WCED, 1987).

The exploitation of natural resources, the scale and the character of industrial production, consumption patterns and waste production and management in the process of change, i.e., sustainable development process, are mutually connected.

In the Brundtland Report the main postulate was summarized in the following slogan: “Producing More with Less”. As an element of achieving sustainable development, this thread – under the name ‘sustainable consumption and production’ (SCP) – was a steady object of further analyses, assessments and proposals within international cooperation, having its summary during several United Nations conferences (the UN Conference on Environment and Development in Rio de Janeiro in 1992, the World Summit on Sustainable Development in Johannesburg in 2002, the UN Conference on Sustainable Development – Rio+20 – in Rio de Janeiro in 2012), as well as within deep and specialized forms of international cooperation, as – e.g. – the Marrakech Process. It was initiated in 2003, in response to the outcome of obligations assumed at WSSD in Johannesburg, as informal and global process of cooperation in the scope of the implementation of SCP, coordinated by the UN Environment Programme and the UN Department of Economic and Social Affairs (UNEP, 2011).

The notion SCP should be understood as “the production and use of goods and services that respond to basic needs and bring a better quality of life, while minimising the use of natural resources, toxic materials and emissions of waste and pollutants over the life cycle, so as not to jeopardise the needs of future generations” (UNEP, 2008). This definition, proposed in 1994 at the Symposium on Sustainable Consumption (‘Oslo Symposium’), is commonly cited in works carried out by various international organizations (especially the UN and the OECD). It is also indicated that “SCP is about increasing resource efficiency and promoting sustainable lifestyles, which requires cooperation among different stakeholders and sectors. It has the potential to make an important contribution towards poverty alleviation and the transition towards low-carbon and green economies” (Heyenga, 2011). The key principles of SCP are: 1) improving the quality of life without increasing environmental degradation and without compromising the resource needs of future generations; 2) decoupling economic growth from environmental degradation by: i) reducing material/energy intensity of current economic activities and reducing emissions and waste from extraction, production, consumption and disposal; ii) promoting a shift of consumption patterns towards groups of goods and services with lower energy and material intensity without compromising quality of life; 3) applying life-cycle thinking which considers the impacts from all life-cycle stages of the production and consumption process; 4) guarding against the re-bounce effect, where efficiency gains are cancelled out by resulting increases in consumption (UNEP, 2015).

The issues of SCP are evidently connected with such concepts as ‘green growth’ and ‘green economy’, originally created separately but essentially both constituting the aspiration to implement “a more integrated and holistic approach to incorporating environment and development in economic decision making, policy and planning” (Allen & Clouth, 2012). ‘Green growth’ is defined as “a development model that sustains strong economic growth, while ensuring climatic and environmental sustainability, poverty reduction, and social inclusion” (Global Green Growth Institute, 2016). Next it is pointed out that ‘green economy’ as a path of achieving sustainable development is an economy “which is efficient in its use of energy, water and other material inputs (resource-use efficiency), protects the natural environment, its ecosystems’ structures and flows of ecosystem services (ecosystem resilience), promotes human well-being and fair burden sharing across societies (social equity)” (EEA, 2014).

The issues of ‘green economy’ were one of the main problems proposed for inclusion in the agenda of UNSCD Rio+20, thus becoming the object of intensified research. One of their manifestations were the proposals of the catalogue ‘principles of the green economy’, among which the postulate of achieving SCP was visibly evident (Allen, 2012). In the final resolution of UNSCD in 2012 – *The Future We Want* – in paragraphs 60–61 it was indicated in this scope that: “green economy in the context of sustainable development and poverty eradication will enhance our ability to manage natural resources sustainably and with lower negative environmental impacts, increase resource efficiency and reduce waste” (UN, 2012). At the same time, in paragraph 226 the act: *The 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns (2012–2022)* (UN, 2012a), being the outcome of the Marrakech Process, was indicated. The act proposed a non-exhaustive list of the following work areas serving the implementation of SCP: (a) consumer information; (b) sustainable lifestyles and education; (c) sustainable public procurement; (d) sustainable buildings and construction; (e) sustainable tourism, including ecotourism.

In September 2015 in New York, in the act *Transforming Our World: The 2030 Agenda for Sustainable Development* (UN, 2015), 17 Sustainable Development Goals (SDGs) with 169 associated targets were established, which became effective on 1 January 2016. In the scope of ‘green economy’ and SCP issues the most important are SDG 8 (“Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”) and SDG 12 (“Ensure sustainable consumption and production patterns”).

Ordering the mentioned concepts and notions, the layout proposed by the European Environment Agency should be adapted. While characterizing 'green economy' it is pointed out that it embraces three elements: 'circular economy', ecosystem resilience and human well-being. Whereas, within 'circular economy' three areas are distinguished: waste management, waste prevention and resource efficiency (EEA, 2016).

'CIRCULAR ECONOMY' AS AN ELEMENT OF THE EU ENVIRONMENTAL POLICY

The European Union is an active participant of the sustainable development implementation process, which is confirmed by Article 11 of the Treaty on the Functioning of the European Union (TFEU), according to which "environmental protection requirements must be integrated into the definition and implementation of the Union policies and activities, in particular with a view to promoting sustainable development". According to Article 191(1) TFEU, Union policy on the environment shall contribute to pursuit such an objectives as "promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change". That is why the EU was an active subject cooperating with the UN in the discussion on 17 SDGs and currently working towards those goals. On account of it, in the communication *Next Steps for a Sustainable European Future – European Action for Sustainability* (EC, 2016) issued in 2016, it was indicated that "the 2030 Agenda provides an opportunity for the EU to strongly anchor its strategic orientation in the global effort to build a sustainable future, which the Union has co-shaped together with its partners. [...] This mapping exercise shows that current EU policies address all 17 goals".

The transition into 'circular economy' in the context of SCP, resource efficiency and waste as an important element of the EU environmental policy (including the part concerning waste) was perceived much earlier. In 2005 it was indicated, e.g., that "EU waste policy has the potential to contribute to reducing the overall negative environmental impact of resource use. Preventing waste generation and promoting recycling and recovery of waste will increase the resource efficiency of the European economy and reduce the negative environmental impact of use of natural resources. This will contribute to maintaining the resource base, essential for sustained economic growth" (EC, 2005). Whereas in 2008, in communication

on SCP/SIP Action Plan (EC, 2008) referring to the Marrakech Process works, the course of actions was identified, which was to serve achieving the main goal, i.e., “smarter consumption and better products”.

The specialized act which is still the main point of reference for the EU environmental policy is adopted in 2011 – the *Roadmap to a Resource Efficient Europe* (EC, 2011). In the context of one of the main assumptions, which is turning waste into a resource, it was declared that by 2020 waste is managed as a resource and that waste generated per capita is in absolute decline. From the legal point of view, *Roadmap* as a communication has the status of the act of soft law, however, it significantly impacts on basic acts which are currently legal basis defining the EU environmental policy in the scope analysed in this work, i.e., the 7th Environment Action Programme (OJ, 2013) and connected with it the LIFE Programme 2014–2020 (OJ, 2013a). Both acts – decision and regulation – directly refer to the elements of *Roadmap*, giving them full legal effect.

The realization of settled assumptions and goals of the change towards ‘circular economy’ is monitored at the level of the EU. The main indicator accepted in this scope – ‘resource productivity’, defined as “the ratio of gross domestic product (GDP) to domestic material consumption (DMC) expressed as EUR per tonne” – increased by 34% between 2000 and 2014, which gives rise to claim that in the EU “absolute decoupling of economic growth from resource use has taken place”. At the same time, it should be accepted that DMC measures the total amount, in tonnes, of material directly used in an economy, either by businesses, government and other institutions for economic production or by households (EU, 2017). However, the assessment of the causes of achieving this result is ambivalent. They cannot be directly attributed only to the effective environmental policy of the EU and its Member States omitting economic and technical factors (EEA, 2016a). The assessment of the realization of SDGs in the EU narrowing it only to waste allows to see some progress. It was noted that more than half of the waste that undergoes waste treatment in the EU is recycled – between 2010 and 2014 the share of recycling rose from 53% to 55%. At the same time, the share of landfilling – referring to the deposit of waste onto or into land – fell from 28% in 2010 to 25% in 2014. Whereas, in the case of a chosen category, which is municipal waste, the state of it is indeed positive, but the changes are slower (EU, 2017).

EU WASTE LAW AND 'CIRCULAR ECONOMY':
REVISION OF EU WASTE LAW DIRECTIVES

The active involvement of the EU into the realization of the 2030 Agenda for Sustainable Development and its 17 SDGs, reflected in the EU soft and hard law acts, explicitly confirmed the change in perceiving waste as a resource which no longer should be wasted. Thus the component which is waste prevention and waste management permanently and inextricably became the part of initiatives undertaken to carry out 'green economy' and SCP, especially by transition from 'linear economy' to 'circular economy'. Unavoidably, the proposals formulated in this aspect are more and more coordinated with the EU waste policy and legislation and then enacted in national law of the Member States. Moreover, although 'circular economy' includes not only waste it can be still observed that this is the area in which the solutions oriented to achieve the change in transforming waste into resources are adopted in the broadest scope. The research on national policy approaches to close material loops conducted in the EU confirm this state as 70% measures adopted so far by the Member States concern waste (53% – waste management, including recycling, 17% – waste prevention), which means that so far only 30% measures concern the phase of the product in the regular turnover (11% – production and distribution, 7% – consumption and stock, 6% – design, 3% – extraction of natural resources, 3% – re-use, repair, redistribute, refurbish, remanufacture; EEA, 2018). This course of action in the period after Rio+20 finds its reinforcements in several initiatives undertaken by the European Commission (EC) as well as finally by the EU legislator. Especially interesting here is the part which emphasizes the relation between 'circular economy' and the order to treat waste as a resource. The most important acts introduced in this scope are the communications: *Towards a Circular Economy: A Zero Waste Programme for Europe* (EC, 2014); *Closing the Loop – An EU Action Plan for the Circular Economy* (EC, 2015), and *The Role of Waste-to-Energy in the Circular Economy* (EC, 2017).

At the same time, in the communication *Closing the Loop* adopted in 2015, the EC proposed drafts of directives amending previously binding EU acts of waste law with the aim to adapt them to challenges resulting from the realization of 'circular economy' in the EU. Consequently, four directives were enacted on 30 May 2018 and they became legally binding on 4 July 2018. These are: directive 2018/851 amending directive 2008/98/EC on waste (OJ, 2018); directive 2018/850 amending directive 1999/31/EC on the landfill of waste (OJ, 2018a);

directive 2018/852 amending directive 94/62/EC on packaging and packaging waste (OJ, 2018b); directive 2018/849 amending directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment (OJ, 2018c). Member States are obliged to bring into force the laws, regulations and administrative provisions necessary to comply with those revisions by 5 July 2020.

A completely changed Article 9(1) of the directive 2008/98/EC on waste (Waste Framework Directive) may serve as the main point of reference to depict how the goals of the EU policy on ‘circular economy’ (as well as on the UN SDGs) are for the first time so unambiguously emphasized in the main EU act on waste law, which is that directive. As an example it can be pointed out that according to this article, Member States shall take measures to prevent waste generation and those measures shall, *inter alia*: promote and support sustainable production and consumption models; encourage the design, manufacturing and use of products that are resource-efficient, durable (including in terms of life span and absence of planned obsolescence), repairable, re-usable and upgradable and reduce the generation of waste, in particular waste that is not suitable for preparing for re-use or recycling.

Parallel to new goals of ‘waste prevention’, considered to be the most efficient way to improve resource efficiency and to reduce the environmental impact of waste, four new directives introduced solutions concerning ‘waste management’, which can be grouped as follows. Firstly, these are new targets to increase the levels of waste prepared for re-use and the recycling, separate collection of certain waste and to decrease the levels of stored waste which can be the source of resources. Secondly, to show the direction of changes implemented so far by Member States through incentives rather than legal bans (as for example within food waste) together with the new annex IVa of WFD *Examples of Economic Instruments and Other Measures to Provide Incentives for the Application of the Waste Hierarchy Referred to in Article 4(3)*. Thirdly, new regulations specifying premises and conditions of implementation in Member States of the obligations within “extended producer responsibility” (EPR) were added. And finally, pursuant to the announcements of the EC presented in several communications, common and unified rules on the calculation of the attainment of the targets with so called “early warning reports”, as well as revised obligations of Member States concerning national reports or waste management were introduced.

In Article 11(2) WFD, the introductory part was replaced and now it states that “in order to comply with the objectives of this Directive, and move to a European circular economy with a high level of resource efficiency, Member States shall take the necessary measures” designed to achieve additional three new targets – 11(2)(c-e) WFD: by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 55% by weight; by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60% by weight; by 2035, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 65% by weight.

Moreover, goals for separate collection of new waste fractions were set. In Article 11(1) WFD, a new obligation was added saying that Member States shall set up separate collection for textiles by 1 January 2025. Similarly, according to new Article 20(1) WFD, by 1 January 2025 Member States shall set up separate collection for hazardous waste fractions produced by households to ensure that they are treated in accordance with Articles 4 and 13 and do not contaminate other municipal waste streams. Whereas, according to new Article 22(1) WFD, Member States shall ensure that, by 31 December 2023, bio-waste is either separated and recycled at source, or is collected separately and is not mixed with other types of waste.

New Article 5(3a) of Landfill Directive (OJ, 1999) states that Member States shall endeavour to ensure that as of 2030, all waste suitable for recycling or other recovery, in particular in municipal waste, shall not be accepted in a landfill with the exception of waste for which landfilling delivers the best environmental outcome in accordance with Article 4 of WFD. And according to new Article 5(5) of this directive, Member States shall take the necessary measures to ensure that by 2035 the amount of municipal waste landfilled is reduced to 10% or less of the total amount of municipal waste generated (by weight).

In Article 6(1) of Packaging Directive (OJ, 1994) new points were added, introducing minimum targets for recycling of all packaging waste and for specific materials contained in it (see: Table 1).

The last goal which can be indicated is the obligation included in Article 7(2) of Packaging Directive that Member States shall ensure that, by 31 December of 2024, EPR schemes are established for all packaging in accordance with Articles 8 and 8^a of WFD.

Table 1. New recycling targets for packaging waste

Legal basis: Packaging Directive	Item	Year/target (% by weight)	Year/target (% by weight)
		by 2025	by 2030
Art. 6(1)(f) and Art. 6(1)(h)	All packaging	65%	70%
Art. 6(1)(g)(i-vi) and Art. 6(1)(i)(i-vi)	Plastic	50%	55%
	Wood	25%	30%
	Ferrous metals	70%	80%
	Aluminium	50%	60%
	Glass	70%	75%
	Paper and cardboard	75%	85%

Source: Revised Art. 6 of Packaging Directive (OJ, 1994).

EU WASTE LAW AND ‘CIRCULAR ECONOMY’:
EU CIRCULAR ECONOMY PACKAGE 2018

In January 2018, a new stage preparing Member States to transition into ‘circular economy’, i.e., Package 2018 began. It consists of EU soft law acts and reports: *A European Strategy for Plastics in a Circular Economy* (EC, 2018); *Communication on Options to Address the Interface Between Chemical, Product and Waste Legislation* (EC, 2018a); *Communication on a Monitoring Framework for the Circular Economy* (EC, 2018b); *Report on Critical Raw Materials and the Circular Economy* (EC, 2018c), Proposal for a Directive on Port Reception Facilities (EC, 2018d); Report on the Impact of the Use of Oxo-Degradable Plastic, Including Oxo-Degradable Plastic Carrier Bags, on the Environment (EC, 2018e).

It can be noted that the matter especially emphasized in Package 2018 is the problem of using plastic for production and consumption (*inter alia*: plastic overpackaging, single-use plastic products, standards for biodegradable plastics, risk assessment of the use of “oxo-degradable plastics” with additives designed to promote the oxidation of the material to the point where it brittles and fragments, as well as of “micro-plastics” with particles of a size below 5 mm, intentionally added in products such as cosmetics and detergents, or generated during use of products such as tyres and textiles or along the plastics production and supply

chain). As the second key challenge plastic waste management was indicated in connection with littering and leakage of plastic waste to environment, especially to marine environment. Plastic waste management is mainly connected with packaging waste. As the European Strategy shows, in 2017 the percentage share of individual economy sectors in generating plastic waste in the EU was as follows: 59% – packaging, 8% – electrical and electronic equipment, 5% – automotive, 5% – agriculture, 5% – construction and demolition, 4% – non packaging household, 14% – others (EC, 2018). As part of the goals of ‘Europe’s new plastic economy’, it was accepted among others that by 2030: all plastic packaging placed on the EU market is either re-usable or can be recycled in a cost-effective manner; more than half of plastic waste generated in Europe is recycled; and EU plastic sorting and recycling capacity has increased fourfold since 2015.

In May 2018, one more important component of this policy broadening the proposals concerning littering and leakage of plastic waste to marine environment, which is of a transboundary nature and is recognized as a global problem, was added. It was *Proposal for a Directive on the Reduction of the Impact of Certain Plastic Products on the Environment* (EC, 2018f). In the proposal the focus was laid on two main product (waste) categories: single-use plastics and fishing gear, pointing out among others that “in the EU, 80 to 85% of marine litter, measured as beach litter counts, is plastic, with single-use plastic items representing 50% and fishing-related items representing 27%”. Among the proposed instruments are: ban from the market for certain plastic products (cotton bud sticks, cutlery, plates, straws, beverage stirrers, sticks to be attached to and to support balloons), Member States’ obligation to reduce the use of plastic food containers and drinks cups and obligation to collect 90% of single-use plastic drinks bottles by 2025, obligatory EPR for producers of certain plastic products (food containers, packets and wrappers made from flexible material containing food that is intended for immediate consumption from the packet or wrapper without any further preparation, beverage containers, cups for beverages, tobacco products with filters and filters marketed for use in combination with tobacco products, wet wipes, balloons and lightweight plastic carrier bags) and fishing gear containing plastic placed on the Union market, new labelling requirements for sanitary towels, wet wipes and balloons; new product requirements for beverage containers; awareness-raising measures directed at consumers.

CONCLUSIONS

The EU's active involvement at the international level into initiatives implementing the concept of 'green economy' along with SCP and consequently the goals of 'circular economy' takes place not only at the political but also legal level. The furthest progress in this process in the years 2015–2018 can be seen with reference to the EU waste policy and law, with the biggest involvement into waste management. Four directives enacted in May 2018 explicitly give the SGDs goals within the EU legal dimension, imposing on Member States significantly increased requirements in this scope in comparison with the current state. While the changes focus mainly on waste prevention and waste management, the new proposals of the EC, especially those concerning plastic products, will unambiguously impact the EU product policy with the aim of eliminating selected types of products from the common market.

New legal solutions already accepted (and in the future also the planned ones) pose a significant challenge for Member States, because they naturally result in some limitations of freedom to conduct business, as well as they impose new obligations to consumers. At the same time, the changes assume active role of public administration in reorganizing existing systems of waste management, including different levels – from the incentives for innovation and for the participants of the recyclable materials' market to the introduction of deposit-refund schemes. This task has also financial dimension (public support oriented towards SCP projects, new infrastructure investments) and executive – monitoring and supervision of law-compliance by entrepreneurs and consumers.

It was observed that within the EU as a whole both the 'resource productivity' indicator and the levels of proper recycling of waste had risen. However, there are significant differences in the scope and the dynamic of tasks' realization between individual Member States. For instance, in the municipal waste category it is indicated that the overall rate of recycling (material recycling, composting and digestion) for the EU increased from 31% in 2004 to 45% in 2015. Poland is among the states which between 2004 and 2015 achieved the highest increase in recycling rates – Polish rate increased from 5% in 2004 to 43% in 2015. Generally in 2015, the overall rate of recycling was the highest in Germany – 66%, the lowest respectively: in Malta – 7% in 2015, in Romania – 13%, and in Greece – 15% (EEA, 2017). Such noticeable differences between Member States pose a substantial risk to the effective realization of the EU 'circular economy' policy.

The level of municipal waste management as a hard to organize sector of waste management is representative of the real effectiveness of legal system of a given Member State implemented in this scope. Taking into consideration this criterion, it should be noticed that even in the case of Poland and its significant progress in municipal waste management the chances to achieve solutions towards ‘circular economy’ at the pace required by the EU waste policy and law should be assessed very cautiously. For instance, *The Roadmap for the Transformation Towards Circular Economy* for Poland is still at the stage of a draft (RM RP, 2018), so it is hard to say when it becomes binding. Whereas, in the context of realizing tasks within municipal waste management by gminas, which will allow to achieve the goal established for 2020 “preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass – 50% by weight” – the assessment carried out on the grounds of audit by the Polish Supreme Audit Office (NIK) is rather pessimistic. It indicated that in 14 out of 22 gminas where the audit was conducted, the levels achieved in 2016 were lower than in 2015, which can mean that there is high probability that Poland will not achieve the goal required by the EU by 2020. On account of this situation, NIK explicitly recognizes the necessity to intensify legal and administrative actions both at the local and central level (NIK, 2018). This example of current hardships in realizing obligations within the EU law on waste management by a Member State depicts how significant the legal-organization and financial effort of a Member State will have to be to fulfil new challenges within the EU Circular Economy’s policy.

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POLISH EDUCATION POLICY FOR SECURE USE OF DIGITAL MEDIA

POLSKA POLITYKA OŚWIATOWA W ZAKRESIE BEZPIECZNEGO KORZYSTANIA Z MEDIÓW CYFROWYCH

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ABSTRACT

Modern digital media not only provide the ways of gaining numerous benefits, but also pose some risks. This applies to adults as well as to children and adolescents who are the victims but also perpetrators of the disjunctive use of the media. The aim of this article is to indicate antinomies in the Polish education policy regarding the secure use of digital media, mainly such as computer, smartphone, and the Internet. The research analyses the most popular portals offering the e-mail service and uses the document analysis method for indicating the inconsistency between legal acts and ordinances of the minister in charge of education and upbringing.

Keywords: education policy, education, cyberbullying, happy slapping, hikikomori, sharenting, catfishing, addiction to digital media

ABSTRAKT

Współczesne media cyfrowe nie tylko umożliwiają człowiekowi osiągnięcie wielu korzyści, lecz są również przyczyną pojawiających się zagrożeń. Zjawisko to dotyczy zarówno osób dorosłych, jak i dzieci i młodzieży, będących ofiarami, ale i sprawcami dysjunktywnego korzystania z mediów. Celem artykułu jest wskazanie antynomii w polityce oświatowej państwa polskiego dotyczących bezpiecznego korzystania z mediów cyfrowych, głównie takich jak: komputer, smartfon, Internet. W badaniach przeanalizowano najpopularniejsze portale oferujące usługę poczty elektronicznej oraz zastosowano metodę analizy dokumentów, która umożliwiła wskazanie braku spójności aktów prawnych i rozporządzeń właściwego ministra do spraw edukacji i wychowania.

Słowa kluczowe: polityka oświatowa, edukacja, cyberprzemoc, happy slapping, hikikomori, sharenting, catfishing, uzależnienie od mediów cyfrowych

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INTRODUCTION – CHARACTERISTICS OF THE RISKS RELATED TO THE USE OF DIGITAL MEDIA

Security in the use of information and communication technologies is primarily connected with such media as the Internet and mobile phone (Pyżalski, 2011). The misuse of these media by people, regardless of their age, results in, among other things, the phenomenon of cyberbullying. In both the Polish and foreign literature on the subject, there are many definitions of the phenomenon of cyberbullying (Finkelhor, 2008). It is called electronic violence, which means that children and adolescents may be subject to persecution and harassment at any time of day or night (Sanchez, 2009). However, it should be emphasised that cyberbullying may be of a peer-like nature. Therefore, children and adolescents may undertake aggressive activities directed towards other people online in an open and intentional manner (Ybarra, 2004), with the use of digital media (Hinduja & Patchin, 2009).

Destructing the reputation (Willard, 2007), harassing on the Web (Hayes, 2008), intimidating, bullyragging, threatening, humiliating and persecuting, often with devastating consequences for the victim are the most common forms of violence where such media are used (Friedman, 2010).

Another specific type of electronic aggression is happy slapping. There are films on the Internet where teenagers provoke, humiliate or mock drunk men, which makes them happy. Such publications are just an example of happy slapping. This is a new phenomenon, as it was first mentioned in the media in 2005. Cases of cruel beating, humiliation of victims and also death of victims following injuries after being beaten or suicides after such event have been observed (Kowalski, Limber, & Agatston, 2008).

Other negative phenomena occurring in cyberspace include: hikikomori, sharenting, addiction to electronic media and catfishing. Hikikomori is a phenomenon identified in Japan, which is connected with avoiding social contacts (Teo & Gaw, 2010; Suwa & Suzuki, 2013). A person – hikikomori – makes contacts via the Internet only, because the only world in which such person functions is a virtual reality. Another phenomenon, i.e., sharenting, consists in a regular use of social media by parents in order to provide a lot of detailed information about their children (photos, videos; Brosch, 2016). Internet addiction is a compulsive and impulsive spectrum of disorders, which may be linked to preoccupation with sex through the media, excessive use of computer games, social media and instant messaging clients (Block, 2008; Caplan, Williams, &

Yee, 2009). Yet another phenomenon is catfishing, i.e., a practice of pretending to be someone else in social media in order to cheat or attract another person (*Cambridge Dictionary*; Lovelock, 2017).

EDUCATION POLICY VERSUS RISKS RELATED TO THE USE OF DIGITAL MEDIA IN THE US AND THE EU

The data on negative consequences of using contemporary media, presented in many scientific studies, make parents and teachers terrified. Adults wanting to protect their children against this form of violence choose the simplest option, i.e., limiting their children's access to computers, the Internet and mobile phones. Is this approach appropriate? According to many pedagogues and psychologists, absolute limiting or prohibiting the use of new media by children and adolescents is not a good solution. That is why issues related to these phenomena have been included in the education policy in many countries. The commonness of the pathological phenomenon of using technology is diverse and seems to be related to cultural factors. Since research reports from Asia (Seo, Kang, & Yom, 2009) show higher rates of disorders than in Europe or the United States, the theoretical references will pertain to cultural areas.

An example is the United States of America, where attention is paid to the limitations of the education system in this regard and so recommendations for creating preventive programmes related to the problematic use of the media have been formulated (Worthen, 2007). In individual US states, a strategy for addressing cyberbullying in the education policy has been developed. The policy assumptions: a) are consistent with the US Constitution, in particular the prohibition on restricting freedom of religion, press, speech, petition and assembly; b) have clear definitions of concepts connected with cyberbullying as well as inform students and their parents about actions taken if such phenomenon occurs on the school premises; c) give teachers the right to search their students' personal electronic devices in the event of cybercrime. The last of the actions cited above should be consistent with the US Constitution, in particular with the right to personal inviolability (Goodno, 2011).

The policy in the scope presented above is also pursued in the European Union member states, where the foundation is the human right to dignity (Forejtová, 2016). Pursuant to this policy, the responsibility for improving the security in cyberspace rests on all entities forming the global information soci-

ety, ranging from citizens to the government administrations, including schools (Cybersecurity Strategy of the European Union, 2013). Hence, the education policy should take into account the responsibility and authority of teachers in counteracting the negative phenomena of using electronic media (Willard, 2007), which will be consistent with the Constitution and other legal acts in a given state.

ANTINOMIES IN THE POLISH EDUCATION POLICY REGARDING THE SECURE USE OF DIGITAL MEDIA

In order to demonstrate the antinomies (contradictions) in the Polish education policy regarding the secure use of digital media by children, I analysed the following legal acts:

- Act of 14 December 2016, Journal of Laws 2017, item 59 – Education Law,
- Ordinance of the Minister of National Education of 14 February 2017, item 356 on the core curriculum of pre-school education and core curriculum of general education for primary school, including general education in primary schools for pupils with moderate and severe mental disability, general education in stage I of trade schools, general education in special schools preparing for employment and general education in post-secondary schools,
- Act of 23 April 1964, Journal of Laws 1964 No. 16, item 93 – Civil Code,
- Act of 6 June 1997, Journal of Laws 1997 No. 88, item 553 – Penal Code.

The education law should be compatible with other legal acts in force in the state, which is why I will first of all analyse the Civil Code and the Penal Code in the context of the secure use of digital media (information technology) by children and adolescents. It is worth noting at this point that at present, information and communication technology is based mainly on new media. The term “new media” is: – “new textual experience” related to the representation and connection of the text on the Web; – “new ways of representing the world”; – “new experience of the relationship among corporeality, identity and community”, which helps to create your own identity other than the one in the “real world”; – “new concepts of the relationship of the biological body and the technological media” resulting in the merger of media and people; – “new organisational and production patterns” regarding the form of presentation and transformation of information; - “new relations among entities” connected with

the emergence of the Internet and “media technologies” (Lister, Dovey, Giddings, Grant, & Kelly, 2009).

Referring to the above definition, it is worth considering who, from the legal point of view, can be a digital media user? According to the Civil Code, it is a natural person with the “capacity to perform acts in law”, which is necessary for full functioning in the society, including entering into contracts in virtual reality. Pursuant to the said Code, in the Polish law people of the legal age, i.e., those who have attained eighteen years of age, have the capacity to perform acts in law, while minors who have attained thirteen years of age have limited capacity to perform acts in law. Such provisions lead to numerous problems connected with the use of the Internet services and mobile media by children and adolescents.

The Civil Code says that people without the capacity to perform acts in law (over 13 years of age and under 18 years of age) may enter into contracts for minor day-to-day matters and they may also dispose of their earnings. As a result, adolescents who have attained thirteen years of age, and therefore have limited capacity to perform acts in law may enter into contracts related to the use of electronic mail, creating profiles on social networking sites and those related to obtaining material benefits via the Internet services. A frequent example of this are minor youtubers, who, while running YouTube channels, place products of well-known companies in their programmes (cosmetics, food, clothes), in exchange for a financial benefit.

The Polish law does not provide for an independent use of the Internet services by children under the age of thirteen. This is dictated mainly by security and legal protection reasons related to the use of the Internet by this age group. As a result, pupils under the age of 13 are not allowed to create their own e-mail accounts or profiles in social media. However, studies indicate that this prohibition is often violated by children (Huk, 2015).

My analysis of the most popular e-mail service providers shows that the practice of complying with the law in this area is similar. Pupils under the age of 13 are allowed to create their e-mail accounts upon the consent of their parents or legal guardians with the following service providers: Wirtualna Polska, Onet.pl, Google.pl, Outlook.

The above restrictions are in accordance with the law in force in Poland, ensuring the security of the Internet use by children and adolescents and protecting this group from inappropriate content contained in advertisements placed with the e-mail services. However, there are also service providers who allow only those who have attained 16 years of age to create e-mail accounts.

The Penal Code is another important legal act for children and adolescents in Poland. This Act contains a provision on punishing anyone who, through the Internet or other devices such as a mobile phone, makes sexual proposals to children under the age of 15, including proposals to participate in producing or recording pornographic content. Such person is subject to the penalty of restriction of liberty or deprivation of liberty for up to 2 years.

The Act Education Law explicitly defines how to protect children and adolescents against dangerous situations resulting from the use of information and communication technologies. Before I proceed to discussing the provisions of the Education Law, I will describe the education stages in Poland. The education system in Poland includes three basic education stages: kindergartens, primary schools and secondary schools. The first stage of education is a kindergarten, which covers children from 3 to 7 years of age. In the calendar year in which the child attains seven years of age, he or she is subject to the “compulsory education” in primary school. Primary school is divided into two following stages: grades 1–3 and grades 4–8. The student who ends the eighth grade of primary school, depending on the month in which he or she was born, attains the age of 14 or 15. The next stage of education is started in secondary school, which lasts two, three, four or five years. In secondary schools, the 3rd grade student attains the age of majority and therefore has the capacity to perform acts in law. Such student is allowed to make decisions independently while continuing his or her education in the fourth or fifth grade of secondary school.

According to the education law, kindergartens and schools are obliged to protect students using the media on the school premises against access to content that may threaten their proper development. At present, this provision is implemented more often in schools than kindergartens, because in schools students use digital media on their own. The implementation of these postulates in schools entails two aspects: technological and organisational one. In technological terms, schools apply anti-virus programs and firewalls that filter unwanted content. In organisational terms, procedures and regulations are in force in schools regarding the secure use of digital media.

The studies indicate that the majority of schools implementing the provisions related to protecting students against the negative effects of the use of digital media limit their use in schools by students. Therefore, many schools prohibit the use of mobile phones and other mobile devices. Excessive restrictions do not always bring the desired effects, and above all they do not fully comply with an equally important provision included in the Education Law, which refers to

developing students' skills of the efficient use of information and communication technologies. Such restrictions lead to situations in which students use new media secretly, for example, in school toilets. The education practice indicates that prevention as well as development of the appropriate attitudes of students towards risks related to the use of information and communication technologies are more important than prohibitions.

In Poland's education policy, special attention is paid to the security of children and adolescents in new media. In 2017, the Minister of National Education adopted the direction of *Security on the Internet. Responsible use of social media*. This postulate is reflected in the core curriculum containing content related to the secure use of new media at each of the education stages, and directly in educational activities planned by each school.

Unfortunately, not all legal acts related to the education policy are consistent with each other. The analysis of the legal acts described above and the analysis of the curriculum containing content taught to grades 4–6 of primary school identify contradictions. It turns out that according to the core curriculum, fourth grade students (at the age of 10), hence without the capacity to perform acts in law, should develop their social competences through the use of electronic mail and cooperation in a virtual environment in the so-called cloud.

The consequence of this provision includes IT curricula and textbooks designed for grades 4, 5 and 6 of primary school which cover the achievement of the abovementioned competences. In the school practice, students at the age of 10 create their e-mail accounts, although this infringes the Civil Code and the regulations of the Internet service providers. The analysis of selected regulations of the service providers indicates that such an option is permitted only if parents or legal guardians agree to the above and administer their children's e-mail accounts. However in practice, teachers rarely cooperate with parents in this respect. Therefore, as a result of legal contradictions, individual protests of parents emerge that are addressed directly to IT teachers in schools or to the Ministry of National Education. Pointing out the problem, individual parents do not want their children to have e-mail accounts, because it allows minors to use numerous Internet services intended for adults. Such services are related to gambling, sex, financial operations and other civil law contracts.

CONCLUSIONS

In a society based on digital media, protecting children and adolescent against the problematic use of digital media is one of the key directions of the education policy in Poland. However, it should be emphasised that the operationalisation of this direction at the level of ordinances of the minister in charge of education is not always in accordance with the superior legal acts. As a result, the secondary legislation for the education policy does not keep up with the changes related to the development of information and communication technologies. The contradictions in legal acts issued at the ministry level are observed in IT curricula and textbooks designed for pupils under the age of thirteen. They include content related to the use of the Internet services, which pupils are not allowed to use without the consent of their parents/legal guardians. Hence, in practice, school teachers commit an infringement of the Civil Code by teaching the content of the core curriculum.

The issues described in the article have important implications for the education policy in Poland, which should be consistent with other legal acts in Poland. However, it is significant for the assumptions of the policy not to focus only on limitations, but also on promoting media literacy, so that students could have a critical view of the presence of violence in digital media. The analyses indicate that individual parents are aware of the antinomies that are present in the Polish education policy. Probably many of such antinomies could be avoided if the authorities did not discourage education entities from participating in decision-making processes (Śliwerski, 2018). Therefore, one of the tasks of the education policy should be to seek appropriate solutions that on the one hand will protect children and adolescents against the problematic use of digital media, but on the other hand, they should promote these media without introducing unnecessary bans or restrictions. In conclusion, the education policy in the described area should be developed jointly by the Ministry of Education, teachers, parents and representatives of digital media.

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INTERNATIONAL MONITORING OF THE HUMAN RIGHTS SITUATION IN BELARUS THROUGH THE UNIVERSAL PERIODIC REVIEW: LIGHTS AND SHADOWS OF THE UN HUMAN RIGHTS COUNCIL MECHANISM

MIĘDZYNARODOWA KONTROLA SYTUACJI PRAW CZŁOWIEKA NA BIAŁORUSI W RAMACH POWSZECHNEGO PRZEGLĄDU OKRESOWEGO – BŁASKI I CIENIE MECHANIZMU KONTROLNEGO RADY PRAW CZŁOWIEKA ONZ

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— ABSTRACT —

The Universal Periodic Review (UPR) of the United Nations Human Rights Council is an international monitoring mechanism established within the frames of the universal human rights protection system, which involves systematic assessment of the performance of all member states of the UN with respect to a broad range of their human rights obligations and international humanitarian law standards. Since Belarus does not participate in the regional human rights protection system operating under the auspices of the Council of Europe, the application of the UPR in relation to that country gains particular importance. So far Belarus has been under review twice – in 2010 and 2015. The aim of the paper is to describe the rules of the mechanism and the process of the UPR concerning Belarus, to present

— ABSTRAKT —

Powszechny przegląd okresowy (UPR) Rady Praw Człowieka ONZ to międzynarodowy mechanizm utworzony w ramach uniwersalnego systemu ochrony praw człowieka, za którego pomocą prowadzona jest systematyczna kontrola wykonywania przez wszystkie państwa członkowskie Organizacji szerokiego zakresu ciężących na nich zobowiązań z dziedziny praw człowieka oraz międzynarodowych standardów humanitarnych. Ponieważ Białoruś nie uczestniczy w regionalnym systemie ochrony praw człowieka działającym pod egidą Rady Europy, możliwość zastosowania UPR dla oceny sytuacji praw człowieka w tym kraju nabiera szczególnego znaczenia. Dotychczas Białoruś została poddana przeglądowi dwukrotnie – w latach 2010 i 2015. Niniejszy artykuł ma na celu przybliżenie zasad UPR, przedstawienie jego

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the results of the review, including main human rights issues identified and the recommendations received by Belarus in the course of the UPR, as well as to explain the position of Belarusian authorities on such recommendations. The paper also attempts to discuss the drawbacks and the advantages of the UPR, using the perspective of the review undergone by Belarus.

Keywords: human rights protection, Belarus, Universal Periodic Review, Human Rights Council, international monitoring

przebiegu w odniesieniu do Białorusi i rezultatów, w tym wskazanie głównych problemów praw człowieka zidentyfikowanych podczas przeglądu, oraz analizę zaleceń otrzymanych przez Białoruś od państw uczestniczących w przeglądzie, a także stanowiska białoruskich władz wobec wspomnianych rekomendacji. W artykule podjęta została ponadto próba oceny UPR jako mechanizmu kontrolnego z perspektywy doświadczeń uzyskanych w związku z przeprowadzonymi już przeglądami Białorusi.

Słowa kluczowe: ochrona praw człowieka, Białoruś, powszechny przegląd okresowy, Rada Praw Człowieka, kontrola międzynarodowa

GENERAL INFORMATION ON THE UNIVERSAL PERIODIC REVIEW

The Universal Periodic Review (hereinafter: UPR) was established within the frames of the United Nations human rights protection system under the UN General Assembly resolution 60/251 of 15 March 2006. Hence its origins are closely connected with the creation of the Human Rights Council (hereinafter: HRC), which in 2006 replaced the Commission on Human Rights as the main UN subsidiary body responsible for promoting universal respect for the protection of all human rights and fundamental freedoms, the effective coordination and the mainstreaming of human rights within the UN system, as well as addressing situations of violations of human rights and making recommendations thereon (UN GA Res. 60/251, 2006, paras. 2–3).

The Council fulfills its monitoring duties making use of a number of mechanisms developed by the former Commission and then assumed and reviewed by the new body (UN GA Res. 60/251, 2006, para. 6). Among those procedures are, for example, special procedures established either to report and advise on selected thematic issues concerning human rights all over the world, called ‘thematic mandates’, or set up to deal with a specific human rights situation in a given country, called ‘country mandates’ (Kedzia, 2003, p. 49; Manual on Human Rights Monitoring, 2011, p. 7). The UPR, however, is a unique, innovative monitoring mechanism (McMahon, 2012, p. 4) which enables the HRC to systematically assess the performance of all member states of the UN with respect to their

human right obligations, commitments and international humanitarian law standards, including positive developments and challenges faced by states in that area (Rezmer, 2014, pp. 340, 356).

Basic principles of the UPR were determined by the UN General Assembly in the resolution of 15 March 2006, which stated that the review should be 'based on objective and reliable information' and conducted 'in a manner which ensures the universality of coverage and equal treatment with respect to all States.' In addition, the resolution emphasized that the UPR 'shall be a cooperative mechanism based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs.' At the same time the General Assembly entrusted the HRC with the task of developing the modalities of the review (UN GA Res. 60/251, 2006, para. 5e). Therefore detailed rules governing the mechanism in question were prepared and adopted by the Council as a part of its institution-building package (UN HRC Res. 5/1, 2007, Annex) and further developed in subsequent documents (decisions, resolutions, statements) of the HRC and its President (see e.g.: UN HRC Dec. 6/102, 2007, para. I; President's Statement 20/1, 2012).

It must be added that although the UPR is a comparatively new mechanism, it has already been reviewed by the Human Rights Council and undergone considerable changes with the view of its improvement, as a part of a broader review process of the work of the HRC (UN HRC Res. 16/21, 2011, Annex, pp. 3–5; UN HRC Dec. 17/119, 2011).

According to the rules and modalities of the review established by the Council, the objectives of the UPR include: the improvement of the human rights situation on the ground; the fulfilment of the state's human rights obligations and commitments, as well as the assessment of positive developments and challenges faced by the state under review; the enhancement of the state's capacity and of technical assistance, in consultation with, and with the consent of the state concerned; the sharing of best practice among states and other stakeholders; support for cooperation in the promotion and protection of human rights; and last but not least, the encouragement of full cooperation and engagement with the HRC, other human rights bodies and the Office of the United Nations High Commissioner for Human Rights (UN HRC Res. 5/1, 2007, para. 4).

The review shall promote the universality, interdependence, indivisibility and interrelatedness of all human rights and fully integrate a gender perspective. It is supposed to be a cooperative, inter-governmental, member-driven and action-oriented mechanism based on objective and reliable information and on interactive

dialogue, with the full involvement of the country under review and with the participation of all relevant stakeholders, including non-governmental organizations (hereinafter: NGOs) and national human rights institutions. It should ensure universal coverage and equal treatment of all states, and be conducted in an objective, transparent, non-selective, constructive, nonconfrontational and nonpoliticized manner, but at the same time take into account the level of development and specificities of countries. Moreover, it is required that the UPR does not duplicate other human rights mechanisms. It shall not diminish the capacity of the Council to respond to urgent human rights situations. Nor should it absorb a disproportionate amount of time and resources, be overly long or burdensome to the concerned state (UN HRC Res. 5/1, 2007, para. 3).

The assessment of the UN member states under the UPR takes into account a broad range of their human rights obligations contained in the UN Charter (1945), the Universal Declaration of Human Rights (1948), the human rights instruments to which the concerned state is party, voluntary pledges and commitments made by states and applicable international humanitarian law (UN HRC Res. 5/1, 2007, para. 1).

The UPR is a cyclical and multistage process. The first cycle began in 2008 and lasted four years. Under the new modalities the periodicity of the review for the second cycle (which began in June 2012) and for all subsequent cycles is four and a half years. The third cycle of the mechanism is already underway. It started in May 2017 and shall be finished by November 2021 (Calendar of Reviews, 2017). Over the course of the entire cycle there are fourteen UPR sessions and 42 countries are reviewed each year. As a rule, the sessions are convened three times per year and each session is dedicated to fourteen states (A Guide for Recommending States, 2015, p. 7).

Edward R. McMahon distinguishes the following stages of the mechanism (McMahon, 2012, pp. 9–10):

- Preparation of a national report by the concerned state, in accordance with the general guidelines adopted by the HRC. States are encouraged to prepare the information through a broad consultation process at the national level with all relevant stakeholders (UN HRC Res. 5/1, 2007, para. 15a);
- Preparation of stakeholder and UN documentation. The required materials include a compilation drawn up by the Office of the High Commissioner for Human Rights of the information contained in the reports of the UN treaty bodies, special procedures and other relevant official

UN documents, as well as a summary of additional, credible and reliable information provided by other relevant stakeholders – NGOs, national human rights institutions, or regional organizations (UN HRC Res. 5/1, 2007, paras. 15b–15c);

- Assessment of the national report and preparation of questions and recommendations by the UN members participating in the UPR. Each review is facilitated by ‘troika’ – a group of three states, selected by lot from the members of the HRC and coming from different regional groups, who act as rapporteurs. The ‘troika’ collate all advance issues or questions to be transmitted to the state under review in order to pave the way for its preparation and focus the interactive dialogue (UN HRC Res. 5/1, 2007, paras. 18d, 21; Redondo, 2008, p. 727; *A Guide for Recommending States*, 2015, pp. 7–8);
- Review of the concerned state conducted in the HRC Working Group composed of 47 members of the Council. It takes the form of an interactive dialogue between the country under review and other UN member states and observers. The duration of the dialogue used to be three hours, but since the start of the second cycle of the UPR, it has been extended to three hours and thirty minutes for each state under review. Seventy minutes are reserved for the concerned state and the speaking time left is divided among all delegations inscribed, in such manner that every speaker may take floor (Rezmer, 2014, p. 356). Other stakeholders, e.g., NGOs, may attend sessions of the Working Group, but they shall not engage directly in the interactive dialogue (Górzyńska, 2009, p. 526);
- Preparation and adoption of a report consisting of a summary of the proceedings of the review process, conclusions, recommendations and the voluntary commitments of the state under review. The report is prepared in the Working Group with the assistance of the ‘troika’, the UN Secretariat, and the concerned country. It is released one week after the end of the Working Group session (*A Guide for Recommending States*, 2015, p. 9);
- Adoption of the final outcome of the review at the plenary session of the HRC. Before it happens, the state under review is offered the opportunity to reply to questions or issues that were not sufficiently addressed during the interactive dialogue. It may also (so may the member states of the Council and the observers) express views on the outcome of the review. Similarly, other stakeholders have the opportunity to make general com-

ments before the adoption of the outcome by the plenary of the HRC (UN HRC Res. 5/1, 2007, paras. 29–31; Redondo, 2008, p. 732). It is of utmost importance that the state under review should clearly communicate to the Council, preferably prior to the Council plenary, its positions on all received recommendations (UN HRC Res. 16/21, 2011, para. 16).

The final phase of the procedure involves the follow-up of its outcome. According to the HRC, the outcome of the UPR, as a cooperative mechanism, should be implemented primarily by the concerned country, nevertheless the states are encouraged to conduct broad consultations with all relevant stakeholders in this regard. What is more, each UPR should focus, *inter alia*, on the implementation of recommendations accepted by the concerned country in the course of the previous review and on the developments of the human rights situation on the ground. The states are also requested to provide the Council, on voluntary basis, with a midterm update on follow-up to accepted recommendations (UN HRC Res. 16/21, 2011, paras. 6, 17–18).

HUMAN RIGHTS OBLIGATIONS OF BELARUS

Being one of the original members of the UN, Belarus has right from the start participated in the so called charter-based human rights protection system operating within the organization. Consequently, it has been subject to the monitoring mechanisms established on the basis of resolutions or decisions of those UN bodies (e.g., the special procedures and the complaint procedure of the HRC), whose competence to create such mechanisms can be derived from the UN Charter.

So far Belarus has also acceded or ratified a considerable number of the core human rights instruments constituting the UN treaty-based system. Detailed data on the status of ratification are presented in Table 1.

Table 1. Status of ratification of the UN core human rights instruments by Belarus

Treaty	Date of ratification/ accession
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	12.11.1973
Optional Protocol to ICESCR, 2008	-
International Covenant on Civil and Political Rights (ICCPR), 1966	12.11.1973

Treaty	Date of ratification/ accession
Optional Protocol to ICCPR, 1966	30.09.1992
Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty, 1989	-
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965	08.04.1969
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT), 1984	13.03.1987
Optional Protocol to CAT, 2002	-
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	04.02.1981
Optional Protocol to CEDAW, 1999	03.02.2004
Convention on the Rights of the Child (CRC), 1989	01.10.1990
Optional Protocol to CRC on the involvement of children in armed conflict, 2000	25.01.2006
Optional Protocol to CRC on the sale of children, child prostitution and child pornography, 2000	23.01.2002
Optional Protocol to CRC on a communications procedure, 2014	-
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), 1990	-
Convention on the Rights of Persons with Disabilities (CRPD), 2006	29.11.2016
Optional Protocol to CRPD, 2006	-
International Convention for the Protection of All Persons from Enforced Disappearance (CPEd), 2006	-

Source: Author's own work based on data retrieved from: <http://indicators.ohchr.org/>, and https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=16&Lang=EN.

Nonetheless, it should be noted that, with some exceptions, only reporting procedures provided for in the treaties listed above are obligatory in nature. As a rule, other monitoring mechanisms, such as inter-state communications, individual communications or inquiries, apply to the states parties which have consented to it, either by making a special declaration or by ratifying an optional protocol to a particular treaty. Unfortunately, Belarus has expressed necessary consent with respect to few mechanisms – namely, two individual communications procedures (concerning the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination against Women), as well as two inquiry procedures (provided for in the Optional Protocol to the Convention on the Elimination of All Forms of Discrimina-

tion against Women and in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). It has also recognized the competence of the UN treaty body – the Human Rights Committee – to consider inter-state communications dealing with alleged violations of the International Covenant on Civil and Political Rights (Ratification Status, 2018). Other monitoring procedures within the UN treaty system, in particular seven individual communications mechanisms, are yet to be accepted by Belarus.

What is more, Belarus has not ratified the most important European human rights instrument – the Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and does not participate in the human rights protection system operating under the auspices of the Council of Europe. Nor does it recognize the competence of the European Court of Human Rights.

At the same time, the situation of human rights in Belarus for years has been the subject of growing concern of the international community, which led to the establishment of the country mandate dedicated to that state. In 2012, after the UN High Commissioner for Human Rights had presented a comprehensive report to the Human Rights Council indicating the existence of a pattern of serious violations of human rights in Belarus since the presidential elections in 2010 (Report of the United Nations High Commissioner, 2012, para. 73), the HRC decided to appoint a special rapporteur to monitor the situation and make recommendations for its improvement; help to implement the recommendations contained in the report of the High Commissioner; assist the interested government in fulfilling its human rights obligations; offer support and advice to civil society; seek, receive, examine and act on information from all relevant stakeholders pertaining to the situation of human rights in Belarus (UN HRC Res. 20/13, 2012, para. 3). On 1 November 2012, Mr. Miklós Haraszti assumed the functions of the Special Rapporteur and in 2018, the HRC decided to extend the mandate for a period of one year (UN HRC Res. 38/14, 2018, para. 11).

In his latest report presented in 2018, the Special Rapporteur described ‘an unchanged oppressive environment for the rights and freedoms of citizens’ in Belarus (Report of the Special Rapporteur, 2018, Note by Secretariat) and warned that the situation of human rights in the monitored country had not improved since the mandate had been established. The report also identified main human rights issues, including: the systemic curtailing of the freedom of expression (along with the freedom of the media and freedom of the Internet); undue restrictions on the freedoms of association and peaceful assembly; ill-treatment, amounting in some cases to torture, used as a systemic tool serving

the oppressive legal framework, in conjunction with the absence of a national preventive mechanism to monitor the conditions in places of deprivation of liberty and with the lack of effective legal remedies for victims of acts of ill-treatment; arbitrary arrests and detentions; the harassment of human rights defenders, trade unionists and civil society organizations; the absence of the rule of law caused by the extent of the power of the executive over the legislative, the judiciary and legal professionals; the lack of a national human rights institution; forced labour; discrimination, particularly discrimination based on gender or sexual orientation. Moreover, the Special Rapporteur pointed out that Belarus is the only European state still retaining the death penalty in law and in practice, and that executions are carried out without guarantees of due process, in the way which entails violations of basic rights for the convicted and their relatives (Report of the Special Rapporteur, 2018, paras. 11, 28–104). It is worth mentioning that in general the concerns expressed by Mr. Haraszti are shared by the non-governmental organizations working in the field of human rights (see: Belarus. Events of 2016. Human Rights Watch; Belarus: Detention of Journalists... Amnesty International, 2018). The Rapporteur, the HRC and the NGOs agree also that so far the Belarusian authorities have not shown willingness to cooperate with the mandate holder. According to the Council, the response of the government of Belarus to the requests made by the HRC, including appeals concerning access of the special procedure mandate holders to the country, has been inadequate (UN HRC Res. 38/14, 2018).

THE PERIODIC REVIEWS OF BELARUS AND THEIR OUTCOME

Belarus has already undergone the UPR twice. During the first cycle of the mechanism, the review of Belarus was held on 12 May 2010 and the troika selected to facilitate the process were: Norway, the Philippines, and Senegal (Report of the Working Group, 2010, paras. 1–2). In the course of the second cycle, the review was held on 4 May 2015 and the troika consisted of Algeria, Pakistan, and Paraguay (Report of the Working Group, 2015, paras. 1–2). The third review is scheduled for April/May 2020.

It should be noted that Belarus cooperated with the mechanism – submitted required documents in a timely manner and participated in the interactive dialogue at the sessions of the Working Group. However, the key elements of the UPR are the recommendations formulated as a result of the review. For that

reason, further reflection will concentrate on the recommendations received by Belarus and the response of the Belarusian government. The analysis will be based on the classification of the UPR recommendations developed by Edward R. McMahon with the support of UPR Info (NGO working towards promoting and strengthening the process of the UPR). Taking into account the type of action requested by recommending states, the recommendations can be divided into five categories (McMahon, 2012, pp. 14–15; *Beyond Promises*, 2014, pp. 21–25):

- Category 1 – recommendations directed at countries other than the state under review, or calling upon the concerned state to request financial or other assistance from, or share information with other states (e.g., ‘Share its best practices in the area of combating trafficking in women and children with other countries in contemporary situation’);
- Category 2 – recommendations emphasizing continuity in actions and/or policies (e.g., ‘Continue active cooperation with human rights mechanisms’);
- Category 3 – recommendations to consider change (e.g., ‘Consider abolishing the death penalty’);
- Category 4 – recommendations of action that contain a general element (e.g., ‘Improve the overall situation of media freedom’);
- Category 5 – recommendations of specific action (e.g., ‘Establish a moratorium on the death penalty as a step towards its abolition’).

One must agree with Edward R. McMahon that category 1 recommendations require the least cost and effort from the state under review, therefore they are easily accepted, while category 5 recommendations generally tend to be the furthest-reaching and most important, but since they represent the greatest potential cost, they are hardest to accept (McMahon, 2012, p. 15).

In the course of its two UPR cycles, Belarus received 441 recommendations offered by 100 states (169 recommendations coming from 47 states during the first cycle of the UPR and 272 recommendations from 94 states during the second cycle). The UN members which submitted the highest number of recommendations were, with two exceptions, European countries: Spain (14), Canada and Lithuania (13), the Czech Republic (12), France, Norway and Brazil (11).

The Belarusian government supported 124 recommendations received during the first review and 161 recommendations during the second review. In total, 285 recommendations (64.6%) were accepted. Detailed data on the number of recommendations and recommending states are presented in Table 2.

Table 2. Recommendations received by Belarus during the 1st and the 2nd cycle of the UPR

Recommending State	1st cycle		2nd cycle		1st & 2nd cycles	
	Total number	Number of supported recom.	Total number	Number of supported recom.	Total number	Number of supported recom.
Algeria	4	4	2	2	6	6
Argentina			2	2	2	2
Armenia	2	2			2	2
Australia			4	1	4	1
Austria	6	4	4	2	10	6
Azerbaijan	2	2	1	1	3	3
Bahrain			3	3	3	3
Bangladesh	3	3	2	2	5	5
Belgium	4	3	3	2	7	5
Bhutan	3	3			3	3
Bolivia	3	3	4	4	7	7
Bosnia & Herzegovina			1	1	1	1
Botswana			2	1	2	1
Brazil	9	4	2	0	11	4
Brunei Darussalam			2	2	2	2
Canada	8	5	5	2	13	7
Chile			3	2	3	2
China	2	2	2	2	4	4
Costa Rica			5	2	5	2
Croatia			2	1	2	1
Cuba	2	2	3	3	5	5
Czech Rep.	7	4	5	3	12	7
Denmark			4	1	4	1
Djibouti	3	3			3	3
Democratic People's Rep. of Korea	2	2	3	3	5	5
Ecuador			2	2	8	8
Egypt	5	5	3	3	2	2
El Salvador			3	2	3	2

Recommending State	1st cycle		2nd cycle		1st & 2nd cycles	
	Total number	Number of supported recom.	Total number	Number of supported recom.	Total number	Number of supported recom.
Estonia			3	1	3	1
Ethiopia			1	1	1	1
Finland	2	1	2	1	4	2
France	4	0	7	3	11	3
Germany			3	1	3	1
Ghana			7	1	7	1
Greece			3	0	3	0
Guatemala			4	1	4	1
Holy See			3	3	3	3
Hungary	6	5	3	2	9	7
Indonesia	1	1	2	1	3	2
Iran	4	4	2	2	6	6
Iraq	1	0	1	1	2	1
Ireland	5	0	3	1	7	1
Israel	3	1			3	1
Italy	3	1	5	1	8	2
Japan			2	2	2	2
Kazakhstan	3	3	3	3	6	6
Kuwait			2	2	2	2
Laos	1	1	1	1	2	2
Latvia			3	0	3	0
Libya	4	4			4	4
Lithuania	7	4	6	1	13	5
Luxembourg			5	3	5	3
Malaysia	4	4	3	3	7	7
Mexico			3	1	3	1
Montenegro			2	0	2	0
Morocco	2	2	2	2	4	4
Myanmar			2	2	2	2
Namibia			3	1	3	1
Netherlands	4	2	2	0	6	2
Nicaragua	2	2	2	2	4	4

Recommending State	1st cycle		2nd cycle		1st & 2nd cycles	
	Total number	Number of supported recom.	Total number	Number of supported recom.	Total number	Number of supported recom.
Nigeria			2	2	2	2
Norway	7	6	4	0	11	6
Oman	3	3	1	1	4	4
Pakistan			2	2	2	2
Palestine	5	5	2	2	7	7
Paraguay			3	2	3	2
Peru			4	2	4	2
Philippines			2	2	2	2
Poland	3	3	4	1	7	4
Portugal			4	0	4	0
Rep. of Congo			2	0	2	0
Rep. of Korea			4	2	4	2
Romania			3	2	3	2
Russian Federation	2	2	4	4	6	6
Rwanda			3	3	3	3
Senegal			4	4	4	4
Serbia			3	3	3	3
Sierra Leone			4	1	4	1
Singapore	1	1	2	2	3	3
Slovakia			3	2	3	2
Slovenia			5	2	5	2
Spain	10	3	4	1	14	4
Sri Lanka			2	2	2	2
Sudan	2	2	2	2	4	4
Sweden			3	0	3	0
Switzerland	5	3	3	2	8	5
Syria	2	2	2	2	4	4
Tajikistan	4	4	3	3	7	7
Thailand			2	2	2	2
Tunisia	1	1			1	1
Turkmenistan			2	2	2	2
Uganda			1	1	1	1

Recommending State	1st cycle		2nd cycle		1st & 2nd cycles	
	Total number	Number of supported recom.	Total number	Number of supported recom.	Total number	Number of supported recom.
United Arab Emirates			1	1	1	1
United Kingdom			2	0	2	0
USA			3	1	3	1
Uruguay			6	1	6	1
Uzbekistan	2	2	2	2	4	4
Venezuela	1	1	4	4	5	5
Viet Nam			2	2	2	2
Zimbabwe			2	2	2	2
Total	169	124	272	161	441	285

Source: Author's own work based on UPR Info data retrieved from: https://www.upr-info.org/database/index.php?limit=0&f_SUR=16&f_SMR=All&order=&orderDir=ASC&orderP=true&f_Issue=All&searchReco=&resultMax=300&response=&action_type=&session=&SuRRgrp=&SuROrg=&MRRgrp=&SMROrg=&pledges=RecoOnly.

The human rights issues raised in the recommendations directed to Belarus generally reflect the concerns expressed by the UN Special Rapporteur and NGOs. Nearly fifty recommendations referred to the use of the death penalty and encouraged the Belarusian government to abolish the capital punishment or introduce a moratorium on executions. Many others dealt with the matters concerning freedom of association and peaceful assembly, freedom of opinion and expression, the problem of arbitrary detentions, the difficult situation of the human rights defenders and civil society organizations. The needs to establish an independent national human rights institution in Belarus and to increase the cooperation of Belarusian authorities with the UN human rights mechanisms (particularly with special procedures) were also frequently pointed out by recommending states.

On the other hand, the recommendations were often repetitive and not specific. Fortunately, Belarus received only three category 1 recommendations during the first cycle of the UPR, and none during the second cycle. Still, the recommendations falling into categories 2 and 3 constituted 29.7% of the total number of recommendations. As regards the action required by the recommending states, a positive change could be observed during the second review, when

over 43.3% of recommendations directed to Belarus were category 5 (requesting a specific action), in comparison to 29.6% during the first review. Such recommendations mostly suggested the ratification of international instruments or the abolishment of the death penalty.

Although the response of the Belarusian government to the received recommendations seems at first glance promising, with the acceptance at the level of over 64%, it should be noted that such a positive attitude is actually limited to the least specific recommendations. Only 20 (11.8%) recommendations falling into category 5 were supported by Belarus in the course of the first review, and no more than 28 (10.3%) in the course of the second review. Thus, it can be said that while the number of the 'strongest' recommendations has increased, the willingness of Belarusian authorities to support them has decreased.

CONCLUDING REMARKS

The UPR, though operating for a relatively short time in comparison to other international human rights monitoring procedures, has already been discussed at length by various commentators (scholars, NGOs), who attempted to identify both the strong points and the deficiencies of the mechanism. It appears that the most appreciated features of the UPR are universality (not only in law but also in practice) and the broad scope of the review, as well as its public nature (Górzyńska, 2009, p. 529; Redondo, 2008, p. 733; Rezmer, 2014, p. 352). The main weaknesses of the UPR include: the unsatisfactory quality of national reports prepared for the purpose of the review; the interactive dialogue, which is not always objective and constructive; the large number of recommendations, which are often repetitive and imprecise; and the lack of effective follow up (Górzyńska, 2009, p. 529; Ramcharan, 2011, p. 46; Rathgeber, 2008, pp. 5–6; Rezmer, 2014, pp. 350–351).

The process of the review and the outcomes of two cycles of the UPR concerning Belarus seem to support those observations. Ideally, the state under review, while preparing its national report should undertake a detailed, objective and bona fide assessment of its human rights situation and the status of implementation of its human rights obligations. In reality, which is not surprising, Belarusian reports focused on positive aspects and tended to avoid discussing any serious shortcomings or human rights problems (National Report, 2010; National Report, 2015).

As it was mentioned above, numerous recommendations received by Belarus were not adequately specific or were ‘made with a light touch’. One may even come under the impression, that, to quote Bertrand G. Ramcharan, ‘many member states with atrocious human rights records are treated by their peers with kid gloves’ (Ramcharan, 2011, p. 64). For instance, during the second cycle of the UPR, Bolivia ‘acknowledged progress in the implementation of human rights in Belarus’ and made four recommendations proposing that Belarus shall ‘continue working so that women’s rights are fully respected; continue working to fight against human trafficking and share its best practices in that regard; continue implementing economic, social, cultural, civil and political rights for the benefit of all its population; continue implementing access for all women to reproductive health services and improving the quality of care given’ (Report of the Working Group, 2015, paras. 100, 127.42, 127.68, 127.90, 127.99).

Notwithstanding the aforementioned deficiencies, it must be remembered that Belarus does not participate in the human rights protection system operating under the aegis of the Council of Europe, has not accepted most of the voluntary monitoring mechanisms established within the UN treaty-based system and so far has shown no willingness to cooperate with the special procedures. Therefore the possibility to evaluate its performance in the field of human rights obligations and humanitarian standards by means of the UPR gains particular importance and should not be underestimated.

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GERMAN CULTURAL POLICY IN THE REICH PROVINCE OF DANZIG-WEST PRUSSIA: A SHORT CHARACTERISTIC

NIEMIECKA POLITYKA KULTURALNA
W OKRĘGU RZESZY GDAŃSK-PRUSY ZACHODNIE:
KRÓTKA CHARAKTERYSTYKA

*Sylvia Grochowina** 

— ABSTRACT —

An important element of the ethnic and racial policy pursued by the German occupant in the Reich Province of Danzig-West Prussia was cultural policy (*Kulturpolitik*). Admittedly, since the first days of occupation the German authorities attached great importance to matters of culture – however, in the Nazi reality there was no cultural policy understood as encouragement and support offered by state authorities for independent, artistic creativity in its varied forms. The Nazis “controlled” culture, which played an important role in the process of creating a new reality in the annexed Polish territories. In the present paper, the author discusses selected issues illustrating the organization and forms of German cultural life in the Danzig-West Germany Province of the Reich. In outlining the German cultural policy, two main aspects were taken into account: culture as just another component of the broader Ger-

— ABSTRAKT —

Ważnym filarem polityki narodowościowej realizowanej przez okupanta niemieckiego w Okręgu Rzeszy Gdańsk-Prusy Zachodnie była polityka kulturalna (*Kulturpolitik*). Wprawdzie już od pierwszych dni okupacji władze niemieckie przykładały ogromną wagę do spraw kultury, ale w realiach nazistowskich nie istniała polityka kulturalna rozumiana jako inicjowanie i wspieranie przez władze państwowe niezależnej, szeroko pojętej twórczości artystycznej. Naziści „sterowali” kulturą, która odgrywała ważną rolę w procesie kreowania nowej rzeczywistości na zaanektowanych polskich obszarach. W niniejszym artykule omówiłam wybrane kwestie, które ilustrują organizację oraz formy niemieckiego życia kulturalnego w Okręgu Rzeszy Gdańsk-Prusy Zachodnie. Kreśląc obraz niemieckiej polityki kulturalnej, starałam się uwzględnić dwa zasadnicze aspekty, tj. kulturę jako element

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man nationalistic and ethnic policy, as well as its role as an integral part of social reality.

Keywords: World War II, Nazism, German occupation 1939–1945, Reich Province of Danzig-West Prussia, Polish territories incorporated into the Third Reich, Nazi cultural policy

składowy niemieckiej polityki narodowościowej oraz integralną część społecznej rzeczywistości.

Słowa kluczowe: II wojna światowa, nazizm, okupacja niemiecka 1939–1945, Okręg Rzeszy Gdańsk-Prusy Zachodnie, ziemie polskie wcielone do Trzeciej Rzeszy, nazistowska polityka kulturalna

On September 1, 1939, without a prior declaration of war, German troops launched an armed attack on Poland, and within several weeks occupied almost half of the Republic's territory, i.e., 188,705 km² (in November 1939, 752 km² were handed over to Slovakia). After the period of military management of the occupied Polish territories that lasted until October 25, 1939 (inclusive), civilian administration was introduced. As concerns the western, northern and south-western territories of the pre-war Polish state, the principles of administration were regulated by the Führer's decree of October 8, 1939 *concerning the organization and administration of the Eastern Territories*, in force since October 26, 1939. On its basis, the Polish pre-war voivodeships of Silesia, Pomerania, and Poznań, as well as parts of the voivodeships of Łódź, Kielce, Kraków (western portion), Warsaw (northern part) and finally the Suwałki district in the Białystok voivodeship, were incorporated into the Third Reich. In these annexed Polish territories, the German occupants formed new administrative units – one of them was the Reich Province of West Prussia, *Reichsgau Westpreussen*, whose name was changed on November 2, 1939 to *Reichsgau Danzig-Westpreussen* (Danzig-West Prussia Province). In total, its surface area was 26,056 km² (of which 21,223 km² were formerly Polish lands). It encompassed the Free City of Gdańsk (Danzig), six districts from the German East Prussia Province [Elbing (now Elbląg) – urban, Elbing – rural, Marienberger (now Kwidzyn), Marienburg (Malbork), Rosenberg (now Susz) and Stuhm (now Sztum)] and most of the pre-war Pomeranian voivodeship (without the poviats or districts of Inowrocław, Włocławek, Szubin and Nieszawa), as well as a small portion of the Warsaw voivodeship. The Province was divided into three boroughs: Bydgoszcz (*Regierungsbezirk Bromberg*), Gdańsk (*Regierungsbezirk Danzig*) and Kwidzyn (*Regierungsbezirk Marienwerder*), each of which was managed by a Borough President (*Regierungspräsident*). Each borough was further divided into urban districts (*Stadtkreis*) headed by a mayor (*Oberbürgermeister*), rural districts

(*Landkreis*) headed by a starost (*Landrat*) and smaller municipalities (*Gemeinde*) managed by commissioners (*Amtskommissar*)¹.

The supreme administrative authority in the Province was held by the Reich's Governor (*Reichsstatthalter*), who was also the regional head of NSDAP (*Gauleiter der NSDAP*). In the *Reichsgau Danzig-Westpreussen*, this post was occupied by Albert Forster, who – faithful to Adolf Hitler's plans for Poland laid out before September 1, 1939 – already in his first secret guidelines for management and administration of the German-occupied areas in Western Prussia announced the plan for their complete assimilation with the Third Reich through universal and intensive Germanization activity (Sziling, 1989, pp. 43–53).

An important component of the nationalist ethnic and racial policy pursued by A. Forster was cultural policy (Grochowina & Kącka, 2014). Its foundations were laid out in a secret memorandum of November 25, 1939, drawn up by Dr. Erhard Wetzel and Dr. Gerhard Hecht of the NSDAP Office of Racial Policy. The document, entitled “Treatment of the Population of Formerly Polish Territories from a Racial and Political Point of View” (*Die Frage der Behandlung der Bevölkerung der ehemaligen polnischen Gebiete nach rassenspolitischen Gesichtspunkten*), reads, *inter alia*: “[...] it must be made absolutely impossible to maintain any own Polish national and cultural activity [...]. Therefore, no anchor points can be left for the Poles to pursue own national and cultural life [...]. In order to destroy all originally Polish cultural and economic life, there can be no Polish corporations, unions or associations [...]. Polish restaurants and cafes – as center points of Polish national life – should be banned. Poles are forbidden to visit German theaters, playhouses and movie theaters. Polish theaters, cinemas and other places of cultural entertainment should be closed. There will be no Polish newspapers, and no Polish books and magazines will be published. For the same reasons, Poles are not allowed to possess radio stations and gramophones” (Program narodowościowy... [1939 Racial and Ethnic Program...]). The above excerpts clearly indicate that the German occupant intended to completely cut off Poles from their native culture, an important source of national tradition. Moreover, at every opportunity, the Nazi propaganda apparatus emphasized that Poles as sub-humans were a primitive nation that did not create its own valuable culture as they did not possess any culture-creating abilities. At the same time, Polish cultural property was destroyed and plundered, and all organized forms

¹ For more on administrative division of the occupied Polish territories see, *inter alia*: Janowicz (1951); Madajczyk (1970, pp. 64–71); Jastrzębski & Sziling (1979, pp. 46–55).

of Polish cultural life were liquidated. The German invaders also implemented a consistent and ruthless policy of destroying the elites of the conquered nation, i.e., the broadly defined intelligentsia, including representatives of the world of culture². All these activities constituted a sort of prelude to organization of a German cultural life in the territories instead, where both creators and recipients of culture belonged exclusively to the German population.

Characteristic features of German cultural policy on the Polish territories incorporated into the Third Reich, including the Danzig-West Prussia Province, were the institutionalization and centralization of culture, which has become an element of the administrative and party structures. State and party institutions and agencies were guarding proper implementation of the Nazi cultural policy, and their influence extended to all areas of cultural life. They kept tight control over the circulation of all cultural content. Already in the first weeks of occupation, a representative of the Reich Chamber of Culture (*Reichskulturkammer*, RKK)³, i.e., a national plenipotentiary for culture (*Landeskulturwalter*) – in the person of Dr. August Goergens – started his work in the Province of Danzig-West Prussia. At the beginning of October 1939, in order to “restore cultural life”, he asked the local administrative authorities to prepare reports on the regional state of culture (Letter of A. Goergens to the Toruń City Commissar W. Kiessling, of October 7, 1939).

In the office of the *Reichsgau Danzig-Westpreussen* Governor, matters of culture belonged to the competences of Division III: Education, Science, Culture and Care for Community (*Amt III: Erziehung, Unterricht, Kultur und Gemeinschaftspflege*). As reported, on March 1, 1940 the Division’s structure included three departments dealing with cultural affairs: III/5 – state curator of museums (*III/5 – Staatlicher Museumspfleger*), with Prof. Willi Drost as director; III/6 – libraries (*III/6 – Büchereiwesen*), director– Dr. Hassbargen; III/7 – and department for cinema (*III/7, Filmwesen*), headed by Bruno Maria Schmidt (*Vorläufiger Organisationsplan*, 1940). The head of entire Division III was Adalbert Boeck, with counselor of the senate Franz Schramm (Letter of A. Goergens to the Toruń City Commissar W. Kiessling, of October 7, 1939), deputizing for

² More on the extermination of Polish intelligentsia in the Danzig-West Prussia Province can be found in: Steyer (1967); Bojarska (1972); Wardzyńska (2009).

³ Reich Chamber of Culture (*Reichskulturkammer*, RKK) was established in a Law of September 22, 1933 (*Reichskulturkammergesetz*), and was headed by Joseph Goebbels. All artists had to register with the RKK, which was divided into seven departments (subdivisions) dealing with various forms of artistic expression; for more, see *inter alia*: Dahm (1986, pp. 53–84); Biały (1987, pp. 241–259).

him during Boeck's active military service. Borough presidents were executors of the Governor's orders only in certain areas. In matters of culture, they did not serve as intermediaries between the Governor's Office and cultural offices (*Kulturamt*) in cities and districts, so in the structures of the borough offices there was no department responsible for culture. In turn, at the level of powiat (district) administration, particular matters subordinated to the mayor (urban districts) or Landrat (rural districts) were grouped together into Sections (*Referate*) and lower-level units on the basis of a material criterion. Cultural issues fell within the scope of competences of Section IV – Education/Culture, and a separate unit for culture functioned within its framework (Pospieszalski, 1946, pp. 12–20; Janowicz, 1951; Jastrzębski & Sziling, 1979, pp. 53–55). In addition to state administration bodies, the NSDAP officers supervised cultural activities as well. The aforementioned function of national plenipotentiary for culture, acting on behalf of the RKK, has been linked (in a personal union) with the role of the head of the NSDAP Propaganda Office for the Province. From the end of December 1939, both posts were occupied by Wolfgang Diewerge, who in the middle of 1940 was replaced by Wilhelm Löbsack. Then, these functions were held successively by: Max Stampe from 1942, Emil Zobus from 1943 and from the end of September 1943 again by W. Diewerge (*Der Danziger Vorposten* (18.01.1942), 17, 5; (21.09.1943), 260, 3; (22.09.1943), 261, 3; *Thorner Freiheit* (20.01.1942), 16, 4; Jastrzębski & Sziling, 1979, p. 57).

The competences of provincial state and party administration authorities in the field of cultural policy have not been clearly defined, which in practice often led to conflicts between them (Grochowina, 2013, pp. 114–116). The Governor and *Gauleiter* of the Reich Province of Danzig-West Prussia, A. Forster, attempted to eliminate or at least limit them, and initiated the creation of a provincial cultural organization called *Kulturwerk Deutsches Ordensland* (Cultural Works of the German Lands of the Teutonic Order). It operated under his personal protectorate and was supposed to “unite cultural forces in the Province and fill it with German culture” and “support artists and create for them such [working] conditions that they can become involved in cultural reconstruction work” (Statutes of the *Kulturwerk Deutsches Ordensland* Organization of August 13, 1941; Letter of the Head of the Province Propaganda Office to the President of the Gdańsk (Danzig) Borough of September 4, 1941; Grochowina, 2013, pp. 120–121).

Implementation of the cultural policy required adequate personnel resources, especially when it came to creators of culture. One's abilities were not decisive for the possibility of undertaking creative work; priority requirements were rather

one's Aryan origin, proper political attitude and uncritical commitment to execution of tasks set out by the state and party authorities. Freedom and creative independence were irrelevant, they were contrary to the idea of a totalitarian state that controlled all spheres of citizens' lives, including culture. Both style and scope of subject matter – suitable for propaganda uses – were heavily influenced by the authorities, and censorship “protected” citizens from dissemination of cultural products deemed “harmful”.

In the Reich Province Danzig-West Prussia, the artistic community was represented by the “Danzig-West Prussia Exhibition Association” (*Ausstellungsgemeinschaft Danzig-Westpreussen*), created in February 1941 under the direction of painter Paul Dannot (Statutes of the *Ausstellungsgemeinschaft Danzig-Westpreussen* Organization; Letter of the National Plenipotentiary for Culture to the Mayor of Starogard Gdański of December 10, 1941; Note on Establishment of the Organization *Kulturwerk Deutsches Ordensland*; *Thorner Freiheit* (18.02.1941), 41, 4; Diewerge, 1940, pp. 88–89). The Association mainly organized exhibitions, particularly promoting local artists. One of the major exhibitions prepared by *Ausstellungsgemeinschaft Danzig-Westpreussen* opened on January 15, 1944 at the City Museum in Gdańsk. It was named the “Regional Exhibition of West Prussian Painters” (*Gauausstellung westpreussischer Maler*) and presented more than three hundred oil paintings and watercolors painted by “the best native West Prussian artists” (*Thorner Freiheit* (14.01.1944), 11, 3; (17.01.1944), 13, 3–4). District authorities tried to maintain contact with painters from the Reich and for this purpose they organized, among others, open-air painting meet-ups, the leitmotif of which was the regional landscape. In the summer of 1941, fourteen painters visited the Reich Province of Danzig-West Prussia at the invitation of Governor A. Forster for such open-air sessions. The result of this series of visits was an exhibition titled “Prussian Lands through the Eyes of South-German Painters” (*Süddeutsche Maler sehen das Ordensland*), organized by *Kulturwerk Deutsches Ordensland*. It opened on May 28, 1942 at the City Museum in Gdańsk and hosted over 140 works created during the open-air meet-ups (oil paintings, watercolors, drawings, lithographs). The works were later on also shown in Berlin and Munich (*Der Gauring. Mitteilungsblatt des Gauringes Danzig-Westpreussen der NSDAP*, 4–5/1942, pp. 6–8; *Deutsche Rundschau* (13.05.1941), 111, 5; (21.05.1942), 119, 6; (1.06.1942), 127, 2; *Thorner Freiheit* (5.01.1942), 3, 3; (30/31.05.1942), 125, 4; (1.06.1942), 126, 2).

A number of initiatives related to dissemination of German literature and, in particular, promotion of local authors were undertaken in the Danzig-West

Prussia Province by the organization *Ostdeutscher Dichterkreis* (East German Poetic Society). Its ordinary members were local German writers who in their work made references to the richness of the Province's cultural traditions. Extraordinary membership was granted to private or legal persons wishing to join the organization in execution of its statutory tasks. Activity of the *Ostdeutscher Dichterkreis* focused mainly on organizing face-to-face meetings with authors, readings and lectures devoted to literature as well as exhibitions of books deemed "remarkable" (Statutes of the *Ostdeutscher Dichterkreis* Organization [not dated]; Letter of the Propaganda Office of the Danzig-West Prussia Province to the President of the Gdańsk (Danzig) Borough of September 5, 1941). A large exhibition of German literature opened, for example, on August 17, 1940, on the premises of the Toruń City Hall under the heading "German Books in German Toruń" (*Das deutsche Buch im deutschen Thorn*) and visitors had the opportunity to see about 650 old prints from Toruń's printing houses. The exhibition lasted until September 15, and in December 1940 it was also presented in Gdańsk. Cumulatively in both cities, the exhibition was visited by over five thousand people (*Thorner Freiheit* (16.08.1940), 192, 3; (17/18.08.1940), 193, 3; (19.08.1940), 194, 3; (14/15.09.1940), 217, 3; (17.09.1940), 219, 3; Niedzielska, 2006, p. 669; Birecki, 2011, pp. 92–93). Another exhibition, entitled *Dichtung des Ostens* (Poetry of the East), was devoted to German poets from the Polish territories incorporated into the Third Reich and East Prussia. It opened in the Toruń Town Hall on August 28, 1942. From among writers living in the Danzig-West Prussia Province, the works of Gottfried Graf Finckenstein, Max Halbe, Franz Lüdtkke, Brunhild Lüttmann and Werner Schienemann (*Thorner Freiheit* (26.08.1942), 200, 3; (29/30.08.1942), 203, 3; Niedzielska, 2006, p. 669) were presented. The East German Poetic Society also participated in organizing a sort of literary meet-ups or *plein-air*s. Writers from the Reich visited the Province of Danzig-West Prussia for a while, in search of inspiration for new creative activities, and at the same time presented their previous literary creations. In the second half of October 1939, at the initiative of the Reich Ministry of Public Enlightenment and Propaganda, a group of ten German writers visited such cities as Bydgoszcz, Gdańsk, Gdynia, Grudziądz, Tczew, and Toruń (*Der Danziger Vorposten* (23.10.1939), 251, 5; (24.10.1939), 252, 5; (25.10.1939), 253, 5; (20.11.1939), 279, 6; *Deutsche Rundschau* (26.10.1939), 242, 3; *Thorner Freiheit* (23.10.1939), 29, 4). The fruit of this "literary inspection" (Orłowski, 1979, pp. 109–110) conducted under the leadership of the President of the Reich Chamber of Culture Subdivision for Literature, Hanns Johst, was the publica-

tion entitled *Dichter auf den Schlachtfeldern in Polen* (Schlecht & Riecke, 1939), affirming and justifying the German war campaign against Poland.

The Nazis, convinced of particular musicality of the “wide masses of the German nation” and the “superiority of German music” (Drewniak, 1969, pp. 168–169), paid a lot of attention to organization of musical life, distinguished by considerable diversity. In the Reich Province of Danzig-West Prussia, the musical societies *Konzertring Danzig-Westpreussen* (Danzig West Prussia Concert Association), *Gemeinschaft für alte Musik* (Early Music Society) and *Arbeitskreis für zeitgenössische Musik* (Association for Contemporary Music) have made great contributions to consolidating the musical circles and popularizing music among a large variety of social groups (Grochowina, 2013, pp. 233–234).

In the *Reichsgau Danzig-Westpreussen*, a significant contribution to the development of musical life was made by urban symphony orchestras from Bydgoszcz, Grudziądz and Toruń. The first of them was the symphony orchestra in Toruń (*Städtisches Orchester Thorn*), which commenced its activity under the direction of Otto Erich Staeger in April 1940. After Staeger’s departure to The Hague, on July 1, 1942 he was replaced by Max Kojetinsky from the Viennese Opera. In various periods, the orchestra numbered 32–45 musicians, and its work was supported by the *Philharmonischer Verein* (Philharmonic Society) established on 10 September 1941 on the initiative and under the chairmanship of the City Mayor Franz Jakob (National Archives in Toruń [NAT], Archives of the City of Toruń [ACT] 1939–1945, ref. 735, 830, 831; NAT, The Philharmonic Society in Toruń 1941–1944, ref. 1–2; Bundesarchiv Berlin [BB], R 56 – II/91; *Thorner Freiheit* (29.02.1940), 51, 4; (26.03.1940), 71, 4; (6/7.04.1940), 81, 3; (18.10.1940), 246, 3; (25.06.1942), 147, 4; (4/5.07.1942), 155, 3; Grochowina, 2013, pp. 223–224). It is worth noting that in November 1941, Kapellmeister Rudolf Bub created the Toruń String Quartet (*Thorner Streichquartett*), which – as reported in the press – was the first of its kind in the Danzig-West Prussia Province (*Thorner Freiheit* (2.02.1942), 27, 3; (7/8.03.1942), 56, 3; (21/22.03.1942), 68, 3). The Bydgoszcz City Orchestra, under the direction of Walter Schumacher, inaugurated its first concert season on November 4, 1940, and on February 27, 1942 the Bydgoszcz String Quartet (*Bromberger Streichquartett*) gave its first concert (*Der Danziger Vorposten* (5.02.1940), 35, 5; (7.11.1940), 307, 5; *Deutsche Rundschau* (26/27.10.1940), 253, 5; (2/3.11.1940), 259, 6; (6.11.1940), 262, 10; (27.02.1942), 49, 5). In autumn 1943, an orchestra under the baton of the city music director Otto Färber was founded to meet the needs of the municipal theater in Grudziądz. It numbered about thirty musicians and also played concerts for

city residents (BB, R 56 – II/38; *Der Danziger Vorposten* (19.11.1943), 319, 6). Another symphonic orchestra functioned in Gdynia under the baton of Max Lille, a Kapellmeister arrived from Hamburg (*Deutsche Rundschau* (12.06.1940), 136, 6).

Musical culture was shaped both by musical professionals as well as activities of amateurs, including the spreading amateur choral movement, particularly developed in Bydgoszcz. In this city, the *Männergesangverein Liedertafel* male choir – which in 1942 solemnly celebrated the centenary of its establishment – continued its operations under the direction of Walter Zacharias. At the beginning of November 1940, the *Bromberger Chorgemeinschaft* (Bydgoszcz Choir Society), chaired by Arthur Sonnenberg, was formed. The director of the local music school Georg Jaedeke led the *Bromberger Bachverein* (Bydgoszcz Bach Society) Choir. In January 1940, at the initiative of the mayor of the city of Grudziądz, Bruno Keller, and under the direction of Meißner, the *Graudenzer Chorgemeinschaft* (Grudziądz Choir Association) was established as a continuation of the 19th-century *Liedertafel* of Grudziądz. In June 1940, a choir was formed in Gdynia under the baton of the director of the municipal symphony orchestra, Max Lille. In October 1940, the choirs in Nowów (under the direction of Melchior) and in Toruń – led by Albert Schulz – started their activities, the latter operating under the name *Chorgemeinschaft Thorn* (Toruń Choral Association). In November 1942, *Männerchor Neustadt* – Male Choir of Wejherowo – was created (*Deutsche Rundschau* (26.03.1940), 71, 5; (12.06.1940), 136, 6; (27/28.07.1940), 175, 9–10; (11.10.1940), 240, 6; (12/13.10.1940), 241, 7–8; (15.10.1940), 243, 7; (2/3.11.1940), 259, 6; (20.11.1941), 274, 5; (25.11.1941), 278, 5; (23.09.1942), 225, 2; (8.10.1942), 238, 5; (30.11.1942), 283, 5; (18.03.1943), 65, 3; *Der Danziger Vorposten* (18.01.1941), 17, 5; (8.09.1942), 310, 4; *Thorner Freiheit* (28/29.09.1940), 229, 3; (3.10.1940), 233, 3; (30/31.05.1942), 125, 3; (8/9.08.1942), 185, 3).

Music, used by the Nazis as a tool to stimulate appropriate emotions and induce specific behaviors, was present in the public space in a wide range of forms and formats, including symphonic and chamber concerts, and solo and choir performances.

Most often performed were the works of leading German representatives of the Baroque: Johann Sebastian Bach and Georg Händel, pieces by the Viennese classics: Ludwig van Beethoven, Joseph Haydn and Wolfgang Amadeus Mozart, as well as those of Austrian and German Romantics and Neo-Romantics: Johannes Brahms, Anton Bruckner, Robert Schumann, Richard Strauss, Richard Wagner.

During guest performances, music lovers could get acquainted with the work of composers and pianists particularly appreciated by the Third Reich, such as: Ottmar Gerster, Eduard Künneke, Gottfried Müller, Max Trapp, Hermann Unger, Erik Then-Berg, and Walter Giesecking (Grochowina, 2013, pp. 233–236).

All German cultural institutions, including libraries, museums and theaters, were harnessed into spreading propaganda message among the citizens. Already from the first days of September 1939, local occupant authorities undertook intense efforts to re-start the operations of institutions of this type built on the foundations of confiscated property of their Polish predecessors. On December 18, 1939, the German City Library (*Stadtbücherei*) in Bydgoszcz opened its doors at General von Kluge Platz 24 (Old Market Square 24). Data from March 1941 indicate that the library had about 1160 readers who borrowed 22,488 books – mainly novels, biographies, historical books and works on politics, geography and nature. On May 19, 1941 at Adolf-Hitler-Str. 81 (Gdańska 81) the first branch locations of the City Library in Bydgoszcz was opened; the next one began operating mid-January 1942 at Schleinitzstr. 23 (Chrobrego Street 23) (*Deutsche Rundschau* (16/17.12.1939), 287, 3, 12; (19.05.1941), 116, 5; (20.05.1941), 117, 5; (10/11.01.1942), 8, 6). In Toruń, the German Municipal Library officially opened on February 15, 1940 in the building of the pre-war Municipal Library at Wysoka Street 12 (Hohegasse 12); its director was Dr. Otto Freymuth (Zakrzewski, 1999, pp. 93–118). The Library collection numbered about 180,000 volumes, and included publications confiscated from other libraries in Toruń, including the ones from the Redemptorist monastery. Ultimately, the Toruń Municipal Library was intended to become a scientific library, gathering primarily literature focusing on the former Prussian province. Another library facility was opened in Toruń on April 19, 1941 in the building at Bäckergerasse 35/37 (Piekary Street 35/37), in the so-called Caesar's Arch. It was a *Volksbücherei*, or public library, and its collection, originally numbering about four thousand volumes, consisted mainly of books of a popular nature, intended for a mass audience. However, at the start of 1944, the library had already more than ten thousand volumes in its collection. According to data from June 1942, the library could boast 1,434 readers. On November 18, 1941, a *Musikbücherei* – Music Library – started to operate on the Toruń Public Library premises. At the beginning of 1944, it had almost 1,400 publications, including mainly sheet music, which were used primarily by teachers and students of the Toruń music school (NAT, ACT 1939–1945, ref. 735; ref. 779; *Thorner Freiheit* (29/30.03.1941), 75, 3; (16.04.1941), 89, 3; (21.04.1941), 93, 3; (25.06.1941), 147, 4; (8.10.1941), 237, 3; (18.11.1941), 272, 3; (7/8.02.1942),

32, 3; Niedzielska, 2006, pp. 671–674). The library network was systematically expanded and in the summer of 1940, city libraries were opened in Starogard and Tczew, in November 1940 followed by libraries in, *inter alia*, Chojnice, Czersk, Gniew, Kartuzy, Kościerzyna, Pelplin, Puck, and Wejherowo (*Deutsche Rundschau* (2/3.11.1940), 259, 10).

In the array of German cultural institutions, an equally important place was held by museums. The Nazi policy of artifact collection was based on destruction of all museum objects having a “Polish character” and preservation of those that allegedly proved the German character of the formerly Polish territories incorporated into the Third Reich. In the Danzig-West Prussia Province, one of the most important museum facilities was the City Museum (*Städtisches Museum*) in Toruń, with its premises in the Town Hall itself. The position of its director was occupied by Dr. Adolf Schwammberger from Fürth, who simultaneously was also the head of the city’s Cultural Office (*Kulturamt*) (NAT, ACT 1939–1945, ref. 735; ref. 837). On December 1, 1940, the Town Museum in Grudziądz was opened; as its director served Doctor of Philosophy, art historian and folklorist Hans Bernhard Meyer (*Deutsche Rundschau* (3.12.1940), 285, 10; *Thorner Freiheit* (3.12.1940), 285, 5; Meyer, 1969, pp. 123–127; Boguwolski, 1999, pp. 9–38; Wajler, 2004, pp. 23–24; Sziling, 2012). The City Museum in Bydgoszcz operated under the direction of Dr. Konrad Kothe, and had no permanent premises. Its exhibitions were held mainly in large halls of local schools, and the collections were stored in, among others, the pre-war Catholic House near the Parish Church and in the former pawnshop at Pocztowa Street (*Löwenstrasse*) (*Deutsche Rundschau* (13/14.09.1941), 216, 5–6; (3.02.1943), 28, 4; (13/14.02.1943), 37, 5; (15.02.1943), 38, 6; (20/21.02.1943), 43, 4; (20/21.03.1943), 67, 5; Biegański, 2004, p. 413). Museum exhibitions focused primarily on regional history, and the presented artifacts were selected to testify to the supposedly German cultural heritage of the Polish territories incorporated into the Third Reich, and thus to justify the “eternal” right of the German nation to these areas. The titles of the prepared exhibitions spoke for themselves, for example: *Thorn – eine Stadt deutschen Geistes* (Toruń – a City of the German Spirit) – exhibition presented in the Toruń Town Hall from December 8, 1940 to January 30, 1941; *Deutsche Kunst im Braheland* (German Art in the Brda River Country) – exhibition opened on July 19, 1941 in Bydgoszcz in the building of the civilian casino, and made available to visitors for two weeks (*Deutsche Rundschau* (21.07.1941), 169, 5; (22.07.1941), 170, 5; (25.07.1941), 173, 5; (28.07.1941), 175, 5; (5.08.1941), 182, 5; *Thorner Freiheit* (11.12.1940), 292, 3; Niedzielska, 2006, p. 669; Birecki, 2011, pp. 93–94;

Okupowany Toruń w obiektywie..., pp. 118, 288–289). On top of regional history, also wartime successes of German troops and the power of the German armed forces were favoured topics presented at various exhibitions. Two large exhibitions of this type were organized in Toruń. At the exhibition titled *Wehrmacht. Sonderschau* (Wehrmacht. A Special Exhibition), open from February 15 to February 25, 1941, and hosted in the west wing of the Toruń Town Hall visitors could familiarize themselves with achievements of the German armed forces (*Thorner Freiheit* (28.02.1941), 50, 3; (21.12.1943), 300, 3; (22.12.1943), 301, 4, 6; (4.01.1944), 2, 3; Birecki, 2011, s. 91–92; *Okupowany Toruń w obiektywie...*, pp. 119, 128–131, 289, 294–297). On December 20, 1943, an exhibition titled *Unser Heer* (Our Army) was opened – it achieved a record attendance, as by January 2, 1944, it was visited by 36,945 people. Among the presented objects were portraits and photographs of military commanders, various types of weapons, military uniforms, and a horse model in full military gear.

Theater, also incorporated by the Nazis into their kit of propaganda tools, was to be an institution available to the widest possible audience. Promotion of theater among the public was accompanied by a wide-reaching advertisement campaign. Readers were kept up to date with theatrical repertoire thanks to newspapers, publishing this information among ads usually placed on the last pages. In addition, longer texts presented profiles of artists from individual theaters, as well as reviews of theater premieres. In the Reich Province of Danzig-West Prussia, permanent German theater stages were established in Bydgoszcz, Grudziądz and Toruń. The first theater to start operating was the one in Bydgoszcz, headed by Heinrich Voigt. On October 6, 1940, the Main Stage (*Grosses Haus*) at Theaterplatz (Plac Teatralny) was opened, with almost 730 available seats in the audience. From the beginning of the 1942/1943 season, the Bydgoszcz theater had at its disposal also another, smaller stage (*Kleines Haus*) for 450 seats, at the intersection of Felix-Dahn-Strasse (Aleje Mickiewicza) and Adolf Hitler Strasse (Gdańska Street), where the lighter repertoire was played. Together with the city orchestra, both stages formed a single organizational unit under the name *Städtische Bühnen Bromberg* (Bydgoszcz City Stages) (BB, R 55/20334; *Der Danziger Vorposten* (4.11.1940), 304, 6; (4.08.1942), 214, 4; *Deutsche Rundschau* (25.09.1940), 226, 5; (5/6.10.1940), 235, 13–14; (7.10.1940), 236, 7; (11.07.1941), 161, 5; (14/15.02.1942), 38, 6; (1/2.08.1942), 180, 5; (20.08.1942), 196, 4; (11.09.1942), 215, 4; (12.09.1942), 216, 5–6; (14.09.1942), 217, 5; Drewniak, 1978, pp. 56–57; Drewniak, 2011, p. 41). Another permanent German theater in the Danzig-West Prussia Province opened on March 28, 1942 in Toruń – before that,

the theater building had been reconstructed and refurbished. At the beginning of October 1943, the Toruń theater received a second, smaller stage – so-called *Burggarten* – previously used by *Deutsche Bühne Toruń* in the interwar period. The function of manager of the Toruń theater was held, in chronological order, by: Hans Fiala from Gubin (Lower Lusatia, Brandenburg), Theodor Anton Modes (from July 1, 1942) and Horst Platen (from July 1, 1943) (NAT, ACT 1939–1945, ref. 819; *Der Danziger Vorposten* (9.07.1942), 188, 3; (19.07.1942), 198, 4; (22.08.1942), 232, 3; *Thorner Freiheit* (11/12.10.1941), 240, 3; (14.10.1941), 242, 3; (23.10.1941), 250, 3; (28.10.1941), 254, 3; (30.06.1942), 151, 4; (14.07.1942), 163, 4; (Ostern 1943), 97, 3; (1.07.1943), 152, 3). The third German theater in the Province of Danzig-West Prussia opened on September 9, 1943 in Grudziądz, and its premises were located in the building of the so-called House of the German National Community (*Haus der Deutschen Volksgemeinschaft*), which boasted a hall with seven hundred seats. As a director of this institution was appointed Karl Kliewer, formerly the main director of the State Theater in Gdańsk (*Deutsche Rundschau* (1.11.1940), 258, 6; *Der Danziger Vorposten* (22.08.1943), 230, 3; (11.09.1943), 250, 3; *Thorner Freiheit* (29.05.1942), 124, 2; Drewniak, 1978, pp. 58–59; Drewniak, 2011, p. 41). The directors and managers of the aforementioned theaters were obliged to follow strictly defined repertoire policies, and all planned repertoire had to be accepted by *Reichsdramaturg* Rainer Schlösser. It is not surprising, therefore, that the repertoire played in theaters operating in the Danzig-West Prussia Province did not differ significantly from what was presented on theatrical stages in the so-called Old Reich. It should also be noted that in line with the trend popular in the Third Reich, typical drama theater activity was combined with opera and operetta under one roof. The dramatic repertoire included mainly plays by German classics and romantics, such as: Heinrich von Kleist, Johann Wolfgang Goethe, and Friedrich Schiller. Works of the leader of the Enlightenment age theater restoration movement and propagator of the idea of national drama, Gotthold Ephraim Lessing, were often included in theatrical repertoires as well. Among contemporary German playwrights, the most prominent and popular of them was Gerhart Hauptmann; but also plays by Max Halbe, Paul Helwig, Leo Lenz (full name: Leo Lenz-Schwanzar), Walter Erich Schäfer, and Hans Schweikart were present on theater stages. The repertoire policy also allowed for comedic works of such authors as Maximilian Böttcher, Curt Goetz, August Hinrichs, Friedrich Michael, Ludwig Thoma and Heinrich Zerkaulen to be shown. Works of foreign authors were present to a much lesser extent on the “allowed repertoire” list, what was primarily determined by political considera-

tions (Grochowina, 2013, pp. 173–184). The opera repertoire was dominated by works of the Viennese classics, Ludwig van Beethoven and Wolfgang Amadeus Mozart. Quite popular were also operatic works by Carl Maria von Weber, Albert Lortzing, Eugen d'Albert, Friedrich von Flotow, Engelbert Humperdinck, Otto Nicolai. Monumental operas and musical dramas of Richard Wagner were put on stage with great flourish, and among the living composers the greatest popularity was enjoyed by the works of Richard Strauss. Italian opera masters Giuseppe Verdi and Giacomo Puccini were representatives of foreign opera on German stages. The operetta canon was made up primarily of works by the master of Viennese operetta, Johann Strauss (Jr). Among the leading operetta composers of the Third Reich, the most frequently shown were the works of: Walter Kollo (real name: Walter Kollodzieyski), Eduard Künneke, and Fred Raymond (true name: Raymond Friedrich von Vesely). The works of Austrian composers Nico Dostal and Ralph Benatzky were pretty popular, and operettas by Hungarian composer Ferenc Lehár were played on theater stages quite often as well (Grochowina, 2013, pp. 184–193).

In addition to “traditional” theatrical scenes also variéte revue theaters (Bydgoszcz, Toruń), puppet theaters (Bydgoszcz, Toruń) and a touring theater *Landesbühne Reichsgau Danzig-Westpreussen* (National Stage of the Danzig-West Prussia Province) operated in the Reich Province of Danzig-West Prussia (Grochowina, 2013, pp. 164, 165–166).

The sketch of German cultural life in the Reich Province of Danzig-West Prussia presented in this paper allows to formulate some general conclusions on the subject of cultural policy pursued by the occupant, which was undoubtedly an important component of the broader nationalist policy. In occupied Poland, including in the *Reichsgau Danzig-Westpreussen*, the starting point to implementation of the Nazi cultural policy was the destruction of local intellectual elites and cultural heritage of Poles, which was intended to lead to effective dissolution of the nation. In creating their cultural policy, the Nazis were guided primarily by pure pragmatism. Culture was deprived of autonomy, subjected to ideologization and harnessed in the service of a totalitarian state, with the intended recipient of cultural products being exclusively the German population. State and party institutions extended their influence to all domains of cultural life, and no cultural activity was possible without their approval. Independent culture was completely eliminated from public life, and its creators found themselves in bizarre circumstances, as they were deprived of the foundational attribute of their profession, i.e., creative freedom, and subjected to strict administra-

tive and ideological supervision. Only modern cultural products meeting the expectations of the National Socialist authorities and promoting the meticulously selected values of ancient German cultural heritage – interpreted of course from the current ideological perspective – were allowed to enter into public circulation. Censorship protected citizens against dissemination of any works not in line with the national-socialist outlook. Cultural products, used as propaganda tools to influence the society had to be highly communicative on a mass scale; they were distinguished by sensualism and intended to appeal to emotions of the audience. Ideological persuasion exerted through the means of culture was intended to aid in creation of “a New Man” who would implement the Nazi vision of the future without any moral inhibitions. Culture as an immanent component of propaganda was put to work in the service of a campaign of hatred and racial contempt towards Poles, which went hand in hand with strengthening the spirit of community and sense of racial superiority among Germans. Furthermore, cultural products were used to allegedly prove the “eternally German character” of the annexed Polish territories.

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INTERNATIONAL STUDIES



POLAND'S FOREIGN POLICY TOWARDS THE EUROPEAN UNION 2015–2017: A HARD COOPERATION MODEL OR A COLLISION COURSE?

POLITYKA ZAGRANICZNA POLSKI
WOBEK UNII EUROPEJSKIEJ 2015–2017.
MODEL TWARDEJ WSPÓŁPRACY CZY KURS KOLIZYJNY?

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— ABSTRACT —

After 1989, Poland's foreign policy initially prioritized aiming for membership in the North Atlantic Treaty Organization and the European Union and, upon achieving this goal, the focus shifted to strengthening the bonds with these organizations. This very image was not disturbed even by a short period of time (2005–2007), during which a coalition of the Euroskeptics and the extreme Right ruled the country. However, some symptoms were noticeable back then, regarding a certain change in the manner of thinking about the role of the foreign policy within the framework of state policies or about the model of the unification of Europe. After 8 more years of Poland's existence within the main trend of European integration

— ABSTRAKT —

Po 1989 roku priorytetem Polski w polityce zagranicznej było najpierw dążenie do uzyskania członkostwa, a następnie zacieśnianie więzi łączących ją z Sojuszem Północnoatlantyckim i z Unią Europejską. Tego obrazu nie zmącił nawet krótki okres (2005–2007) sprawowania władzy w kraju przez koalicję eurosceptyków i skrajnej prawicy. Dało się już jednak wówczas zauważyć inny sposób myślenia czy to o roli polityki zagranicznej w ramach polityk państwowych, czy także o modelu jednoczenia Europy. Po kolejnych 8 latach funkcjonowania Polski w głównym nurcie procesów integracji europejskiej na krajowej scenie politycznej nastąpił gwałtowny zwrot w prawo i tym samym przejęcie

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processes, a rapid shift to the right occurred on the domestic political scene and in consequence the Law and Justice party achieved full and self-contained authority. Since that very moment, we have been observing a Warsaw-Brussels conflict that seems to be escalating with almost every passing day. What initiated the conflict? What matters does it concern? What is the possible course of events? In this article, we shall attempt at providing an answer to these, as well as other questions.

Keywords: Poland, European Union, foreign policy

pełnej i samodzielnej władzy przez partię Prawo i Sprawiedliwość. Od tego czasu obserwujemy, nasilający się niemal z każdym dniem, spór na linii Warszawa–Bruksela. Od czego się on zaczął? Jakich kwestii dotyczy? Jakie są możliwe scenariusze rozwoju wydarzeń? Spróbujemy na te i inne pytania odpowiedzieć w niniejszym artykule.

Słowa kluczowe: Polska, Unia Europejska, polityka zagraniczna

In recent years, the project under the name “the European Union” (EU) has been going through difficulties. First, there was the economic crisis, still very noticeable in Greece; then came the refugee crisis; finally the citizens grew tired of the left-wing liberal elites and many European societies started shifting to the Right. All these factors contributed to the rise of euroskeptical trends on the Continent. As a result of the wave of critics of the then-current model of the united Europe, in the autumn of 2015 the right-wing party Law and Justice (pol. Prawo i Sprawiedliwość, further abbreviated as “PiS”) managed to win the election. Since that moment, it was certain that the country’s foreign policy, especially towards the EU, would undergo a significant transformation. There would have been nothing special about that, if it was not for the fact that due to that policy, current relations between Warsaw and Brussels have turned from very good to reserved, at best. The article hereby is an attempt to answer the question, whether this situation is a result of Poland’s adopting a model of hard cooperation, which would ultimately lead to concrete success, or perhaps it is a symptom of assuming a certain collision course with Union partners? And also, if it is the latter, what would be the roots for such actions?

For this very reason, the authors shall analyze the main planes of Poland’s political activity as far as creating political decisions within the framework of the European Union is concerned. The results of this cognitive process shall then be utilized as the foundation for establishing conclusions that may provide an answer to the aforementioned question.

1. MAIN AREAS OF CONFLICTS IN RELATIONS BETWEEN WARSAW AND EUROPEAN INSTITUTIONS AFTER 2015

1.1. The Dispute About the Rule of Law in Poland

Since the dawn of the European project, the main idea behind it was that it should be founded on common, yet non-formalized, values and common trust. This model was not met with any substantial dispute, as the first members of European Communities operated in similar, liberal-democratic political systems and within a free market economy. However, in the effect of progressing integrative processes and their success, further countries (such as Ireland, Greece, Spain, or Portugal) started requesting access, yet their level of social-economic development was not on par with the Community average. Later, they were followed by countries from the former Eastern Bloc. Especially they were quite a challenge for Europe, as for many years they operated within an absolutely different political, economic, and social reality.

Seeking to attract these countries and positively influence the reforms they have undertaken, during the European Council summit the so called Copenhagen criteria were accepted. There was talk of economic factors, as well as the need to prepare the EU itself for the enlargement (European Council, 1993, p. 14). Nevertheless, the political requirements for candidates mentioned then were crucial – they included the existence of stable institutions guaranteeing democracy and the rule of law, respecting human rights and civil liberties, as well as protection of all minorities. Later on, these criteria were also reflected in the Treaty of Amsterdam, which amended the Treaty on European Union (Art. 1 p. 8). Poland's signing and ratifying the Treaty of Accession, the Charter of Fundamental Rights, and the Treaty of Lisbon, amending the Treaty on European Union, was synonymous to confirming being aware of such requirements, their acceptance, and agreeing with them.

Thus, it ought to be obvious that Poland and other EU member countries take cognizance of and accept the regulations concerning the manner of establishing and executing the Community law, controlling it, and verifying its accordance with domestic law. Nevertheless, in order to assure that no Union country shall attempt to question the rules and values arising from the *acquis communautaire*, certain norms, aiming to preserve them, were included in the Lisbon version of the Treaty on European Union (TEU). Especially interesting in this regard is Art. 17 of the TEU, stating that “The Commission [...] shall ensure the application

of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union”, and Art. 7 sec. 1 of the TEU, where it is indicated that “On a reasoned proposal by [...] the European Commission, the Council [...] may determine that there is a clear risk of a serious breach by a Member State of the values referred to in Article 2”. Bearing in mind merely these two articles, it ought to be noted that European Union institutions not only have the right, but also the obligation to watch over the compliance with general democratic values in the member countries, thus claims that European institutions do not have legal grounds in this respect at their disposal shall be deemed absolutely unfounded.

Since recent times Poland has been presented as an example of a successful transformation in terms of the political system: from an authoritarian state, towards democracy; and in terms of economy: from a centrally planned, to market economy; as well as in terms of successful assimilation to the EU’s integration structures. Therefore, it was the more surprising that it was Poland that was to be targeted by the European Commission with procedures regarding the analysis and consolidation of the rule of law, which were established a few years earlier.

Let us begin with a few words of introduction. Before the October 2015 parliamentary elections, the Sejm of the previous (i.e., the 7th) term chose 5 persons that were to be sworn by the President of the Republic of Poland as judges of the Constitutional Tribunal (CT). 3 of them were chosen for positions vacated during the previous term of the Sejm. The remaining 2 were supposed to replace the judges, whose term was to elapse during the next term of the Sejm (starting on 12th November 2015), which caused serious doubts of legal nature (Helsińska Fundacja Praw Człowieka, 2016). Then, on 25th November 2015 the Sejm in the new composition (of the 8th term) passed a resolution canceling the appointment of all the 5 persons appointed by the Sejm of the previous term and on the 2nd December appointed 5 new judges¹. In this case there were also doubts of legal nature. Due to this fact the applications were submitted to the CT in order for it to take a stand concerning decisions issued by the Sejm with regard to the appointment of judges, both of the previous and the current term. As a result, the Tribunal passed 2 judgments on the 3rd and 9th December 2015.

¹ On 19th November 2015, the Sejm revised the Constitutional Tribunal Act, allowing for stating the invalidity of the appointment of judges during the previous term of the Sejm and for appointing of 5 completely new judges.

In a judgment from 3rd December (K-34/15), the CT decided that the Sejm from the previous term had the right to appoint 3 persons replacing the judges, whose term elapsed on 6th November 2015. At the same time, the Constitutional Tribunal explained that the Sejm in previous composition did not have the right to appoint 2 judges as a replacement for the ones whose term elapsed in December, i.e., during the term of the new Sejm (Constitutional Tribunal Judgement, K-34/15). Only the Sejm of the next term had the right to do so². However, in a judgment from 9th December (K-35/15), the Tribunal deemed as unconstitutional the legal basis, indicated by the Sejm of the new (8th) term, allowing for canceling the appointment of certain persons as CT judges (Constitutional Tribunal Judgement, K-35/15), thus also the 3 judges already appointed by the Sejm of the previous term. Thus the CT judgments introduced a legal order, in which the appointment of 3 judges from the previous (7th) term and 2 from the new (8th) was deemed as constitutional.

In spite of these judgments, the 3 judges appointed by the Sejm of the previous term did not take their post in the Constitutional Tribunal, as the President of the Republic of Poland did not receive their oath. He did however receive oath from all 5 judges appointed by the Sejm of the new term³. Complementing the image of the legal condition, being the basis for the dispute subject to the hereby analysis, was the passing by the Sejm on 22nd December 2015 of an act amending the Constitutional Tribunal Act (Journal of Laws 2015.2217). Among other things, it introduced the obligation of reaching qualified majority (2/3 of votes) in the presence of all judges, and not standard majority, as it used to be up to this point; the requirement of investigating cases in the sequence of their submission; possibility of submitting a motion for disciplinary action against a CT judge by the Minister of Justice or the President; and the possibility for the Sejm to make the final decision about the dismissal of a judge, as requested by the CT.

As indicated by the European Commission (EC) itself, it started to focus its attention on the matter at hand as soon as in November 2015. Then, on 23rd of December 2015, it submitted to the Polish authorities a written request in order for them to explain the doubts that have arisen. It emphasized objections

² The judgment emphasized the obligation of the President of the Republic of Poland to immediately accept the oath of a Tribunal judge appointed by the Sejm.

³ The 3 judges who claimed the position of the three appointed by the previous Parliament were commonly referred to as “the duplicate judges”.

as far as legitimacy of the appointment of the CT judges was concerned, as well as the consequences for CT's correct functioning. Also, close cooperation with the Venice Commission was recommended in order to clarify the situation. Interestingly, an application with a request for an opinion was submitted to this institution by the Polish government on that very day (Commission Recommendation, 27.07.2016, § 9–11).

Until March 2016, there were no legal condition changes, however an exchange of letters was initiated between the Union and the Polish authorities, aiming for clarification and specification of standpoints of parties involved. The EC, among other issues, raised doubts as for the acts passed on 30th December 2015 on the public mass media and civil service, as well as latter acts on the prosecution law. The EC decided that current circumstances were causing the need to investigate the Polish case in terms of the framework of the rule of law from 2014. Polish authorities argued that the appointment of the CT judges was legitimate and the act reforming the Constitutional Tribunal was introducing corrective measures and remained in accordance with the constitution. With regard to this, the important event that introduced a significant change was the judgment passed by the CT on 9th March 2016 concerning the act from 22nd December 2015, in which the act was deemed unconstitutional (Commission Recommendation, 27.07.2016, § 12–19). Moreover, 2 days later, the Venice Commission adopted its opinion on that act, in which it criticized the proposed changes and appealed for allowing the 3 judges appointed by the Sejm of the 7th term to pass judgments (Venice Commission, 833/2015).

After these events, there was another period of intense letter exchange between the EC and the Polish government, in which both parties were “entrenching themselves” as far as their standpoints were concerned⁴. Also, many meetings on various levels took place⁵. The only effect was the preparation by the Sejm

⁴ The European Parliament (EP) also engaged in the analysis of the legal condition of Poland. On 19th January 2016, a debate took place in the EP, dedicated to the situation in this country. Then, on 13th April 2016, the EP adopted a resolution regarding it, in which it demanded from the Polish government to immediately start observing, publishing and fully executing the CT judgments from 9th March 2016 and the former from 3rd and 9th December 2015. It also demanded full implementation of the recommendations presented by the Venice Commission (European Parliament, 2016). On 15th November 2017, the EP adopted another resolution concerning the situation in Poland, in which it expressed increasing concern with the direction of changes implemented in the country (European Parliament, 2017).

⁵ Very important with regard to this matter seem to be the ones with participation of EC Vice-President, Frans Timmermans, on 31st March 2016 in Warsaw, among others with the Prime Minister,

of the Republic of Poland of yet another act on the Constitutional Tribunal that was supposed to eliminate the errors in previous changes (Journal of Laws 2016.1157). The EC did not share that assessment and decided that it was time to submit its position as a formal opinion sent to Polish authorities, which was adopted on 1st June 2016 and then updated in another one, dated 27th July⁶. In the aforementioned document the Commission emphasized that it noticed a system related threat to the rule of law and with regard to this matter, it recommended to the Polish authorities taking the following actions:

- a) full execution of CT judgments from 3rd and 9th of December 2015;
- b) publishing and full execution of the CT judgment from 9th March 2016 and guaranteeing of automatic publishing of future judgments;
- c) guaranteeing accordance of all amendments of the Constitutional Tribunal Act with CT judgments, including the ones from 3rd and 9th December 2015 and 9th March 2016, as well as full inclusion of the opinion of the Venice Commission (Commission Recommendation, 27.07.2016, § 74).

However, the situation did not improve. At the end of the year, further acts changing the Tribunal's manner of functioning were passed⁷. Especially important in this regard were the regulations for the mode of appointing the new President of the CT. As a particular threat to the rule of law, the EC recognized admitting the so called "duplicate judges" to the procedure of appointing the President of the CT⁸. In connection to this fact, on 21st December 2016, the EC issued further (complimentary) recommendations, in which it demanded that the Polish government would have resolved this problem within the period of 2 months. That, however, did not happen – the Polish government disagreed with all the points of the recommendation and did not announce any new actions

Chief of the Ministry of Foreign Affairs, the Minister of Justice, and the President and Vice-President of the Constitutional Tribunal, as well as the one dated 24th May 2016, among others with the Prime Minister, the President of the Constitutional Tribunal and the Polish Ombudsman. On the same day, there was also a meeting with members of the opposition party in the Sejm. Then, on 26th May 2016, Timmermans met in Brussels with the Deputy Prime Minister of the Republic of Poland (Commission Recommendation, 27.07.2016, § 22, 25, and 28).

⁶ The reason for issuing another opinion was passing by the Sejm of the aforementioned act on the CT from the 22nd of July, which at the moment of issuing the opinion from the 1st of June was only a project.

⁷ In precise terms, these were: the act of 30th November 2016 on the status of the Constitutional Tribunal judges, the act of 30th November 2016 on the organization and proceedings in the Constitutional Tribunal, the act of 13th December 2016 – regulations introducing the act on the organization and proceedings in the Constitutional Tribunal.

⁸ Naturally, the EC had many more doubts (Commission Recommendation, 21.12.2016).

with the aim of eliminating the Commission's objections (Commission Recommendation, 27.07.2017, § 8).

Another episode of the ongoing dispute began in July 2017. It was the time of proceeding and adopting by the Parliament of a set of acts changing the manner of functioning of the courts of common law in Poland. These events caused a vivid debate and social protests. Ultimately, the act on the functioning of the courts of common law was signed by the President and came into force, however he vetoed the remaining 2 (i.e., the ones concerning the Supreme Court and the National Council of the Judiciary)⁹. Thus, the EC decided to issue further recommendations for Poland due to the endangerment of the rule of law. They were issued on 26th July 2017, with the Commission repeating previous objections and criticizing the changes proposed in the (at that time) planned acts¹⁰. It also indicated that adopting new acts in the same form as the vetoed ones or repeating the mechanisms causing the most objections will lead to immediate submission of an application for initiating the procedure from Art. 7 of the TEU (Commission Recommendation, 27.07.2016, § 58).

The dispute concerning respecting the rule of law between the Commission and the Polish government is continued. Both parties maintain their standpoints. Interestingly, so far the EC's position corresponded with the opinion of the majority of Polish legal figures of authority and legal profession associations, who assessed that the domestic central public authorities violated the regulations, including the constitution¹¹. Commission's opinion also coincides with opinions of many international bodies, such as the aforementioned Venice Commission.

⁹ The President submitted his own act drafts in this respect. The new acts were signed on 20th December 2017.

¹⁰ The EC's remarks concerned aborting the term of the members of the Supreme Court and the possibility of influencing the initiation and course of disciplinary proceedings towards SC judges by the Minister of Justice (Commission Recommendation, 27.07.2016, § 35–42 and 53d). At this point, it is worth to note that during the time of proceeding the presidential act drafts concerning the National Council of the Judiciary and the Supreme Court, the Polish government did not agree to a visit of the Venice Commission experts, who could have had a closer look at the proposed solutions and asked for explanations from representatives of the parties engaged in the dispute (*PiS boi się Komisji Weneckiej...*, 2017). Nevertheless, on 8th December 2017, the Venice Commission adopted two more opinions concerning the acts on the system of the courts of common law and the prosecution, which were already in force at the time, and the presidential act drafts concerning the National Council of the Judiciary and the Supreme Court. Both were very critical for Poland (Venice Commission, 904/2017; 892/2017).

¹¹ Including the General Assembly of Judges of the Supreme Court, the National Council of Legal Advisers, the National Bar Council, the Polish Ombudsman, many faculties of law and constitutional

Nevertheless, the Polish authorities clearly emphasize that there were no violations of the rule of law and that the Commission's actions are undertaken with no substantiation on the basis of any treaty (Ministry of Foreign Affairs Press Office, 2016).

Thus, without arbitrating the contents and future of the acts drafted by the President concerning the Supreme Court and the National Council of the Judiciary (currently in the works), it seems very likely that the dispute shall continue. Therefore, it ought to be expected that the Union shall commence with the proceeding stage, as directly expressed in Art. 7 of the TEU. In this regard, it is even possible that Poland might be taken away the right to vote in the EU Council, which could not be considered as an instance of violation of the treaties.

Directing the dispute towards this specific procedure shall indicate that the matter would be transferred to political grounds. In this respect, statement of guilt, i.e., violation of the rule of law, seems rather unlikely, as it would require unanimity. Yet, after the events concerning voting in order to extend the term of the President of the European Council, it cannot be deemed absolutely impossible. However, if under the assumption that Poland could count on a veto from at least one of the remaining EU countries in case of a charge with violating the rule of law, it indeed might lead to an impression that the ongoing dispute would not have any negative repercussions for the country. Nonetheless, an intricate analysis of the functioning of the EU's political system and the processes for establishing public policies suggests that such a statement be made with utmost caution. One might perceive certain consequences leaving their mark on levels more distant from the aforementioned Art. 7 of the TEU.

As a starting point, it should to be noted, that even if countries willing to recognize Poland's guilt with regard to Art. 7 of the TEU lose the voting, it ought to be considered that this type of dispute does not seem to be an ordinary conflict within the current political strategy. In this case, the matter it concerns seems to have a serious impact on the development of future relations between the parties involved. For it will be difficult for Union partners (authorities of these countries) to justify in front of their electorate the cooperation with Poland, if before, during voting (even if it was lost), they indicated that they had recognized the situation in Poland as a case of violating the rule of law. All of the above may seriously influence our coalition abilities in terms of future Union initiatives.

law professors, and a huge number of NGOs dealing with the matter of the respect for the legal order (Amnesty International et al., 2017).

These would be additional consequences, of political nature, resulting from the initiation of the procedure based on Art. 7 of the TEU. Apart from this fact, a question needs to be raised about how non-public entities, among others, from the business sector, would perceive the fact that their government would officially vote for supporting the statement that Poland violated the rule of law in terms of judiciary independence, as in case of a possible dispute on Polish territory it is the court that is supposed to protect their rights and reasons. Casting such a vote might be considered a certain kind of vote of no-confidence for many non-public entities, and a formal warning from their authorities as far as engaging in any activities in Poland is concerned¹². Therefore, all of the above needs to be considered as negative consequences for the image of the country, the effects of which seem to be severe and long-lasting.

In addition, it would be a mistake to assume that Union institutions may evaluate and apply certain types of penalties on member countries only on the basis of the procedure resulting from Art. 7 of the TEU. The EC has other tools at its disposal, granting it significant rights towards the participants of the integration. According to the procedure from Art. 258 of the Treaty on the Functioning of the European Union (TFEU), it can judge whether domestic regulations introduced by member countries are in accordance to the Union law. And if it then recognizes that there was a case of a violation of the EU's regulations, it can bring it before the Court of Justice. The Court of Justice in turn may give a judgment recognizing the specific domestic regulations as violating the EU law and require changing them. If the country does not follow this ruling, it would risk another trial on not executing the judgment of the Court of Justice, which threatens major financial penalties in case it is lost (Póltorak, 2005).

Obviously, at this point it would be correct to bring about an objection that it is not possible to apply the procedure on the basis of Art. 258 of the TFEU to a violation of Union values included in Art. 2 of the TEU. Firstly, for protecting of these, a separate, already mentioned procedure from Art. 7 of the TEU is foreseen. Secondly, the subject of the procedure from Art. 7 of the TEU is "a serious and ongoing violation of values". It is a collective category, which can include many factors influencing the functioning of a certain political system. Nevertheless, it

¹² Apart from that, the voting in the EU Council on the judgment of guilt is in fact unanimous. However, the voting preceding it, on the existence of a serious risk of violating the rule of law in the EU Council, requires a majority of 4/5. It ought to be expected that with only one country declaring support for Poland in this matter, achieving this majority is not excluded.

needs to be noted that “a serious and ongoing violation of values” may concern certain political decisions, but may also be included, partly, in a series of domestic acts adopted, that are composed of specific regulations. Each of these, individually, may be subject to a separate evaluation of the EC within the procedure from Art. 258 of the TFEU, i.e., with regard to an implication, that they are not in accordance with certain EU regulations. The Commission shall thus be able to take actions regarding specific regulations introduced in the legal system of an EU member. All member countries agreed to such a control measure and the EC has full treaty substantiation with this regard¹³.

Thus, it is conceivable that the escalation of conflict with regard to respecting the rule of law in Poland may result in a series of specific disputes concerning separate regulations introduced by Polish authorities. The conflict would then become fragmented and in effect we would witness its gradual transfer to the plane of a separate procedure. What is important in this regard, the EC has full competence, directly recorded in the treaty, to demand explanations from a member country. Moreover, in this procedure, the ultimate entity arbitrating about possible guilt would not be a one of political nature (i.e., the European Council), but the Court of Justice, which represents interests of the Union as an organization. The Court of Justice reached its position thanks to interpreting treaty regulations and quite often arbitrating against country interests, giving priority to efficient functioning of the whole EU system. In this case, expressing political support to each other by certain countries would only have symbolic meaning.

1.2. The matter of the Białowieża Forest

It would not be very revealing to state that the European Union attaches a lot of importance to the issue of the environment in its broad sense. To this point, it adopts more and more demanding legal regulations and financial supports, within the limits of its abilities, the entities that need it the most (companies, regions, countries). Poland, due to its geographical scale, size of investment needs,

¹³ We already experienced a sample of such activity when the EC, in its opinion from July 2017, reproved Poland about certain records in the act on common courts being discordant with the EU law. Moreover, the Commission turned its specific claims into formal procedures, transferring, with accordance to Art. 258 of the TFEU, their comments from the plane of reprimand procedure to the plane of the procedure for violating Union laws.

or differentiation in flora and fauna, is one of the biggest beneficiaries in this regard.

In the common opinion, one of the most valuable protected areas in Poland is the Białowieża National Park, with the last so called primeval forest in Europe. The information that spruce trees growing in this area were infected by pests to a scale unprecedented for centuries caused vivid interest and concern. The crucial point here is that the Ministry of Environment along with the Directorate of National Forests proposed a remedy for this situation by... intense logging of trees (from 63.5k sqm to 188k sqm), also in key areas of the Park. This decision met with an outrage of many experts as well as a stern reaction from many ecological organizations, which indicated that the proposed cure is worse than a disease, and that the whole matter does not revolve around fighting pests, but is more about selling wood in order to acquire funds for new social programs introduced by the government. Ultimately, the dispute between the authorities and the ecological organizations attracted attention from none other than the European Commission. Having analyzed the materials, on 20th July 2017, it submitted a complaint against Poland (Case C-441/17) before the Court of Justice, referring to a violation of regulations concerning the birds and habitat directives. In another act, submitted in the secretary's office of the Court while awaiting the decision of the Court of Justice, the EC requested applying temporary measures leading to command Poland to stop any forestry activities in this area, with the exclusion of situations threatening the public safety. By the decision of its Vice-President dated 27th July 2017, the Court of Justice complied with this request and the whole issue was subject to an expedited procedure due to the risk of irreversible damage. Also, Poland's application to establish financial collateral of 757 million euro, in case of damage resulting from the implementation of temporary measures, was rejected (Decision of the Vice-President..., 2017).

The matter might have indeed been considered closed at that moment and we could have patiently awaited the final judgment from the Court of Justice, if only Polish authorities had followed this decision. According to ecological organizations, experts, journalists, and opposition politicians, the intensive logging in the Białowieża Forest was not stopped. The ecologists protested on the spot to no effect – they were removed from the logging areas by force, and then passed over to the police; some of them were brought before the court. Even though Polish authorities still firmly emphasized that there were no activities in the Forest that might be deemed discordant with the decision of the Court of Justice, voices of outrage and concern again reached the European Commission. On 17th

October 2017, it sustained the motion for punishing Poland for the activities in the Białowieża Forest and commanded to stop all work in that area yet again. The Court of Justice also related to these reports, reminding about the previous decision and informing that in case a violation of the logging prohibition is confirmed, Poland shall be punished with a penalty of at least 100k euro per day (Court of Justice..., 2017). Only then gradual retreat of heavy machinery from the territory of the Forest was observed... Everything seems to be pointing to the fact that it was for the very first time in history of European integration that we witnessed a member country not following a decision of the Court of Justice. If the EC proves this during the case, the consequences for Poland might be difficult to predict, but certainly very severe.

2. OTHER AREAS OF DISPUTE

In the light of the problem assumed within the hereby analysis, it would be difficult to leave out the fact that Poland does not demonstrate any interest in engaging with certain Community initiatives that might be qualified as aiming to extend the solidarity between members of the integration. In this aspect it is enough to mention issues such as the refugee relocation program, or defence (Balcer et al., 2017, pp. 21–31). With regard to the first matter, the Polish government did not fulfill the obligations incurred by the previous Parliament (i.e., reception of around 7k previously controlled persons), arguing that this decision is motivated by the matter of safety of Polish citizens. Moreover, it indicates that receiving refugees is not the proper manner of action, and emphasis ought to be laid on strengthening the protection of EU's exterior boundaries and development aid for the countries that need it the most. Despite reprimands, Poland still refuses to participate in the relocation of refugees and has not yet received a single person. As a result of the above, on 7th December 2017, the European Commission decided that Poland violated the European law and the rule of solidarity, and submitted a petition to the Court of Justice (European Commission, 2017).

With regard to the matter of EU's defence in its broad sense, concerns reappeared in Poland that any supranational European defence structures shall be significant competition to the NATO, which Warsaw treats as key to its safety. Thus PiS abandoned the attempts, as taken by its predecessors, of promoting a Union debate concerning the Common Security and Defence Policy. Moreover,

Poland engaged in activities that may be perceived as an indication of disregarding European military partners. A significant exemplification in this aspect might be the decision (and the manner of its communication) about canceling the contract concerning the purchase of French military helicopters (Caracals) and further purchase, within a non-tender procedure, of American, much more deficient equivalents, only for the Polish Special Forces and not for all kinds of armed forces, as planned before. Moreover, Poland also withdrew from the concept of joint action of purchase of tanker aircraft, under the auspices of the European Defence Agency, and resigned from the efforts to achieve the status of a Framework Nation within the Eurocorps¹⁴. All these gestures and decisions must have been received negatively by the Western Europe allies and Warsaw got to know its unfavorable side yet again.

It is difficult not to notice that the Polish authorities are not fond of the current structure of the European project. In any case, the discussion about the directions of reforming the EU has so far been continued for years and it is absolutely natural. Unfortunately, the position of the Republic of Poland does not contribute much to the debate about Europe, and can generally be summarized by one statement – instead of moving forward towards deeper integration (federalization), it is all about coming back to the roots, towards the Union of equal countries (renationalization). There still are no details or specifics and from vague statements of the politicians of the ruling party only as much may be inferred that the changes proposed would result in a decision making paralysis of the organization¹⁵.

On 6th March 2017, Versailles was a place of meeting for leaders of Germany, France, Spain, and Italy; Poland was not invited... In their conclusions the parties decided that certain EU member countries, which have the political will to do so, ought to be allowed more profound integration in detailed matters, without the necessity of considering other countries' opinions. It was therefore the first time that the possibility of shifting towards the so called "multi-speed Union" was formulated. The concept itself is nothing new, as the mechanism has been utilized for quite a while (e.g., the eurozone, Schengen, defence), yet in Poland these words were met with firm disagreement, for according to Warsaw, it would cause

¹⁴ There was a serious risk that Poland should decide to opt out of the project of Permanent Structured Cooperation (PESCO) in the area of defence. Yet so far, Warsaw gave notice of the will to participate.

¹⁵ This concerns a broader application of the unanimity rule, restricting the competence of the EC, strengthening the role of national parliaments, establishing a catalog of indefeasible competences of countries, or the necessity to establish new treaties.

a risk of weakening the European Union and perhaps even its disruption. Yet, it is difficult to find proof indicating that Poland's objection in this regard should lead to ceasing the activities on implementing the aforementioned solutions.

A certain kind of response on the part of current Polish authorities to the dominant role of France and Germany and their decisive influence on the mode and direction of debates on integration might be the concept of establishing smaller, local alliances, in which Poland would play a vital role. This would include the idea of creating a strong coalition of countries from Central and Eastern Europe (the Visegrad Group) or the broader concept of the Three Seas Initiative (countries extending between the Baltic Sea, the Adriatic Sea, and the Black Sea). These would serve as a sort of a counterbalance allowing for a chance to rephrase the narrative of Union processes. If they were to succeed, these initiatives ought to be considered as Poland's vital input in setting up the integration processes, enabling to firmly dictate conditions to the biggest players in the EU political system within the process of creating public decisions. Yet, detailed analysis of the results of the transfer of these projects to the plane of real decision-making leads to the conclusion that they do not seem to meet the expectations. Apart from Poland and, to a certain, albeit smaller degree, Hungary, none of the countries included in the aforementioned initiatives are interested in loosening the bonds with the core of the EU, which in turn is difficult to understand for Warsaw (Balcer et al., 2017, pp. 10–12).

3. FINAL REMARKS

For many years after 1989, Poland was regarded as a paragon of political and economic transformation. Since acquiring membership in the EU, it had basically been involved in the main trend of integration processes. The last 2 years in Poland's foreign policy towards Union structures, as well as member countries, irrefutably prove that this time is over. Currently, due to its own actions aiming for "regaining the empowerment" (Information of the Minister of Foreign Affairs..., 2016), Poland found itself on the edge of Europe in a political sense. It became almost completely alienated, the best evidence for which is the result of the voting for the President of the European Council¹⁶. Thus, one-sided exac-

¹⁶ The only candidate was a Pole – Donald Tusk – running for reelection. The voting resulted in 27 votes "for" and 1 vote "against", and surprisingly the negative one belonged to Poland. The position

erbaton of the relations with our political and commercial strategic partner, neighbor, and leader of the European project – Germany – which still remains highly calm towards Warsaw¹⁷, ought to be deemed unreasonable. In relations with another key partner – France – Poland caused itself quite some trouble, terminating, with no substantial justification, the contract for the purchase of military helicopters, which resulted in almost full freeze of bilateral relations (Balcer et al., 2017, pp. 7–8). Great Britain, on the other hand, which Poland used to perceive as a natural ally in balancing the German–French hegemony in the EU¹⁸, “played a trick” on Polish authorities with the decision of leaving the Union (Balcer et al., 2017, pp. 8–10). Finally, the project for establishing a strong coalition of countries from Central and Eastern Europe (the Visegrad Group), in opposition to the Berlin–Paris axis, or the broader concept of the Three Seas Initiative, turned out to have been futile. Apart from Poland and, to a certain, albeit smaller degree, Hungary, none of these countries are interested in loosening the bonds with the core of the EU, which in turn is difficult to understand for Warsaw (Balcer et al., 2017, pp. 10–12).

Apart from alienation and thus a much limited ability of establishing coalitions in key matters for Poland on the Union forum, there is a lurking thread of sanctions (e.g., taking away the right to vote in the EU Council) and massive fines (for the actions in the Białowieża Forest). In the backstage of European institutions, quite frequent are the opinions urging to partial freeze or even total shutdown of subsidies inflow to Poland (and other countries violating the rights and values of the EU) from European funds. In this last case, even though it is rather difficult to speculate whether this is likely to be implemented, due to obligations in which the parties are already engaged, it is still very much possible that receipt of such subsidies from the EU be connected with observing Union values in the perspective of the next budget (see Centre for European Reform; Politico; EUObserver). With all certainty, this would be a major blow to the pace of development of modern Poland.

One more ascertainment in final words. Bearing in mind the above, it seems that actions undertaken by the Polish government on the forum of the EU

of PiS was not supported even by the closest ally – Hungary.

¹⁷ The anti-German rhetoric was intensified, especially in statements of the politicians of the ruling camp and in communication from the public media, which is under its control. Also, the matter of war reparation payments was raised again.

¹⁸ “We will keep up dialogue and regular consultations at various levels with the most important European partners, in the first place with the United Kingdom” (Information..., 2016).

are merely secondary to the activities witnessed inside the country. The “hard cooperation”, as the authorities present it, or a “collision course”, as attempted to be proved by the opposition, is utilized by the government in order to establish and consolidate social support. And it needs to be admitted that all the activity in this regard is remarkably effective, as in spite of 2 years having passed since the election, the support for PiS is maintained at a very high level (around 40%). However, in the perspective of the image of the country and in the context of establishing its international position as a stable and predictable partner, this secondary character of the foreign policy is neither desired, nor beneficial in the long term. Unfortunately, there is no indication that this situation will change in the near future.

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REGRESS OF THE WEST AND THE EMERGING OF NEW WORLD ORDER: THE CASE OF NATO

REGRES ZACHODU I WYŁANIAJĄCY SIĘ NOWY PORZĄDEK
ŚWIATOWY. PRZYPADEK NATO

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ABSTRACT

Uncertainty is the notion that can be a one-word description of the state of global affairs. Tensions in the world order architecture are symptoms of its ongoing transformation. The purpose of the article is to explore the reasons, manifestations and direction of this change. The prime assumption of the analysis is the regress of the West. NATO as a strategic bridge between two centers of the West – Europe and the United States – is subjected to scientific investigation to examine its possible role in reestablishment of the relative power of the West and regaining its defining capabilities in the world order *in statu nascendi*. The analysis is supplemented by two scenarios of possible trajectories of world order transformation.

Keywords: world order, Western world, NATO, China, international forecast

ABSTRAKT

Jako opis aktualnej sytuacji na świecie może posłużyć jedno słowo – niepewność. Napięcia z niej wynikające są symptomami zmian zachodzących w architekturze porządku światowego. Celem niniejszego artykułu jest zbadanie przyczyn, objawów i kierunków tych zmian. Fundamentem analizy jest obserwowany regres Zachodu. NATO jako strategiczny most łączący dwa jego centra – Europę i Stany Zjednoczone – zostało poddane naukowej eksploracji, by zidentyfikować możliwości jego wykorzystania jako instrumentu przywracającego relatywną siłę Zachodu oraz odtworzenia potencjału określania parametrów wyłaniającego się porządku światowego. Analiza została wzbogacona o dwa scenariusze potencjalnego kierunku transformacji wspomnianego porządku światowego.

Słowa kluczowe: porządek światowy, Zachód, NATO, Chiny, prognozowanie międzynarodowe

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INTRODUCTION

The West is in retreat – nowadays, this phrase is almost a truism. Europe (embodied by the European Union) and the United States have suffered several grave crises. Western values and institutions are under constant pressure from emerging powers, states as well as non-state actors. These complex, sometimes chaotic processes of global changes converge in broad stream of strategic shift in the world order.

The West, which traditionally defined the conformation of the world, has been pushed to defense (Buzan, 2004, p. 222). Exhaustion and lack of initiative, internal divisions and state of apathy have impact on NATO, regarded as bedrock of Western security and cohesion. What is the role of the West as a whole, and NATO as its “sword” and cooperation forum in times of change? To answer these important questions, analysis of issue of transformation of world order and the role of the West and NATO within it is required. Naturally, the scope of it must be limited.

The article is divided into six substantive sections. Methodology of research and conceptual framework are discussed in separate parts. They are followed by reflection on the nature of world order transformation. In next section, Authors investigate the role of the West in the process of transformation. The most important part represents the probe of NATO position and capabilities to reestablish the strength of the West in global environment. This section is supplemented by two scenarios, presenting alternative trajectories of world order transformation, with emphasis put on the role of the West and NATO.

The literature of the subject is sprawling. Full orientation in the structure of this extensive base of sources is virtually impossible. Therefore, it was required to narrow it decisively. Theoretical works construct the fundament of analysis, framing the methodological lens and conceptual core of the reasoning. The rich collection of monographs, journal articles and analyses prepared by recognized research centers were used to answer raised questions and make attempt to move closer to understanding of the given subject.

METHODOLOGY OF RESEARCH

The task of identifying trajectories of world order transformations is fraught with serious difficulties. Some argue that certain flaws of social sciences methodological apparatus in that specific discipline is to blame. Nevertheless, it does not

constitute a reason to abandon it. What is more, it can be conducted within clear, methodological framework. The Authors argue that dynamic political, social, economic and technological transformations can be grasped only within the multileveled paradigm. Consistently with this assumption, the Authors suggest using constructivist approach. It is worth to mention that constructivism, being a critical theory, does not represent a clear opposition to classic approaches¹.

As leading constructivism scholar Alexander Wendt (1995, pp. 71–72) explained, “the fundamental structures of international politics are social rather than strictly material [...], and that these structures shape actors’ identities and interests, rather than just their behavior”. Constructivism redefines a set of key variables in international relations: anarchy, balance of power, state interests and behavior, international institutions, patterns of the use of military force and its role itself, trade relations and others have certain social meanings, varying in different contexts (Wendt, 2008, pp. 203–224). However, there is no exclusion of materialistic elements of the structures of international politics. As Wendt (1995, p. 73) writes, “social structures include material resources like gold and tanks”. They are not static, they exist in practices. Constructivism treats the world as, how Emanuel Adler (2013, p. 113) puts it, “a project under construction, as *becoming* rather than being”.

Placing the subject in theoretical approach should define the methodology employed to conduct research. Constructivism, due to its ideational character, suggests interpretive methods (Lamont, 2015, pp. 20–21). However, the Authors argue that a combination of different instruments should be used. Constructivism, in the Authors’ view, serves as an intellectual lens through which they perceive complexities of the world. It follows Nazli Choucri (1974, p. 65) assumption: “Theory generally performs several functions in the course of empirical investigation: it provides a coding scheme for storing and retrieving information, and it serves as a search instrument which guides the investigator toward the relevant questions and appropriate data”.

To realize the objective of the article, the Authors employ international forecasting. According to Choucri (1974, p. 63), “forecasting is a problem of reasoning, of reducing uncertainty, and of bounded and disciplined speculation. Explor-

¹ In fact, rivaling paradigms derive various elements from constructivism’s “toolbox” (Slaughter, 2011, p. 19). However, there is a specific relationship between constructivism and English School, which acquired some elements of it (Adler, 2013, pp. 119–120).

ing the unknown, identifying possibilities associated with different outcomes, and isolating likelihoods of occurrences constitutes the essence of forecasting". Andrzej Chodubski (2009, p. 47) designates extrapolation as a primary tool of forecasting. It is based on deduction about "development tendencies, relations, conditions, values" (Sułek, 2010, p. 29). The longest perspective of forecasting is 30–50 years (Sułek, 2010, p. 64). The result of the forecasting process can materialize in the form of scenario. Peter Schwartz (1996, p. 4) defines it as a form of "disciplined way of thinking" and "ordering perceptions about alternative future environments". Seyom Brown (1968, pp. 299–300) explains the meaning of scenario as hypothetical parameters of situation within which the actors or complex systems will act.

This highly confined methodological profile of the research constitutes the representation of Authors' scientific tools and rationale behind the selection of data, sources and analytic mechanisms, enabling them to examine the subject.

CONCEPTUAL FRAMEWORK

Theories of international relations perceive the notion of world order differently. Considerations on the social order have become a starting point for academics to search for the concept of order in the international and global dimension. Characteristic for the liberal approach – spontaneous order, grown not made, Frederik Hayek's *kosmos*, together with the institutions arise as a result of eliminating inefficient solutions, clashing, not harmonizing the interests (Van de Haar, 2011, pp. 103–104). For Hedley Bull (2012, p. 4), a representative of the English School, order means such a distribution of independent entities that allows the most effective implementation of certain values or goals. He presents the three most important goals of the social order: protection and guarantee of life, truth and property. Order is subordinated to them while at the same time it prevents the implementation of others.

Considerations on the definitions of order and its types are described in rich literature, but the purpose of the article is not to analyze them. However, we should mention the concepts accompanying the reflections on world order, which are indispensable for its understanding: the international community, institutions, and the international system. For Bull, international order will be a concept that is synonymous or identical with the concept of the international community. Barry Buzan, on the other hand, tends to distinguish between the

system and the system identified with the community. He does it due to both the complexity of the phenomenon, as well as the stages through which the international community has evolved (Buzan, 1993, p. 332). As summarized by Trine Flockhart (2016, pp. 12–13), the liberal international order is a perfect example of the international community. Creating and maintaining order through achieving the abovementioned goals are possible thanks to the primary institution, such as balance of power, international law, diplomacy, and secondary institutions – international organizations and regimes.

Another phenomenon is the international system. For constructivism, which in the article is a leading theory, it will be a difficult concept for its social structure is too loose. Here, not international law and institutions, but rather particular interests and coercion, which are material resources, seem to regulate the behavior of states. In contrast to individuals in society, states retain far-reaching autonomy in relation to the system in which they operate, and actions towards other states are often conditioned by internal policy goals and not determined by the system (Wendt, 2008, p.2).

Recourse to material resources can be found in the definition of global order proposed by Henry Kissinger (2017, p. 16), who claims that “world order describes the concept held by a region or civilization about the nature of just arrangements and the distribution of power thought to be applicable to the entire world”. So, order consists of a system of recognized principles and a balance of power, which is needed when breaking the above rules. These conditions do not guarantee the elimination of dangerous activities, but they will only occur in exceptional situations, without being a challenge for the whole system. Constructivists claim that the distribution of power affects the behavior and calculations of states, but the question is, to what extent it depends on subjective understanding and expectations and the *distribution of knowledge* that shapes the perception of yourself and others (Wendt, 1992, p. 397).

Another concept that is important for the considerations is the attempt to define the West. There are various visions of the West, based on military strength, legal and ethical practice, free trade and democracy; most of them assume that the West is the center of the world (Bonnett, 2004, pp. 123–124). The most well-known approach is defining the West as a civilization, which is embodied in the concept represented by Samuel Huntington. Contemporary cultural and religious differences are indeed reflected in the conduct of politics. On this background, the West appears as an area that seeks to maintain a military and economic advantage by promoting such values as democracy and liberalism

(Huntington, 2013, p. 9). The use of the term *West* implies that we are talking about an important and dominant civilization, a community that sets the tone of change at the global level, while others react to actions, decisions, changes of the West (Bonnett, 2004, p. 1).

NATO, as constructivism says, was created on the basis of Atlantic identity in favorable conditions accompanying the formation of a new order after the Second World War. It is an allied organization that can be considered as a platform for cooperation between the Western states², but it is not a regional organization, which causes some difficulties on the one hand, but also gives opportunities. Sharing common roots and putting similar values into practice do not mean that there will be no conflicts between member states (Rynning, 2005, p. 179). On the other hand, such a characteristic of NATO gives the organization opportunities to open up to non-transatlantic democratic states, strengthen the West and adapt to changes in global order (Daalder & Goldgeier, 2006, p. 106).

Basing on the above reasoning and the objective of the article, the Authors assume that the following hypotheses may be put:

1. Contemporarily, we are witnessing the emergence of the new world order.
2. The position of the West in the emerging new order is uncertain.
3. NATO should remain a guarantor of cohesion of the West.

Basing on the research problem formulated above, the Authors assume that following questions should be raised:

1. What are the driving forces of the world order transformation?
2. What is the character of this transformation?
3. What are the consequences of the transformation of the world order?
4. How to assess the West's share in the process of creation of the new world order?
5. Why the West should not be treated as the Europe and the United States separately?
6. Does the West have potential to become the new world order architect?

² The so called 'Atlanticism' as an identity arose on the basis of bonds that formed between North America and Europe as a result of migration, trade and political activities. This term accompanies the concept of Western Civilization and its values. Atlanticism is seen as a NATO binder, with pretty idealization of this concept. Taking into account the pragmatic foundations of the Alliance, it can be said that solidarity rather than identity will be a binder of the Atlantic Community. The consequence of this will be the requirement to maintain a constant motivation to cooperate (Long, 2006, p. 26). What is important, NATO's goal was not only to deter the USSR, but also to capture the policies of traditional European powers into a predictable framework and to strengthen the transatlantic ties (Ikenberry, 2008, p. 28).

7. What are the obstacles to maintain cohesion in NATO?
8. What are the benefits of maintaining cohesion in the Alliance?

THE WORLD ORDER TRANSFORMS

The notion that the world order undergoes profound transformations is commonly accepted. The most important question is what will be next. An attempt to answer this question demands at least limited analysis of the origins of these changes.

The United States' *unipolar moment* (Krauthammer, 1990/1991, p. 24), the period of uncontested American hegemony after the Cold War, has ended³. In 2008, Thomas Fingar⁴ declared: "the unipolar moment is over; it certainly will be over by 2025" (Office of the Director of National Intelligence Press Briefing, 2008). America has suffered from an *imperial overstretch*⁵. The relative decline of the second "lung" of the West – the European Union, which suffered severe political, economic and social crises – accelerated the process of degeneration of the world order, driven by Western values.

Technological advances and shifting paradigms of global markets (Schwab, 2016, p. 12) added another layer of changes and contributed to the creation of permissive environment for the transformation of the world order. Richard Haas (2017, p. 2) offers a simple and evocative explanation: "The globe's traditional operating system – call it World Order 1.0 – has been built around the protection and prerogatives of states. It is increasingly inadequate in today's globalized world. Little now stays local; just about anyone and anything, from tourists, terrorists, and refugees to e-mails, diseases, dollars, and greenhouse gases can reach almost anywhere".

Liberal values are on retreat (Ikenberry, 2018, p. 7). President Donald Trump appears to have a desire to "reverse" the globalization. UK's exit from EU structures dealt a serious blow to European integration project. A wave of

³ September 11th attacks can be treated as a form of harbinger of the coming change (Brands, 2016, p. 356).

⁴ The then Deputy Director of National Intelligence for Analysis and Chairman of National Intelligence Council.

⁵ It is happening when, as Paul Kennedy explained (1995, p. 496), "the sum total of the United States' global interests and obligations is [...] far larger than the country's power to defend them simultaneously".

simplistic nationalisms and negation of Western democratic values engulfed large parts of Europe. In consequence of those processes, the West lost its power to define and project the world order's organizing principle. In the period of *interregnum* between "the old" and "the new", global superstructure resembles Brownian motion, known from physics. The vast network of interactions and overlaps between the state and individual, technological and biological, material and nonmaterial domains gives indication of the direction of world order change. These processes are not happening in a "power vacuum". Multiple crises of the West created a space for new, globally engaged actors. Fareed Zakaria (2008, p. 2) argues that "We are now living through the third great power shift of the modern era. It could be called «the rise of the rest». Over the past few decades, countries all over the world have been experiencing rates of economic growth that were once unthinkable". "The rise of the rest" is of course less evocative than "acceleration" of China, climbing to superpower level, and Russia's renewed aggressiveness.

China, with economic growth and gradual encroachment to new areas, physically and virtually, poses growing challenge. However, the level and complexity of global interdependence puts into question a possibility of open superpower rivalry between the United States and China. Nonetheless, the United States *versus* China nexus becomes the major fault line in global architecture: "America fears that time is on China's side [...]. Like it or not, the new norms governing how the superpowers will treat each other are being established now. Once expectations have been set, changing them again will be hard" (*The Economist*, 2018, p. 11). However, China's alleged quest for "reorder" meets a lot of barriers, embodied not only by Western countermeasures⁶. Nevertheless, China's global activities alone contribute to the creation of new rules of world order, even if the hegemony itself may not be its primary goal. Belt and Road Initiative, financial operations in United States and Europe (Tartar, Rojanasakul, & Diamond, 2018), bridging the gap with Russia (Anderlini, 2018), involvement in Africa (Yu, 2018) and active creation of own regional environment sum in one integrated stream of change.

The world order does not transform swiftly and without tremors. It could be assumed that global economy development, however very fast, is "natural". On

⁶ According to study prepared by Bentley B. Allan, Srdjan Vucetic, & Ted Hopf (2018, p. 3), "China is unlikely to be able to attract powerful followers into a counterhegemonic coalition" because of propagandistic and insular discourse.

the other hand, these overlapping processes produce crises, conflicts and shocks – social, economic, and political. Some say that world is witnessing a *global civil war*. As Stein Tønnesson (2002, p. 389) argues, “if the term *global civil war* is applicable, then it presupposes the existence of, or a process leading towards a global society”. Complex interdependence, a result of globalization, alone can be identified as a manifestation of the advanced process of global society formation. Therefore, crises and conflicts of our times can be described as battlespaces “rolling” with world order change⁷.

Non-state actors are one more vehicle of transformation. Empowered individuals, creating myriad of collective identities – from humanitarian NGOs, through organized political, social and economic actions, to transnational corporations, criminal and terrorist groups (Mason, Conrey, & Smith, 2007, p. 290) – are autonomous models of exerting influence (Arab Spring is the most striking example). These activities build constraints for traditional actions of states and international organizations, like the UN or NATO. The existence of so condensed communication in cyberspace generates a “world within a world” with its expanding opportunities and, also, expanding threats (information warfare). Overlapping political, social, economic and technological changes create new reality. And, finally, global climate change must also be mentioned as a crucial variable of this complicated equation (*Global Trends: Paradox of Progress*, 2017, p. 7). The map of “creators of change” mirrors the nature of the change itself.

Global Risk Report, prepared by the World Economic Forum (2018, p. 7), ascertains that “the world has moved into a new and unsettling geopolitical phase. Multilateral rules-based approaches have been fraying [...]. There is currently no sign that norms and institutions exist towards which the world’s major powers might converge”. The state of overall anxiety and uncertainty prevails. Particularly in the West.

⁷ For example, the end of America’s massive military engagement in the Middle East created a space for new powers, state and non-state actors. Conflicts, like wars in Syria, Yemen and Libya, created “vacuum zones”, almost immediately filled by new powers (Russia is the most evocative case).

THE POSITION OF THE WEST IN THE EMERGING WORLD ORDER IS UNCERTAIN

During first years after the end of the Cold War, the West, and above all the United States, attempted to create a new order in such a way that the position of the West was sufficiently reflected in it. After the unipolar moment discussed above, the future of the West on the map of globalism and the place in the future order is uncertain. It is necessary to be active in this area, but also to fully recognize and understand the processes of globalization. Until now, the West has been the center of a globalizing world, in the future it may be pushed to its periphery.

So far globalization has been identified with Westernization – the borders were, according to some, extended to the whole world. This was possible due to the high flexibility of the concept of the West, its liberal foundations on which the world order was based after the Second World War. The effect of this is the unobvious role of the West in globalization, as a civilization that is simultaneously expansive and in reverse (Bonnett, 2014, pp. 5–6). Globalization itself is a complex process that brings with it increased interdependence not only between states, but also between non-state actors. The activity of entities is not limited only to sovereign states, but also applies to individuals, companies, corporations and international organizations (Christensen & Kowalczyk, 2017, p. 2). Intentional creation of world order in the described conditions is a particularly difficult task.

The West is not a single state, but rather it works as a cluster of states led by the United States. Perception of the world, a characteristic approach to international issues and the way of operating will be carried out in an American way, regardless of the diversity within the West. The West will also be identified with the United States in the eyes of external observers. Thus, the typical US *hub and spokes* construction is a consequence of bringing a complicated world to a readable bilateral division. The assumption that the center of the world is the West, and the center of the West are the US may be wrong. Like the perception of China as the second hub, around which the rest focus and which can only cooperate with the West on its terms, or undermine the leadership of the West, thus leading to conflict. Emerging states are increasingly building their position, “bypassing” the West, weakening the ties connecting them with the system built around the West, striving to create an alternative to it (Barma, Ratner, & Weber, 2007).

Parag Khanna (2008, pp. 13–14) distinguishes the medium-sized, Second World countries from Eastern Europe, Latin America, the Middle East, Central

Asia and Southeast Asia. Those are located between the center and the periphery of globalism. He emphasizes that they strive to use globalization without the brokering of superpower, while their current geopolitical position allows equally good cooperation with the United States, Western Europe and China. Despite some weaknesses, they are able to play a sufficiently important role in international relations.

Importantly, the position of the United States is weakening, which puts the West ahead of new challenges. The question is whether in the new conditions it will retain the ability to react and create new solutions to the problems of world trade, work, the natural environment, challenges for particular interests and, at the same time, Western civilization values. The second question is about the faith in the strength of the West among Western countries – an element necessary to maintain leadership in the world (Khanna, 2008, p. 17). Narrowing the problem to only “the rise of the rest” or looking for a source of problems only in *Others* is inadequate and will not meet the challenges of the 21st century. This problem is not ideological or civilizational and requires an answer to the question of how, not what to respond to the challenges of globalization (Rose, 2012, p. 6).

It seems that in the current international conditions it is important to maintain the cohesion of the West. The cohesion of the West depends to a large extent on determining the differences between the US and Europe. They result from both historical and cultural differences, as well as from the positions of individual states. The global power will present a different view of the stability of the order or the preservation of the status quo than medium states. The global power has greater possibilities for undertaking unilateral actions, while European states must cooperate with each other – therefore, on the one hand, we are dealing with the pursuit of national interest in global politics and, on the other hand, with the implementation of the common interest. What is more, Americans sustain this diversity and use it in political discourse – it becomes a platform for emphasizing American exceptionalism (Herms Drath, 2006, p. 427).

An attractive solution may be a new regionalism, which is not so much a theory but a broad intellectual movement that treats changes in regionalism in conditions of enhanced globalization. It is also a response to the lack of adjustment of regionalism to new challenges, institutional formalization, structures, and lack of recognition of non-state actors (Acharya, 2012, p. 8). New regionalism has a bottom-up character and non-state actors have a significant influence on its course. It has an open character and is not perceived through the prism of geographical proximity. It is rather a subjective community of entities involved in

the process (Larner & Walters, 2002, p. 393). With regard to the West, it is possible to create bonds through cooperation. However, it would require states to redefine their goals, interests and identity by assimilating new values in conditions of mutual understanding (Wunderlich, 2007, p. 39). While old regionalism took place in the conditions of bipolar international order, the modern can take place under the conditions of multipolarity (Hettne, 1997, p. 85).

The liberal world order created after the Second World War was based on international institutions. International organizations are not only tools for carrying out national interests of individual states but remain a separate participant in international relations. Importantly, not only are states impact institutions, but organizations are also able to transfer certain values and principles to the state level. By creating regimes, international institutions have the ability to evolve, adapt to changing challenges and transform their goals of functioning in such a way as to be effective (Ratti, 2006, pp. 86–87).

In the light of the above, two problems can be identified that accompany the creation and evolution of the world order. The first of these is the cost of achieving global goals, which are borne by the powers in whose interest it is to preserve the existing order. Setting up international organizations and including them in the international system is one of the ways to minimize the global leader's burden. On the other hand, assigning responsibility to international organizations can be used by the contenders for the status of a global power, in whose interest lies the revision of the existing order. However, the costs and possibilities of creating new organizations are very high and it is easier to modify existing institutions to better suit their interests than to create new ones (Czaputowicz, 2007, pp. 171–172). In this way, international organizations will decide on the durability of world order. By mapping the values promoted by the strongest powers at the time of the creation, they will preserve their position in the conditions of the evolving world order. Any state that would like to make changes to the existing order would have to create, instead of the old ones, its own system of international organizations. Otherwise, the existing system of international organizations will remain the tool of control of the previous leader, limiting the opportunities of new ones (Frankowski, 2010, pp. 107–108).

Building an alternative to a global organization still seems impossible in the near future, even for China, but building an alternative to Western European particular organizations seems to be in line with the interests of the strongest powers. Establishment of the Shanghai Cooperation Organization (SCO) under the leadership of China and Russia, also called *NATO of the East*, its activity

not only as an alliance, but also as a platform for cooperation in the field of trade, entrepreneurship and broadly understood security for Central Asia, Iran, Afghanistan and Pakistan, might be an example. The SCO takes action to stabilize the situation in Afghanistan, i.e., where NATO failed. The Asian order was built in the past on the American *hub and spokes* construction, while today the initiative to build regional order in the area between India, Japan and Australia is taken over by China (Khanna, 2008, pp. 14–16). In the light of the above, the reform and enlargement of NATO to states outside Europe and North America seems desirable. Among the proposals, you can find Global NATO or the League of Democracies. The latter would support peace, associate nations with similar values that would commit to not use force against each other, and among whom the US would seek support for military interventions. The League of Democracies would serve to rebuild the credibility of the United States by listening to other, seriously treating partnerships and renouncing the temptation of unilateral actions (Carothers, 2008, p. 2).

NATO – A GUARANTOR OF WESTERN COHESION

NATO integrates states with different strategic culture, and what is most important, with differentiated interests and perception of the security environment. There is a strong variation in threat recognition in globally engaged United States, south-oriented Italy, and Poland or Baltic states living in the shadow of Russia. Transformation of global order, shifting *center of gravity* of international relations to Asia-Pacific region add another layer of anxiety and uncertainty in the NATO members. Crisis of the West is felt in some states as a cause of creating own security guaranties and renationalization of policies (Webber, Hallams, & Smith, 2014, p. 780). The observing process of repositioning United States' resources to Asia is the reason of fear in European NATO members.

From the global point of view, there is a necessity that West stays as one entity within the transforming world order. According to global circumstances, it is required that NATO acts as a one global player, despite the differences between particular states and nations. Such posture will without doubt strengthen not only the West itself but also NATO members, both weaker and stronger ones.

It is therefore justified to sketch two alternative scenarios of the future world order, where the position of NATO serves as bedrock of the West or just an atomized grouping of the states.

Strong NATO	Weak NATO
<ul style="list-style-type: none"> § Globalization keeps spreading Western values. § Westernization blocks expansion of other civilizations (i.e., China). § European integration project is reinvigorated. The United States remain the global power but with reduced burdens. The soft power of the West serves as tool to pursue of common and particular interests. § The dynamics of NATO exceeds the borders of Euro-Atlantic area – Global NATO (Australia, New Zealand, Japan, South Korea). § NATO Second States stay in, and those from outside (i.e., Middle East, Central Asia and Southeast Asia) aspire to join the West not defined by the race. § The new world order is replenished by the Fourth Technological Revolution, which empowers non-state actors (NGOs, enterprises, grassroots movements and individuals). The West recognizes those new actors and understands their role and capabilities. § The West possesses well-developed strategic awareness (<i>logos</i> before <i>pathos</i>). § The new complex world order emerges with multipolarity as an organizing principle but controlled by a single power (i.e., the integrated West). § The reformed UN, built upon the Western values, remains a spine of the world order. 	<ul style="list-style-type: none"> § Globalization cease to spread Western values. § Globalization starts to be a tool of expansion of other civilizations (i.e., China). § European integration project loses its dynamics. The United States is no longer a global power. Their hard power suffers severe blow. § The <i>vacuum zone</i> emerges, and it is filled out by the new global powers/civilizations with their own values. § The Second States members of NATO are no longer motivated for cooperation within the West. They are eager to join some other projects. § Using clichés, while in global game deforms perception and judgment of international environment. Non-state actors and empowered individuals, under conditions of Fourth Industrial Revolution, serve unrecognized role in construction of the new world order. § Bullheaded operating the myth of the West as a center of the world generates severe threats. § Without a “plan B”, the West as a global player disappears. § Rebuilding the position of the United States and European states is extremely difficult and costly (even impossible). § The structure of the new world order reflects incomprehensible, non-Western system of values. The soft power of the West is virtually nonexistent. § The new complex world order emerges with multipolarity as an organizing principle but controlled by a single power (i.e., China).

CONCLUSION

Nowadays we are witnessing the decline of the West, because of the incongruity between the descending nation-state system and the world order *in statu nascendi*, China’s quest for global power status and the “rise of the rest”. The processes take place within different conditions than it happened previously (new actors, environment defined by technological revolution). International institutions no longer correspond with new challenges and circumstances. As a consequence, we

are facing an uncertainty and tension that could lead to an open global conflict. The West still remains a global player though its capabilities are limited. It is not a homogenous unit, though Euro-Atlantic nations should strive for cohesion. It is *sine qua non* for maintaining the West's share and not to be pushed off the mainstream of globalism. The position of the West in emerging world order depends on the recognition of the transformation and taking an active role in the process. Inertia to those opportunities is tantamount to new distribution of power that does not reflect the West capabilities. NATO may work as one of the tools to maintain Western integrity, though it requires reforming. We are living in the decisive period so exact steps must be taken.

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INSTITUTIONALIZATION OF STRATEGIC PARTNERSHIPS: COMPARATIVE ANALYSIS OF ESTABLISHED EUROPEAN UNION PARTNERSHIPS WITH THE UNITED STATES, JAPAN AND CANADA*

INSTYTUCJONALIZACJA PARTNERSTW STRATEGICZNYCH.
ANALIZA PORÓWNAWCZA UGRUNTOWANYCH
PARTNERSTW UNII EUROPEJSKIEJ ZE STANAMI
ZJEDNOCZONYMI, JAPONIĄ I KANADĄ

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— ABSTRACT —

Strategic partnerships are nowadays one of the tools most willingly applied in foreign policy. The subject of the presented analysis is the institutionalization process of a strategic partnership understood as the functioning of certain norms and rules in a given relationship (expressed in the founding documents of partnerships) and the regularization of joint bodies and meeting formats. The aim of the article is a comparative analysis of institutional solutions applied in the European Union's strategic partnerships with its

— ABSTRAKT —

Partnerstwa strategiczne są współcześnie jednym z najchętniej stosowanych narzędzi w polityce zagranicznej. Przedmiotem przedstawionej analizy jest proces instytucjonalizacji partnerstwa strategicznego rozumiany jako funkcjonowanie w relacji określonych norm i zasad (wyrażonych w dokumentach fundacyjnych partnerstw) oraz regularyzacja wspólnych ciał i formatów spotkań. Celem artykułu jest analiza komparatystyczna rozwiązań instytucjonalnych stosowanych w partnerstwach strategicznych Unii Europejskiej

* This publication is a part of the scientific project “Strategic Partnership between a State and an International Organization: An Ideal Model” (the project was funded from the National Science Centre funds granted by decision No. UMO-2013/11/D/HS5/01260).

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established partners: the United States, Japan, and Canada. The results show that it is possible to identify a pattern of institutionalization process used by the European Union in its relations with strategic partners; they also reveal how great importance contemporary players in the international arena attach to institutionalization processes in their mutual relations.

Keywords: strategic partnership, institutionalization, the European Union, the United States, Japan, Canada

z ugruntowanymi partnerami: Stanami Zjednoczonymi, Japonią oraz Kanadą. Wyniki wskazują, że można zidentyfikować wzorzec procesu instytucjonalizacji, który UE stosuje wobec swoich partnerów strategicznych, oraz uwidoczniają dużą wagę, jaką współcześni gracze na arenie międzynarodowej przykładają do procesów instytucjonalizacji wspólnych relacji.

Słowa kluczowe: partnerstwo strategiczne, instytucjonalizacja, Unia Europejska, Stany Zjednoczone, Japonia, Kanada

INTRODUCTION

Strategic partnerships are a tool used with growing frequency in the international arena to emphasize the importance and intensity of a relationship, usually between two subjects. Initially, it was an instrument used predominantly by states; however, in the twenty-first century it has been used with increasing frequency by international organizations such as NATO, the European Union (EU), and ASEAN. Strategic partnerships are an essential instrument of the European Union's foreign policy, particularly due to the wide range of possibilities they offer. Partnerships can be classified according to regions, position in a region, and aspirations as well as assumed international roles. The EU has established three partnerships with regions: 1) Latin America and the Caribbean, 2) Africa, the Mediterranean, and 3) the Middle East; two with international organizations: 1) the UN, and 2) NATO; as well as ten bilateral strategic partnerships with states: 1) Brazil, 2) Canada, 3) China, 4) India, 5) Japan, 6) Mexico, 7) Russia, 8) South Africa, 9) South Korea, and 10) the United States, but it withdrew from cooperation with Russia, i.a., due to the latter's annexation of Crimea. Following the former High Representative of the European Union for Foreign Affairs and Security Policy, Catherine Ashton, it is possible to distinguish bilateral partnerships with emerging leaders: China, India, Brazil, but also with traditional global powers with which the EU already enjoys established partnerships: the United States, Japan, and Canada (Ashton, 2010).

Current research is focused on discussing a tool/instrument of strategic partnerships used by the EU (Balfour, 2010; Gratius, 2011a; Grevi & Khandekar,

2011; Renard, 2010) or on analysing individual EU's partnerships formed both with states (the majority of studies concern China) and international organizations as well as individual regions. There is a lack of comparative studies and articles concerning the functioning of the EU's strategic partnerships. A rare exception is a work by Antoine Sautenet, who concentrates on juxtaposing the EU's new partnerships with states described as emerging leaders (Sautenet, 2011).

To help fill this gap in research, this article aims to apply comparative analysis of institutional solutions implemented in the EU's strategic partnerships with stable/established partners: 1) the US, 2) Japan, and 3) Canada. An interesting issue is a wide range of institutional solutions used by the EU which depend on aims the organization realizes not only with regard to a given partner but also with this partner. The comparable elements include norms and values determined in bilateral documents of the EU and its partner as well as joint bodies and meeting formats. The methods applied in the following article are comparative analysis, content analysis and the analysis of legal acts.

THE TERM INSTITUTIONALIZATION

In international relations there is no single definition of the term international institution. As Thomas Risse (2002, p. 605) points out: "There are at least as many definitions of (international) institutions as there are theoretical perspectives". Moreover, there are various forms of international institutions, whose scope seems to be systematically developing. At the beginning of the 1990s, Ole Wæver suggested that institutionalization concerns: 1) formal international or non-governmental international organizations; 2) international regimes as a negotiated order with clearly determined rules; and 3) international habits as not formalized and not hierarchical institutions (Wæver, 1992). As Marek Pietraś notices, Wæver's list definitely does not exhaust the variety of international institutions. Moreover, he points to diplomatic practices and integration processes as well as to new forms of international institutions – networks which create bonds (Pietraś, 2014).

The subject literature distinguishes five categories of international institutions: 1) institutions as formal organizations, 2) behaviour (practices), 3) rules, 4) norms, and 5) rules and norms (Duffield, 2007). Importantly, the change in understanding international institutions has been partially connected with the

development of international relations as a scientific discipline (Martin & Simmons, 1998).

Equating international institutions with international organizations took place in the 1950s and the 1960s. At that time, scientists used the term ‘international institution’ mainly with regard to formal international organizations, e.g., international financial institutions such as the International Monetary Fund and the World Bank (Duffield, 2007; Scott, 2013).

The change in understanding the term ‘international institution’ took place in the 1970s and the 1980s (Duffield, 2007; Martin & Simmons, 1998). This process was influenced by the results of research on international regimes. Main theorists of international regimes such as Friedrich Kratochwil and John G. Ruggie (1986), Oran Young (1980), as well as Robert Keohane (1984) claimed that regimes should be understood as social institutions, which in turn required a detailed definition of the term ‘institution’. Regime theory initiated the sociological approach to defining institution and equating it with its practices/behaviour. According to one of Young’s first definitions, a social institution (a form of which is a political regime) is “recognized patterns of behavior or practice around which expectations converge” (Young, 1983, p. 93). However, equating institutions with behaviour is clearly a peculiar simplification. It is true that institutions undertake actions, but they also have a specific structure and principles of their practices, which are not taken into account in sociological definitions.

Regime theory also introduced equating institutions with rules or with a set of rules (Krasner, 1983). The rationalist – or rationalistic – conception of institutions seems to be the most widespread among researchers of international relations. As Lisa L. Martin and Beth A. Simmons notice, “most scholars have come to regard ‘international institutions’ as *sets of rules* meant to govern international behavior. Rules, in turn, are often conceived as statements that forbid, require, or permit particular kinds of actions” (Martin & Simmons, 2013, p. 328). What can be evoked at this point are the definitions of institutions given by John Mearsheimer (1994), Robert Keohane (1989), and Wayne Sandholtz (2006). For example, Sandholtz presents the typology of institutions with regard to two dimensions of rules: “Since rules vary along two dimensions (formal-informal, specific-general), we can also classify international institutions according to the character of the rules that define them” (Sandholtz, 2006, p. 219).

In the 1980s, constructivists (in opposition to realists) began to equate institutions with norms. As Martha Finnemore and Kathryn Sikkink notice: “whereas constructivists in political science talk a language of norms, sociologists talk

a language of ‘institutions’ to refer to these same behavioral rule” (Finnemore & Sikkink, 1998, p. 891). In turn, Alexander Wendt defines institutions as “[...] made of norms and rules, which are ideational phenomena – ‘shared mental models’ – and as such, despite being objective social facts, they are firmly on the idealist side of the equation” (Wendt, 1999, p. 96). As John Duffield notices: “Within this literature, social institutions are generally viewed as consisting of norms or sets of norms [...] Norms, in turn, are usually defined by constructivists as socially shared expectations, understandings, or standards of appropriate behavior for actors with a given identity” (Duffield, 2007, p. 6). To describe institutions, constructivists very often use the term ‘rules and norms’, but they do not differentiate between them and use these two words interchangeably (Finnemore & Sikkink, 1998). The essence of norms is that they are of intersubjective nature and must be internally adopted by the subject. For constructivists, institutions have an entirely cognitive character and do not exist without ideas and beliefs envisioning what the world should look like which are held by the subjects that create these institutions.

An approach combining both rules and norms in its understanding of institution is Duffield’s definition: “international institutions should be defined as relatively stable sets of related constitutive, regulative, and procedural norms and rules that pertain to the international system, the actors in the system (including states as well as nonstate entities), and their activities” (Duffield, 2007, pp. 7–8). As the researcher points out, ‘relatively stable’ means that “an institution will exhibit at least some persistence, durability, and resilience in the face of changing circumstances”, and ‘related’ is connected with the fact that “institutional elements are associated or connected in some meaningful way, such as by a functional or formal relationship” (Duffield, 2007, pp. 7–8). Within individual institutions, norms and rules may coexist or be present separately. It is important, however, that they perform specific functions: constitutive, regulative, and procedural. The procedural function of rules is related to establishing joint bodies and appropriate meeting formats.

Therefore, it can be assumed that the processes of institutionalization of partnerships are linked to the existence of specific norms and rules (clearly expressed in the founding documents of partnerships) as well as to establishing appropriate joint bodies and formats of their meetings.

THE EUROPEAN UNION'S STRATEGIC PARTNERSHIPS

In the last 20 years, the European Union has developed numerous mechanisms and tools which aim at deepening relations with individual partners around the world. One of the examples of such mechanisms is strategic partnership.

The legal basis for establishing this kind of relationship can be found in the Treaty on the European Union (2008, Art. 21): “The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles” of “democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law”.

However, no EU document provides a precise definition of a strategic partnership. What is more, the explicit terms ‘strategic partnership’ and ‘strategic partner’ do not appear in the Treaty on the European Union. They were first used by the EU in 1998 in the context of its relations with Russia: “The European Council had an in-depth discussion on the situation in Russia. It welcomes the Council’s progress report on the development of a comprehensive EU policy towards Russia. It reaffirms Russia’s importance as a strategic partner to the Union as demonstrated by the EU-Russia Summit in Vienna on 27 October. It stresses the Union’s solidarity with Russia and its people during the present economic crisis. That crisis is multi-faceted. So too must be the response of the EU and the rest of the international community. The European Council underlines the Union’s readiness to help Russia in overcoming the crisis through credible and sustained market-based reforms, while respecting urgent social needs, and a continued commitment to democracy including freedom of the media, the rule of law, and respect for human rights” (Vienna European Council, 1998).

Moreover, in 1999 these terms were used to describe the EU’s relations with Latin America and the Caribbean, and then for a short time it went out of use (Renard, 2010). In 2003, the European Council adopted the *European Security Strategy – A Secure Europe in a Better World* (Council of the European Union, 2003), in which it described a particular kind of relations it had with individual states. For example, the United States was described as an ‘irreplaceable partner’. The document also emphasized the necessity of developing strategic relations with such states as Canada, China, Japan, India and “all those who share our goals and values, and are prepared to act in their support”. Moreover, strategic partnership with Russia was also confirmed: “We should continue to work for

closer relations with Russia, a major factor in our security and prosperity. Respect for common values will reinforce progress towards a strategic partnership”.

Currently, the EU declares that it has strategic partnerships with nine states: Brazil, Canada, India, China, Mexico, Japan, South Korea, South Africa and the United States. Since 2014, this group does no longer include Russia. This fact was confirmed by Federica Mogherini just after her being elected High Representative of the European Union for Foreign Affairs and Security Policy (EurActiv, 2014). In June 2015 that standpoint was also confirmed by the European Parliament, which passed a resolution on this matter: “[...] Russia, because of its actions in Crimea and in Eastern Ukraine, can no longer be treated as, or considered, a ‘strategic partner’; points out that strategic partnerships must be based on mutual trust and respect for international law, which is based on democracy, state sovereignty and the freedom to choose internal constitutional order and foreign policy orientations, territorial integrity of the State, and respect for the rule of law, human rights, and the principles of international diplomacy and trade” (European Parliament, 2015a).

The EU does not establish strategic partnerships only with states: this kind of instrument is applied to deepen relationships also with other international organizations. The EU has now five strategic partnerships with groupings or international organizations: 1) Africa and the African Union, 2) the Mediterranean and Middle East, 3) Latin America and the Caribbean, 4) the United Nations, and 5) NATO. These partners differ as to their potential, importance and location. Considering these examples, it is difficult to determine distinguished criteria according to which the EU establishes strategic partnerships.

However, it is not of such a great importance as: “[i]t has been widely pointed out that the EU still has no single, concise definition of what a ‘strategic’ partner is. But this should not matter. SPs may not have great potential in enabling the EU to deepen cooperation on multilateralism with the big rising powers. But they can be useful as bilateral foreign policy tools across a larger number of partner states. They are most likely to offer added value to European foreign policy not in the largest but rather the second order powers. Instead of deepening commitments under a small and select number of SPs, the EU’s priority goal should be to widen their geographical coverage” (Gratius, 2011a).

INSTITUTIONALIZATION OF THE EUROPEAN UNION'S PARTNERSHIPS

EU–United States

In the 2003 *European Security Strategy* it is said: “The transatlantic relationship is irreplaceable. Acting together, the European Union and the United States can be a formidable force for good in the world. Our aim should be an effective and balanced partnership with the USA” (Council of the European Union, 2003). Similar importance of partnership was emphasized in the 2008 *Report on the Implementation of the European Security Strategy: Providing Security in a Changing World*, where it was stated that “[f]or Europe, the transatlantic partnership remains an irreplaceable foundation, based on shared history and responsibilities. The EU and NATO must deepen their strategic partnership for better co-operation in crisis management” (EU High Representative Javier Solana, 2008). The US was confirmed as the EU’s key partner also in 2017 in a strategic document *A Stronger Europe: A Global Strategy for the European Union’s Foreign and Security Policy* (European External Action Service, 2017).

Relations between the United States and the then European Communities actually began at the very moment of establishing the Communities. The United States was economically, politically and militarily engaged in the issues of Western Europe as well as supported integration processes starting with the end of the World War II (Lundestad, 2003), the best proof of which was the assistance provided within the Marshall Plan. Washington was the first capital to officially acknowledge the existence of the European Coal and Steel Community (ECSC). In response, the then High Authority (equivalent of the European Commission) sent its first foreign delegation to the United States in 1954. The delegation obtained full diplomatic status equal to an embassy of a national state in 1972 (Austermann, 2014). The US mission to the European Communities in Brussels was established in 1961. In 1973, the European Communities and the United States initiated information sharing practice regarding foreign policy, and in the 1980s, they ran more regular consultations in the domain of foreign policy (Ginsberg, 2001).

The relations between the United States and the European Union were not formalized until the 1990s. In 1990, the parties signed the *Transatlantic Declaration*, and in 1995 – the *New Transatlantic Agenda* and the *Joint Action Plan*. The next document which formalized the partnership was the 1998 *Transatlantic Economic Partnership* (TEP). In June 2013, the parties initiated negotiations on

the EU-US Transatlantic Trade and Investment Partnership (TTIP). The negotiations were suspended after Donald Trump had been elected the president of the United States.

According to the US ambassador to the EU Stuart Eizenstat, the NTA was “the first time we have dealt comprehensively with the EU, not simply as a trade and economic organization, but as a partner in a whole array of foreign policy and diplomatic initiatives” (Frellesen, 2001, p. 333). For over 20 years, the parties have not signed a document which would comprehensively regulate functioning of the partnership. Both the TEP and the TTIP are mainly of economic nature.

In the NTA and the Joint Action Plan, the parties presented rules and norms which should govern the cooperation. The partners stated that following the values of democracy and free market, they would work towards creating transatlantic community as well as promoting stability and prosperity in Europe and around the world. What should serve this aim is cooperation in solving disputes on threatened territories, engagement in preventive diplomacy, providing development aid and humanitarian assistance as well as cooperation in international organizations (particularly within the UN). The parties also expressed their mutual support in combating organized crime, terrorism, massive migration, human trafficking, degradation of natural environment, as well as in promoting nuclear safety. The rule that also was to govern the partners' cooperation was the development of close economic relations (through creating a common transatlantic market) and world trade (through strengthening the WTO).

It should be emphasized that the United States and the European Union referred to similar norms when determining rules and aims of their cooperation. As Peterson and Pollack (2003) notice: “it remains clear that norms, values and culture bind the EU and the US together far more strongly than either party is ‘bound’ to any other part of the world” (p. 140). Citizens of the EU and the US perceive each other as those who belong to the same Western civilization with regard to the issues of democracy, human rights and market economy (Alcaro, Peterson & Greco, 2016; Fuchs & Klingemann, 2008). However, it should be noted that besides the sphere of declarations, there is a difference between the partners' approaches to norms and values, which is called a ‘values gap’ (Kagan, 2003; Peterson & Pollack, 2003) and is related mainly to their different approaches to such issues as death penalty, environment conservation, abortion, religion and gun control.

Institutions of cooperation started developing as early as in the 1990s. As Peterson and Steffenson (2009) notice, it was a “golden era in transatlantic institution building” (p. 26). At present, the parties have joint institutions and stable formats of meetings. According to Steffenson (2005), “the NTA institutions are designed to get experts talking and to get transgovernmental actors to assess how the EU and the US can cooperate under the ‘mandate’ of the NTA. The vast range of working groups, which are unparalleled in any other dialogue, identify areas where the EU and the US can coordinate efforts” (p. 66). Moreover, there are numerous informal interactions between the partners.

The most important decisions concerning the partnership are taken during the EU-US Summits, which are held at the highest level in troika meetings (President of the European Council, European Commission President, and the US President). Initially, they were organized twice a year, and since 2000 – once a year. As Steffenson notices (2005): “As an event, the summit creates the impulse to produce deliverables. In short it is a decision ‘making’ forum” (p. 65). Moreover, there are meetings held at the ministerial level, and two times a year – at the EU Foreign Ministers and US Secretary of State level.

The partnership established also joint institutions, among which an important role is played by the Senior Level Group (SLG) at the level of US Undersecretary of State and EU Commission Director General to oversee implementation of the NTA. According to Steffenson (2005): “In what resembles a pyramid structure the SLG connects the ‘expert’ level and the political level. It pulls the NTA process together” (p. 66). In the institutional pyramid at the lower level, there is a working group tasked with implementation of the NTA (NTA Task Force) that works at the director level to facilitate exchanges at the operational level. Additionally, there are task-specific working groups (including those dealing with human trafficking and terrorism). Organization of ministerial meetings is the responsibility of Troika working groups.

Having in mind how important the economic issues are for the cooperation, the parties established the Transatlantic Economic Council (TEC) (which substituted in 2007 the former Transatlantic Economic Partnership). The TEC is presented as a “political body to oversee and accelerate government-to-government cooperation with the aim of advancing economic integration between the European Union and the United States of America” (Romero, 2012, p. 93). The partners also formed the US-EU Energy Council. The Council meets annually and reports to the wider EU-US summit. The Council is chaired by the EU High Representative/Vice President, the EU Vice President for Energy Union,

the EU Commissioner for Climate and Energy, the US Secretary of State and the US Secretary of Energy. A representative from the rotating EU Presidency also participates (EU-US Summit, 2009).

Meetings held in the dialogue format are also important. First of all, they include a Transatlantic Legislators Dialogue (TLD), involving regular exchanges between the European Parliament (EP) and the US House of Representatives. The dialogue between EU and US legislators is the “longest and most intensive dialogue” in the history of the European Parliament (European Parliament Liaison Office with US Congress, 2015). Moreover, there are series of people-to-people dialogues, including the Transatlantic Business Dialogue and the Transatlantic Consumer Dialogue, Transatlantic Donors Dialogue, Transatlantic Business Dialogue Transatlantic Labour Dialogue, Transatlantic Environmental Dialogue, Transatlantic Education Dialogue. Another important series of dialogues related to the domain of economic regulation and cooperation include, first of all, Innovation Dialogue, Insurance Dialogue, and Financial Markets Regulatory Dialogue.

It should be noted that the aforementioned bodies and meeting formats are only the most important ones. Working groups and ministerial meetings are organized in all cooperation domains. Moreover, the parties have a number of informal contacts. As Mark A. Pollack says: “interviews with practitioners from the United States and the European Union reveal that considerable informal cooperation takes place across virtually every considerable area of US and EU regulation, with little attention from the press, scholars, or political actors” (Peterson & Pollack, 2003, p. 34).

EU-Japan

The official relations between the EU (at that time, the European Economic Community, EEC) and Japan were initiated in 1959, when the Japanese prime minister visited Brussels and the Japanese ambassador received accreditation to the organization (Borucińska, 2018, p. 16; de Prado Yepes, 2017, p. 435)¹. Until the end of the Cold War, the relations were based mainly on cooperation in the economic domain (de Prado Yepes, 2014, p. 13) and were characterized by numerous trade disputes resulting from “Japan’s growing importance in global economy and its export expansion. At that time, the EEC states perceived Japan

¹ European delegation to Japan was established in 1974.

as a rapidly growing competitor in important sectors of economy” (Mazur, 2016, p. 7). Only after signing the 1991 *Joint Declaration on Relations between the European Community and Its Member States and Japan* did the partners start slowly establishing cooperation in such domains as keeping peace, development and stability in the world (Suzuki, 2017, p. 877). The changes which took place in the international arena, mainly after the 9/11 attacks, also played an important role in rapprochement between the EU and Japan – particularly with regard to new challenges in international security (Tsuruoka, 2012, p. 71). When assessing the current state of cooperation between the parties, Shigekazu Kusune (2016) notices that “Japan cannot alone accomplish many things. It must work together with another partner. Which nation or region is suitable as a partner for Japan? Is it America or China or Russia? My answer is the EU. Japan and the EU have advanced technology, financial and human resources. Japan and the EU are soft powers which have won trust and respect in the world” (p. 104).

Formalization of the relationship happened in 1991, when the parties signed the *Joint Declaration on Relations between the European Community and Its Member States and Japan* known as the *Hague Declaration*. Ten years later, Japan and the EU signed the *Shaping Our Common Future: An Action Plan for European Union-Japan Cooperation* (Ministry of Foreign Policy of Japan, 2001). On 17 July 2018, during the 25th EU-Japan Summit in Tokyo, the partners signed another two key agreements – the *EU-Japan Strategic Partnership Agreement* (SPA) and the *Free Trade/Economic Partnership Agreement* (EPA) (European Commission, 2017)².

The adopted Declaration (1991) determined both rules and norms underpinning their cooperation: “The European Community and its member States on the one part and Japan on the other part, conscious of their common attachment to freedom, democracy, the rule of law and human rights; affirming their common attachment to market principles, the promotion of free trade and the development of a prosperous and sound world economy; recalling their increasingly close ties and acknowledging growing world-wide interdependence and,

² In the meantime, from 2001 to 2018, Japan and the EU have signed also four other important agreements: The EU-Japan Mutual Recognition Agreement (1 January 2002), Agreement on Co-operation on Anti-competitive Activities (16 June 2003), The Science and Technology Agreement (30 November 2009), The Agreement on Co-operation and Mutual Administrative Assistance (1 February 2008). Retrieved from: http://ec.europa.eu/trade/policy/countries-and-regions/countries/japan/index_en.htm; see more: Ministry of Foreign Policy of Japan, 2018, https://www.mofa.go.jp/ecm/ie/page4e_000875.html.

consequently, the need for heightened international co-operation; affirming their common interest in security, peace and stability of the world” (*Joint Declaration on Relations...*, 1991, p. 1). They were also repeated in the *EU-Japan Strategic Partnership Agreement* (2018): “Reaffirming their commitment to the common values and principles, in particular democracy, the rule of law, human rights and fundamental freedoms, which constitute the basis for their deep and long-lasting cooperation as strategic partners” and “Conscious, in this regard, as like-minded global partners, of their shared responsibility and commitment to setting up a just and stable international order in accordance with the principles and purposes of the Charter of the United Nations, and to achieve peace, stability and prosperity of the world as well as human security” (Ministry of Foreign Policy of Japan, 2018a).

The partners have been developing institutions of cooperation since the 1980s, when in 1984 the 1st EC-Japan Ministerial Meeting was held (EU-Japan 2018). The most important agreements are usually signed during annual EU-Japan Summits (Borucińska, 2018, p. 16). They have been organized since 1991. The 25th EU-Japan Summit was held in July 2018. Other formats of meetings include the Japan-EU Foreign Ministers’ Meeting, which should be organized twice a year (European Commission, 2018; Ministry of Foreign Policy of Japan, 2015; Wright, 2013, p. 164). Moreover, there are exchanges of parliamentary delegations, initiated as early as in 1978 (de Prado Yepes, 2014, p. 26; Gilson, 2000, p. 177), while in 2018 the partners organized the 38th meeting between members of their parliaments (European Parliament, 2018).

According to the *EU-Japan Strategic Partnership Agreement* (2018, Art. 42), the parties established Joint Committee – a body tasked with coordinating cooperation development, ensuring appropriate implementation of specific points of the agreement, and analysing possibilities of extending the EU-Japan relations into domains not included in the adopted document. The Committee is to meet at least annually in Tokyo or Brussels, and its decisions are based on consensus.

The partners also organized meetings at the Japan-EU High-level Consultations (Ministry of Foreign Policy of Japan, 2014). There are also important meetings in the dialogue format, the most important being The ICT Policy Dialogue, The EU-Japan bilateral cyber dialogue, Space Dialogue, The EU-Japan Industrial Policy Dialogue, EU-Japan Steel Contact Group Meeting, Industrial Dialogue on Railways, High Level Dialogue on the Environment, High Level Bilateral Dialogue on Climate Change, Energy Dialogue, Agricultural Policy Dialogue, Food Safety Dialogue, High Level Dialogue on Fisheries and Maritime Affairs,

Macroeconomic Dialogue, High Level Meeting on Financial Issues, Transport Policy Dialogues, Competition Policy Dialogue (Delegation of the European Union to Japan, 2017), Japan-EU Regulatory Reform Dialogue, Japan-EU Development Cooperation, the Japan-EU Industrial Policy, Industrial Cooperation Dialogue, the Japan-EU High Level Consultation on Financial Affairs, and the Japan-EU Economic Consultations (Ministry of Foreign Policy of Japan, 2004, p. 1). Moreover, in 2010 the parties established the EU-Japan Joint Customs Cooperation Committee (JCCC) (Delegation of the European Union to Japan, 2017). It should be emphasized that cooperation between the partners is also strengthened by meetings in various formats, i.a., at different ministerial-level or within working groups (EU-Japan Troika Working Group) (Yoon & Suh, 2013, p. 417).

The EU-Canada

Relations between the European Union and Canada exemplify a stable, long-standing and effective partnership between an international organization and a state. Historically, the process of rapprochement began in the 1950s; however, initially it concerned only the economic sphere. Political dialogue in the relations between Brussels and Ottawa was gradually developing, and in 1972 the parties held consultations which formed the basis for further activities. In 1976, the European Economic Community (EEC) signed with Canada the *Framework Agreement for Commercial and Economic Cooperation*, which was the first formal agreement of this type between the EEC and an industrialized state. The partners undertook “to develop and diversify their reciprocal commercial exchanges and to foster economic co-operation” on the basis of “common heritage, special affinity and shared aspirations” (*Framework Agreement...*, 1976). Undoubtedly, it was a significant formal step in their mutual relations, which was also proved by establishing a joint body, i.e., the Joint Cooperation Committee, which met regularly once a year. Also, in 1976, the EEC established its diplomatic mission in Ottawa. It was the third EEC diplomatic mission in the world, which proves Canada’s high status and priority in the bilateral relations.

In 1990, the EEC and Canada signed the *Declaration on Transatlantic Relations*, which significantly extended the cooperation scope. It was the next important stage as it introduced regularization of mutual contacts in the form of regular meetings – summits (the partners planned annual meetings between the President of the European Council, the President of the Commission, and the

Prime Minister of Canada) as well as meetings at ministerial level (the partners planned semi-annual meetings between the President of the Council of the European Communities with the Commission and the Secretary of State for External Affairs of Canada; annual meetings between the Commission and the Canadian Government). The declaration also covered cooperation in additional areas, which previously had not been the subject of the EU-Canada relations, focused on economic cooperation. First of all, it should be emphasized that the partners set mutual goals concerning cooperation for development of democracy, prevention and settlement of disputes around the world, support for developing states and stabilization of international economic relations. On numerous occasions, the partners referred to common values, stating that their relationship was “bonded by their common heritage and close historical, political, economic and cultural ties” (*Transatlantic Declaration on EC-US Relations*, 1990). All this helped determine the array of challenges that the partners decided to jointly face: combating and prevention of terrorism, combating and prevention of international crime, non-proliferation of weapons of mass destruction, protection of natural environment, control on migration and flow of refugees.

The next stage of the relationship was signing the *Canada-EU Joint Political Declaration and Action Plan* in 1996 during the summit in Ottawa. The *Action Plan* extended the areas of cooperation and determined them more precisely, first of all due to the possibility and will to tighten the partnership. It was agreed that the tightened cooperation should concern four main domains: economic and trade relations, foreign policy and security issues, transnational issues, and fostering links. Apart from the issues regarding bilateral relations between the EU and Canada, the agenda also included such matters as multilateral relations within the framework of international organizations and forums, regional problems and conflicts, and transatlantic security. Importantly, in the process of achieving the goals the partners should be “mindful of the ties of history, tradition, culture, and kinship that bind us, and of our community of values” (*Canada-EU Joint Political Declaration and Action Plan*, 1996). The declaration became the basis for concluding detailed bilateral agreements on specific issues. During the next summit in Ottawa in 2004, in order to uphold the processes of rapprochement, the partners announced the *Canada-EU Partnership Agenda*, whose aim was to establish a further action plan. First of all, the parties identified priorities of their cooperation as follows: advancing international security and effective multilateralism, further global economic prosperity, deepening cooperation on justice and home affairs, addressing

global and regional challenges, as well as fostering closer links between the people of the EU and Canada.

The European Union and Canada strengthened their cooperation in the domain of security and countering terrorism, organised international crime and weapons of mass destruction proliferation also in response to the 9/11 terrorist attack on the United States. The joint statements after the summits in Ottawa in 2001 and in Toledo in 2002 regarded such issues as financing terrorist organisations and international crime groups as well as the organisation of crisis response operations. As a result, Canada participated in European Union Force in Bosnia and Herzegovina (EUFOR Althea) and EU Police Missions in Afghanistan (EUPOL Afghanistan); moreover, the partners signed, i.a., the *Agreement between the European Union and Canada Establishing a Framework for the Participation of Canada in the European Union Crisis Management Operations* (2005).

The strategic partnership between the EU and Canada was formally established in 2016 within the *Strategic Partnership Agreement* (SPA). According to the agreement, the Joint Ministerial Committee, co-chaired by the Minister of Foreign Affairs of Canada and the High Representative of the Union for Foreign Affairs and Security Policy, substituted the Transatlantic Dialogue. The parties also established the Joint Cooperation Committee, whose task is to monitor the development of strategic relations between the partners and to give recommendations on improving effectiveness, efficiency and synergy. Moreover, the plans included regular meetings of both bodies and the possibility for establishing new ones if there was a need and it was justified by the development of EU-Canada relations. According to the parties' declaration, the SPA is based on common values and norms and "the Parties shall implement this Agreement based on shared values, the principles of dialogue, mutual respect, equal partnership, multilateralism, consensus and respect for international law" (SPA, p. 3). The agreement included tightening the cooperation and the development of bilateral relations also within the framework of multilateral formats.

Also, in 2016, apart from the SPA, the partners concluded the *Comprehensive Economic and Trade Agreement* (CETA) – a new trade agreement between the EU and Canada. This was an important step towards improving economic cooperation. The CETA was to reduce duties by 98% and to introduce regulations on trade and services. The agreement is particularly important due to the position the partners have with regard to each other in the area of trade (in 2017, the EU was Canada's second largest trade partner, and Canada was the EU's tenth international trade partner; European Parliament, 2018).

The European Union and Canada are for each other important strategic partners. This is proved not only by signed agreements and declarations such as the SPA and the CETA but also aspirations for a high level of regularization and an array of common norms and values. The EU states that “Canada is one of the closest and longest-standing partners of the European Union. Our common democratic values, responsibility to defend human rights, and strong commitment to multilateralism, the rules-based international order and free trade define our relationship” (European Union External Action, 2018).

CONCLUSIONS

The aim of the article was a comparative analysis of institutional solutions applied in the EU’s strategic partnerships with stable/established partners: the United States, Japan, and Canada. The compared elements included norms and values described in bilateral documents as well as joint bodies and meeting formats. The results of the analysis of the three case studies show high level of institutionalization of strategic partnerships. In all cases investigated here, the elements necessary for determining the level of institutionalization are present (see: Table 1).

Table 1. The presence of elements of institutionalization in the EU’s established partnerships

Elements of institutionalization	EU-US	EU-Japan	EU-Canada
Norms and values	✓	✓	✓
Joint bodies	✓	✓	✓
Set formats of meetings	✓	✓	✓

Source: Own research.

The presented results lead to two basic conclusions. First, there is a visible pattern which is followed by the European Union in the process of institutionalization of its relations with the established partners. It means that institutionalization understood as a process aimed at strengthening relations is repeatable and concerns numerous formal partnerships of the EU. Also, the research conducted within the SPG project shows and confirms that the European Union created

a particular pattern of an institutional path which a state follows in the process of tightening partnership bonds. Therefore, states which formalize their relations with the EU can expect gradual completion of subsequent stages of institutionalization and thus should be prepared for them.

The second conclusion of a more general nature shows a great role which contemporary players in the international arena attach to institutionalization processes in their mutual relations. The analysis covered the European Union (one of the most influential international organizations of an intergovernmental character), the United States (a global superpower), Japan and Canada (regional powers) – the subjects which play important roles in the international system. What can be also observed is that over time, institutionalization processes are deepening, and the subsequent cooperation domains are regularized since regularization means certain predictability, secure sequence of events and control over the course of processes.

The presented results indicate that institutionalization of strategic partnerships can constitute an important research question. Undoubtedly, it would be a good idea to extend the array of analyzed elements or research the level of their intensity and not only their presence. Strategic partnerships are relations of a unique nature, often with their very particular goals and intentions. It is even more interesting that the process of institutionalization is similar in the case of global superpowers and less important regional powers.

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RUSSIA'S STRATEGIC CULTURE: PRISONER OF IMPERIAL HISTORY?

KULTURA STRATEGICZNA ROSJI:
WIĘZIEŃ IMPERIALNEJ HISTORII?

*Anna Antczak** 

— ABSTRACT —

The article aims at identifying key elements of Russia's strategic culture and drivers for its change. It starts with a short theoretical overview of the strategic culture concept and different approaches within various theoretical frameworks (liberal, constructive, and post-modern). It focuses on most important determinants of Russian strategic culture, namely history, ideology, geopolitics, systemic issues, and religion. It examines the extent to which Russian policy reflects these determinants.

Keywords: strategic culture, Russia, history, ideology, geopolitics, religion

— ABSTRAKT —

Artykuł ma na celu wskazanie kluczowych elementów kultury strategicznej Rosji i czynników powodujących jej zmiany. W pierwszej części dokonano krótkiego przeglądu koncepcji kultury strategicznej i różnych podejść w ramach kilku ram teoretycznych (liberalizmu, konstruktywizmu oraz postmodernizmu). Artykuł koncentruje się na najważniejszych determinantach rosyjskiej kultury strategicznej, a mianowicie: historii, ideologii, geopolityce, kwestiach systemowych i religii, a także wskazuje, w jakim stopniu rosyjska polityka odzwierciedla te determinanty.

Słowa kluczowe: kultura strategiczna, Rosja, historia, ideologia, geopolityka, religia

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Strategic culture, which is a fairly stable factor affecting the shape of security policy, does not appear once fully formed, but is created through the exercise of leadership, in response to the external security challenges and the influence of internal politics (Baun, 2005). It is also a set of doctrines, behaviors, habits, norms and patterns applied by a given state (Farrell, 2005). Strategic choices of the countries are closely linked to the ideas, norms and beliefs regarding the use of force to achieve certain objectives. However, changing security environment conditions cause a significant re-evaluation in the approaches to the implementation of security policy, including the use of force. The article aims at presenting the main features of Russia's strategic culture as well as answering the question of what are the determinants for its evolution and how does the strategic culture evolve, develop and adapt to the changing security environment? This article, examining current literature on Russian identity and strategic culture, contributes to the overall debate on its determinants and drivers for change. It opens with a short theoretical background on strategic culture concept and then it continues with illustrating determinants of Russian specificity. Its main claim is that Russia's strategic culture has always been based mainly on the idea of hard power, which is connected with a specific approach to patriotism and glorification of history as well as idealization and mythologization of the Russian society's mission in the world in spreading the values of the Orthodox Church. Contemporary Russia's foreign policy should be comprehended considering the conservative heritage as well as philosophical and political perspectives of Nikolai Berdyaev, Vladimir Solovyov and Ivan Ilyin (Ivić, 2016). According to Berdyaev, Russian national self-consciousness was born "within the disputes of Slavophilism and Westernism" (Bierdiajew, 1915). Berdyaev, Solovyov and Ilyin advocate Russia's special and unique purpose and place in the world, Orthodox Christian values and autocracy. These elements are crucial for shaping Russia's strategic culture.

THE CONCEPT OF STRATEGIC CULTURE AND ITS DETERMINANTS

It is claimed that "world culture shapes the way states generate military power: norms of conventional warfare provide the template for military organization, and norms of humanitarian law define what is morally acceptable in military operation" (Farrell, 2005). The "cultural" approach to strategy originates from sociologists and anthropologists (Margaret Mead, Mary Douglas, Claude Levi-

Strauss and especially Clifford Geertz, whose definition of culture had a great influence on developing the theoretical concept of strategic culture) who tried to find and explain the link between culture and behavior. It was a basis for the cultural approach in politics (the works of Gabriel Almond and Sidney Verba). Consequently, there started to appear studies connecting and explaining the role of culture and states' behavior (Ann Swidler, Max Weber, or Talcott Parsons). Finally, it was Jack Snyder who introduced cultural element into security studies by investigating Soviet nuclear strategy. He asserted that "as a result of the socialization process, a set of general beliefs, attitudes, and behavior patterns with regard to nuclear strategy has achieved a state of semi-permanence that places them on the level of 'cultural' rather than mere policy" (Snyder, 1977).

Therefore, from the beginnings of the 1980s, there emerged a lot of significant studies concerning the notion of strategic culture and it is common to divide the development of this concept into three "generations". The "first generation" attributed to realism/neorealism, was prescribed to the work of Jack Snyder, as well as Colin Gray and Kenneth Booth who noticed the association between cultural aspects of strategy as such and nuclear strategy. Strategic culture was defined as "modes of thought and action with respect to force, which derives from perception of the national historical experience, from aspirations for responsible behavior in national terms [as well as...] the civic culture and way of life. [...] It provides a milieu within which strategy is debated" (Gray, 1981), being at the same time an independent determinate of strategic policy patterns (Lantis, 2009). The "second generation" arose from critics based on the conviction that previous strategic cultural models lacked the clear separation of dependent and independent variables and its representatives claimed that strategic culture is "socially constructed by knowledgeable practice" (Wendt, 1992). Structural constructivists (Robert Keohane, Peter Katzenstein and Stephen Krasner, but also Kenneth Waltz) believed that inter-subjected structures like norms, culture, identity and ideas influence states' decision-making processes and thus have reflection in their behavior. The "third generation" is attributed to Alistair Johnston and his cognitive symbolism, according to which strategic culture is "an integrated system of symbols (i.e., argumentation structures, languages, analogies, metaphors, etc.) that acts to establish pervasive and long-lasting grand strategic preferences by formulating concepts of the role and efficacy of military force in interstate political affairs, and by clothing these conceptions with such an aura of factuality that the strategic preferences seem uniquely realistic and efficacious" (Johnston, 1995). He also believes that strategic culture determines boundaries

of behavioral choices, which is achieved by “shared assumptions and decisions rules that impose a degree of order on individual and group conceptions of their relationship to their social, organizational or political environment”. For the purposes of this article, strategic culture is defined as a set of “shared beliefs, assumptions and modes of behavior, derived from common experiences and accepted narratives (both oral and written), that shape collective identity and relationships to other groups, and which determine appropriate ends and means for achieving security objectives” (Kartchner, 2006).

As far as the sources of strategic culture are concerned, they can be generally divided into three groups: physical (geography, climate, natural resources, generational change, technology), political (historical experience, political system, elite beliefs and military organizations), and social or cultural (myths and symbols, defining texts; Lantis, 2009). Probably, in some cases, also population should be taken into consideration, which will be especially important for Russia (mass army, disrespect for life, etc.) as well as values and religion. The carriers of the strategic culture and its values are people and institutions they establish: mostly political leaders, political parties as well as government and military-related institutions and organizations. Moreover, there are four main determinants (areas) shaping the strategic culture, especially in military terms: goals of force implementation, methods of force implementation, authorization of force implementation at the national and international levels, and preferred mode of cooperation with respect to security (Meyer, 2005). They are also related to other constraints like institutional restrictions or defense capabilities limitations (Antczak, 2012).

It is also worth considering how the above-mentioned determinants may change. In other words, which factors cause the re-evaluation of the strategic culture? In Meyer’s (2005) opinion, there function three main mechanisms: a change in the perception of risks, institutionalization – the process of structures and socialization of the security institutions, and lessons learned from the direct involvement in the war and its distribution among the society. Therefore, strategic culture changes whenever we deal with “dramatic events or traumatic experiences which discredit thoroughly core beliefs and values” (Berger, 1998). Lantis (2009) adds that foreign policy may also be the source of such a change when primary tenets of strategic thought come into direct conflict with one another.

LEGACY OF RUSSIAN STRATEGIC CULTURE

“Traditional Russian strategic culture – that of Imperial Russia from its emergence as a state in the middle of the last millennium through most of the existence of the Soviet Union into the late 1980s – has been one of the most martial and militarized such cultures in history” (Ermarth, 2009). If this is the case, contemporary Russia’s strategic culture is to a certain extent set in this heritage. The huge question is about this very extent. It is also worth noting that Russian strategic culture is a mixed product of political culture (with respect to the understanding of such concepts like power, authority and leadership related to strong authoritarian heritage), foreign policy (perception of the outer world as well as Russia’s role and status), attitude towards military tools (the role of military potential in strategy and politics as well as willingness to use force) and economic policy (resources treated as a source of power – primarily manpower, currently – gas and oil), which all in turn are influenced by strong Russian geopolitics, specific attitude towards the state’s and nation’s history and role as well as values resulting from religion.

The above-mentioned robust militarism is a result of the conditions in which Russian state emerged and expanded – constant necessity of waging wars – defensive at the beginning and offensive (expansive) in later periods (Ermarth, 2009). The necessity to preserve the unity of the multiethnic and multicultural state on such huge and diversified territory with no stable borders resulted in continuous fear and sense of vulnerability which was covered by the need for further expansion and thus, militarization. Nevertheless, an interesting observation is that in such strategically “militarized” country, military contribution (in terms of direct or active military intervention) in politics is very low (Ermarth, 2009). This element may also influence today’s strategy and preference in non-direct, covert actions (like “little green men” used in Ukraine). Disregard for causalities and soldiers’ living conditions was (and despite professionalization and modernization of Russian armed forces, to some extent still is, at least in the sub-consciousness of the older generations) a characteristic feature of Russian strategic culture, as it was presumed that manpower is endless and mass army can always be renewed.

Russian history as well as traditions related to the Orthodox Church play an important role in shaping the strategic culture. First of all, for a long time, Russian strategic culture was built on the status of the great power (Cassidy, 2003) and in a sense, it is still the case. Thus, the “big-war paradigm [...] and

the continued embrace of a conventional and predictably symmetric approach” (Cassidy, 2009) accompanied Russian strategy until the mid 1990s. Late 1990s brought in a slow change, yet the continuity of the “traditional” culture can still be observed. Russian military is adapting very slowly to the challenges of the contemporary type of conflict. As rightly claimed by Cassidy, “the military organizations of great powers are normally large and hierarchical institutions that innovate incrementally, if at all” (Cassidy, 2009). Combined arms doctrine for long was the preferred method of Russian warfare and it still would be or even is whenever applicable (when its use is possible and presumed to be successful). Other instruments of security policy, especially propaganda, seem to adjust quicker and better, but they are still applying imperial philosophy rather than the contemporary one, nonetheless, it seems to be effective. Russia’s imperial ambitions may be nineteenth century in nature, but propaganda is one of the most important tools of the “soft power”, which in fact is redefined by Russia into “hard power in a velvet glove” (Van Herpen, 2015). Secondly, backing to imperial times, Russia was always assertive as far as the control over its territory and zones of influence is concerned. As observed by Cassidy, imperial Russia conducted a “messianic crusade to expand, «civilize» and russify a multinational empire” (Cassidy, 2009). Ideological consolidation was a main motto for the Soviet domination over Eastern Europe, Caucasus and Central Asia in order to maintain the unity of the lands conquered throughout the imperial times. Russia, in turn, has tried to restore this empire after the collapse of the Soviet Union and regain the status of the great power, which is perceived as a due position. “The «patrimonial mentality embedded in the Russian psyche» which posits that everything inherited from previous epochs is «inalienable property» argues against accepting the separation of the former republics as a *fait accompli*” (Cassidy, 2009). Russia’s position arose from military mass power and related geography (the size of the country) rather than from cultural, economic or even purely political issues. “Russia’s claim to be a world power has traditionally rested on military prowess, and the temptation is to resort to this expedient once again” (Pipes, 1997). Knezyś and Sedlickas’ (1999) belief that Russia’s central strategic aim is to restore the former empire and the desire to rebuild solid zones of durable influence seems to be even stronger: “The goal of preserving a «Great Russia» was always at the heart of the Russian Federation’s efforts. The basic contours of this policy had remained unchanged since tsarist times with only the tools of modern warfare being added to the methodology. All the old ramifications of empire went with it and, in essence, hegemony by force of arms remained its key ingredient”. Such

approach is not groundless, as every political move is accompanied by adequate military argument, not to leave any doubts as to seriousness of Russia's intentions on the international arena.

DETERMINANTS OF RUSSIA'S STRATEGIC CULTURE

History

Russia is characterized by aggressive "historical policy" being a base of its super-power and imperial ideology (Bieleń, 2006). Contemporary Russia has never formally broken the vows with the Soviet Union (it has never proclaimed independence and did not exit the USSR). As noted by Graham Smith, cult of history takes an important place in shaping Russian identity and the past serves as a typical argument in politics (Smith, 1999). To many Russians, even the very remote history is a source of mystical strength and wisdom (Podberezsky, 1999), showing the path and solutions to current problems. Russian identity is based more on the consciousness of the past than the present. In Russia, history is created by political elites and historical memory is used to identify its power. Aggressive historical policy concerns manipulation of facts, evaluations and interpretations according to authority's needs, which are sometimes at the edge of political provocation (Bieleń, 2006). Russian society tends to have very selective historical memory, remembers only what is preferred (Etkind, 2004) and wants to defend what is perceived as historical truth. Russian sticking to history is a result of disappointment with the transformation period and history becomes the only source of pride and faith (symbols of the former imperial times became a basis for ideological fundamentals). Idealized version of history and instrumental treatment of the past serve as a tool for self-identification based on manipulation. It is accompanied by Russian complexes of inferiority and alienation being a result of the sense of injustice and treason, and thus reluctance toward the outer world. Myths and legends based on a very strong historical memory, which is often modified and used for propaganda issues – as it is the case of the Great Patriotic War, combined with the messianic belief in the uniqueness of the Russian nation and state as well as the conviction of being the only defender of the Orthodox Church values, gives an explosive mix as a foundation for Russian strategic culture.

Geopolitics

Another important factor is geography and geopolitics. Russian national identity is to a large extent based on its geography, which is perceived as a part of history in ideological sense. All Russian “geographic elements” which helped defend the country are now glorified and constitute a part of the mythical continuity of the primary national spirit. This resulted in the process of sacralization of the country’s territory both in religious (the holiness of the Orthodox soil) and secular terms (the ancestral heritage and national traditions). Therefore, defending territory is crucial to the strategic culture and takes a central place; all other aspects are subordinate in nature. Territorial-centrism in Russian political and strategic culture implies striving for restoration of geopolitical power (to rebuild historical national pride and dignity). In the light of the above, Russian military engagement in Chechnya, Georgia and Ukraine should not be surprising – it is a part of a bigger plan – regaining what is perceived as righteously belonging to Russia and whose lack is a threat to Russian *raison d’état* (defined as defending of historically determined territory which grants state’s integrity, restoration of Russian pride and performance of historical and religious duty). There arises an important question if it is neo-imperialism or specific nationalism defined as defending what is perceived as being rightfully Russian (by history, tradition and as defined as “the Russian world”). Security of the country is also perceived in terms of having the zones of influence in the closest neighborhood, which is indispensable for country’s restoration of power. Geopolitically conditioned, Russian security evokes concerns among neighboring countries which perceive Russian behavior as neo-imperial and aggressive in nature. Geography and resulting cultural and traditional issues play an important role in building Russian identity, thus also its strategic culture. Therefore, contemporary Russia has a double but inseparable civilizational and geopolitical identity due to belonging to the eastern part of European Christian civilization and Eurasian territorial location.

Systemic issues

Russian strategic culture to a large extent is determined by imperial and authoritarian character of its statehood’s nature as well as power imperative related to behavior in the international arena (Broda, 2008). As stated by A. Kara-Murza and L. Polakow (1994), internal and external expansion of power is the main

driver for state and history building processes with the continuous chain of ups and downs. G. Fiedotow (1991) also indicates that Russian historical development was opposite to the Western one – from freedom to enslavement: “it was dictated by a new task – creating an empire on a poor economic basis; only the complete and mass concentration of forces, discipline and terrible sacrifices, there could exist this impoverished, barbaric and endlessly expanding country”.

Political culture resulting from authoritarian character of the state contributed largely to the emergence of the strategic culture. Russian version of authoritarianism is built on military grounds (values), “martial” rules and as pointed out by Fritz Ermarth (2009), “it is grounded on the principle of *kto-kovo*” (literally ‘who-whom’, i.e., who dominates over whom in terms of power hierarchy). Another characteristic feature of political culture is manipulation, tendency for intrigues and conspiracies, not necessarily negotiations, discussions, voting or solutions based on legal procedures. As aptly summarized by Fritz Ermarth (2009), “Russia regards the features of normal democratic life – parties, parliament, a meaningful press, election campaigns – not as the enabling conditions of a legitimate polity, but as instruments to be manipulated, controlled, or combated for the benefit of the central authority”. Perhaps, this gives an explanation why Russian political elites have strong inclinations for manipulation and propaganda both with respect to foreign (the international community and their societies) and internal policy (own society) – the heirloom of authoritarianism, fear of the enemy and the need to control everything. Foreign countries were always divided by Russia into four basic pragmatic categories: perforce temporary allies, useful tools to be manipulated, non-important objects, and enemies (Ermarth, 2009). Effective realization of foreign policy within the above-mentioned conditions of political culture required Russian political elites to fully master diplomatic skills, which they did, using manipulation and craftiness as well as national pride and messianic attitude at the same time. This results from two contradictory forces responsible for the development of Russian strategic culture – superiority and inferiority complex at the same time. Superiority complex is fed by geography, history (especially by winning the Great Patriotic War and Russia’s role in “saving the world”) and messianism, while inferiority complex is a result of the lost superpower position and alienation. Therefore, Ermarth (2009), claiming that “in rhetoric and action, Russian foreign policy culture has often expressed a puzzling combination of contradictory attitudes: defensiveness bordering on paranoia, on one hand, combined with assertiveness bordering on pugnacity, on the other”, seems to have a point there. Russia is generally risk-averse and undertakes

military actions when the security fear is awoken. It does not have to be a direct threat; it is enough that safety buffers are uncertain. In other cases, Russia prefers deterrence than direct involvement in conflict. Recently, Russia also started to use force in order to demonstrate its super-power position and ability to participate in shaping the world order (reestablishing the zones of influence). Nevertheless, Russia's military engagement is calculated to be failure-free (not to repeat the mistakes of the First Chechen War or the intervention in Afghanistan).

The way Russians perceive internal situation of their state is also specific. It is directly and strongly connected or even dependent on the perception of the country's position in the world (Broda, 2015). Thus, military power plays such a significant role in Russia's strategic culture. Mass warfare and total mobilization of the state are inherited from the imperial (but also Soviet) times and originate from social and geographical conditions. Men were always available, so they were not treated as a valuable tool, because this tool could have always been replaced by another one. Therefore, Russia did not pay much attention to training, individual equipment or professionalization of its armed forces. It has been changing slowly for the last 10–15 years, however the process is very slow and concerns training and equipment rather than the value of soldiers' life.

Ideology

Many philosophers, such as Nikolai Berdyaev, Alexander Solzhenitsyn, Vladimir Solovyov or Ivan Ilyin, indicated the uniqueness of Russian social structure. Contemporary Russian identity built upon the conviction of exceptionality combined with common traditions, sentiments and experiences reflects much of this philosophy, so is the strategic culture. Paternalism of authorities and the need of strong leadership are traditional systemic features in Russia. Tradition dictates almost servile attitude of the individual towards collectivity as well as resulting commitment to common ownership, which is not necessarily the legacy of socialism (Bieleń, 2006). Russia has also strong history of authoritarian models due to the necessity of control over the huge territory inhabited by different nations, which could be granted only by strong authority. In time, this led to mythologization of leadership and consequently – its sacralization. Therefore, contemporary strategic culture is based on the conviction about infallibility of the authority. Common perception of threats was an additional bonding factor for the society which perceived its security as being the greatest value (Kokoshin, 1996) and a key to comprehend Russian contemporary strategic culture (clearly

identified allies and enemies). This issue is strictly connected with the very understanding of security, which is related not only to the country itself, but also the “security ring”, i.e., the closest neighborhood (Russia’s security concept is based on the conviction that state’s borders do not coincide with security borders, but encompass the whole post-Soviet space), the zone of influence and (military) presence in important regions of the world. Only the full combination of all these elements grants Russia security and a proper position (of a super-power) in the world at the same time. Russian military presence in other countries is supposed to support regional stability and balance of power as well as prevent escalation of crises (Bieleń, 2006).

Russian strategic culture is also deeply rooted in political nationalism, which shapes or even dictates many ways of the state’s behavior. Lev Gudkow and Boris Dubin (2005) characterize Russian political nationalism as:

- conviction about Russians’ superiority;
- militarism – special role of war and armed forces in constructing the state and national identity structure;
- symbolic character of single highest authority resulting from the idea of organic unity of Russians;
- isolationism and anti-West attitudes manifested in repressions towards the society and search for inner and outer enemy.

An important issue is that the specificity of Russian nation and state has attributed to Russian nationalism state, imperial and superpower character (Pozdniakow, 1994; Bierdajew, 1997). Thus, the aim of Russian political nationalism has always been the protection and realization of subjectively perceived state interests and not the ones of the nation (Wierzbicki, 2000). This is the reason why it played an important role in shaping the strategic culture which can be characterized by militarism, reluctance towards peaceful resolution of conflicts, authoritarianism, concentration of central authorities, search for inner (Caucasians, Asians) and outer (the West) enemies in order to build “we – them” binary oppositions.

Russian political and strategic culture is also built on the project of *ruskij mir* (the Russian world) which strengthens the super-power aspiration. Russian strategic culture is marked by a specifically defined national interest and realistic paradigm related to rivalry, domination and spheres of influence. Russian imperialism is very specific as it is strongly dominated by nationalistic ideology imposing isolationism and protection from external influence aimed at the defense of the “Russian world” with its own language, identity, history,

religion, culture (with East-Slavonic national civilization concept) and traditions which can be threatened by the outer world. Many scholars have built various theories trying to explain the complexity of the “Russian world concept” and its influence on Russian identity. The most comprehensive approach is “cultural Russianness” suggested by Natalia Kosmarskaya (2011) in which Russia and its culture play the role of a “spiritual homeland” (Flynn, 2007). It is however necessary to remember that Russian identity is a hybrid one, being a mixture of Russian and local identities, which adds another complexity to the process of shaping of political and strategic culture of Russia. Summing up, the main drivers which shape Russian identity and mentality and thus influence the creation of the strategic culture (constituting its background), is the conviction about Russia’s exceptionality and eternity as well as playing the role of the guardian of the universal order.

Huge role is attributed to propaganda which is based on images, convictions, stereotypes rooted in mass social mentality and fears, which Kremlin ideology refers to building messages related to the state’s exceptionality in terms of religious issues, nationalist or messianic ideology as well as civilizational and cultural heritage and geography. Political and strategic culture of contemporary Russia was also “operationally” influenced by the works of Alexander Dugin and Alexander Panarin (who may also be considered as fathers of Russian contemporary propaganda ideological assumptions) which were designed to be an answer to Zbigniew Brzeziński’s concept presented in *The Grand Chessboard* and proposed a concept of Eurasian anti-American coalition. Dugin inspired anti-Americanism and anti-Westernism and inculcated these ideas in the heads of the authorities and then, through the “hands” of the authority, in the heads of the society. The whole imperial formula of neo-Eurasians may not have many followers in Russia, but very common is the accompanying ideology based on the conviction that the Western philosophy as such is a threat to Russia as a nation and super-power (Potulski, 2015).

Religion

Finally, there is a need to mention the role of the Orthodox Church as a binder for Russian ideology (Wierzbicki, 2008). Russian Orthodox Church stands as a defender of traditional values, which is the Kremlin’s tool to propagate messianic ideology and glorifying the state. Being deeply nationalist, homophobic and denying Western values, it also supports Russia’s narrative based on his-

torical memory (Antczak, 2017). Ideological vacuum in contemporary Russia is filled in by mythologized history on the one hand, but mostly by religion (the Orthodox Church). Not only does it serve as a spiritual guidance, but also or even mostly, it becomes an ideological background for national authorities (politicization of religion). The Orthodox Church enhances the renaissance of the “culture of obedience” (Bieleń, 2006), which also determines society’s attitude towards authorities and this in turn strengthens the central power. Religious issues are strongly connected with the already mentioned specific messianism, which comes to the specific mission that Russian nation has to fulfill nationally and internationally as “the heir of legendary religious and imperial tradition” (Ermarth, 2009). This issue served to legitimize expansion and arousing the conviction about cultural and moral superiority based on spreading religious values of the Orthodox Church.

Moreover, superpower attempts and all efforts aiming at increasing power are perceived as an obligation for the citizens and a political imperative for state authorities, which is morally and even religiously motivated and supported (Broda, 2015). Within the Orthodox Church ideology which influences mentality and socio-political awareness of the society, the power status means “nations self-awareness of Russians being responsible for stopping Antichrist and liable for the whole society and the superpower-state” (Lazari, 1995). The myth of power associated with authority relates to the myth of Russia’s strength and exceptionality, which in turn influences social awareness concentrated on the faith in omnipotence of authority (Kowalska, 2013). Afanasjew (2005) goes even further claiming that “mythical thinking is not only a rule, but also the content of social consciousness”. This phenomenon is also connected with the cult of personalized and sacralized central authority, which is one of the most important elements of socio-political system (Broda, 2015). In such circumstances, Russian political and strategic culture may tend to be more authoritarian than democratic in nature. Even though Russian political system is democratic in theory, it arose from authoritarian tradition and political culture of Russian society as well as from the necessity to create a strong central authority to introduce systemic changes and prevent the dissolution of the whole state (Zieliński, 2005). Russian system is called differently by various scholars: “delegative democracy” (Kubicek, 1994), “formal democracy”, “plebiscite democracy” (Migranian, 2004), “steered or controlled democracy”, “manipulated democracy”, “patronage democracy”, “illiberal democracy”, “half democracy”, “electoral democracy” (Lukin, 2001), and “market Bolshevism” (Nunn & Stulberg, 2000). The way democracy is

executed in Russia influences political and strategic culture mostly in the way the decisions are made. The restoration of the statehood, of social identity and self-consciousness based on national pride, historical memory and religious values has become a political priority. To achieve this, centralization of power, and strengthening of this central authority were most important elements as well as establishing of stable systemic institutions and the Orthodox Church was supporting these processes.

STRUGGLE WITH THE PAST – RUSSIA’S STRATEGIC CULTURE IN THE LAST TWO DECADES

Attempts to change Russian political and strategic culture undertaken during Yeltsin’s presidency turned into fiasco. Without analyzing all other weaknesses and obstacles of the Yeltsin period, it is perceived by Russian society as a time of Russia’s weakness, disregard in international relations and deepening of the inferiority complex due to the loss of the super-power status and influence on global affairs. While Yeltsin’s government tried to put Russia on a more Western-like democratic path, the country was slowly turning into chaos and imperialist sentiments started to revive. Finally, the period of Yeltsin’s presidency started to be called the Yeltsin’s Time of Troubles, referring to the Time of Troubles from the turn of the 16th and 17th century. The attitude towards these events is well described by Aleksandr Golts (2004) and Stephen Blank (2005), whose very titles of monographs are meaningful. Today’s strategic culture is also an answer to these times – restoration of Russian greatness, which is society’s expectation towards the government (in this case – Vladimir Putin specifically¹).

Present strategic culture is shaped by the post-Yeltsin “reflection”: resentments about the collapse of the Soviet Union and loss of super-power status guaranteeing “appropriate” international position; perception of the West (especially NATO, due to its enlargement, and the US, due to the intervention in the Balkans and general hegemonic posture) as a threat, specifically with respect to taking over Russian traditional spheres of influence; desire to reestablish Russian power and respectability as well as restore military capabilities and power to be able to influence the shaping of international order and to participate in global governance. As already mentioned, Russian strategic culture is also mounted on

¹ This expectation is based on the society’s strong reliance on the mighty leader.

the threat perception which is related to the generally perceived West, especially the United States. Orange Revolution in Ukraine as well as the Maidan was perceived as a double threat – not only in terms of the West intruding traditional Russian spheres of influence, but also regarding the fear of possible spillover of the revolutionary sentiments on Russian state (Skak, 2016).

Finally, Russian strategic culture can be characterized both by an “almost obsessive perception of a general threat towards Russian sovereignty and territorial integrity, and by great power aspirations as a response” (Eitelhuber, 2009). Therefore, the need for armed forces modernization, not only in terms of its professionalization (shift from conscription and mass forces towards smaller and well-qualified ones), but also with respect to armament and materiel is widely agreed upon, but theory is far from practice. In reality, traditional patterns and way of thinking is present at many levels of Russian military leadership and the change proceeds very slowly. Russia learned a lot from its failures in Afghanistan and Chechnya and adapted its strategy to better fit asymmetric conflicts in which it has to face an adversary of the pre-industrial type or at least whose forces are more of the guerrilla type, are dispersed and highly motivated (like second Chechnya war and conflict with Georgia or Ukraine). Lessons learned from Chechnya and Afghanistan concerned two things. First, the approach towards asymmetric conflict with conventional doctrine and conventional forces and second, propaganda-related information warfare which constituted a kind of advance action months before the actual military engagement (it was tested in Georgia, improved and employed again in Ukraine).

Summing up, due to “a fantasy-based disappointment that the United States and the West had not rescued Russia, especially from its economic crisis; and also by a reality-based perception that Western leaders, advisors, and greedy businesses were significantly responsible for the «bandit privatization and capitalism» that impoverished most Russians and created a hated class of wealthy, politically powerful oligarchs” (Ermarth, 2009), Russian traditional strategic culture was reborn. Fundamentals such as competitiveness, assertiveness, demandingness and combativeness started to play a central role. Such attitude is based on Russian nationalism, self-centrism and fear of the outer world as well as the strategy based on the philosophy of binary oppositions (especially “we – them” and “our – foreign/alien”) and the sense of mission to balance the US-centered Western world and values. This change, or rather rebirth, was conceivable due to huge economic growth based on Putin’s resources policy (Russia as an “energy power”). This in turn enabled the reappearance of militarist attitude in the politi-

cal discourse, public debate and politico-strategic culture which is combined with nuclear deterrence rhetoric (nuclear weapon play an important role in the overall Russian strategy).

CONCLUSION

As stated by Alexei Arbatov (1994) and Geoffrey Hosking (2002), Russian superpower was constructed on three basic elements which shape the contemporary strategic culture:

- state-managed economy subordinated to the main goal of securing military power (in order to win wars),
- hierarchical – authoritarian or totalitarian political system based on messianic ideology,
- building an empire basing on territorial expansion.

Nevertheless, today's Russian political and strategic culture results more from nationalist ideology than typically imperial ambitions. It is based on the primacy of the state over the human being who is enslaved, permanent expansion guided by the vision of religious salvation of the Russian nation and generally all mankind as a legitimizing factor (territorial growth was interpreted in terms of growing of the "Holy Land"). At the same time, Russia is struggling with strong internal separatist tendencies, which results in the country's reluctance towards any form of sovereignty or real autonomy of its republics, especially in terms of key political and economic issues.

Nowadays, Russia's strategic culture is strongly based on pragmatism and nostalgia as well as confrontational attitude towards the West resulting from ideological clashes and historical prejudices. It also relates to the psychological complex based on the sense of threat of the vital interests because buffer countries (zones), being a traditional sphere of Russian political influence, are leaning towards the West (Ukraine, Georgia). Russia is also vulnerable to the phobia of losing the status of one of the most important global decision-makers (omnipresence) and nowadays, Russian political leaders refer to the concept of the balance of power that is more confrontational than cooperational (at least in rhetoric).

Summing up, Russian strategic culture is built on metanarratives which were created basing largely on history and its glorification, ideology based on authoritarian heritage resulting in the cult of power as well as collectivity

being put before the individual, which is also reflected in the approach to the armed forces and their instrumental treatment. Strategic culture is also rooted in Russian attachment to geopolitics and sacralization of the territory which is perceived as Russian “by roots” (this is also true for the zones of influence towards which Russia claims its rights). Expansionism linked to messianism (with respect to values and religion) also plays an important role in shaping contemporary ideology, thus the strategic culture as well. The concept of binary oppositions is present in the way Russia is formulating its metanarratives. The opposition of “we-they” is a basis for building social consciousness of the nation, who is longing for restoration of Russian super-power position. Such status is believed to be due not only because of the mythologized role Russia played in winning the Great Patriotic War, but also owing to the belief of being a chosen nation. Deeply rooted sentimentalism and slavism (taking the form of specific nationalism) are also the sources of strategic thinking aiming at restoration of Russian power and “rightful” position in the world. These attitudes are additionally supported and “legitimized” by the Orthodox Church, giving Russian strategic culture the “spiritual” dimension. Finally, Russia’s strategic culture is built on both superiority and inferiority complex resulting from longing for the power status and feeling of injustice and exclusion. This gives an extraordinary mixture of historical, ideological, geopolitical and deeply emotional factors which are all rooted in mythologized and glorified past events and sentimentalism making Russia’s strategic culture sometimes difficult to understand and its specific actions undertaken basing on this culture – very obvious on the one hand, but difficult to predict on the other.

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A CONTRIBUTION TO THE RESEARCH ON ANTI-TRANSFORMATIONAL LEADERSHIP AS A FORM OF GOVERNANCE IN NON-DEMOCRATIC REGIMES

PRZYSZYNEK DO BADAŃ WODZOSTWA
ANTYTRANSFORMACYJNEGO JAKO SPOSOBU
SPRAWOWANIA WŁADZY W REŻIMACH
NIEDEMOKRATYCZNYCH

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— ABSTRACT —

The aim of this article is to illustrate the specificity of the functioning of power mechanisms in non-democratic systems, with particular emphasis on the relations between entities of a cratic structure, i.e., the person exercising the highest power in the hierarchy of a socio-political system vs the ruling elite, the ruling elite vs the ruling class, and the ruling class vs social masses. Moreover, based on current research in the area of governance in authoritarian and totalitarian systems, conceptualisation was performed on anti-transformational leadership, which is a theoretical category reflecting in the fullest possible way the essence of relations of domination and subordination between the ruling and the ruled in regimes with a permanent deficit of legitimation, whose constitutive feature consists in the desire to

— ABSTRAKT —

Celem niniejszego artykułu jest ukazanie specyfiki funkcjonowania mechanizmów władzy w systemach niedemokratycznych, ze szczególnym uwzględnieniem relacji między podmiotami struktury krakycznej, tj. osobą sprawującą najwyższą władzę w hierarchii systemu społeczno-politycznego a elitą rządzącą, elitą rządzącą a klasą rządzącą oraz klasą rządzącą a masami społecznymi. Ponadto w oparciu o dotychczasowe badania z zakresu sprawowania władzy w systemach autorytarnych i totalitarnych, koncepcyjnie poddano wodzostwo antytransformacyjne, stanowiące kategorię teoretyczną oddającą w sposób możliwie najpełniejszy istotę stosunków dominacji i podporządkowania między rządzącymi a rządzonymi w reżimach o trwałym deficycie legitymacji, których cechą konstytutywną jest

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ensure absolute obedience of particular subjects of the socio-political hierarchy. Furthermore, an exemplification of the indicated relationship was provided by reference to the erosion of totalitarian leadership in the political system of the Polish People's Republic.

Keywords: anti-transformational leadership, ruling elite, ruling class, social masses, Polish People's Republic

dążność do utrzymania w pełnym posłuszeństwie poszczególnych podmiotów hierarchii społeczno-politycznej. Dokonano również egzemplifikacji wskazanej zależności przez odwołanie do erozji wodzostwa w systemie politycznym Polskiej Rzeczypospolitej Ludowej.

Słowa kluczowe: wodzostwo antytransformacyjne, elita rządząca, klasa rządząca, masy społeczne, Polska Rzeczpospolita Ludowa

The specificity of functioning of the socio-political system in non-democratic regimes opens a wide field for research on the state of empowerment of particular components of a holistically understood system of dependence and subordination between individual entities of a cratic structure (i.e., the structure of power), and, hence, the relationship between dominant political forces and subordinated groups on the principle of imposed and incessantly enforced obedience. This article shall therefore use the example of governance in the Polish People's Republic (PRL) to demonstrate the mechanisms of subordination of particular entities of the power structure to superior authorities, as well as it will carry out operationalisation on the basic theoretical category reflecting, to the widest possible extent, the essence of governance in all non-democratic regimes, with particular inclination towards the totalitarian regime. Indeed, in the current research on the theory of governance in non-democratic regimes, particularly among English-speaking authors, the dominant term is 'totalitarian leadership', which seems to be largely inadequate with regard to defining the specificity of governance in systems with extremely undemocratic qualities¹. Therefore, based on the hypothetical-deductive method, it seems justified to reflect on the possibility of using the category of 'totalitarian leadership' in relation to non-democratic regimes.

¹ Polish literature is dominated by the belief that political leadership cannot by nature be totalitarian, because as a relation of voluntary submission of supporters of a political leader it necessarily excludes any coercion in this respect (see, *inter alia*, a markedly analytical study by P. Żukiewicz (2011)). Whereas the classic book in the field of research on political leadership which excludes the existence of a political leadership in totalitarian regimes, is that by: J.M. Burns (1979), where the author clearly contraposes political leadership against absolute power on the principle of antinomy.

POLITICAL VS ANTI-TRANSFORMATIONAL LEADERSHIP

The literature on the subject matter referring to 'totalitarian leadership' mainly includes studies dating back to the 1930s. It is worth pointing out such authors dealing with the issues of governance in non-democratic regimes as Aleksander Hertz or James MacGregor Burns. The former, in his essays titled *The Mission of the Ruler* (1994) and *The Team of the Ruler* (1994), refers to totalitarian leadership as a kind of relationship between an individual endowed with charisma, generally identified by the author with the 'mission', and subordinate masses, as well as points to a number of multilateral connections between the ruler and his most trusted and closest environment referred to as the 'ruler's team'. However, despite the fact that the aforementioned essays could be an inspirational reading for those seeking to formulate the definition of 'totalitarian leadership' in relation to the First Secretaries of the Central Committee of the Polish United Workers Party (PZPR), it is because of the fact that the author identifies the 'ruler' with the 'leader' that it is impossible to make a distinction between these concepts on the basis of the said studies, while such a theoretical manoeuvre would be appropriate from the point of view of the adopted category. Furthermore, the said studies lack the attempt to conceptualise the notion of 'totalitarian leadership' as a relationship of power. The works of Aleksander Hertz are rather case studies referring to Hitler, as well as, to a lesser extent, to Stalin, who, in the conviction of the Polish sociologist, are leaders *par excellence*.

In turn, James MacGregor Burns in *Leadership* (1979) demonstrates the diversity of leadership relations by reference to the continuum defined by antinomian ideal types, namely leadership and absolute power. He looks at the notion of leadership from two angles. On the one hand, he sees it as a simple exchange between the leader and the supporters, who in return for representing their interests by the political leader offer him their support, yet there is no deeper bond between the two entities involved in the process or a relation of leadership. Thus, in this case we are dealing with transactional leadership, which finds no reference to the multi-entity structure of dependencies in the system of governance in the PRL, primarily due to its hierarchisation and lack of a direct relationship between the first secretary of the Central Committee of the PZPR and the social masses. However, the second type of leadership specified by Burns, namely transformational leadership, seems worth considering in the context of 'totalitarian leadership'. This kind of leadership consists in permanent striving of the leader to raise to a higher level the empowerment of

both himself and those voluntarily subordinated to him. Thus, by transposing the definition of transformational leadership onto the ground of deliberations on totalitarian leadership, one may analyse them by juxtaposing transformational leadership with its anti-transformational counterpart. In this context, the latter would constitute a sub-type of totalitarian leadership, likely to exist in a non-democratic political reality. Therefore, in this respect, the use of the typology proposed by Burns seems to be justified, provided it can be subject to a certain modification.

ANTI-TRANSFORMATIONAL LEADERSHIP IN NON-DEMOCRATIC REGIMES

Annebel De Hoogh, Lindred Leura Greer, & Deanne Den Hartog in the article *Diabolical Dictators or Capable Commanders? An Investigation of the Differential Effects of Autocratic Leadership on Team Performance* (2015, pp. 687–701) analyse the possible behaviours of groups subordinated to an authoritarian individual. And although the content of the article deals with the relationship of dependence and subordination in an organisation that is by no means political, the general assumptions can be transferred onto the ground of considerations about power as a social relation, and particularly about totalitarian leadership. Thus, the above-mentioned authors argue that although authoritarian leadership commonly evokes clearly negative connotations due to the apparently negative impact on the team's performance and cohesion (in the context of these considerations, in line with the nomenclature adopted in the article, a team/teams should be understood as particular groups subordinated to the leader, i.e., the elite, class and social masses, while the term leadership/authoritarian leader is synonymous with totalitarian leadership/leader), in reality the relations between entities remaining in a hierarchical relationship are slightly more complicated. Namely, the more an autocrat is able to guarantee the subordinated teams security, predictability of the development of situation and conditions for an effective implementation of their goals, his position as a leader remains unthreatened, and the thus far maintained hierarchy is fully approved by his supporters. In turn, in an opposite case when we are dealing with the state of uncertainty of the existing relationship resulting from a sense of threat to the existing state of affairs, and the leader is unable to restore the lost order, the subordination between particular groups is disturbed. What is more, they

begin to compete for influence, power and, ultimately, for the removal of the current leader whose aspirations are increasingly distanced from common goals pursued by the entire team (De Hoogh, Greer, & Den Hartog, 2015).

Thus, transposing the above conclusions onto the level of the adopted research assumptions, and, above all, onto the basic theoretical category, it should be pointed out that the loss of a sense of security, the fight between coteries, the lack of convergence of goals, and the disintegration of hierarchical subordination should be linked to the exhaustion of consensus between the leader and subordinate groups. In other words, the way of interpreting authoritarian leadership in the cited article, presented on the background of a hierarchised structure, on the basis of specified conditions for its duration, allows for drawing very general conclusions about the erosion of leadership. However, this requires a far-reaching criticism, resulting from the fact that the article essentially refers to the behaviour in an organisation, or a workplace, and not the area of political power.

The issue of authoritarian leadership in the context of functioning of the party that forms the foundation for the existence of a democratic regime is also addressed by Joseph Wright and Abel Escribà-Folch in the article *Authoritarian Institutions and Regime Survival: Transitions to Democracy and Subsequent Autocracy* (2012, pp. 283–309). The authors argue that political parties, whose core is their internal non-democratic structure, and which are therefore based on the hierarchisation and centralisation of power, ensure the duration of autocracy, provided that their functioning is rooted in authoritarian legislation, and, thus, probably such that fully protects the authoritarian rule, leaving no legal possibility for democratisation. Otherwise, without a foundation in this kind of legislation, an authoritarian party organisation, even if capable of effectively suppressing internal threats, destabilises the dictatorial rule by laying the ground for democracy, however such democracy is deemed to decompose and return to the initial state, i.e., authoritarian dictatorship. Whereas the possibility of transforming authoritarianism into another non-democratic regime, as assumed by the authors of the referenced article, is negligible. This assumption recalls the theory of circulation of elites of Vilfredo Pareto and Gaetano Mosca, however, apart from references to the classics of sociology opting for seeing the normative system as a weapon of authoritarianism, as well as an indication of the alternating occurrence of authoritarianism and democracy, it is impossible to find in this line of reasoning the causes for the collapse of authoritarian regimes or even a sequence of changes in the position occupied by the dictator/leader. Thus, the theses adopted by Wright and Escribà-Folch do not allow to draw conclusions enabling the conceptualisa-

tion of erosion of totalitarian leadership, which as a complex process cannot be simply identified with the erosion of a political system, although even in this respect the usefulness of the article would be dubious.

A much greater cognitive value for the adopted theoretical category is found in the book entitled *Dictators and Dictatorships: Understanding Authoritarian Regimes and Their Leaders* by Natasha M. Ezrow and Erica Frantz (2011). And even though this publication is primarily a review, as it shows various aspects of the functioning of political dictatorships on the background of selected states of the Eastern Europe, Asia and Latin America, it also takes up the problem of longevity of authoritarian regimes and the remaining of their leaders in power. The basic observation of the authors of the book boils down to the fact that the most important characteristic of dictatorships in various regions of the world is the dependence of their survival on the relations between the leader and the elite. The dynamics of this relationship is of course diversified depending on the internal structure of a particular dictatorship, however, the common feature for each of them is the personal dimension of these two entities. An uninterrupted interaction between the leader and his team is therefore the *sine qua non* condition for the duration of the regime and stabilisation of the leader's position in the ruling structure. In this context, the cited publication has an extremely useful content allowing to note the importance of unconditional subordination of the elite to the leader, because in a situation when these conditions begin to be dictated by the elite, and the *status quo* is subject to contestation, the previous hierarchy based on multi-party subordination is subject to distortion, and consequently leads to the erosion of power. However, a certain weakness of the analysed book rests in the lack of reference to other dimensions of erosion occurring at the level of the ruling class and social masses. Nevertheless, the indication of destructive implications for the regime's durability in the context of a possible disturbance of the relationship between the leader and its immediate environment (elite) allows for partial interpretation of what in essence the erosion of leadership is in relation to the First Secretaries of the PZPR Central Committee, though certainly it does not exhaust this issue in its entirety.

The problem of survival of an authoritarian regime on the background of the relationship between the leader and subordinate entities is also addressed by Milan W. Svobik in the article *Power Sharing and Leadership Dynamics in Authoritarian Regimes* (2009, pp. 477–494). Unlike N. Ezrow and E. Frantz, however, the author does not limit himself to analysing the relations between the dictator and the ruling elite, pointing to a slightly different plane of reflections

on leadership in authoritarian regimes, namely the power of both the leader and the ruling coalition, with the latter term – for the purposes of the present paper, and given the fact that in relation to non-democratic regimes it seems more appropriate to use the term ‘ruling elite’ rather than the *ruling coalition* – being equated with the ruling elite. And so, Svolik argues that the division of power, and thus the political influences between the leader and the elite is necessary, because the concentration of these resources solely in the hands of the leader would mean a serious threat of use of violence due to the growing conflict of interests. And although the dictator has the possibility to multiply his impact, use his superior position in the power structure, thus limiting the ruling coalition, in the long-term this kind of political opportunism is certainly not conducive to maintaining the position of a leader and, thus, ensuring the survival of the regime (Svolik, 2009).

The conclusions contained in the article undoubtedly indicate the importance of convergence of the leader’s and elite’s interests, the necessity of division of power, especially at the level of these two entities, yet in these deliberations we do not find references to the erosion of totalitarian leadership occurring in a much more complicated structure than merely that related to the conflict and fight for power between the ruler and his immediate surroundings. Therefore, the quoted article does not attempt to holistically apprehend the disintegration of an authoritarian regime, let alone see the reasons for its fall in internal factors that do not boil down solely to the leader and his support but also encompass the remaining correlated segments of the hierarchised structure.

However, in the next study, *The Politics of Authoritarian Rule* (2012), the same author already seems to complement the previously expressed observations regarding the conditions for the existence of an authoritarian regime, indicating that it is necessary for the dictator to solve two problems in order to solidify his position. Firstly, to ensure authoritarian control over the masses subordinate to him, and secondly, the division of power between him and the elite (which was already mentioned in the context of the previously analysed article). More importantly, the solution to these issues favourable for the survival of a regime Svolik sees in the use of violence, which as the ‘final arbitrator in a conflict’ is perceived as the only effective method of guaranteeing the existence of a given system in a situation where there is no other authorised body to enforce obedience of subordinated entities (Svolik, 2012).

And although the undoubted cognitive value of the discussed argument rests in the recognition of the importance of dictator’s control over the masses sub-

ordinate to him, as well as the possible consequences of ignoring the aspirations of the ruling elite, still the recourse to violence as the final instance in the event of conflict in the above-mentioned areas of governance arouses serious reservations, especially if we assume that the use of terror/violence is not a distinctive feature of the totalitarian system.

It is worth noting, however, that Milan Svobik is not the only author who in his research on totalitarianism assigns an undue role to terror as not only the guarantor of survival of an undemocratic regime, but also perceives it as a distinctive feature of totalitarianism. In fact, Sigrid Meuschel also perceives both terror and ideology in terms of particular elements that characterise this system (2000, pp. 87–98).

From a slightly different perspective, the problem of the dictator's staying in power is shown by Alexandre Debs in *Living by the Sword and Dying by the Sword? Leadership Transitions in and out of Dictatorships* (2016, pp. 73–84). He tackles the issue of the effect of the dictator's overthrow on his inclination towards the democratisation of the system. And although the author refers in his considerations firstly to military dictatorships and performs analyses of the relationship between the cadence of a given leader and the scope of his use of violence during its duration, it can also be applied to the problem of the loss of leadership in other non-democratic regimes. The most important thesis, whose rightness is proved by Debs, indicates the conviction that the easier it is to eliminate the leader the more is he inclined to use violence, and such violence, with reference to the political system of the PRL, can be identified with the terror used or possible to be used against the society. At the same time, as Debs points out, the dictator, deprived of his superior position in the cratic structure, wishing to retain even a substitute of his previous influence, opts for the democratisation of the system. Thus, the greater the risk of being removed from power, the more likely it is that the option of use of violence will be abandoned (Debs, 2016).

Therefore, in this case the erosion of dictatorship correlates with the use of violence or the threat of its use. The thus formulated relationship would be highly paradoxical, and even doubtful, if it were really assumed that terror constitutes one of the criteria of a totalitarian or authoritarian system. However, if we assume that the use of terror is not the pillar of a non-democratic system, and, what is more, it is not even of secondary importance and remains on the margins of the enumerated factors classifying a given system as totalitarian, then it becomes hard to deny that Debs was right when he assumed that the dictator's position is seriously threatened when he is forced to reach for a reservoir of resources

based on coercion and police-military terror. Although in this publication there is no reference to the significance of such factors in the erosion of totalitarian leadership as the possibility of gaining political empowerment by the masses, or the conflict of interests between the elite and the ruling class, still the value of the analysed text for these considerations becomes noticeable precisely because of the already signalled connection between the use of terror and the collapse of a given system, that is, *inter alia*, what has been defined as the 'erosion of leadership'. It is also worth pointing out that the text makes a certain reference to the influence of the faction that can be identified with the ruling elite on maintaining the superior position by the dictator, however this is not particularly highlighted. Much more attention Debs pays to the relationship between the use of violence and the possibility of replacing the dictator.

Whereas with reference to ideology, to which, aside from terror, points the already cited S. Meuschel as the main determinant of totalitarianism, it should be indicated that given the thus far developed concepts of the ideology, the term totalitarian political gnosis seems to be more suitable, as it is distinctive for groups and structures of a totalitarian nature.

In the context of collapse of various types of modern dictatorships, the dependencies which also seem worthy of noting are concerned with the necessity to divide the power between the leader and the ruling coalition² as the basic condition for survival of an authoritarian regime from the point of view of Beatriz Magaloni expressed in the article *Credible Power-Sharing and Longevity of Authoritarian Rule* (2008, pp. 715–741). Magaloni proves that the guarantor for the lasting of an authoritarian system is the division of power which, although established by the dictator, must be sufficiently convincing for his 'loyal friends' so that the risk of overthrowing the system by the ruling elite, and thus depriving the current dictator of the ruling resources, becomes reduced to a minimum. Hence, according to the author of the article, the durability of a non-democratic regime is secured by the elite's constant readiness to invest in the existing authoritarian institutions, whose chances of survival thereby become greater regardless of the level of threat posed by counter-elite and the 'rival' claiming the ruling position on its behalf (Magaloni, 2008).

² Similarly to the already cited article by M. Svobik *Power Sharing and Leadership Dynamics in Authoritarian Regimes*, also in this one, for the sake of a greater clarity of the argument, the ruling coalition should be identified with the ruling elite.

Thus, both Svolik and Magaloni point to the importance of the relations between the dictator and his closest environment, seeing in them the *spiritus movens* for the survival or collapse of a non-democratic system. Unlike Svolik, however, Magaloni does not see the importance of participation of other entities in the power structure, which, at least potentially, could influence the ruling decisions, namely those of the ruling class and social masses. In this respect, the aforementioned author does not engage in reflection. Although it is difficult to deny that the ruling elite has a far-reaching impact on the dictator's position, the disregard of the possibility to generate change in the political power system by other factors does not allow for reaching reliable conclusions about the erosion of leadership in a non-democratic system.

However, in addition to the importance of the relationship between the leader and the elite and the problem of division of power between these entities as a condition necessary for the survival of a given system, it is worth noting the significance of charisma, which as a factor inscribed in the essence of totalitarian leadership, or any other relationship of power characteristic for non-democratic systems, requires a broader discussion.

Jaepil Choi in the article *A Motivational Theory of Charismatic Leadership: Envisioning, Empathy and Empowerment* (2006, pp. 24–43) indicates that a charismatic leader not only has the ability to anticipate, empathise and initiate desirable behaviours of his followers, but also has the ability to create the sense of belonging in people subordinated to him, who have thereby a clearer idea of their role and are capable of creating the collective identity of their group. In other words, a charismatic leader becomes the guarantor of lasting and, what is more, voluntary obedience of his 'followers' who derive satisfaction from the mere fact of belonging among the supporters of the leader. Hence, according to the author, the essence of charisma consists in the motivational abilities of a leader. And although J. Choi's context for the analysis of charisma with regard to the relationship between the leader and the supporters is a workplace, on the basis of these considerations we can make reference to some of the aspects that fit into the political sphere. In particular, this applies to collective identity, which may constitute an expression of convergence of interests at the level of the ruling class. On the other hand, the possibility of influencing subordinate entities and initiating their behaviour does not have to or should not be limited solely to the closest and directly subordinated group of people. Indeed, concerning social relations, particularly the relation of power, charisma has a much wider scope and encompasses also social masses, not just the elite, or, possibly, the

ruling class. However, it is hard to expect such a far-reaching conclusion from the author, especially since in the central point of his article he places the effect of the leader's charisma on increasing productivity in the workplace from the perspective of the group's cooperation. Nevertheless, an undoubted advantage for the operationalisation of charisma is the indication of certain distinctive features that facilitate its differentiation from concepts with similar connotations, such as influence or authority.

However, Mark G. Ehrhart and Katherine J. Klein raise the issue of an effect of charisma on particular, ever wider circles of 'followers' in the article *Predicting Followers' Preferences for Charismatic Leadership: The Influence of Followers' Values and Personality* (2001, pp. 152–179). In the opinion of the authors, followers are not only the background or the social ground for the charismatic impact of the leader but also play a fundamental and active role in the creation of 'charismatic relations', i.e., such connections in which the leader's charisma can truly manifest itself depending on the followers' system of values and personality. In addition, according to Ehrhart and Klein (2001), their placement or structural distance from the leader, is also significant. In reference to the totalitarian leadership in the PRL, this can be treated as a hierarchical structure of subordination to the First Secretary, which, however, does not limit the possibility of participating of even the social masses in the leader's charisma, the masses which are in fact the most distant entity subordinated to the leader. And probably this is the very essence of the leader's charisma, which does not only affect the immediate environment but increasingly gains ground within the social structure. Since if it were limited only to the 'leader's team' or even to the ruling elite, we would rather be faced with pseudo-charisma which is a consequence of the deinteriorisation process, however it should be pointed out that both the routinisation of charisma and pseudo- (quasi)charisma is at times an extremely long-lasting process. Thus, what we deal with is a one-off and immediate act. Moreover, pseudo-charisma may be a reflection of far-reaching opportunism, calculated to maintain the possessed sphere of influence, as guaranteed by the person currently holding the highest authority.

In turn, the problem of erosion of charisma is addressed by Jennifer L. Merolla and Elizabeth J. Zechmeister in the article *The Nature, Determinants and Consequences of Chávez's Charisma: Evidence from a Study of Venezuelan Public Opinion* (2011, pp. 28–54). Based on opinion polls regarding the evaluation of the president of Venezuela, the authors prove that it is proportional to Chávez's perception as charismatic, i.e., the more he is seen as a person endowed

with charisma, the higher is the respondents' assessment. At the same time, they demonstrate that erosion of charisma is a dynamic process, and, consequently, it is accompanied with an equally dynamic drop in support for the leader who was previously regarded as an emanation of charisma as a quality with positive connotations (Merolla & Zechmeister, 2011). Thus, in this case we observe a correlation between the perception of the leader as charismatic and the permanence of acceptance and support for him. On the basis of considerations concerning the erosion of totalitarian leadership, the charisma of a ruler can be therefore perceived as one of the conditions for stabilisation of his superior position in the structure of power. And although admittedly the authors do not concentrate in their deliberations on the consequences of losing charisma for the whole system, in the context of demonstrating certain clear dependencies when it comes to the possession of charisma or the lack of it, one can draw a general conclusion that the exhaustion of this special feature implies refusal of obedience on the part of followers on various levels of subordination. Thus, charisma, as one of the ruling resources, acquires considerable importance for the understanding and depicting of the complexity of the process of erosion of totalitarian leadership, and sometimes even the collapse of a given regime.

On the other hand, the aforementioned J. Wright and A. Escribà-Folch point to a completely different aspect in the replacement of leaders in the article *Dealing with Tyranny: International Sanctions and the Survival of Authoritarian Rulers* (2010, pp. 335–359), where they address the issue of the effect of external, international economic sanctions on the ability of authoritarian rulers to maintain their position. They argue that the loss of permanent support from foreign entities greatly contributes to the destabilisation of the political system, thus favouring a much more frequent replacement of leaders as compared to other types of dictatorships, e.g., military ones.

The undoubted advantage of this text rests in the recognition of importance of an external factor determining the erosion not only in the political system, but also the replacement in the ruling position, and, therefore, what can obviously be referred to the erosion of totalitarian leadership in the PRL system, which throughout its duration was dependent, both politically and economically, on the Soviet Union. Thus, the possibility of imposing economic sanctions or, going somewhat beyond the content of Wright and Escribà-Folch's article, any impact of an organ, institution or state with a strong and stable international position, constitute a powerful catalyst for transformation in a holistically understood system of a subordinate state, particularly when it comes to the exchange at

the most significant political position. Thus, the authors cited show the erosion in the system/totalitarian leadership from a completely different perspective, which is undoubtedly worth considering in the context of the adopted theoretical category. Indeed, we are dealing here not only with an arbitrary recognition of the importance of a two-party relationship (ruler – ruling elite) in the context of the necessity of division of ruling resources, but also with the illustration of a certain *novum* in the analysed subject matter, especially in contrast to those authors who in their considerations omitted the aspect of external interactions and their impact on the destabilisation of a given regime, which in correlation with internal conditions, and thus the mutual subordination of entities in the structure of power, may prove extremely useful in the process of conceptualisation of the erosion of totalitarian leadership in non-democratic systems typologically similar to the PRL system.

The next paper, which is worth analysing in the context of the adopted theoretical category, is an article by Roman Bäcker *The Porcelain Fragility of Authoritarian States* (2015, pp. 47–55). The author attempts to answer the question: what causes the states with an authoritarian system that seem to be durable, stable and impressive due to their apparent ability to survive the most powerful crises, to collapse completely unexpectedly under the influence of a ‘secondary shock’. According to R. Bäcker (2015), the reasons for this state of affairs should be seen not in external factors in relation to a given political system but in the mechanisms existing within the system. In addition, the author, while demonstrating the validity of his thesis based on theories of scientists addressing the subject of stabilisation and the fall of authoritarian regimes, conducting a certain synthesis, and at the same time submitting some of the conclusions contained in them to criticism, creates a cognitively valuable depiction of the structure of subordination and hierarchy, on the basis of which these mechanisms can operate.

An undoubted advantage of the text is the recognition of significance of the following aspects for the durability of an authoritarian regime: commonality of interests of the ruling class articulated by the ruling party; control over the masses, which are thereby kept in the state of political objectification and are thus incapable of articulating their interests, form the political opposition, and, particularly, select a counter elite that could be an effective counterbalance to the currently ruling elite; the need to divide the ruling resources between groups of significant importance within the ruling class and the importance of charisma, whilst it is worth noting that in line with the author’s belief, charisma is exhausted relatively quickly, and therefore it cannot be an effective tool in system legitimisa-

tion, hence in a long run, it cannot become a factor ensuring cohesiveness within the ruling class or conformism within the social masses. Moreover, a noteworthy observation of the author is an indication that the existence of an authoritarian regime is based on a fragile balance between the masses and the ruling class (Bäcker, 2015).

Thus, the article contains everything that from the point of view of the adopted theoretical category may constitute its essence, i.e., above all the indications that a non-democratic system collapses under the influence of internal factors concentrated within a complex cratic structure and complicated relationships between its subjects. An additional value of the text is that it comprehensively addresses both the importance of charisma and the necessity to take into account the aspirations of members of the elite or the significance of commonality of interests of the ruling class and others, whose importance was either completely overlooked or marginalised in the deliberations of the previously cited authors. Thus, in this case we are dealing with an attempt of a comprehensive demonstration of systemic mechanisms, whose occurrence or intensity may lead to the collapse of an authoritarian system. Nonetheless, it should be assumed that the fall of a given system is an effect of operation of internal systemic mechanisms, which is a kind of a process, hence it cannot be sudden and unexpected. And although an external observer may ascribe to the collapse of an authoritarian regime the 'fragility of a porcelain vase', in fact they should point to a process of system collapse, especially if we assume that the occurring erosion of totalitarian leadership is dynamic, temporal and gradual, rather than being something that cannot be predicted, let alone analysed as a specific causal sequence. When it comes to the political system of the People's Republic of Poland, an example of a leader seeing his decadent political activity as erosion of leadership/power, while being fully aware of this fact, was Wojciech Jaruzelski.

CONCLUSIONS

Thus, on the basis of all the analysed texts and the there-contained interpretations of the nature of non-democratic systems, and above all the reasons for their collapse, it seems appropriate to apply such a conceptualisation of the 'erosion of leadership' which would primarily constitute an innovative approach to the category of 'leadership' not only with regard to the political system of the Polish People's Republic but also to related systems, i.e., those that formed the

foundation for the states remaining in the orbit of the Soviet Union's influence and, moreover, which evolved from totalitarianism to democracy. Thereby, the dynamic nature of the political system of a given state, and hence its transpositions encompassing the transitional states, for instance: totalitarianism – limited democracy – consolidated democracy, give grounds for the application of the above mentioned terminology, particularly the one referring to the First Secretaries of the Central Committee of the PZPR as 'leaders'.

Therefore, starting with the term 'erosion', it should be pointed out that although this is not a concept originating from the field of political sciences, its interpretation remains quite unambiguous. Indeed, 'erosion' is a process that is the opposite of what it concerns in a given context. It is not a single act, a sudden event, having no reference to specific conditions – in the discussed case, socio-political ones. On the contrary, its context is always very clearly defined, with distinguishable individual stages. Thus, with reference to 'totalitarian leadership', erosion is a process of gradual annihilation of all those components that constitute a given social relationship as a leadership.

Totalitarian leadership itself, whose immanent feature is being anti-transformational³, is a ruling relationship based on a hierarchical, centralised structure⁴, designated by entities to which they belong: First Secretary – ruling elite – ruling class – social masses.

The 'erosion of totalitarian leadership', on the other hand, should be treated as a process opposed to the acquisition of such leadership, and therefore signifying the process of its loss with the final effect being a personal change in the position belonging to the current leader. The essence of the thus understood process is the breakdown of obedience at every level of the cratic structure in relation to the most significant planes of mutual relations between its subjects:

- a) First Secretary of the PZPR Central Committee (leader) – ruling elite:
 - deinteriorisation of the leader's charisma, or pseudo-charisma, with one of the basic criteria consisting in the growing distance to the social role

³ Cf. previous considerations on the typology of J. Burns.

⁴ Hierarchy and centralisation of the ruling structure is important because, unlike political leadership one of the basic features of which is the symmetry and directness of the relationship between the leader and his voluntary supporters, totalitarian leadership is a mediated relationship, i.e., the commander has a direct contact with broadly understood social masses only in exceptional circumstances, and, in principle, the intermediate levels between him and the general public are the ruling elite and the ruling class. Thus, the hierarchy and centralisation between individual entities become obvious and even necessary.

- of the members of the ruling elite participating in the leader's charisma or pseudo-charisma;
- the formation of a counter elite within the party-state apparatus;
- b) ruling elite – ruling class:
 - reduction of the importance of political gnosis in the process of political communication;
 - the disintegration of identity of interests within the party-state apparatus;
- c) ruling class – social masses:
 - the possibility of articulation and aggregation of interests of social masses;
 - the process of acquiring empowerment by social masses.

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REVIEWS



Henry Kissinger, *Porządek światowy*,
Wydawnictwo Czarne, Wołowiec 2016, pp. 400

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The publication of the Polish-language version of the book *World Order* [*Porządek światowy*] by Henry Kissinger was undoubtedly an important event on the Polish publishing arena of 2016. It is not the first work of this author published in Poland (Kissinger, 1996, 2009, Kissinger, 2005, Kissinger, 2014). The Polish version of this publication was prepared just a few months after its original release in the United States (Penguin Press). *World Order* is an essay of global importance and at the same time it can be considered as a kind of testament of Kissinger. Polish readers do not need much of introduction as to who Henry Kissinger is – as this influential author, long-time lecturer at Harvard University, Nobel Peace Prize Laureate (1973), the US National Security Advisor (1969–1975), and the US Secretary of State (1973–1977)

is widely known in Poland. This particular work can be perceived as Kissinger's credo; for about sixty years, the author has participated in some of the key events of world politics – and in this one book he decided to pass on the fruits of his reflection on the subject to a wider audience. In the following short review, we will look more closely at the content of the publication and comment on its main theses from the point of view of the theory of international relations and security. All page references to the book are based on page numbering of the Polish edition.

The book consists of nine chapters and its main theme is the evolution of the global political order over the past centuries. According to Henry Kissinger, “world order” describes the concept held by a region or civilization about the nature of just arrangements and the distribution of power thought to be applicable to the entire world. Applying these concepts in practice creates an international order, relying, according to

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the author, on two components: a set of legitimization rules and a balance of power (Kissinger, 2016, pp. 16–17). For decades, Kissinger has been considered to be one of the main advocates of the theory of political realism in international relations (cf. Donnelly, 2000; Halizak & Czaputowicz, 2014). The author of *World Order* emphasizes that for the last several hundred years the so-called Westphalian order, i.e., the concept of a world divided into sovereign states, which are themselves the main subjects of international relations and together form the international community, has been a dominant one (Kissinger, 2016, p. 33). This does not mean, however, that it was the only way to understand the notion of “world order” or that it was universally recognized. Kissinger emphasizes in the introduction that there has never been a truly globally accepted concept of a world order. What we call the Westphalian order is the outcome of centuries-long expansion of several European countries, which resulted in the transfer of principles developed in Europe to the entire globe (cf. Kuźniar, 2005; Pietraś & Marzęda, 2007). The most stable international orders in history – as the author explains – owe their durability to a common understanding of the surrounding world among its actors (Kissinger, 2016, p. 43). Meanwhile, the current global order is being questioned and – moreover – there is no consensus as to the new principles on which a new such order could be based. The book in question is an attempt to trace the history of the Westphalian world

order and to draw conclusions about the prospects for its development in the modern world. The author’s intention is clear and scientifically relevant.

In Chapter One, Kissinger looks at the political development of European states in the early modern era. He discusses the genesis of the Westphalian order and the main political forces of that time, highlighting the role of Great Britain as a regulator of the balance of power on the European continent. Chapter Two offers a description of the functioning of the Westphalian order up to the beginning of the 20th century, when, after conquest of other continents, the European powers decided to use the Westphalian framework to gain advantage over others and thus break the balance of power in Europe. After two World Wars, Europe was significantly weakened and, as a result, lost its political dominion over the world. The initiative passed instead into the hands of the US and the USSR. The United States saw itself as the defender of the West, propagating and maintaining the Westphalian principles in the name of the American concept of liberty of nations. The USSR, in turn, inherited the legacy of the Tsarist Russia, which in the 18th and 19th centuries became the second – next to Great Britain – guarantor of the balance of power on the European continent. The end of the Cold War rivalry and the shifting of global centers of politics and economy towards Asia nowadays should give raise to reflection on further usefulness of the Westphalian framework, especially when European states

have focused their efforts on the processes of political and economic integration. According to Kissinger, the modern world finds itself in a situation in which Europe had been back in the 17th century. This time, however, non-European regions will participate in the shaping of a new model of international order and security (Kissinger, 2016, p. 93).

In Chapters Three and Four, Kissinger analyzes the development of Islamic civilization and the concepts of world order developed by Muslim states, in particular Iran. He points to the fact that currently the balance of power is no longer based only on military and industrial potential. As a result of scientific development (!), several countries gained access to nuclear weapons, which significantly changed the nature of the international order (no conquest ever has given the USSR such power as did breaking the American monopoly in nuclear weapons production). From this point of view, Islamic states obtaining access to nuclear weapons (Pakistan already has such weapons) can be a factor that significantly undermines the current international order, especially in the context of a growing risk of proliferation of such weapons.

In Chapter Five, the author comes to an important conclusion that the material factors alone can no longer explain the mechanisms of development of international relations (Kissinger, 2016, p. 167). An example is the expansion of European countries in Asia in the 19th and 20th centuries. Asia was a victim of the concept of world order

imposed by Europeans through the institutions of colonialism. Lack of understanding of Asian cultural diversity in Europe has led to numerous crises across the entire Asian continent. In this chapter, as well as in Chapter Six, right after Kissinger analyzes the regional orders created throughout history by India, China, and Japan. Here, he once again points out that Asia of today resembles Europe of the past modern era, as it currently consists of several strong countries with differing ambitions. Furthermore, many Asian leaders explicitly declare their attachment to the Westphalian global order principles. However, lack of consideration given to West African and South American issues, also important from the point of view of the West's expansion, raises some doubts as to the fullness of the picture painted by Kissinger.

In Chapters Seven and Eight, the author of *World Order* analyzes the phenomenon of the influence of the United States, which became a globally important actor almost exclusively due to accumulation of internal power, in general without having participated in the power plays the European states engaged in until the end of the 19th century. However, starting from the presidency of Theodore Roosevelt, through the terms served by Woodrow Wilson and Franklin D. Roosevelt to post-war presidents (especially H. Truman, R. Nixon, G. Ford, and R. Reagan), the United States took on a key role in building up the Westphalian order globally. It did so by skillfully combining the use of its real power (*Ro-*

osevelt's realism) and the principles of liberalism and democracy (*Wilson's idealism*). As can be seen, the potential of the USA is understood here according to Westphalian principles – as the existence of two parallel pools of resources: power and legitimation. Next, Kissinger discusses various problems of the contemporary US foreign policy, such as the peace process in the Middle East and the participation of US troops in the wars in Afghanistan and Iraq. However, in contrast to the critical analysis of international expansion of European countries (caused by “greed, cultural chauvinism” and other similar sentiments, cf. Kissinger, 2016, p. 167), the international military activity of the USA has, in Kissinger's opinion, a much better justification. He sees the role of the US as a somewhat messianic one even, with policy decisions rooted in idealistic universalism and optimistic aspiration for human betterment (Kissinger, 2016, p. 308). According to the author of the book, a truly special characteristic of the American nation (sic!) is that the aim of the wars it wages is not only to punish its opponents, but also to improve the lives of their people. We find here echoes of the theory of just war, with the author clearly declaring his position in the internal American debate about the place of the United States in the new world order. However, it is difficult not to notice certain subjectivity to Kissinger's line of argumentation.

Chapter Nine stands out as unusual because for the first time in his career, Henry Kissinger addresses the topic of the Internet

and the technological revolution of the 21st century. The chapter contains highly valuable descriptions of the impact of technological innovations on human consciousness, decision-making processes, wisdom, knowledge acquisition, and state security policy (cf. Kissinger, 2016, pp. 326–329, 334–335). This is, unexpectedly, one of the best fragments of the entire publication. The author explains that during its preparation he benefited from the help of researchers of the younger generation who have more expertise in modern technologies than he does.

In the concluding chapter, the author analyzes the factors shaping the world order nowadays. He notes that after 1948, thanks to America, there was a brief moment in the history of mankind when one could speak about a really global world order, which was a combination of American idealism and the traditional concept of balance of power. This rather nostalgic and pro-American commentary seems to be an appeal to the leaders of Western states to develop new rules of conduct, as the old Western principles – previously considered universal – are no longer obvious to the emerging new powers on other continents (Kissinger, 2016, pp. 340–341). The second important statement is the conclusion that the collapse of “any” international order results from either redefinition of the principles of legitimacy or a change in the balance of power. Here, H. Kissinger in fact contradicts his earlier declarations (as per the previous chapters, there were many different concepts of international order de-

veloped on various continents), again universalizing the notion of world order – in Westphalian terms. An important summary of the book are the remarks focused on the crisis of four important dimensions in the contemporary structure of the world order: crisis of statehood, conflict between the international – read: global – economic system and the political structures, still based around nation-state, lack of effective mechanisms for cooperation between states, and finally the need to establish a new concept of world order (Kissinger, 2016, pp. 344–347). These are the newest challenges for the decision-makers of the modern world.

The writing style of the book is accessible and flows well. *World Order* presents matured, seasoned opinions of one of key commentators of the global political scene. It is also a convincing application of the foundations of political realism in the analysis of international relations. The categories Kissinger references most often – such as sovereignty, balance of power, the state, diplomacy, and leadership – are key elements of this particular intellectual tradition. The author often recalls events he has witnessed in person, he also focuses on foreign policy issues and mechanisms of perception of the international system, but not on the system itself. This term is used in the entire work just once it would seem (Kissinger, 2016, p. 140). This allows to include Kissinger among authors associated with classical realism, i.e., non-structural (despite the term *World Order* in the title of the

work). An interesting tactics of the author is the introduction of characters representing the tradition of political realism (Richelieu, Talleyrand, Metternich, Bismarck, Kautilja) into individual chapters, which deepens the humanistic dimension of his argumentation. The author juxtaposes views or behavior strategies of specific individuals (historical figures) against the historical course of events, thus proving their validity or lack thereof. Thanks to this approach, the book can be placed firmly within the interpretive traditions of realism. A similar style of writing was characteristic of the works of Hans Morgenthau, Raymond Aron, or early Kenneth Waltz (Morgenthau, 2010; Aron, 1995; Waltz, 1959).

From the point of view of the theory of international relations, the author's theses about the declining significance of the material factors in the analysis of international relations and the key role of internal policy in achieving the full potential of a state are among the most interesting, and are especially important in the era of globalization. Nevertheless, the above theses are only auxiliary to the main line of argumentation, and are not the subject of deeper reflection. Kissinger almost completely neglects the role of economic and socio-psychological factors in the development of international relations, both in the past and in the modern times. Instead, he focuses mainly on the political activity of some superpowers creating the framework for the contemporary international system. This allows for a great clarity of argumentation, but also

means that the author's conclusions remain very general and are not supported by external data. One should bear in mind, however, that we are dealing with an essay rather than an academic dissertation based on standardized quantitative and qualitative data.

The publication *World Order* can be an interesting reading for students of first years of social studies, journalists, opinion leaders, and also serve as an inspiration for diplomats and state officials. The

book also further expands the list of publications written by practitioners of the American politics (memoirs, diaries, analyses of decision-making processes written by decision-makers or experts participating in important events of world politics), which will further aid in both research and didactics in the field of foreign policy and security analysis (cf. Deibel, 2002). From this point of view, *World Order* is an essential reading for everyone who is interested in the issue of "who rules the world".