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ELECTIONS, DEMOCRACY, CRISIS

IZBORI, DEMOKRATIJA I KRIZA

EXPLORING DEMOCRATIC DECLINE IN EUROPE – A REGIONAL PHENOMENON OR A CONTINENTAL CHALLENGE?

Dejan Bursać

This thematic issue emerges as a continuation of the international academic conference „Elections – Democracy – Crisis", held at the University of Warsaw in early 2024. It marks a successful collaboration between the Faculty of Political Science and International Studies of the University of Warsaw and the Institute for Philosophy and Social Theory of the University of Belgrade.

The primary aim of both the conference and this publication has been to examine how contemporary crises shape the democratic institutions and processes across Europe. Various disruptions over the recent years, ranging from wars and pandemics to economic instabilities, have triggered surprising electoral outcomes, the rise of new political actors, institutional shifts, and significant transformations within not just party systems, but societies as a whole. Ultimately, these trends raise fundamental questions about the trajectory of democracy itself.

While the broad topic is European in its scope, the contributions gathered here reflect a strong regional focus. Most papers concentrate on case studies from countries where democratic backsliding has become particularly acute in recent years – namely Poland, Hungary, Serbia, and Turkey. These relatively young or fragile democracies serve as critical lenses to observe broader populist and illiberal trends that are not limited to this wider region alone.

Before delving into the country-specific focus, the issue opens with three articles that tackle the broader state of play. These include the varying perceptions of democracy among European citizens, the democratic deficit within the European Union and its institutions, and the increasing concerns over electoral integrity and foreign or domestic interference.

The subsequent country-related articles explore a wide array of topics connected to the interplay between elections, democratic values, and ongoing crises. These include analyses of populist mechanisms for gaining and maintaining power, local elections as contested spaces between populist and democratic forces, the evolution of nationalist narratives, the tension between EU accession processes and authoritarian tendencies, as well as patterns of clientelism and political corruption and their effects on electoral behavior.

This issue brings together contributions from both quantitative and qualitative traditions and draws on a wide range of disciplinary approaches. Such methodological and thematic diversity only enriches the volume, offering valuable insights for scholars, practitioners, and common readers alike. As such, I hope this issue will contribute to ongoing academic and public debates, and I look forward to continuing the conversation at the next „Elections – Democracy – Crisis" conference, planned for spring 2026 in Belgrade.

As guest editor, I would like to take this opportunity to express my sincere gratitude to all the authors and reviewers, and especially to the editorial board of „Philosophy and Society", for their immeasurable support in making this thematic issue possible.

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Jurijs Ņikišins

THE QUEST FOR DEMOCRATIC BLISS: WHICH DIMENSIONS HOLD THE KEY?[1]

ABSTRACT
The majority of Europeans value living in a country governed by democratic principles. It is argued that the evaluation of democracy and satisfaction with it are pivotal for ensuring its functioning and sustainability. When asked about the importance of specific indicators of democracy, such as free and fair elections, equality before the courts, and freedom of the press, most respondents assign a high and comparable level of importance to each. However, the overall significance of democracy and its dimensions does not necessarily reflect the perceived quality of democracy within a given nation. To explore the determinants of satisfaction with the state of democracy while accounting for cross-national variation, a multilevel regression analysis is conducted, examining the impact of various factors on four dimensions of democratic evaluation — electoral, liberal, social, and direct — using comparative data from the ESS Round 10 Understandings and Evaluations of Democracy module. The results reveal significant disparities across dimensions of democracy, with Nordic countries leading and some Western Balkan and Eastern European countries lagging. They also underscore complex relationships between political efficacy and evaluations of democracy, showing a positive association with external efficacy, particularly in countries with higher political rights, and a negative association with internal efficacy, which diminishes in contexts of greater civil liberties.

KEYWORDS
democracy, elections, courts, free press, European Social Survey

1 The first draft of this article was presented at the Elections – Democracy – Crisis (EDC) Conference held on February 29 – March 1, 2024, in Warsaw, Poland, and organized by the Institute for Philosophy and Social Theory (University of Belgrade) and the Faculty of Political Science and International Studies (University of Warsaw). The author extends special thanks to the conference organisers, participants, and two anonymous reviewers for valuable suggestions and comments.
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Introduction

Democracy, derived from the Greek words *demos* (i.e. people) and *kratos* (power), is commonly understood as a political system based on the principle of rule by the people. The concept has been celebrated, reconsidered, and evolved over centuries, but its core remains the same. Indeed, as noted by Parry et al. (1992:3), "'government by the people' is the fundamental definition of democracy, and one which implies participation by the people" in deciding on key decisions on how to run a polity and who to elect as its leaders. At the same time, democracy is not a monolith. It embraces an array of dimensions and meanings that have been interpreted and implemented in numerous ways across cultures, nations, and historical periods.

The importance of democracy extends beyond the mere mechanics of voting and governance. It reflects the collective aspirations of people for self-determination, dignity, and freedom. Democracies have been linked with a myriad of positive outcomes, including better protection of human rights (De Mesquita et al. 2005), more effective governance (Gisselquist 2012; however, see also Ishiyama 2019 for a more critical assessment) and higher levels of human development (Gerring et al. 2012; Liotti et al. 2018). Yet, the mere establishment of democratic institutions does not guarantee these outcomes. Their functionality and perceived legitimacy are important as well (Thomassen, 2007).

Studying the understandings and evaluations of democracy is crucial for several reasons. It allows for the evaluation of how core democratic principles are translated into practice – e.g. whether the public believes that elections are free and fair, or whether people are equal before the law. On the other hand, assessing public (dis)satisfaction with democracy and its various dimensions offers insights into potential disconnects between citizens' expectations and political realities. This is critical for keeping democracy in good health, as dissatisfaction with it may lead to apathy (Mavee 2015), clientelism (Gherghina, 2022) or, conversely, to radicalisation and polarisation of society (Alenda, 2023).

The dimensions of democracy are multifaceted, and scholars propose various sets of democratic dimensions, often used as criteria for assessing whether and to what extent a certain polity may be described as democratic (e.g. Dahl, 1956; Diamond, 1999; Morlino, 2009; Ferrín and Kriesi, 2016). Typical examples include citizen participation in politics, free and fair elections, freedom of expression, and equality before the law. Some sets are more 'minimalist', i.e. more or mainly concerned with how elections are organised (Schumpeter, 1947; Lipset, 1963); others underscore the importance of civil liberties (Diamond, 1999); and the more recent and elaborate sets include features such as social justice and economic equality (Morlino, 2009), and direct democracy through referendums (Ferrín and Kriesi, 2016). It can be argued that each dimension serves as a pillar that upholds the structure of democratic governance, ensuring that the power derived from the people is exercised in a manner that is fair, just, and accountable. The essence of democracy is not solely in the existence of these dimensions but in their effective functioning and the harmony between them (cf. Dahl, 1956).

This article adopts the theoretical framework proposed by researchers Mónica Ferrín and Hanspeter Kriesi (Ferrín and Kriesi 2016), which was first empirically tested in Round 6 of the European Social Survey in 2012. It presents a series of criteria that are categorised into four main aspects of democracy: electoral, liberal, social, and direct. The electoral dimension highlights the principles of freedom, fairness, and competitiveness in elections. The liberal dimension centres around an impartial judiciary, freedom of the press, and safeguarding minority rights. The social dimension encompasses ideas of social justice and economic equality. Lastly, the direct democracy dimension prioritises referendums and the supremacy of the popular will. The article's Data, methods, and variables section provides a comprehensive discussion of the questionnaire items related to each dimension.

The approach to measuring the understandings and evaluations of democracy developed and tested within the ESS framework has been acknowledged and followed by a number of studies. For example, Hernández (2019) investigated how well ordinary citizens can form structured opinions about democracy. His study adapts Converse's (1964) concept of political belief systems to analyse individuals' democracy belief systems (DBS) and finds that most Europeans have coherently structured attitudes about democracy. Hernández identifies three components of DBS—cognitive availability, horizontal constraint, and vertical constraint—and shows that these components are generally well-articulated among Europeans, despite some individual and country-level variations. The results challenge the view that mass publics lack political sophistication, revealing that citizens' belief systems about democracy are more organized than previously assumed.

Quaranta (2016) explored what citizens consider democracy to be and the factors influencing this understanding. He finds that citizens' views on democracy range along a continuum, with middle-aged, educated men interested in politics, holding extreme ideological positions, and engaged in civic organizations perceiving democracy in more comprehensive terms. Cross-country variation in these views is largely explained by the democratic performance of the respective countries. It was found that citizens with broader conceptions of democracy may push for deeper democratization, indicating that understanding the public's nuanced views on democracy is essential for assessing and promoting democratic quality.

In another study, Quaranta (2018) aimed to understand how citizens evaluate democracy by utilizing multiple indicators from the European Social Survey's special module. Applying Bayesian factor analysis with country random effects, the study identified a unidimensional underlying trait termed 'evaluation of democracy', with some attributes carrying more weight than others. Results showed significant variation in democracy evaluations across countries, with Nordic countries and Switzerland generally showing the highest evaluations, while Ukraine and Kosovo had the lowest. However, these evaluations also came with some uncertainty, which was used to estimate the probabilities of countries having higher or lower levels than others.

Heyne (2018) explored the meaning of dissatisfaction with democracy by analysing the gap between citizens' democratic expectations and their evaluations of democratic reality. The study found that satisfaction with democracy is influenced by both the size and direction of this expectation-evaluation gap. Specifically, a lack of realization of liberal democratic criteria is the strongest predictor of dissatisfaction, while opinions on direct participation and social justice are more varied and contentious, contributing to dissatisfaction among those who desire more or less of these aspects.

Pickel et al. (2016) examined whether the quality of democracy can be better measured by incorporating individual-level survey data alongside macro-level indices. Using data from the European Social Survey and the Democracy Barometer, they found that while macro-level indices and individual evaluations align in some respects, they differ significantly in others. Citizens often emphasize aspects like social equality and welfare as integral to democratic quality, which are less considered in macro-level indices. The study concludes that integrating individual perspectives with macro-level measures enhances the validity of democratic quality assessments and offers valuable insights into improving democracy from a "bottom-up" approach.

Seyd (2023) studied the factors shaping democratic legitimacy by separating democratic expectations and evaluations using data from the European Social Survey (2012-13). The study found that individuals' socio-economic positions, perceived discrimination, ideological extremism, policy performance judgments, and political trust influence legitimacy differently across various dimensions of democracy. His key findings indicate that economic status influences legitimacy in democracy, with high-income individuals having higher expectations, particularly regarding the social dimension. Perceived discrimination, ideological extremism, and low political trust decrease legitimacy across various dimensions, while higher education correlates with heightened expectations, affecting legitimacy on the electoral and liberal dimensions. Additionally, liberal values and left-wing ideologies reduce legitimacy across multiple dimensions, while older cohorts exhibit lower legitimacy due to higher expectations and poorer performance evaluations, particularly regarding the social and electoral dimensions.

Donovan and Karp (2017) investigated the impact of electoral system features on citizens' evaluations of democracy. They found that multipartyism, proportionality, and preferential ballot structures were initially associated with positive evaluations of elections and parties, leading to greater satisfaction with democracy. However, these positive effects diminished when corruption and income inequality were considered. Their findings highlight the substantial limits of electoral reforms in enhancing democratic legitimacy and caution against overestimating the effects of electoral rules without accounting for broader social issues.

Kriesi (2017) studied whether European democracy was in turmoil in light of the euro crisis. The study finds that poor economic and governmental performance during the crisis leads to more critical evaluations of national democracy, particularly in Central, Eastern, and Southern Europe, as well as in authoritarian countries. However, this critical stance does not diminish citizens' support for democratic principles; instead, dissatisfaction with economic and political performance actually reinforces their commitment to democratic ideals.

Christmann (2018) focused on the relationships between economic performance, democratic quality, and satisfaction with democracy (SWD) using a dataset of 57 democracies from 1990 to 2014 and survey data from the European Social Survey. Both economic and democratic performance were found to significantly influence SWD, with economic performance explaining short-term fluctuations and democratic quality explaining persistent differences between countries. The findings suggest that improving both economic conditions and democratic quality can enhance citizens' satisfaction with democracy, although further research is needed to disentangle the specific aspects of democratic quality that most impact SWD.

Analysing data from multiple countries implies aggregation and comparison, as well as considering the features capturing the more general, country-level context of democratic conditions. Hence the need for robust measures that have been acknowledged for their utility and relevance. Therefore, Freedom House (2024) scores of political rights and civil liberties for each country should be considered as country-level variables to account for differences in the quality of democracy. Freedom House scores of political rights and civil liberties have been widely used in political science and sociology, particularly in the study of democracy. For example, Inglehart (2003) uses them in his assessment of the relationship between education, fertility, and democratization, finding widespread support for democracy among Islamic publics. Welzel and Inglehart (2008) introduce them into their analysis of the role of self-expression values and human empowerment in the emergence and survival of democracy. Weinberg et al. (2008) and Lampinen (2008) refer to them while examining the relationship between terrorism and changes in civil liberties and political rights. Freedom House scores are also used by Heckelman (2010) in the analysis of democratic characteristics in former Soviet Republics, and by Diamond (2008) evaluating democratization in Africa. Also, Sherrill (2006) discusses theoretical definitions of democracy, emphasizing Freedom House's detailed assessment approach.

Although a comprehensive examination of citizens' evaluations of democracy has been conducted, several factors remain understudied, providing valuable opportunities for additional research. Internal and external political efficacy, operationalised as the belief that individual actions can affect the political process, and that the political system is responsive to these actions, has not been thoroughly investigated in the context of democratic evaluations. Understanding the impact of political efficacy on citizens' perceptions of democracy could reveal whether feeling empowered or disempowered is associated with higher or lower satisfaction with the performance of democratic institutions.

Moreover, investigating how satisfaction with healthcare and educational services informs democratic evaluations is a particularly promising line of inquiry, as these sectors constitute citizens' routine, lived encounters with state performance in domains fundamental to human well-being. In light of the recent COVID-19 pandemic and the societal controversies it exacerbated, the impact of conspiracy theories and beliefs on democratic evaluations presents a novel research frontier. Investigating the influence of conspiracy beliefs on democratic evaluation can offer valuable insights into the resilience of democracies in the face of such challenges. Given the increasing prevalence of misinformation and its potential to undermine trust in democratic institutions, this area of study is particularly relevant.

The arguments presented above lead us to the following **research questions**:

1. How do Europeans evaluate different aspects of democracy? Specifically, which aspects of democracies exhibit the highest and lowest levels, as well as the most and least variation across countries?
2. What is the impact of subjective political efficacy, satisfaction with health services and education, and belief in conspiracy theories on various dimensions of evaluation of democracy?
3. How is the impact of external and internal political efficacy on evaluation of democracy moderated by the levels of political rights?

These questions can be expanded and specified through the following **hypotheses**:

H1 External political efficacy (i.e. belief in responsiveness of the political sphere and institutions) is positively related to satisfaction with all four dimensions of democracy.

H2 Internal political efficacy (i.e. the belief one's capable of political activism) is positively related to satisfaction with all four dimensions of democracy.

H3 Satisfaction with the state of health services is positively related to satisfaction with social democracy.

H4 Satisfaction with the state of education is positively related to satisfaction with social democracy.

H5 Agreement with conspiracy beliefs is positively related to dissatisfaction with all four dimensions of democracy.

H6 Higher levels of political rights will intensify the impact of external political efficacy on evaluations of democracy.

H7 Higher levels of civil liberties will intensify the impact of internal political efficacy on evaluations of democracy.

Data, method, and variables

To investigate the research questions, I employ data from the European Social Survey Round 10, which covers the years 2020 to 2022, depending on the data collection period in each country participating in the ESS (ESS, 2020). To date, this is the latest ESS dataset focusing on indicators of perceptions and assessments of democracy in Europe. The dataset consists of responses from 31 countries, with a total of 58,810 individuals who were selected using nationwide representative sampling methods. The data were collected through in-person interviews conducted at the respondents' place of residence. Self-completion fieldwork was allowed in nine countries because of the recurring Covid-19 pandemic outbreaks. The extensive amount of data from different countries may warrant the use of a multilevel approach for their analysis; to check this empirically, the intraclass correlation coefficient (ICC) and design effect (DEFF) values are estimated for each of the four null models (electoral, liberal, social, and direct democracy) before adding any explanatory variables to the regressions. The common threshold for ICC is 0.05, meaning that any values above this level warrant the use of a multilevel model (cf. Sommet and Morselli, 2021: 11). However, as suggested by Sommet and Morselli (2021: 11-12), the design effect, or DEFF, as a more accurate measure than the ICC alone. The DEFF metric takes into account both the average cluster size (n, calculated here as the total N divided by the number of countries) and the within-cluster homogeneity (ICC) to measure the extent to which a multilevel sample deviates from a simple random sample. DEFF ranges from 1, indicating no difference, to n, representing maximum difference. As seen from Table 1, both measures together advise strongly for the use of a multilevel model due to substantial variation across countries.

Table 1. ICC and DEFF values for the null models

Dimension	ICC	Std. error	95% CI		N	DEFF
			Low	High		
Electoral	0.201	0.04	0.134	0.292	55,314	359.448
Liberal	0.185	0.03	0.133	0.252	56,021	335.134
Social	0.120	0.029	0.074	0.188	57,242	222.462
Direct	0.142	0.035	0.087	0.225	55,017	252.871

Source: European Social Survey Round 10 data, author's calculations.

Outcome variables

Evaluations of democracy were operationalised with eleven statements requesting the respondents to assess how much each of them applies to their country on a 0 – 10 scale (0 – does not apply at all; 10 – applies completely). The statements were as follows, listed in the order mentioned in the ESS Round 10 questionnaire:

1. *National elections in [Country] are free and fair*
2. *Different political parties in [Country] offer clear alternatives to one another*
3. *The media in [Country] are free to criticise the government*
4. *The rights of minority groups in [Country] are protected*
5. *Citizens in [Country] have the final say on the most important political issues by voting on them directly in referendums*
6. *The courts in [Country] treat everyone the same*
7. *Governing parties in [Country] are punished in elections when they have done a bad job*
8. *The government in [Country] protects all citizens against poverty*
9. *The government in [Country] takes measures to reduce differences in income levels*
10. *In [Country] the views of ordinary people prevail over the views of the political elite*
11. *In [Country] the will of the people cannot be stopped*

The higher the score of each variable, the more positively democracy's relevant aspect is evaluated. Therefore, the items discussed above can be regarded as proxy variables for measuring satisfaction with the relevant aspect of democracy. Following Ferrín and Kriesi (2016), questions 1, 2, and 7 fit neatly into the electoral dimension of democracy. Not only the elections should be free and fair, but also the selection of competing parties or candidates should enable voters to identify clear alternatives between their programmes and promises. The fairness of elections also implies that losers must leave the office if voted out by the people. Items 3, 4 and 6 embody the equality of everyone before the law and that no one can be arbitrarily and unjustly persecuted or deprived of their rights by authorities and politicians. The socioeconomic dimension of democracy is presented by items 8 and 9 on this list. Finally, items 5, 10, and 11 reiterate the general conception of democracy as 'power by the people', emphasizing the importance of referendums and the unacceptability of overriding plebiscitary decisions by political bodies such as the parliament or the executive. Scales for each of the four dimensions of democracy are constructed as average scores obtained from the respective items, and their internal consistency was checked by calculating the Cronbach alpha (0.72 for electoral; 0.69 for liberal; 0.87 for social; and 0.80 for direct as calculated from the ESS Round 10 data). All four scales exhibit alpha measures that are close to or surpass the minimal threshold of 0.70, indicating that they demonstrate an adequate level of internal consistency.

Factor variables

Hypotheses 1 – 7 necessitate the introduction of explanatory variables which are expected to affect the evaluations of democracy and its dimensions. The definition of political efficacy as feeling that individual action can have an impact on the political process is borrowed from the seminal work of Campbell et al. (1954). According to Seligson (1980), political efficacy can be split into external and internal aspects. External political efficacy refers to the political system's responsiveness to citizen political participation. It can thus be operationalized by a summated index created from ESS Round 10 questionnaire items: *How much would you say the political system in [country] allows people like you to have a say in what the government does?* and *How much would you say that the political system in [country] allows people like you to have an influence on politics?* Both indicators are measured on a five-rank scale from 1 (not at all) to 5 (a great deal). The Cronbach alpha measure for the external political efficacy index is 0.80, indicating good internal consistency. Similarly, internal political efficacy represents the citizen's self-assessment of his/her ability to influence political decisions and can be empirically represented by another two items: *How able do you think you are to take an active role in a group involved with political issues?* and *How confident are you in your own ability to participate in politics?* Likewise, the response options for these items range from 1 (not at all) to 5 (completely). The Cronbach alpha measure for the internal political efficacy index is 0.81, indicating good internal consistency.

Evaluation of health services and education is measured by two single indicators for each attitude, namely: *What do you think overall about the state of health services in [country] nowadays?* and *What do you think overall about the state of education in [country] nowadays?* The response scale is interval, ranging from 0 (extremely bad) to 10 (extremely good).

The Covid-19 outbreak has sparked conspiracy theories surrounding the origin of the virus and the hidden motives of those believed to be responsible for initiating the pandemic. In accordance with Mari et al. (2022: 279), conspiracy theories are characterised as the tendency to ascribe notable political and societal events to a clandestine and powerful group's malevolent plot, aimed at accomplishing a particular objective by intentionally deceiving the general public. This belief can be assessed using three statements from the ESS questionnaire, which are rated on a five-point scale (1 – strongly agree, 5 – strongly disagree; lower numbers indicate a stronger belief in a conspiracy). The statements are: *A small secret group of people is responsible for making all major decisions in world politics*; *Groups of scientists manipulate, fabricate, or suppress evidence in order to deceive the public*; and *Coronavirus is the result of deliberate and concealed efforts of some government or organization*. For data reduction purposes, these items are pooled into an aggregated index rather than used as separate explanatory variables. The Cronbach alpha measure for the derived conspiracy index is 0.79 , as calculated from the ESS R10 data.

Hypotheses 6 and 7 incorporate country-level measures, positing that political rights, as operationalized and measured by Freedom House, would moderate the impact of external political efficacy on evaluations of democracy, and that civil liberties would enhance a similar effect of internal political efficacy. Therefore, these country-level variables are included in the analysis both as separate factors and as cross-level interaction terms with the respective type of political efficacy.

Control variables

The impact of factor variables should be controlled for measures that have been extensively studied in previous research, including measures of trust (social and political) as well as key demographic variables. In plain terms, social trust can be defined as "the belief that others will not deliberately or knowingly do us harm, if they can avoid it, and will look after our interests, if this is possible" (Newton, 2007: 343). Social trust is operationalized as an index of three ESS items: *Would you say that most people can be trusted, or that you can't be too careful in dealing with people? Do you think that most people would try to take advantage of you if they got the chance, or would they try to be fair?* and *Would you say that most of the time people try to be helpful or that they are mostly looking out for themselves*? The internal consistency for the social trust items, measured by Cronbach's alpha, is 0.80 as calculated from the ESS Round 10 data. Another important measure to include is the political trust, defined by Citrin and Muste (1999: 465) as "confidence that authorities will observe the rules of the game and serve the general interest." Following the established practice (cf. Reher 2020; Vilhelmsdóttir 2020), the political trust index is formed from the ESS questionnaire items measuring trust in the country's parliament, politicians, and political parties. The original trust items are measured on an 11-point scale from 0 (no trust at all) to 10 (complete trust). The Cronbach alpha measure for the derived index of political trust is 0.91. Finally, respondents' gender, age, education, and the subjective perception of their household income are added as control variables.

Findings

Descriptive indicators

One can see considerable variations among countries in scores for all four democratic dimensions (Table 2). The electoral aspect features the largest range, from almost 8 in Finland to 3.5 in Bulgaria (difference[2] equal to 4.47 and a cross-country standard deviation[3] 1.03). The second largest contrast is observable in the direct democracy dimension, from 6.5 in Switzerland to 2.29 in Bulgaria (diff. = 4.01, ccsd = 0.93), followed by social democracy with Finland (6.5) on top and Bulgaria (2.29) at the bottom (diff. = 4.21, ccsd = 0.93) and liberal democracy with Norway (6.3) as champion and Poland (4.38) at the lowest point (diff. = 3.6, ccsd = 0.93). Two Nordic countries, Finland and Norway, occupy the top in most dimensions, and it is by no means surprising that Switzerland, renowned for its tradition of referendums, ranks highest in direct democracy. This descriptive review serves as a supplementary justification for selecting a clustered, multilevel model due to the significant variation in the values of outcome variables across different countries.

2 Diff. for short.
3 Ccsd for short.

Table 2. Dimensions of Democracy: Countries' Mean Rankings

Country	Electoral	Liberal	Social	Direct
Austria	6.69	6.84	5.03	4.23
Belgium	6.03	6.41	4.9	4.09
Bulgaria	3.5	4.41	2.29	2.29
Croatia	4.64	5.18	2.97	3.51
Cyprus	4.72	5.14	3.13	3.27
Czechia	5.89	6.67	5.04	5.22
Estonia	5.87	6.41	4.2	4.34
Finland	7.97	7.83	6.3	5.94
France	5.77	5.57	4.34	3.72
Germany	6.54	7.05	4.63	3.92
Greece	6.15	5.65	3.86	3.85
Hungary	5.24	5.52	4.14	4.68
Iceland	6.45	6.76	4.28	4.67
Ireland	6.52	6.59	5.16	6.07
Israel	5.21	5.42	3.64	3.93
Italy	4.68	4.99	4.23	3.83
Latvia	4.8	5.48	3.43	4
Lithuania	5.5	5.73	4.23	4.18
Montenegro	4.58	5.05	4.21	4.49
Netherlands	6.77	7.26	5.12	4.75
North Macedonia	5.17	5.23	3.14	3.76
Norway	7.73	7.98	6.04	6.27
Poland	5	4.38	4.37	3.32
Portugal	5.73	5.1	3.48	4.01
Serbia	4.22	4.97	3.8	4.17
Slovakia	6.08	5.5	3.62	4.34
Slovenia	5.8	5.72	3.9	4.59
Spain	6.09	5.24	4.19	3.75
Sweden	6.93	7.16	5.33	5.19
Switzerland	7.32	7.35	6.03	6.5
United Kingdom	6.61	6.82	4.69	5.29
N	55314	56021	57242	55017

Entries are mean rankings for dimensions of democracy, calculated as averages from the respective ESS Round 10 questionnaire items.
Data are weighted according to the *Guide to Using Weights and Sample Design Indicators with ESS Data* (Kaminska, 2020).[4]

4 https://www.europeansocialsurvey.org/sites/default/files/2023-06/ESS_weighting_data_1_1.pdf

Also, there is a considerable variation among countries in their levels of political rights and civil liberties. Scandinavian countries and the Netherlands occupy the top positions in both ratings, while Western Balkan nations like Montenegro, North Macedonia, and Serbia show the lowest scores. For the sake of analysis, the FH scores were grand-mean centered before plugging them into regressions.

Table 3. Freedom House scores for political rights and civil liberties (2020)

	FH Political Rights score (2020)	FH Civil Liberties score (2020)
Austria	37	56
Belgium	39	57
Bulgaria	34	46
Croatia	36	49
Cyprus	38	56
Czech Republic	36	55
Estonia	38	56
Finland	40	60
France	38	52
Germany	39	55
Greece	37	51
Hungary	27	43
Iceland	37	57
Ireland	39	58
Israel	33	43
Italy	36	53
Latvia	37	52
Lithuania	38	53
Montenegro	22	40
Netherlands	40	59
North Macedonia	24	39
Norway	40	60
Poland	35	49
Portugal	39	57
Serbia	23	43
Slovakia	36	52
Slovenia	39	55
Spain	38	54
Sweden	40	60
Switzerland	39	57
United Kingdom	39	55

Multilevel regression results

Table 4 presents the results of the multilevel random-intercept model with evaluation of various dimensions of democracy namely electoral, liberal, social, and direct. They include cross-level interactions between the measures of political efficacy and the Freedom House scores for political rights and civil liberties. Demographic variables, as well as social and political trust, are controlled as well.

Table 4. Multilevel regression results for electoral, liberal, social, and direct democracy

Factor	Electoral	Liberal	Social	Direct
Gender: female	-0.127*	-0.268*	-0.112*	*0.012*
Age	0.019*	0.020*	*0.006*	*-0.006*
Age squared	*0.000*	*0.000*	*0.000*	*0.000*
Higher education: yes	-0.199*	-0.087*	-0.244*	-0.456*
Household income: very difficult	reference category			
Household income: difficult	0.119*	*0.097*	0.333*	*0.075*
Household income: coping	0.160*	*0.149*	0.514*	*0.019*
Household income: comfortably	0.243*	0.284*	0.608*	*-0.033*
Social trust index	*0.016*	0.024*	*-0.014*	*-0.021*
Political trust index	0.274*	0.231*	0.299*	0.282*
Satisfaction: health services	0.083*	0.095*	0.104*	0.080*
Satisfaction: education	0.102*	0.107*	0.131*	0.121*
Conspiracy beliefs index	-0.200*	-0.216*	*0.044*	*0.009*
External political efficacy (EPE)	0.265*	0.259*	0.392*	0.520*
Internal political efficacy (IPE)	-0.096*	-0.069*	-0.103*	-0.190*
FH Political Rights index (FHPR)	*-0.074*	-0.118*	-0.145*	-0.172*
FH Civil Liberties index (FHCL)	0.181*	0.204*	0.207*	0.216*
EPE*FHPR interaction	-0.037*	-0.026*	-0.034*	-0.034*
IPE*FHCL interaction	0.014*	0.020*	*-0.005*	*-0.007*
Constant	5.824*	6.005*	3.941*	4.483*
Variance (constant)	0.505	0.441	0.385	0.528
Variance (residual)	2.976	3.158	4.929	3.924
ICC, full model	0.145	0.123	0.072	0.119
ICC, null model	0.201	0.185	0.120	0.142
N	44195	44484	45022	44010

Entries are multilevel linear regression coefficients (statistically significant at 0.05 level are marked with an asterisk *.)
Data source: European Social Survey, Round 10.

The most optimal way to discuss the results is to organize them according to the hypotheses set forth in the Introduction section. Hypothesis H1 is confirmed, as external political efficacy (EPE), measuring the belief in the responsiveness of political institutions, positively correlates with evaluations of democracy across all four dimensions. In contrast, Hypothesis H2 should be rejected, as internal political efficacy (IPE), representing the belief in one's capability for political participation, shows a negative association with evaluations of all four democratic aspects. This negative relationship suggests that feeling personally effective in political activities does not necessarily enhance overall satisfaction with democratic processes. Those who feel more politically competent may be more critical of the current state of democratic institutions, suggesting that higher levels of internal political efficacy might lead individuals to scrutinize and challenge the existing democratic structures more rigorously, therefore resulting in lower overall satisfaction with democracy.

Hypotheses H3 and H4 are confirmed, with satisfaction in health services and education positively affecting satisfaction with social democracy, highlighting the importance of public service satisfaction in democratic contentment. Moreover, the findings reveal that these two factors are also positively related to the other three dimensions of democracy—electoral, liberal, and direct. This underscores the broader impact of public service quality on overall democratic satisfaction.

Hypothesis H5 is partially confirmed, revealing mixed insights into the relationship between conspiracy beliefs and democratic satisfaction. Adherence to conspiracy theories is shown to be inversely related to satisfaction levels in electoral and liberal democracy dimensions. This implies that individuals who endorse conspiracy beliefs might harbor greater discontent with the functioning of electoral processes and liberal democratic principles. At the same time, the model does not unveil any significant relationship between conspiracy beliefs and satisfaction with social and direct democracy. This absence of correlation suggests that while conspiracy beliefs might impact certain facets of democratic evaluation, their influence may not extend uniformly across all dimensions of democratic governance.

Hypothesis H6 is rebutted by the findings through the revelation of a negative interaction between external political efficacy (EPE) and the Freedom House Political Rights index (FHPR). This outcome unveils a counterintuitive outcome wherein higher levels of political rights seem to diminish the positive influence of EPE on democratic evaluation. In other words, as the country-level state of political rights improves, the expectations and discernment of citizens tend to ascend, leading to a more critical appraisal of democratic processes. Finally, Hypothesis H7 receives partial affirmation, as evidenced by the positive interaction between internal political efficacy (IPE) and the Freedom House Civil Liberties index (FHCL), particularly in the realms of electoral and liberal democracy. This outcome suggests that heightened civil liberties amplify the constructive impact of IPE on the evaluation of these democratic dimensions, emphasizing the empowering effect of individual efficacy within contexts characterized by greater civil liberties. At the same time, this interaction fails to attain significance concerning social and direct democracy dimensions.

Conclusion

The exploration of democratic evaluation within this study contributes to an ongoing discourse on democracy, which has evolved over time. It also adds to the recognition that democracy is not a uniform concept but rather a multifaceted phenomenon, with interpretations varying across different contexts and periods. Scholars ranging from Dahl to Ferrín and Kriesi have proposed and delineated various dimensions of democracy. This culminated in the development of a set of European Social Survey (ESS) items capturing four main aspects of democracy, which demonstrate robust internal consistency and have been widely utilized in prior research. Studies within the European Social Survey framework, such as those by Hernández (2019), Quaranta (2016, 2018), and Heyne (2018), have also contributed to understanding citizens' beliefs and evaluations of democracy. These studies reveal the nuanced nature of democratic attitudes, challenging assumptions about public political sophistication while highlighting the influence of societal contexts on perceptions and evaluations of democracy. Furthermore, research by Pickel et al. (2016) and Christmann (2018) emphasizes the importance of integrating individual perspectives with macro-level measures to enhance the validity of democratic quality assessments. Following previous studies conducted by renowned academics like Inglehart (2003), Welzel and Inglehart (2008), and Diamond (2008), I integrated the Freedom House scores as country-level variables in my analysis as they provide informative insights into the broader context of democratic conditions by complementing individual-level survey data.

The findings of this study offer an examination of the varied landscape of democratic evaluation across different countries, contributing to our understanding of the complex nature of democracy and its diverse dimensions. Through the lens of Ferrín and Kriesi's framework, the study uncovers significant variations in the levels of democratic satisfaction, with Nordic countries emerging as frontrunners across multiple dimensions, while others, notably some countries in the Western Balkans and Eastern Europe, lag behind. One notable observation is the substantial variation in scores for all four dimensions of democracy, with the electoral aspect exhibiting the widest range. This variability reminds us of the complexity of democratic governance and reaffirms the need for detailed assessments that go beyond mere binary categorizations of states as democracies or non-democracies. Also, the observed disparities in levels of political rights and civil liberties among countries justify the inclusion of contextual factors in shaping democratic experiences and perceptions.

The study's findings also provide empirical support for several hypotheses offered in the introduction. For instance, the confirmation of Hypothesis 1, which posits a positive association between external political efficacy and democratic evaluation, echoes with previous research highlighting the role of citizen trust and confidence in political institutions. Conversely, the rejection of Hypothesis 2 challenges conventional assumptions regarding the relationship between internal political efficacy and democratic satisfaction, suggesting a more complex understanding of the factors influencing individual evaluations of democracy. However, the study also uncovers mixed insights regarding the relationship between conspiracy beliefs and democratic satisfaction, highlighting the need for further exploration of this phenomenon.

The findings highlight the dynamic relationship between external and internal political efficacy and satisfaction with democracy. I observe a positive association between external political efficacy and evaluations across various forms of democracy. However, this relationship is more pronounced in nations with higher levels of political rights. One possible explanation is that as political rights expand, citizens tend to become more discerning and critical, which may affect their satisfaction levels. Conversely, internal political efficacy shows a negative association with democratic evaluations, suggesting that individuals with a strong sense of efficacy may initially hold more critical views. This trend diminishes or even reverses in countries with greater civil liberties, implying that expanded civil liberties may foster confidence in citizens' ability to influence political processes, thus enhancing satisfaction with democracy. These findings suggest the need for further investigation into the connections between political efficacy, civil liberties, and democratic satisfaction, providing valuable venues for future research.

Every study has its limitations; hence numerous avenues remain to be explored by future research on democratic attitudes. For instance, it could examine the longitudinal dynamics of political efficacy and democratic satisfaction, investigating how these attitudes evolve over time in response to changes in political rights and civil liberties, by using ESS data from Rounds 6 and 10 or other robust datasets with relevant measures of the variables of interest. Furthermore, forthcoming studies could focus more on the relationship between political efficacy and other dimensions of democratic health, such as trust in government institutions and political participation, providing a more comprehensive understanding of the factors that contribute to a robust and resilient democratic system. Another limitation of this study is the assumption of a uniform relationship between internal political efficacy and satisfaction with democracy across countries. Future research could address this by employing a random-coefficient model to allow the effect of IPE to vary by country, capturing potential contextual differences such as political culture or historical experiences. Venturing into the realm of political values, one could explore the intersection between values such as tolerance, diversity, and inclusivity, as well as their interplay with political efficacy and the impact on democratic satisfaction. Last but not least, uncovering the role of populist attitudes in shaping satisfaction with democracy might offer insights into the underlying drivers of democratic discontent and political polarization, providing scholars and policymakers with a better understanding of the challenges posed by populist movements to the legitimacy and resilience of the democratic system.

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Jurijs Ņikišins

Potraga za demokratskom srećom: Koje dimenzije drže ključ?

Apstrakt

Većina Evropljana ceni život u zemlji kojom se upravlja prema demokratskim principima. Smatra se da su procena demokratije i zadovoljstvo njenim funkcionisanjem ključni za njenu održivost i efikasnost. Kada se ispitanicima postavi pitanje o važnosti određenih pokazatelja demokratije, kao što su slobodni i fer izbori, jednakost pred sudovima i sloboda štampe, većina njih im pridaje visok i uporediv nivo značaja. Međutim, opšti značaj demokratije i njenih dimenzija ne odražava nužno i opaženi kvalitet demokratije unutar određene države.

Kako bi se istražili faktori koji utiču na zadovoljstvo stanjem demokratije, uzimajući u obzir međudržavne razlike, sprovedena je regresiona analiza na više nivoa. U okviru nje se ispituje uticaj različitih faktora na četiri dimenzije demokratske procene—izbornu, liberalnu, socijalnu i direktnu—koristeći uporedne podatke iz 10. talasa Evropskog društvenog istraživanja (ESS), modula Razumevanja i procene demokratije. Rezultati ukazuju na značajne razlike među dimenzijama demokratije, pri čemu nordijske zemlje prednjače, dok neke zemlje Zapadnog Balkana i Istočne Evrope zaostaju. Takođe se ističu složeni odnosi između političke efikasnosti i procene demokratije, pokazujući pozitivnu povezanost sa spoljašnjom efikasnošću, naročito u zemljama sa višim političkim pravima, i negativnu povezanost sa unutrašnjom efikasnošću, koja slabi u kontekstu većih građanskih sloboda.

Ključne reči: demokratija, izbori, sudovi, slobodna štampa, Evropsko društveno istraživanje

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DEMOCRACY BEFORE THE COURT: DEMOCRACY AS A JUSTICIABLE CONCEPT IN THE EU

ABSTRACT
Democracy is a justiciable concept under EU law. Beyond identifying the EU as being a representative democracy, the EU treaties provide relatively little guidance of what democracy entails. The context is the contestedness of the concept of democracy, especially across 27 polities of the Member States of the EU, and the potentially extensive review of national constitutional orders that could result from the jurisdiction of the Court of Justice of the EU regarding Article 2 TEU (Treaty on European Union) as a statement of foundational values of the EU. This paper considers, in particular, how the concept of democracy interacts with the other values in Article 2, principally, the rule of law and respect for human rights. The jurisdiction of the Court of Justice under Article 2 highlights the problem of determining the relative importance and interaction of the fundamental values of the EU given their relative incommensurability, including the problems of i. relating democracy at national and supranational levels in the EU and of ii. the limits of democratic authority. It is argued that Article 2 should be understood as presenting a complex problem of the inter-relationship of values for which a method of reflective equilibrium and a threshold test are essential for their application as justiciable concepts. Applying this framework or approach, the final part considers some examples of national practices relating to democracy that could be considered contrary to the values of democracy in EU law and subject to jurisdiction under Articles 2 and 7 TEU: the lengthening of parliamentary terms, recall procedures, and militant democracy.

KEYWORDS
Democracy, justiciability, Court of Justice, human rights, rule of law, values, conflict of norms, conflict of values

Introduction

Although originally conceived in largely technocratic terms and subsequently subject to a critique for its own democratic deficit, the EU in more recent Treaty reforms has much more strongly articulated EU values in Article 2 TEU, including that of democracy, while introducing a new enforcement mechanism in Article 7 TEU. However, both democracy and the rule of law (Collier et al

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2006), two of the key values in Article 2, are to some extent contested concepts (Gallie 1956, Gray 1977, Swanton 1986, Beck 2008), a point illustrated in the EU by a continuing critique of its democratic deficit (notwithstanding defences of the EU on the grounds, for example, of output legitimacy) (e.g. Malinov 2021). This article considers how the Court of Justice of the EU or European Court of Justice (ECJ, "Court of Justice, or "the Court") should treat democracy as a justiciable concept in the context of its contestedness as a value. First, the article briefly considers the jurisdiction of the Court, to indicate its potentially considerable scope, including regarding the legal systems of the Member States themselves under Article 2 TEU. Given the limited guidance in the Treaties and in ECJ case law to date on the general meaning of democracy, the next part of this article first considers different theoretical conceptions, relatively abstract, of democracy (e.g. Held 2006). It is argued that defining democracy in a systematic way is necessary to understand, in particular, how the concept interacts with the other values in Article 2. Article 2 should be understood as presenting a complex problem of a conflict of values for which a method of reflective equilibrium is essential for applying these values as justiciable concepts.

Democracy and the Jurisdiction of the ECJ

It is important to distinguish two contexts of the exercise by the ECJ of its jurisdiction regarding democracy: (i) in an action *against an EU institution or body*, (ii) a case *against a Member State* relating to Article 2 TEU. In neither type of case has the Court engaged much with democracy in a general way to date. Article 2 TEU should first be identified as a statement of the foundational values of the EU. As such, it is one of the most important provisions of the EU Treaties. Article 2 states:

> The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article 7 TEU provides for a sanctioning procedure to be exercised ultimately through the European Council for violations by a Member State of EU values as set out in Article 2 TEU. Much more controversial would be the exercise of jurisdiction regarding Article 2 against the Member States, for example, under Articles 258-259 TFEU (Treaty on the Functioning of the European Union), under which the Commission brings an enforcement action against a Member State, or to the extent (which may be debated) that the Court of Justice has jurisdiction under Article 269 TEU on procedural grounds.[1] Limitations of space

1 Article 269 TFEU provides that the Court of Justice shall have jurisdiction to decide on the legality of an act adopted by the European Council or by the Council pursuant to Article 7 TEU solely at the request of the Member State concerned by a

mean the issue of jurisdiction cannot be considered in detail here, but this article is mainly concerned with the context of jurisdiction against the Member States, rather than jurisdiction against an EU institution or body.

Conceptions or Models and Cultures of Democracy

While the democratic principle has been widely accepted, different understandings of democracy are possible and are reflected in political practice (Held 2006). It may be helpful to distinguish between formal constitutional models of democratic government and 'cultures' of democracy. Democratic government can take several constitutional forms: republics, constitutional monarchies, mixed systems of direct and indirect democracy (such as Switzerland), presidential and parliamentary systems, systems based on parliamentary sovereignty versus systems of constitutional review. Direct methods of democracy emphasise direct participation of citizens in government versus reliance on representatives to act on citizens' behalf. Earlier in the 20th century, Loewenstein identified militant democracy as a dimension of democracy that may be necessary to defend the democratic principle, whereby the normal rights and freedom of participation in the democratic process are suspended for those who seek to use democratic means to undermine or suppress democracy itself (Loewenstein 1937). A consociationalist model has been developed for divided societies, whereby the majoritarian principle is substantially restricted to protect identified minorities (Lijphart 1979: 500–501). Within these constitutional forms, different emphasis can be placed on individual rights or autonomy. Liberal democracy is defined by the protection of individual rights and autonomy (or 'equal liberty') through the rule of law and often constitutional review, emphasising the idea of a limited State. A republican tradition of self-government did not recognise the notion of minority and individual rights against majority will (Held 2006: 55–56) that later emerged in liberal democracy. Socialist and corporatist models emphasise collective organisation through the State. Democracy can be more or less participatory and be seen in more technocratic (generally, Held 2006: 159–169; regarding the EU, e.g. Moravscik 2002, Scharpf 1999) and élitist terms (Schumpeter 1976). Participation and élitism are partly at least less relatable to formal structures and more relatable to the idea of democratic culture, i.e. the way in which citizens relate to democracy, or in other words, democratic behaviour. Recent thinking on democracy has emphasised the concept of deliberation for democracy to fulfil its function and potential, marked by the public contestation and justification of political views and reason as a fundamental to legitimate democratic discourse (e.g. Pettit 2001; Cohen 1989: 21–26; Gutmann, Thompson 1999: 167–169; Held 2006: 253; Chambers 2021: 107–108). Deliberative and procedural theories of democracy overlap substantially and both fall under liberal democracy, but procedural democracy

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determination of the European Council or of the Council and in respect solely of the procedural stipulations contained in that Article.

adopts a less ideal understanding of democratic decision-making and does not subject it to a principle of rationale discourse (Saffon, Urbinati 2013: 444). In contrast, epistemic accounts of democracy emphasise less its connection with rights and more its capacity to render decisions that are more truthful or accurate due to the large range of input in democratic process (e.g. Estlund 2008; and see Saffon, Urbinati 2013: 445–450).

This brief overview of a variety of approaches shows that an abstract notion of democracy is open to a wide range of interpretations and emphases, a point directly relevant to defining democracy in EU law.

Interpreting the term 'Democracy' as used in the Treaties

Democracy as a Principle of the Treaty

Understanding the meaning of democracy in EU law is firstly a matter of Treaty interpretation. While the Court of Justice has at times placed less emphasis on the need for explicit textual interpretation than is typical of international courts and has adopted a 'meta-teleological' (Lasser 2003: 46) or broadly purposive method that favours integration, the text of the EU Treaties says relatively little about democracy to facilitate a straightforward reading. The term has not been extensively interpreted in ECJ case law, though it has arisen in particular contexts, generally regarding its operation at EU level, and not concerning its practice at national level (Lenaerts 2014; Spieker 2023: 29-35). Article 2 TEU, which sets out the foundational values of the EU, does not refer to the value of integration, nor does it define democracy. To a greater or lesser extent, all of the values identified in the first sentence of Article 2 TEU fall within Gallie's category of essentially contested concepts. Such concepts are appraisive and are disputed in at least some aspects of their core meaning, while not being without any definable meaning or incapable of 'anchoring' to at least some degree. The question then is how to anchor democracy into EU law.

The first sentence of Article 2 is qualified by the next sentence in Article 2 itself, which states that "These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail". This sentence seems to suggest that the results or consequences of these values being shared are pluralism, non-discrimination, tolerance, justice, solidarity and gender equality – rather than the latter being additional values. To some extent, they repeat what is inherent in the EU Charter of Fundamental Rights, e.g. on equality and equal treatment. It may not seem obvious that they provide much of an interpretative gloss on the rest of the provision, but the first-listed of them can be understood as both an expression of the context of the EU as a union of diverse nations, as well as an indication of avoiding any absolutist interpretation of one or more elements of the first sentence in a way that would step outside of a shared core understanding of constitutional values in the EU. Article 2 must then also be related to other provisions of the Treaty. In particular, as a provision that seemingly is meant to characterise the EU and the Treaties overall, it is necessary to relate Article 2 to the objectives of the EU and the question of teleological or meta-teleological interpretation. Larik has suggested that the development of the EU beyond the initial treaties signals a move beyond any applicable notion of speciality in understanding the EU:

> Given that 'the new list focuses on non-economic goals to a far greater extent than the EC Treaty', a turn from predominantly economic goals to an overarching range of objectives is undeniable. In other words, there is no 'speciality' to the EU anymore according to its highest laws. This general set of goals continues to be complemented by numerous objectives related to specific policy areas and even sub-areas. These include, for example, the particular aims of environmental (Article 191(1) TFEU), energy (Article 194(1) TFEU) and foreign policy (Article 21 TEU). The latter is even further subdivided into different fields of external action with their own objectives, such as trade policy (Article 206 TFEU) or development cooperation (Article 208 TFEU).(references omitted) (Larik 2014: 945-946)

Here, speciality is used in the sense sometimes applied in international law to indicate the limited powers being granted to international organisations; it is important to note that this use of the term speciality is somewhat different or more particular to the more general role it plays in legal reasoning as a tool of reasoning mediating between more specific and more general provisions (Conway 212: 153–158). For Larik, given the thickening of the nature of the EU as a polity with the enlargement of its objectives and role and the development of constitutional features of which fundamental rights and the statement of values in Article 2 are of particular importance, the EU lacks speciality in the sense of limited or particular objectives associated with other international organisations, even if the EU is not either a State. It does not seem that this changes the role of teleological interpretation in Larik's view, albeit he does indicate that it should now be a basis for only a marginal extension of EU powers (Larik 2014: 938). However, Larik sees still a broader significance of the expression of values in Article 2:

> As observed earlier, after Lisbon, the values of the Union are also now placed before the objectives of the Union. The order of provisions, of course, has no bearing as such on their legal weight. Nonetheless, it symbolizes a paradigm shift from a legal entity that, in the first place, exists to strive for certain goals to one which, above all, expounds what it stands for. (Larik 2014: 951)

These values might then be understood as something already in place, rather than being open questions akin to the question of the *finalité* of integration. This understanding indicates why Article 2 cannot be readily related to a pro-integration teleology: they are not there to enhance something else, rather they exist in themselves.

An initial point to note is that Article 2 in referring to democracy could be considered a global provision: that it is meant to inform the entirety of EU law, both democracy at EU level and at national level. A particular feature of Article 2 is that it is about the only provision of EU law that applies outside of EU competences. An important indication as to what democracy should be understood to mean is given in Article 2 itself. Article 2 states that the EU values it identifies are 'common to the Member States'. This has been understood as a 'homogeneity clause' articulating a 'commonality of values, the very essence of which is to be protected' (Besselink 2017: 129; also, Mangiameli 2014). This counts against an understanding of democracy in the EU that is different from that in the Member States generally. In other words, it points against a *sui generis* characterisation sometimes used to distinguish the EU from other international law organisations, being applied in the context of interpreting Article 2 values. This is not to say that democracy at EU level has no specific features compared to democracy at national level, rather it suggests that there is a shared, *core* concept of democracy. As Von Bogdandy notes, homogeneity here should not be understood as a homogeneity clause similar to Article 28 German Basic Law or Article IV Sec. 4 and Articles XIII to XV of the US Constitution to force the constitutional autonomy of the Member States "into a far too narrow corridor, thereby contravening European constitutional pluralism" (Von Bogdandy 2020: 732).[2]

Other provisions of the Treaty, which are mainly concerned with democracy at the EU rather than at the national level, can then be understood as elaborating on this core idea of democracy. Article 10 TEU is the most important provision in that it defines the EU as being a 'representative democracy.' This term is not explicitly defined, but is widely understood in political thought to be distinguishable from direct democracy – or government primarily by referenda or direct consultation with the people or electorate, and this is indicated in the very next sentence stating that citizens are directly represented in the European Parliament. Representatives 'stand for' those who elect them (Pitkin 1977; Plotke 1997). To what extent representatives act as delegates or trustees is one of the unresolved or variable features of democracy (Pitkin 1977: 146–167) and one that reflects democratic culture much more than the framework of legal regulation. [3]

Article 11 TEU is on participatory democracy. The relationship between Articles 10 and 11 could be seen as unclear in that the extent of citizen participation is not really specified (Kutay 2015: 804–804), but Article 11 seems to supplement the fundamental principle of democracy *at EU level* as representation with practices of ongoing citizen participation in the political process (and e.g. not just voting for representatives in elections). At the national level,

2 Article 28 of the German Basic Law or *Grundgesetz* states that the constitutional order in the Länder must conform to the principles of a republican, democratic and social state governed by the rule of law within the meaning of the Basic Law, meaning the *Länder* are subject to the constitutional framework of the federal Constitution. Amendments XIII-XV of the US Constitution set limits to the power of the individual States.
3 Often related to Edmund Burke's concept of parliamentarians as a kind of trustee of the electorate in his speech to the electors of Bristol, 3rd November 1774.

for the Member States, the Treaties themselves say very little about democracy. The main provision is the first paragraph of Article 10 TEU and the concept of 'representative democracy', which applies on its face to both national and EU levels. Article 10(2) is the other main provision on democracy at national level. It states that Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national Parliaments, or to their citizens. This implies necessarily a recognition of national democracies as polities in their own right and not simply as subsumed within a European polity, i.e. it seems to implicitly recognise a national *demos*. EU law thus requires that national governments be democratically accountable either to their national Parliaments or to their citizens, but it does not specify any form of relationship between the executive and parliament, for example. At a minimum, and as a matter of understanding the competences of the EU in the matter, this only seems to require at national level that regular elections be free and fair (and therefore secret) and entail universal suffrage, terminology often used in this context and perhaps surprisingly that has not been used in the Treaties regarding democracy at national level.[4]

Accountability is a broad concept, but in Article 10 TEU seems clearly related to the electoral process. It is not obvious from the text that concepts such as freedom of speech or expression and of assembly are directly engaged by democracy as a term in the Treaties, even though these rights are widely seen as essential to effective democracy. As a matter of Treaty interpretation, it seems more appropriate to subsume them under the phrase 'respect for human rights' in Article 2: while they are essential for effective democracy, they have a wider scope and significance also. Sadurski observes that "[r]epresentative democracy, at its best, offers scope and opportunities for representatives of the people to listen carefully to each other, and allows them to be convinced by an argument employed by their adversaries" (Sadurski 2021: p. 197). Sadurski well describes the outline institutional conditions of a well-functioning representative democracy as follows:

> At the deliberation stage, we need to have institutions in place which assure true freedom of expression, of assembly, of association, etc. These rights and freedoms are necessary for deliberation to be truly authentic, unconstrained, and unaffected (or at least not affected too dramatically) by the disparities in resources of social power. Not just the absence of censorship or prior restraint (in other words, not just the Hyde Park model of freedom of speech), but also forms of equalising access to public media may be considered as essential. There should also be precautions against the various forms of silencing dissident,

4 Article 14(3) TEU states that the members of the European Parliament shall be elected every five years by direct universal suffrage in a free and secret ballot. Article 3 of Protocol 1 of the European Convention on Human Rights (ECHR) states: 'Everyone has the right to elect the government of his/her country by secret vote. Without this right there can be no free and fair elections.' See also Article 223 TFEU. On universal and secret suffrage, see Kelsen 1951:5.

> unpopular, or minoritarian points of view. If some people are too harassed or intimidated to make their viewpoints known in public, deliberation is reduced, and so is equality of political opportunities.(Sadurski 2021: 196)[5]

Even more broadly, it might be said that the conditions under which democratic accountability can be exercised well range from good education to the psychological well-being of society in being able to exercise freedom to vote in a careful and reflective way: the justiciability before courts of democracy cannot extend to all its enabling conditions, since these reflect the conditions of society overall. Rather, the justiciability of the concept of democracy specifically relates to the immediate procedures of democracy: the procedures of citizens' voting and the conditions and procedures under which representatives exercise their representative function. Centrally, it also includes respect for minority rights, as Sadurski depicted above and which reflects a concept of liberal democracy. Even on the view that courts can enhance representation in the democratic process (Ely 1980), they can do relatively little to address the quality of the process and of democratic participation after the point at which representation is legally instituted. The culture of a democracy cannot be reduced to legal rules and made justiciable.

Democracy and Other Values

Introductory Comments

Whether or not Article 2 is justiciable by itself or in conjunction only with other Treaty provisions,[6] the concept of democracy in Article 2 and the Treaties generally cannot be understood purely in isolation from the other values in Article 2. Democracy itself attains its constitutional status through legal recognition (Gutmann & Thompson 2002: 156; Nyirkos 2018: 9, 18). Laws in general are subject to majority approval, a procedure that must be regulated. The limits on fundamental rights are partly determined with reference to the needs of a democratic society. The rule of law is concerned with restricting arbitrary power (Krygier: 407), whether this power is democratically grounded or not (Krygier: 413-414). It is today quite commonplace to view democracy, the rule of law and human rights as necessarily interlinked. This is the view

5 This could be considered as a statement of deliberative democracy. Sadurski emphasises, in intrinsic terms, equality of opportunity.

6 The Court has generally applied it in conjunction with other Treaty provisions giving it specific expression: see, e.g. "According to the principle of representative democracy enshrined in Article 10(1) TEU—'which gives concrete form to the value of democracy referred to in Article 2 TEU'…—the European Parliament's composition must 'reflect faithfully and completely the free expression of choices made by the citizens'", in Case C-502/19 *Junqueras Vies*, para 83; and on the rule of law, Case C-157/21, *Poland v. Parliament and Council*, para. 197, where it applied Article 2 in conjunction with Article 19(1)(itself a quite general provision on the role of the ECJ to ensure the law is observed and effective remedies at national level).

adopted by the EU legislature, which also observes that there is no hierarchy between them, or at least that this is so in Article 2 TEU.[7] Although Article 2 is silent on the question of hierarchy or priority between values, the relationship between these values matters because it points to a central problem of democratic theory: the limits on majority power. One of the central rationales for the rule of law and respect for human rights, in conjunction with democracy, can be understood as a type of regulation of majority power.

The draft Treaty Establishing a Constitution for Europe quoted Thucydides that 'Our Constitution ... is called a democracy because power is in the hands not of a minority but of the greatest number.'[8] More can and should be said about democracy, however, than that it is about majority rule. Perhaps the most fundamental interpretative challenge posed by Articles 2 TEU is how to relate the values in Article 2 to each other. Article 2 can be seen as a classic problem of a potential conflict of norms; rather than more prosaic norms, it is a conflict of norms of constitutional standing. Several features of this clause generate indeterminacy and the potential for norm conflict: the concepts referred to are all abstract or equally general (or none are more specific than the other), they are comprehensive in that they purport to apply across the full range of EU law and not in mutually exclusive areas, and no priority of importance is identified between them. The problem of incommensurability in legal reasoning (Sunstein 1994: 851–853; Aarnio, Peczenik 1996: 324) is found to a high degree in Article 2. An effect of the first of these two features is that no rule of prince of *lex specialis* can resolve problems of conflicts between them; an effect of the third feature is that *lex superior* is not a solution, but part of the problem to be addressed. In addition, they are all enacted simultaneously, meaning that a simple rule of *lex posterior* is of no use to resolving conflicts between them.

Of the six concepts or values referred to in Article 2, democracy, equality, the rule of law and respect for human rights seem the most justiciable.[9] Equality, however, is inherent in the rule of law and respect for human rights (especially given the importance of non-discrimination in the CFR) and so does not seem to have self-evident justiciable content separately to them, rather it can be seen as an underpinning normative aspiration. Similarly, dignity and solidarity as general values do not seem to have an evident independent justiciable content under Article 2 TEU. Dignity is reflected in the values of democracy, the rule of law, and human rights. Similarly, solidarity has importance as an ideal, as

7 The EU legislature has adopted this view. Recital 6 of Regulation (EU, Euratom) 2020/2092: "While there is no hierarchy among Union values, respect for the rule of law is essential for the protection of the other fundamental values on which the Union is founded, such as freedom, democracy, equality and respect for human rights. Respect for the rule of law is intrinsically linked to respect for democracy and for fundamental rights."
8 Pericles' Funeral Oration, Thucydides II, 37.
9 Given the reference to minority rights in Article 2, the relationship between individual and minority rights also falls within its justiciable scope, but this is beyond the scope of the present discussion. On minority rights, see generally, e.g. Benvenisti (1999); Hadden (2000); Dothan (2018: 402–204 and further references therein).

a general or transversal value, but is not easily translatable itself as a justiciable norm, although it is referred to in other parts of the Treaty where it may have more specific content (such as a duty to take into account the interests of other Member States or to take preventive measures).[10] Relative to democracy, solidarity has an important normative implication, in that it points to the avoidance of democracy being dominated by individual or factional self-interest (Held 2006: 82–86), instead pointing to the need for a civic or political culture alert to the broader social and political good: but this neither seems readily translatable as a legal norm separately to democracy itself. Thus, the key elements of Article 2 – from the perspective of justiciability – seem to be democracy, the rule of law, and respect for human rights.

Their interrelationship raises some of the most intractable challenges of political philosophy. As Habermas expressed it:

> To be sure, political philosophy has never really been able to strike a balance between popular sovereignty and human rights, or between the "freedom of the ancients" and the "freedom of the moderns." The political autonomy of citizens is supposed to be embodied in the self-organization of a community that gives itself its laws through the sovereign will of the people. The private autonomy of citizens, on the other hand, is supposed to take the form of basic rights that guarantee the anonymous rule of law. Once the issue is set up in this way, either idea can be upheld only at the expense of the other. The intuitively plausible co-originality of both ideas falls by the wayside. (Habermas 2006: 258)

The conceptual problem is how to conceive of the relationship between democracy and other fundamental – constitutional – values of the EU. Spieker observes that while the elements of Article 2 TEU can be regrouped under the banners of democracy, the rule of law, and fundamental rights, there are no abstract hierarchies between them, and they are, in the words of Jürgen Habermas, 'co-original' (Spieker 2023: 251, citing Habermas 1995: 12).

This suggests that all of the values Article 2 expresses have the same normative standing. To use Alexy's terminology, they are all to be 'optimised' given the range of factual possibilities (Alexy 2010). The classic problem of modern political philosophy highlighted by Habermas above could be taken to be answered by *the conjunction of values* in the text: Article 2 entrenches the EU as a liberal democracy that respects both the rule of law and fundamental rights, as the latter are elaborated in the EU Charter of Fundamental Rights (2001). The theoretical question of which comes first, or grounds the other, is avoided by their simultaneous recognition in Article 2. In saying that democracy and rights are co-original, Habermas resists the notion that rights are external restraints on the democratic process, while at the same time suggesting that democracy can only take effect through the medium of law:

10 See, e.g. Articles 60 (policies on border checks, asylum and immigration), 122 (on economic difficulties), 194 TFEU (on energy), 222 ('solidarity clause' on a terrorist attack or the victim of a natural or man-made disaster).

> However well-grounded human rights are, they may not be paternalistically foisted, as it were, on a sovereign. Indeed, the idea of citizens' legal autonomy demands that the addressees of law be able to understand themselves at the same time as its authors. It would contradict this idea if the democratic legislator were to discover human rights as though they were (pre-existing) moral facts that one merely needs to enact as positive law. At the same time, one must also not forget that when citizens occupy the role of co-legislators they are no longer free to choose the medium in which alone they can realize their autonomy. They participate in legislation only as legal subjects; it is no longer in their power to decide which language they will make use of. The democratic idea of self-legislation must acquire its validity in the medium of law itself. (Habermas 2006: 260)

The limitations Habermas sees (on democracy) in this passage are not that these or such rights pre-exist the legislature, but that when recognising rights, the legislature is constrained itself by the requirement to act through law. In other words, the rule of law constrains or conditions democracy. This condition may not fully reflect implicit constitutional practice in countries that adopt 'eternal guarantee' clauses that restrict what even future majorities will do. Eternal guarantee clauses engage the claim of co-originality of rights and democracy and the question of what the majority can do in defining rights. Article 79(3) of the German Basic Law is an example: it states amendments to the Basic Law affecting the division of the Federation into *Länder*, their participation in principle in the legislative process, or the principles laid down in Articles 1 and 20 shall be inadmissible. Article 1 refers to human dignity, human rights and the legally binding force of basic rights. By restricting what future majorities can do, an eternal guarantee clause does not conceive of the substantive principles it protects as co-original with the democratic power of the people; the substantive principles protected logically must have some prior and higher normative standing.[11]

The EU Treaties have no equivalent 'eternal guarantee'. However, different understandings are possible of the relationship between democracy and other constitutional values, left open by Article 2 TEU. One perspective is that democracy itself inheres in it certain values beyond a basic principle of procedural or aggregative majoritarianism. While it is now widely accepted that democracy takes effect by means of the rule of law, history tends to demonstrate that the mere mechanism of legality does not necessarily protect minority rights (while it does ensure a minimal requirement of consistency or equality before the law[12]). Habermas depicts the relationship between democracy and the rule of law in the following:

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11 Article 146 of the Basic Law provides that the German people may replace it through a freely adopted constitution, though it is not clear to what extent this envisages replacing the content of Article 79 (1).

12 Gutmann and Thompson (1999: 158–160, 174) emphasise reciprocity as a core principle of democracy as being both procedural and substantive. The substantive dimension to it can be understood as entailing equality.

> According to this demand, positively enacted law should guarantee the autonomy of all legal persons equally; and the democratic procedure of legislation should in turn satisfy this demand. In this way, an internal relation is established between the coercibility and changeability of positive law on the one hand, and a mode of lawmaking that engenders legitimacy on the other. Hence, from a normative perspective there is a conceptual or internal relation – and not simply a historically accidental relation – between law and democracy, between legal theory and democratic theory. (2006: 254)[13]

Habermas's substantive understanding of the rule of law sees it as necessarily securing individual autonomy and therefore rights (a 'thick' conception of the rule of law[14]). Another view is that it is conceptually clearer to distinguish the minimum or core content of the rule of law from a substantive account of rights, though Habermas' depiction of it captures that it has become closely associated in Western thought and practice with the liberal democratic State. In the context of Article 2, the concept of individual rights is already accommodated by reference to respect for human rights. Whether one considers such rights as best understood as a category of themselves in Article 2, or as inherent in the rule of law, as per Habermas, it might be considered that the acknowledgment of rights in Article 2 is an answer to the age-old problem of the tyranny of the majority: not only must democracy be effective through legal rules, but these rules have specific substantive content, it might be thought, in the form of the highly enumerated catalogue of rights in the EU Charter of Rights. However, rights are considerably less determined in their scope than popular discourse may suggest: they are necessarily general in their formulation, are subject to equally general derogation clauses, and frequently conflict with each other in ways that Bills of Rights texts in themselves do not resolve (Fiss 1982; Hadden 2000; Frändberg 2018: 195–199). It is true that the EU Charter is relatively enumerated compared to other Bills of Rights, such as the ECHR, and its interpretation is supported by the explanations of the signatory States appended to it at its adoption and referred to in Article 6 TEU as an interpretative guide, but even this does not resolve the tension over the definition of rights and majority preference. This general question was well captured by Kelsen in the following:

> To be sure, the modern concept of democracy prevailing in Western civilization is not quite identical with the original, the antique, concept, insofar as the latter has been modified by political liberalism, the tendency of which is to restrict the power of government in the interest of the freedom of the individual. ... It is of importance to be aware that the principle of democracy and that of liberalism are not identical, that there exists even a certain antagonism

13 Recently, Landwehr, and Schäfer (2010) relate democracy, beyond its procedural character, to the values of individual (and collective) liberty, equality of citizens, and rationality.

14 Conceiving of a thick or substantive form of the rule of law, see Tamanaha (2004: 114–122).

> between them. For according to the principle of democracy the power of the people is unrestricted, or as the French Declaration of the Rights of Men and Citizens formulates it: "The principle of all sovereignty resides essentially in the nation." This is the idea of the sovereignty of the people. Liberalism, however, means restriction of governmental power, whatever form the government may assume. It means also restriction of democratic power. Hence, democracy is essentially a government by the people. The procedural element remains in the foreground, the liberal element – as a particular content of the social order – being of secondary importance. (Kelsen 1955: 3–4)

In the EU, democracy co-exists with fundamental rights, and it thus does reflect the concept of liberal democracy and does not seem to place the liberal element in second place as Kelsen suggests in the above quote. The 'tyranny of the majority' problem in the modern era has been most directly addressed by the notion of a constitutional State that entrenches constitutional rights against the vicissitudes of temporary majorities, of which Article 2 might be considered an example. However, this does not fully resolve the question of the majoritarian limits of rights in a democracy, a point discussed next.

Majoritarian Limitations on Rights

What are the limits to what the majority can impose on the minority? In itself, a constitutional conjunction of democracy, rights, and the rule of law arguably does not necessarily answer this question. Habermas proposed theoretical path out of this problem is that of a discourse principle or proceduralist conception of law:

> According to this conception, the democratic process must secure private and public autonomy at the same time: the individual rights that are meant to guarantee to women the autonomy to pursue their lives in the private sphere cannot even be adequately formulated unless the affected persons themselves first articulate and justify in public debate those aspects that are relevant to equal or unequal treatment in typical cases. The private autonomy of equally entitled citizens can be secured only insofar as citizens actively exercise their civic autonomy. (Habermas 2006: 264)

This suggests that acceptance of democracy supports acceptance of related rights. Applied to Article 2 TEU, this approach would suggest that only those rights inherent in the democratic process itself, a narrower category than the catalogue in the Charter, are guaranteed in any democracy on the basis that every citizen must enjoy them as inherent in the democratic principle. But while this seems to elaborate on premises of democracy that a mere reference to the majority view fails to articulate, it does not seem to resolve the problem of the ultimate source of normative value in politics that underpins the discourse principle (that is, the normative status of participants in democratic discourse seems to have to exist prior to the institution of democracy) and what implications this has for other rights beyond those inherent in democratic procedure.[15] This is central to the problem of the limits of majority rule in a democracy: it points to a limit to what the majority can do to violate the autonomy of individuals or minorities, including in defining the limits in law to rights. But what are these limits, and how can the Court of Justice adjudicate on them regarding Article 2? To what extent or in what way can democracy and the rule of law in Article 2 be seen as values that tilt the balance in favour of majoritarianism and legality, i.e. the legal enactment of majoritarian views, against any competing rights claim that might be arguable also under Article 2?

Neither the ECHR nor the EU Charter fully address this question. Many of the formulations of rights in the ECHR invoke democracy by stating that one of the requirements of legitimate limitations on rights includes what is necessary in a democracy. In so far as democracy itself is conceived as a right,[16] majority rule versus minority rights is itself a clash of rights, a problem that cannot be resolved based on Article 2 alone. The general requirement in Article 52 of the Charter[17] that limitations on rights be proportionate to legitimate objectives is itself a very open-ended formulation susceptible to different

15 Some theorists argue that democracy needs to be understood in both substantive and proceduralist terms, though without necessarily supposing substantive rights are prior to democracy: Gutmann, Thompson 1998; Gutmann, Thompson 2002; Saffon, Urbinati 2013; Chambers 2021: 111–112. A normative position on the status of people seems supposed in the democratic method of according equal weight to each person's vote (even in a restrictive or non-universal suffrage), and even on normatively thinner accounts of democracy that do not link it to rights (for example, Schumpeter or Estlund). Popular discourse in the West tends to assume democracy is a right, but there is less support for this view than might be thought in academic discussion, and at least democracy might not be considered amongst the most basic or fundamental of rights. However, if democracy is not understood as a right, it is still widely associated with certain normative interests, principally equality and autonomy. Bobbio appeared to consider that democracy necessarily implied a framework of related rights protection: I do not think it is possible for a non-liberal democracy to exist next to a liberal one. Due to the intrinsic connection that I see between liberty as absence of impediments and liberty as autonomy, whenever I mention 'liberal democracy' I mean to refer to what I see as the only possible form of democracy. Unqualified democracy, especially when it is meant as 'non-liberal democracy', is only nominally a democracy, in my view. (Bobbio 1955: 177–178, quoted in Rgazonni 2022: 287).

This question is raised also in the 'Böckenförde Paradox', namely that the liberal, secularized state lives on the basis of assumptions that it itself cannot guarantee in that i liberal state it can endure only if the freedom it bestows on its citizens is supported by an interior moral regulation and a certain homogeneity of society at large (Böckenförde 2020: 152–167). However, Böckenförde's formulation of a necessary link between liberal constitutionalism and values appears to be cast in essentially empirical rather than normative terms.

16 Ibid.

17 Any limitation on the exercise of the rights and freedoms recognised by this Charter must be provided for by law and respect the essence of those rights and freedoms. Subject to the principle of proportionality, limitations may be made only if they are necessary and genuinely meet objectives of general interest recognised by the Union or the need to protect the rights and freedoms of others.

interpretations as to how far limitations can go. It is more broadly framed than the standard derogation clauses in the ECHR. For example, Article 10(2) ECHR on freedom of expression states:

> The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.[18]

This is more specific than Article 52 of the Charter in enumerating grounds of restriction, including 'as necessary in a democratic society'[19] being applicable to any restriction, which is omitted in the CFR. The CFR addresses this indirectly, by incorporating the ECHR approach, in its accompanying Explanations: 'the legislator, in laying down limitations to those rights [in the Charter], must comply with the same standards as are fixed by the detailed limitation arrangements laid down in the ECHR'. This indirect formulation in the EU Charter may have served to avoid the issue of having to distinguish between democracy at Member State level and EU level, side-stepping the difficult questions of how to define an EU-wide *demos* (Weiler 1995) and to what extent democracy here admits autonomous democratic decisions at national level. In addition, the formulation in the EU Charter extends the list of grounds of restriction to a vague criterion of what is considered 'in the general interest'. In other words, EU law is arguably (even) more ambivalent or silent on the problem of majoritarian overreach than is the ECHR.

As the general clause on limiting the Charter rights, Article 52 provides that limitations are 'subject to the principle of proportionality'. Proportionality has been widely adopted as a standard of rights adjudication, but it has also been widely critiqued as indeterminate to the extent it purports to be a means to resolve conflict between incommensurable values, even by those who favour its use in adjudication (Letsas 2006: 714; Möller 2012; Huscroft et al. 2014). The public wearing or expression of religious symbols is an example that shows clear differences across European countries. In particular, the prohibition in France on wearing certain traditional Islamic dress-types is not found in other countries. How far can such a prohibition be extended to other types of public religious expression? Is this solely to be determined by majority decision? The French approach can be placed in context of a country that generally accepts

18 The European Court of Human Rights has referred to pluralism, tolerance and broadmindedness as being inherent in a democratic society, in the context of Article 10 ECHR, but these terms are hardly less abstract or more specific than the term democracy itself. See, e.g. *Handyside*, para. 49.

19 There is no further explanation in the text of what 'necessary in a democratic society' may involve (Hadden 2000: 79).

and protects religious freedom; it is a grounding of the principle of *laïcité* within a general context of rights recognition.

Reflective Equilibrium in Value Application

These unresolved tensions in Article 2 and in the framework of EU law point to the need for a method of reflective equilibrium, a term first used by Rawls, in determining majoritarian limits on rights under Article TEU and Article 52 CFR. This method avoids the unrooted or dis-moored abstraction of Article 2 (even taken with the Charter) when disconnected from the constitutional practice and norms of the EU Member States as a plurality of constitutional orders. Rawls' account of political liberalism seeks to explain in effect a constitutional framework of a liberal State given the characteristic pluralism of modern society, a pluralism acknowledged in Article 2 TEU. His method itself indicates that simple majoritarianism is not the measure of justice, while equally he did not claim to offer a purely abstract conception of politics, but acknowledged that it was grounded also in the background experience of Western practice in the construction of limited government that acknowledged individual rights and freedoms. This is best reflected in his articulation of the concept of reflective equilibrium (Rawls 2010: 19-21, 49), his rejection of purely an *a priori* theorisation of fairness in politics or a predominant empiricism. General statements of principle are to inform practice, but practice must then be related back to general principle and both adjusted or reconciled in the process of reaching a stable ethical conclusion.[20] Applied to Article 2, it means that abstract statements of the implications of those values, and especially of their abstractly worded exceptions and grounds for derogation, must be related to and specified by reference to the shared or common traditions and practices of them in the Member States: those practices and traditions set the boundaries to the very abstract text of Article 2. An implication is that a considered expression of the scope of values under Article 2 will not be a marked deviation[21] from the everyday practice in the Member States.

Taking the example of religious dress, the general value of freedom of expression can be related to this specific context of practice to give concrete scope of the rights to freedom of religious belief and expression. This can be understood as an example of reflective equilibrium being applied to ground the definition of rights and values at European level in the practice of the Member States. This approach can also be applied to the definition of democracy

20 For recent discussion, see, e.g. Follesdal (2017); Rechnitzer (2022); Moreso Valentini (2023: 553–558).

21 Daniels (1979: 25) also distinguished wide and narrow equilibrium, referring to narrow equilibrium as relating to the best fit of judgments with given principles: in this context, the values in Article 2 are arguably given, and what is to be done is to relate them to each other. Rawls had made the distinction between wide and narrow reflective equilibrium quite briefly in a separate article to *A Theory of Justice* (1974: 8); and see Moreso, Valetini (2021: 555–556).

in Article 2. Apart from Article 10 TEU on representative democracy, there is very little else in the Treaties that can be applied directly to democracy at the national level. Reference in the Treaty to universal suffrage applied, textually, only to the European Parliament. That universal suffrage can be applied under Article 2 can be better grounded by its widespread acceptance in European practice. This is one relatively clear example where the EU could be un-controversially justified in invoking democracy under Article 2 TEU in the context of Article 7 TEU, i.e. where a Member State departed from the principle of universal suffrage of citizens in national elections.

In the Explanations accompanying the EU Charter of Fundamental Rights, the lowest common denominator is stated not to be a limit in relying on the constitutional traditions of the Member States in interpreting Charter rights. By analogy, it might be argued that the same applies under Article 2. However, it is arguable that a common core should be more of a guide under Article 2. Firstly, the reference to respect for human rights in Article 2 seems narrower and related to the most fundamental rights (Spieker 2023: 275) (otherwise, why would Article 2 not have referred to the Charter?). Secondly, given how little is said about democracy in the Treaties, it would be difficult to set clear lines to the meaning of the concept of democracy if it is to be taken abstractly. It would also permit the EU and Court of Justice to engage in a review of the mechanisms of democracy at national level other than its essential components. That is an approach that is difficult to square with the continuing constitutional autonomy of the Member States. This can be related to the more general problem – and ambiguity in EU law – of defining democracy to exist at national level or EU level, the problem of defining *demos*. If the existence of a distinct *demos* is not acknowledged at national level, i.e. for each Member State (as it arguably is in Article 10(2) TEU), then the risk exists that a uniform conception of any of the values in Article 2 could be imposed through Article 2 review on the basis of EU-*demos* (the existence of which at present tends to be disputed).

This is especially so if the ECJ were to take what might be described as a 'meta-axiological' approach to Article 2, i.e. an expansive approach[22] to the content of the values without any sense of hierarchy or priority between them, or the opposite, the suppression of marginalisation of one value based on another value. This could push towards instrumentalising the priority or hierarchy of values in Article 2 by increasing or decreasing their relative importance to achieve other goals; a variation of interpretative teleology along these lines would not be compatible with the fundamental and objective character of the content of the values. Although guarding also against a homogenous or uniform approach, Von Bogdandy advocates an 'interpretative generality' towards

22 Spieker refers to "… a new kind of meta-teleological interpretation—not in light of the Union's objectives, but in light of its common values: An axiological interpretation": Spieker 2019: 1209. In his 2023 book, Spieker however, advocates for interpretative caution in that Article 2 should be understood as protecting the essence of the values: 252.

Article 2. He does so on the grounds that this could avoid encroaching upon the Member States' constitutional autonomy. The logic of red lines explains this reasoning: "While the lack of interpretive development limits the decisions' persuasive power, their restraint avoids interpretative standards that would considerably limit the Member States' constitutional autonomy" (references omitted) (Von Bogdandy 2020: 733).

One difficulty with this approach is that very general interpretations can go either way in their impact on Member State autonomy; they do not represent a methodological restraint on the Court. It can also be argued that the general approach Von Bogdandy favours – Article 2 understood as setting red lines of what cannot be tolerated, rather than setting out a prescriptive constitutional framework to be uniformly imposed on the Member States – could be better achieved by more specific guidance from the ECJ setting out the core and essential requirements of the values in Article 2, including indicating more than its case law has done to date how the values relate to each other.

Invoking the idea of a core of constitutional content to which interpretation by the ECJ of values under Article 2 TEU should extend could be related to the concept of a margin of appreciation, as developed in the case law of the European Court of Human Rights, *Handyside* often been cited as a foundational case for the doctrine.[23] The margin of appreciation reflects firstly the relative abstraction or generality of much of the rights in the ECHR and, therefore, the scope for differing interpretations of them. The scope of derogations, grounds for which are usually set out in the second paragraph of ECHR articles (the first paragraph setting out a statement of the rights in question), for example, can vary significantly in how States invoke them. Different State signatories to the ECHR may provide different levels of protection to privacy or freedom of expression (or defence rights at trial), or to derogations from them on grounds such as public morals, and the margin of appreciation doctrine indicates that some degree of variation is acceptable:

> [I]t is not possible to find in the domestic law of the various Contracting States a uniform European conception of morals. ... By reason of their direct and continuous contact with the vital forces of their countries, State authorities are in principle in a better position than the international judge to give an opinion on the exact content of these requirements as well as on the 'necessity' of a 'restriction' or 'penalty' intended to meet them ... Consequently, Article 10 para. 2 leaves to the Contracting States a margin of appreciation. [para. 48, concerning Article 10 ECHR]

Different State signatories to the ECHR may provide different levels of protection to privacy or freedom of expression or defence rights at trial, and the margin of appreciation doctrine indicates that some degree of variation is acceptable. It can be understood as kind of deference grounded in a sense of

23 An earlier reference to it is *De Wilde, Ooms and Versyp v Belgium No 1* 1971, 1 EHRR 373, para. 93 (referring to "a power of appreciation"). See Brems 1996: 242–243.

legitimacy of intervention in domestic regulatory autonomy (Letsas 2006: 720-724; Dothan 2018: 145-146). The ban in France on the wearing of religious veils in public is another example of a practice divergent across State signatories. This can be related to the idea of the ECHR containing a minimum or core of rights protection, or an equivalent concept in EU law, the 'essence of rights'. How wide is the margin of appreciation, i.e. how much scope for differing levels of protection of rights (and conversely the scope of the core or essence), is variable under the approach of the Strasbourg Court relative to different provisions of the ECHR (Brems 1996). Article 1 of Protocol 1 on the protection of property is subject to a wide margin of appreciation, whereas little margin is left to rights that are deemed especially important under Articles 2 and 3 ECHR (Brems 1996: 248-250, 264). The margin of appreciation is an acknowledgment of at least some degree of relativism in rights protection (Benvenisti 1999: 844; Hadden 2000: 80), at least in the margin beyond the core of the right. As a concept, however, the margin of appreciation does not provide itself a method for determining how widely to interpret the core[24] relative to the margin, or vice versa. It is a pragmatic tool (Macdonald 1993: 123; Carozza 1998: 1227-1228; Letsas (2006); Dothan 2018a: 145) or device that allows the Court to be sensitive to cultural or political backlash against, or acceptance of, possible broad interpretations of Convention rights. A related doctrine of an emerging consensus amongst signatory States provides a basis for the Court to be more assertive in setting the core or boundary of minimum rights protection (Benvenisti 1999: 851; Dothan 2018b). These are functionally different concepts to reflective equilibrium, which is concerned with the adjustment of abstract principles or norms in light of actual experience or judgments of their application and with consistency between the identification of a general or abstract norm and its practice. Wider or narrower approaches to a margin of appreciation can both satisfy the test of reflective equilibrium. Practice under the ECHR does not lead to the amendment of its rights provisions in order to further specify or clarify their application (as applying reflective equilibrium might suggest), although the Strasbourg Court does elaborate in doctrine to in effect gloss the basic rights provisions in the Convention text. However, reflective equilibrium can be related to the concept of an emerging consensus if the latter provides a principled ground for determining the core of a right and is not simply the most common denominator in practice.[25] Related to the question of how to

24 Regarding the essence of rights doctrine in EU law, Tridimas and Gentile (2019: 804) note that the trouble is that the core element of the right is difficult to determine and that it could be defined subjectively—from the point of view of the right holder—or objectively—from the point of view of the function of rights within the constitutional polity.
25 Treating consensus as resulting or as evidenced solely from the similar content of legislation ignores the reasons why legislation has been adopted. See Carozza (1998: 1228) for criticism of a misuse of comparative law to assume a majority practice is normatively valid. For discussion of determining consensus relative to the different interests in the background of codified national laws, see Dothan (2018b: 414–418). See also Tripkovic (2022: 232) (while accepting an anti-foundationalist account of rights).

identify the core of values under Article 2, the margin of appreciation or essence of rights doctrines can draw attention more to the problem of differing interpretations of those values and to a greater acceptance of such differences as legitimate and therefore not readily calling for an interventionist approach from the EU or ECJ, i.e. a focus on a core of protection.

A Threshold of Systemic or Generalised Deficiency

Once the core meaning of a value under Article 2 is identified, it then arises how substantial breach is needed to plausibly engage it, especially under Article 7 TEU. Both the EU institutions and academic commentators have invoked or applied the notion of systemic breaches as a threshold criterion for EU intervention under Article 7 TEU or analogous situations. If Article 2 is to serve the residual role it is attributed with under Article 7 TEU as a kind of final resort under the existing system of State liability (Conway 2002; Simma & Pulkowski 2006: 516-519), then a threshold must be identified in EU institutional practice so that it is not invoked in routine cases. The ECJ applied this threshold approach as a ground justifying refusal of surrender pursuant to a European Arrest Warrant in *Aranyosi*. This test refers to

> … objective, reliable, specific and properly updated evidence with respect to detention conditions in the issuing Member State that demonstrates that there are deficiencies, which may be systemic or generalised, or which may affect certain groups of people, or which may affect certain places of detention.(Joined Cases C-404/15 and C-659/15 PPU, *Aranyosi*, para. 105)[26]

Von Bogdandy proposes the following approach:

> In everyday language, systemic means concerning an entire organism. Antonyms are isolated, single or local. Consequently, the legal term should denote phenomena of illegality that either occur on a regular basis, are widespread or deep-rooted, or can be traced back to high authorities that use them to express a political stance. Phenomena of this kind do not appear as isolated cases, but rather as characteristics of a system. … Yet an isolated phenomenon, such as breaking a taboo with a single case of torture, can indicate a systemic deficiency, especially when it is not met with an adequate institutional reaction. Here, too, a system failure looms large. (2020: 719)

As Von Bogdandy noted, the EU Commission's 2018 Regulation proposal on the rule of law referred to "'generalised deficiency as regards the rule of law' means a widespread or recurrent practice, or omission, or measure by public authorities which affects the rule of law" (European Commission 2018).

All of the above tests seek to set a threshold of seriousness before a Member State is considered to have violated a fundamental requirement of EU law, in

26 *Aranyosi* also requires an individualised assessment of risk. The approach of the Court of Justice to applying this test in the context of judicial independence has been described as contextual (Leloup 2023: 1000–1002).

this case, the values Article 2. The threshold criterion does offer the possibility of a methodological constraint. In the first two tests set out above, an attempt is made to set a threshold of seriousness focused on systemic or generalised failings at Member State level, but with the possibility of Article 2 being engaged in less generalised but especially serious cases. The question presents itself then about how such a threshold approach could apply to democratic failings particularly. Combining these suggested tests leads to three criteria, slightly modified as discussed below:

(i) A systemic or generalised failing, or a particularly serious more isolated incident evidencing deliberate violation where this is the result of action or inaction

(ii) Exercised by public authorities at a high level *of central government*

(iii) Based on objective, reliable, specific and properly updated evidence

Von Bogdandy's reference to authorities 'at a high level' is an important qualification, as it would avoid a Member State generally being attributed with what may be the fault of particular or lower authorities. Scheppele (2013) was amongst the first to propose a systemic approach, stating that in the case of a series or range of infringements the whole can be greater than the sum of the parts and should be considered to present a systemic challenge that could be reflected in an enforcement action under Article 258 TFEU based on Article 2 TEU. The question then is what threshold should justify this systemic approach, what makes the whole greater? For an Article 2 value to be at stake in some general way, the threshold should arguably require a government policy plainly contrary to EU law, and not, for example, regarding a series of disputable or arguable points of EU law (which be the subject of a reference under Article 267 TFEU because of an element of uncertainty about the state of EU law).

The above test extends more clearly to individual or less generalised cases. In these cases, the seriousness requirement should also be understood to entail *deliberate* action or inaction by Member State authorities. An isolated example could justifiably be ground for invoking Article 2 because of the chilling effect it could have, and be intended to have, on the system overall. In other words, its effect could be systemic. Action that is not deliberate cannot plausibly be said to represent a breach in a fundamental sense of values. Inaction may be culpable where a Member State central government could but fails to prevent serious or threshold breaches, especially when such failure reflects an aberration of normal practice. As Besselink noted, Article 2 reflects foundational values which are at the basis of the exercise of all public authority both by the Union and by the Member States (Besselink 2017: 141). A breach of Article 2 should, therefore, be understood as violating the legitimate exercise of public authority of the Member State itself, and only intentional and deliberate actions could be said to do this. Von Bogdandy's proposal of fault at a high level could be further specified to refer to *central government*, since it is central government that is answerable to the EU for failure to implement EU law. It is important to clarify also that the three criteria are cumulative, all must be present to plausibly attribute the breach of a fundamental value to the Member State collectively so as to trigger the stigmatic and punitive effects on a Member State.

Bearing in mind both the conceptual and objective limits that the interaction of values can be taken to suggest when defined in core terms as well as the above proposed threshold test, the next section considers how particular types of problems with the democratic process might be adjudicated by the ECJ.

Examples of Justiciability

EU law sets some basic principles of the electoral system of the European Parliament in the Electoral Act 1976, but says nothing regarding this at national level. While variations exist in the practices of democracy at national level, e.g. regarding the use of referendum (a kind of direct democracy), EU law at a minimum does require a parliamentary system. It seems from the text of Article 10(1)-(2) TEU that any attempt to abolish a parliamentary system, even if it was replaced with extensive direct democracy, would violate democracy under Article 2 TEU. Another clear example of a violation of Article 2 would be attempts to interfere with the regular election process through plainly unlawful means. Neither of these clear cases seems very likely in practice in the EU. Other examples, however, are more borderline or plausible and are considered in this section.

– *Lengthening of the parliamentary term:*

Considerable variations have exist on democratic term limits across the EU Member States. For example, 7-year parliaments used to be the norm in the UK, and the term of the French President was also 7 years until the presidential election of 2002 (UK, Parliament Act 1911; France, *Loi constitutionnelle no* 2000-964 du 2 Octobre 2000 and Article 6 of the Constitution). What might pose a threat to normal democratic process would be the repeated lengthening by short periods of parliamentary or presidential terms, if such a mechanism existed at national level.[27] Repeated lengthening would clearly fall outside democratic norms shared across the Member States. It would satisfy the threshold test proposed above if there was evidence of a deliberate use of such postponements to frustrate the normal democratic process, even if targeted in some way, e.g. at a particular electoral district. The effects could be systemic directly or indirectly.

– *Recall procedures:*

Systems of recall as a type of discipline for elected representatives are not that common, but some countries do have them (Bhanu 2007: 21-22; Venice Commission 2009; Twomey 2011: 45-55; Giba & Bujňák 2021: 40-41; Johnston &

27 For example, the London mayoral election was delayed from 2021 to 2022 due to the Covid-19 pandemic.

Kelly 2024).[28] A 'lowest common denominator' approach to interpreting Article 2, whereby Article 2 was used to standardise democratic procedures (rather than ensuring some minimum or core requirements) might exclude such mechanisms because they are somewhat unusual, but that would suggest a general EU competence to regulate democracy at national level, which clearly does not exist. In principle, there seems no reason any recall mechanisms should necessarily be evaluated negatively. They can be seen as enhancing the representative aspect of legislatures, so long as the procedure is not such as to allow the targeting of representatives to de-stabilise their mandate. The latter could occur systematically or in a more individual or isolated case. For example, if only a small number of constituents could trigger a recall following certification by an official whose appointment was in the gift of the governing party and on the basis of very broad recall criteria and perhaps done repeatedly, the process could become unfairly politicised, especially in narrowly-won constituencies (Twomey 2011: 47-50, 60-61). The procedure might also be used to target poorly resourced representatives who might lack funds or constituency organisation to stage an unexpected electoral campaign. In other words, rather than being praiseworthy as an example of direct democracy, such a procedure could be used to engage in 'destructive harassment by outside pressure groups, extremist forces and opposing political parties' (Crisp 1978: 213; cited in Twomey 2011: 43), that could substantially undermine the regular functioning of a representative government (Bhanu 2007: 22). Such use of recalls could affect the stability of a government (Twomey 2011: 67-68). The threshold proposed above for Article 2 TEU could be reached in this scenario if a recall power was used in such a way to undermine the tenure of elected representatives.

– *Militant democracy:*

Lowenstein (1937) first identified the concept of militant democracy, whereby the normal rights and freedoms of democratic process are denied to those who would seek to subvert democracy itself, in protecting democracy. Examples of such measures have been upheld under the European Convention on Human Rights (ECHR), for example, restrictions on the broadcasting of political figures associated with paramilitary groups were upheld in *Purcell & Ors v. Ireland*, with the Commission observing:

> In a situation where politically motivated violence poses a constant threat to the lives and security of the population and where the advocates of this violence seek access to the mass media for publicity purposes, it is particularly difficult

28 For example, in the UK, the Recall of MPs Act 2015. Apart from the UK, the main other European example is Switzerland. Some countries permit referenda by citizen's initiative to mandate an early election or collective recall, e.g. Latvia (Article 14 of the Constitution, but this provision prohibits individual recall) and Liechtenstein (Article 48 of the Constitution, similarly not permitting individual recall) (Giba, Bujňák 2021: 40–51). In Slovakia, citizens' initiatives have been used to request a referendum on an early election (Giba, Bujňák 2021).

> to strike a fair balance between the requirements of protecting freedom of information and the imperatives of protecting the State and the public against armed conspiracies seeking to overthrow the democratic order which guarantees this freedom and other human rights.

Measures like this call for a careful judgment that should not ordinarily engage Article 7 TEU sanctioning on the grounds of a violation of Article 2 TEU. However, restrictions on freedom of expression that extend beyond a narrow category of subversive speech and that are prohibited on grounds of contributing to civil strife, i.e. on the grounds of being offensive only, illustrate the problem discussed earlier about a majoritarian definition of the limits of rights that impact unfairly on minorities and could be used to restrict electoral debate. This example illustrates the limits of the rule of law as a requirement of democratic government: broadly framed legal provisions on offensive speech may satisfy the requirements of legality, in being applied on their face to all citizens to the same extent, but could be used to target minority views and to inhibit public debate necessary for the practice of free elections. A majority might be quite willing to impose a restriction on the minority that the majority itself is willing to be subject to also, simply because it disagrees with the minority view. This example shows the need for a substantive concept of rights, including minority rights, to inform the principles of democracy and the rule of law – specifically here, a substantive concept[29] of freedom of expression must exist prior to a democratic procedure, implying a normative priority that Article 2 TEU or the EU Charter do not express. The formulations of freedom of expression as a right in the ECHR and CFR are unclear about this exact question of how far a majority can go in derogating through law from freedom of expression for minority viewpoints. An example that could meet the threshold requirement proposed above, in a more isolated or individual way, would be an inconsistent application by government authority of the concept of offensive speech to target a small group or particular viewpoint. In this situation, a method of reflective equilibrium is important to relate practice back to principle and to determine a consistent application of an abstract norm of freedom of expression, but neither does reflective equilibrium itself – as a requirement of consistency between abstract norm and judgment in practice – provide a content-based limit on lawful derogations from freedom of expression.

29 This view might be thought to be within a Lockean tradition of natural rights antecedent to the State; more recent academic wiring has sought to ground a limit to democratic authority in substantive moral commitments without invoking explicitly any natural law commitment: e.g. Christiano (2008), grounded an argument about equality on the dignity of the person; Viehoff (2014: 371–374), arguing that legitimate democratic authority must be genuinely exercised in the interests of all.

Conclusion

The justiciability of Article 2 TEU has only started to be addressed in the case law of the Court of Justice, but its potential is considerable in setting essential constitutional parameters for the Member States and for the EU, including on the meaning of democracy. The ultimate relationship of the values in Article 2 TEU to each other raises profound questions of legal and political theory; this article has sought to identify this context more fully and to suggest some practical methodological steps for the Court of Justice as the ultimate arbiter within EU law of the scope of Article 2 in interpreting the concept of democracy. The EU Treaties only thinly define the concept of democracy as 'representative', in Article 10 TEU, which leaves much unsaid about the actual practice of democracy, including how it relates to the rule of law and, especially, rights. Moreover, the relationship between democracy and the other values in Article 2 is not specified in any way in Article 2 itself, which establishes no priority between them.[30] The concept of democracy can be defined in more abstract versus more procedural or concrete terms, the latter focused on the more immediate question of electoral mechanisms, rather than a broader question of the culture of democracy. The placing of democracy within a broader statement of values places the EU, on the face of it, within the tradition of a liberal State, where the autonomy of the individual is secured through both democratic government and the protection of individual rights and freedoms under the rule of law. This understanding is secured if the Court of Justice and EU institutions cautiously interpret democracy in a manner compatible with the constitutional traditions and core understanding of democracy across the Member States, including how it relates to the other values in Article 2 TEU. This approach reflects a method of reflective equilibrium in drawing out the meaning of the very abstract statement of values within Article 2. This is to be preferred to an approach of 'meta-axiological' interpretation that could allow the expansion of one or other of the fundamental values of the EU at the expense of other values (even if this were done with some degree of deference to Member State autonomy being reflected in fact sensitivity rather than a prior definition of value). This latter approach would leave too much to be determined by EU institutional practice, rather than being grounded more concretely in the multiple *demoi* that exist in the Member States relative to the more diffuse *demos* that may be thought to now exist at European level.

30 This is a challenge not specific to the EU, but could be considered a more widespread question in Western political practice – and theory. See, e.g. Lovett (2004: 100).

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Džerard Konvej

Demokratija pred sudom: Demokratija kao pravno primenjiv koncept u EU

Apstrakt:

Demokratija je pravno primenljiv (justiciabilan) koncept u okviru prava Evropske unije. Iako se EU identifikuje kao predstavnička demokratija, ugovori EU pružaju relativno malo smernica o tome šta demokratija zapravo podrazumeva. Kontekst ovog pitanja je u tome što je sam pojam demokratije predmet sporenja, naročito među 27 političkih sistema država članica EU, kao i u potencijalno širokom preispitivanju nacionalnih ustavnih poredaka koje bi moglo proisteći iz nadležnosti Suda pravde EU u vezi sa članom 2 Ugovora o Evropskoj uniji (TEU), koji predstavlja izjavu o osnovnim vrednostima EU.

Ovaj rad se posebno bavi time kako se koncept demokratije preplića sa ostalim vrednostima iz člana 2, pre svega sa vladavinom prava i poštovanjem ljudskih prava. Nadležnost Suda pravde prema članu 2 naglašava problem određivanja relativne važnosti i međusobne interakcije osnovnih vrednosti EU, imajući u vidu njihovu relativnu neuporedivost. To uključuje i probleme: i. povezivanja demokratije na nacionalnom i nadnacionalnom nivou u EU, i ii. određivanja granica demokratskog autoriteta.

U radu se tvrdi da član 2 treba shvatiti kao predstavljanje složenog problema međusobnog odnosa vrednosti, za koji su neophodni metoda reflektivne ravnoteže i test praga kako bi se ti koncepti mogli pravno primeniti.

Na osnovu ovog okvira, završni deo rada razmatra neke primere nacionalne prakse u vezi sa demokratijom koje bi se mogle smatrati suprotnim vrednostima demokratije prema pravu EU i koje bi mogle potpasti pod nadležnost prema članovima 2 i 7 TEU-a: produžavanje trajanja mandata parlamenata, postupci opoziva (recall procedures), i koncept “borbene demokratije” (militant democracy).

Ključne reči: demokratija, pravna primenjivost, Sud pravde, ljudska prava, vladavina prava, vrednosti, sukob normi, sukob vrednosti

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Ian Parenteau

NAVIGATING THE LIMITS: ELECTORAL MANAGEMENT BODIES AND THE STRUGGLE AGAINST DISINFORMATION AND FOREIGN INTERFERENCE

ABSTRACT
The problem of disinformation and foreign interference in elections has increased significantly in recent years. It creates an uneven playing field that hinders fair competition and informed voting. Electoral disinformation manifests itself in two ways: partisan and procedural. Partisan disinformation targets candidates and voters with false information to influence their voting preferences. In contrast, procedural disinformation seeks to disenfranchise voters or undermine the electoral process. Foreign interference in elections can be defined as any attempt to influence the outcome of an election in another country. Have Electoral Management Bodies (EMBs) implemented effective countermeasures to mitigate these risks? The answer is complex, but no. They face institutional, legal and technical constraints that limit their actions. First, EMBs cannot change electoral laws to make them more resilient against the threat of disinformation and foreign electoral interference. Second, disinformation is usually not criminal and falls outside most legislation, making prosecution difficult. Foreign interference falls beyond national jurisdiction. Third, the actions that EMBs can take are limited by their obligations to be fair and impartial. Fourth, while enhancing content curation on social media platforms would be beneficial, EMBs lack the authority to enforce such measures, and these platforms exercise limited control over the content that is published.

KEYWORDS
Electoral Management Bodies (EMB), disinformation, foreign electoral interference, and elections.

Introduction

Electors are increasingly exposed to new risks that can undermine the integrity of free and fair elections. Until a decade ago, electoral malpractice mostly took the shape of vote buying, and harassment of voters, candidates and electoral staff to attempt to manipulate results. The enactment of more robust electoral laws and the professionalization of Electoral Management Bodies (EMB)

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have gone a long way towards eliminating these risks and making elections safe. Nonetheless, these measures appear to provide a frail defence against new electoral risks. Disinformation and foreign interference, both phenomena that have escalated dramatically over the last few years, greatly distort the level playing field that allows candidates to compete fairly and voters to make informed choices. They are a growing threat to electoral integrity in all democracies. Recent electoral events give abundant examples of the scale of this problem[1].

In order to mitigate new electoral risks, some national security agencies have adopted a deterrence defence strategy. In October 2017, the German Parliament enacted the Network Enforcement Act (*Netzwerkdurchsetzungsgesetz*) to curb the dissemination of disinformation and hate speech[2]. In January 2019, the government of Canada established the Critical Election Incident Public Protocol (CEIPP) to inform citizens of a threat to the integrity of elections (Democratic Institutions 2020). France established the digital security agency VIGINUM in July 2021 to safeguard against digital foreign interference[3]. The US Justice Department has implemented measures to disrupt foreign malign influence operations (US Justice Department 2024). The Australian Government recently launched the security initiative "Countering Foreign Interference in Australia: Working together towards a more secure Australia" in order to reduce this threat (Department of Home Affairs 2024).

Some EMBs, such as in Estonia, Australia and Canada have also taken steps to secure the right to vote and, in particular, to limit the spread of disinformation. Even so, as this article will explore, when examining EMBs' action plans, a pressing question arises: despite the seriousness of the new electoral risks, why have electoral administrators implemented only a limited set of countermeasures so far? We argue that this shortcoming arises because all mitigation efforts are constrained by a complex set of institutional, legal, and technical limitations, which restrict the scope of action available to all stakeholders in this fight—most notably EMBs themselves. Consequently, while EMBs strive

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1 For a comprehensive overview of foreign information manipulation and interference in elections, see O'Connor, Sarah, Fergus Hanson, Emilia Currey, and Tracy Beattie (2020), "Cyber-enabled foreign interference in elections and referendums," *International Cyber Policy Centre at ASPI* 63. For recent disinformation campaign overview per country, see EU DisinfoLab publications at https://www.disinfo.eu/publications.

2 The *Netzwerkdurchsetzungsgesetz* (NetzDG) law is designed to limit the spread of disinformation and hate content on social networks. It came into force on October 1, 2017. The Law obliges for-profit social networks to remove plain hateful content within 24 hours of being reported. If the illegal nature of the content is less obvious, the networks have a week to react. See https://www.gesetze-im-internet.de/netzdg/BJNR335210017.html

3 Set up in July 2021, VIGINUM's mission is to detect and characterize any suspicious propagation of misleading or hostile content on digital platforms involving foreign actors intending to harm France and its interests. See: https://www.sgdsn.gouv.fr/notre-organisation/composantes/service-de-vigilance-et-protection-contre-les-ingerences-numeriques

to implement safeguards against these risks, they often find themselves unable to overcome this complex and multifaceted impasse. Furthermore, although the study of electoral disinformation is well established, the distinction between partisan and procedural disinformation remains unclear, hindering EMBs' ability to effectively address the unique challenges posed by this threat.

Before proceeding with our analysis, three important remarks must be highlighted. First, EMBs enjoy varying degrees of autonomy, which limits any general conclusions we may draw. For instance, comparing mixed model EMBs in France and Spain with fully independent EMBs in Canada, Estonia and Costa Rica would be inaccurate and misleading. The latter have broad powers, allowing them to intervene with voters, candidates, and election officials before and after writs are issued. In contrast, the former only have responsibilities for conducting elections. Hence, each EMB should be evaluated on its own terms, so we can only offer a preliminary assessment at this stage. A more in-depth examination of each EMB would be necessary, but it falls outside the scope of this article. Second, it's essential to recognize that EMBs alone cannot bear the entire responsibility for countering election-related hazards. Other national security actors also play a role in this effort, making it unfair to place the full burden of responsibility on EMBs for any shortcomings in the defence against such threats. Third, disinformation in other non-electoral related fields, such as vaccination against COVID-19 (Sessa 2022a), the Russian invasion of Ukraine (Sessa 2022b), climate change (Dave, Ndulue, and Schwartz-Henderson 2020), and Brexit (Marshall and Drieschova 2018), also constitute a real struggle against which the scientific, public health, and national security communities, despite their efforts, have yet been able to develop an effective defence. Therefore, it would be wholly unrealistic to expect EMBs to single-handedly address the threat of electoral disinformation. Keeping these limitations in mind, our examination of EMB actions will be shaped accordingly.

This article is divided into four sections. The first section distinguishes between partisan and procedural disinformation and defines foreign interference in elections. The second section reviews the risk mitigating strategies that EMBs have adopted. The third addresses our research question and thus examines four key limitations that they face in safeguarding elections. Finally, the fourth section outlines potential strategies that EMBs could adopt to preserve electoral integrity, followed by our conclusion.

What Is Disinformation?

Disinformation is "[i]nformation that is false and deliberately created to harm a person, social group, organization or country" (Wardle and Derakhshan 2017:20). In the context of an election, disinformation aims to influence either public opinion in general, to undermine the sincerity of the vote or, more specifically, a group of electors in an attempt to alter their voting preferences and behaviour. Disinformation producers and disseminators use various technical and communication strategies. They can spread false or misleading stories and credit distorted statements to a candidate to erode his credibility and arouse disapproval. They can publish online images and videos edited by software, such as Deep Fakes (Garnett and Pal 2022; Łabuz and Nehring 2024). They may exploit coordinated, inauthentic online behaviour with the same goal by feeding several fake social media profiles. To bolster a candidate's popularity, they may resort to *astroturfing* – wrongfully implying that a successful event is of spontaneous citizen origin (Boulay 2015). The disinformation *modus operandi* also involves nourishing trolls by stoking online debates on divisive topics with false or partially fabricated information (Clucas 2020). Disinformation also circulates on fake sites, whose authors resort to "typosquatting" - the practice of producing counterfeit articles on a page identical in every respect to those on the official site of well-established media but with a different domain name that resembles the original (Irish 2023). The range of techniques used to disseminate disinformation is constantly expanding, thanks in particular to the new capabilities offered by artificial intelligence (Helmus 2022). Social media platforms, such as Facebook, X, WhatsApp, TikTok, WeChat and Telegram, are the main disinformation vectors. It circulates there abundantly due to the ease with which anyone can use this digital space. Platforms also implement techniques such as microtargeting (Crain and Nadler 2019; Kusche 2019), which consists of personalizing users' content based on the fine segmentation of their online behaviours and the wide operationalization of recommendation algorithms (Pariser 2012). This further accentuates online fragmentation facilitating disinformation efforts.

Although disinformation bears numerous causes that are no doubt linked to today's geopolitical tensions (Rosenbach and Mansted 2019), it is also one of the main consequences of the business model of digital platforms, which entirely rests on user engagement – engagement that platforms can subsequently monetize by the sale of advertising (Brown 2021). Disinformation circulates as much in public and semi-public spaces of digital platforms – as in a post, video or message published for online friends (or the public, depending on privacy settings). As the web is borderless, actors involved in disinformation campaigns can run from any country. Sometimes, traditional print media and broadcast media can also contribute to spreading disinformation by publishing articles with misleading claims. This is the case, for example, of the Russian state-funded media RT and Sputnik, which the European Union banned following Russia's invasion of Ukraine in February 2022 because Brussels suspected them of "systematic information manipulation and disinformation" (Union européenne 2022).

The Two Types of Electoral Disinformation

Electoral contests are a host of two types of disinformation. *Partisan disinformation*, by far the most frequent form, aims to manipulate public opinion to influence voters' choices. It targets candidates, political parties and citizens. Examples during recent elections, in both stable and emergent democracies, are almost infinite (ADF 2023; Jalli 2023; Osborn 2023). The perpetrators employ the panoply of ruses listed above to reduce the electoral fortunes of selected candidates. They may also be explicitly aimed at driving electoral abstention among voters who have shown their support for a candidate or who are inclined to do so given their socio-economic profile – the latest research in electoral sociology has illustrated, for instance, that better-educated voters tend to back left-wing parties (Gethin, Martínez-Toledano, and Piketty 2021).

Procedural disinformation, the second type, targets electoral administrations, political parties and voters (Boston Globe, 2022). It consists of circulating false information about voting procedures, such as polling station opening hours, documents electors must present to vote or the list of candidates to damage the credibility of election results. Procedural disinformation primarily aims to disenfranchise certain voters to reap electoral gains. It could also be used to question the sincerity of the election or the conditions under which the ballot is held, as the outcome looks unlikely to be favourable to the candidates of their choice. As in the case of the 2016 US presidential elections, it can also harbour the ambition of undermining social cohesion by promoting divisive issues such as race, LGBT rights, and immigration. These are just some of the many goals of this type of disinformation. Sometimes, its true motivations are complex, as the sole purpose seems to be making as much noise as possible (Gessen 2018). For example, during Brazil's 2018 presidential elections, the Tribunal Superior Eleitoral (TSE) was the target of a disinformation campaign on X that suggested that the electronic ballot boxes had been hacked (Recuero 2020; Taboada et al. 2023). During the Tunisian presidential elections in October 2019, opponents of Salma Elloumi's candidacy circulated the information that she had withdrawn in favour of another candidate in an attempt to influence voters' choices (Business News 2019). During the 2021 US presidential elections, false information was abundantly relayed on social networks concerning postal voting to restrict the participation of voters deemed more inclined to use this voting device (Censky 2021; Qiu 2021). These examples show the variety of strategies malevolent actors can exploit in a bid to make electoral gains or try to breed mistrust in the electoral process.

Procedural disinformation thus represents a key concern in that it can undermine the smooth running of elections, regardless of the impact it may have on voters' choices – the effect linked to partisan disinformation. The primary mandate of EMBs is to organize elections in full compliance with the provisions of the electoral law and other legal and administrative constraints to which they are subject. What's more, EMBs have little control over the conditions under which voters make their electoral choices. For example, they cannot influence the quality of information provided to voters by candidates. On the other hand, at least a majority of EMBs are responsible for controlling factual information about voting procedures. This is why fighting this type of disinformation matters for EMBs.

What Is Foreign Electoral Interference?

Foreign election interference campaigns pursue similar aims, using partisan and procedural disinformation as their main informational component (Jeangène Vilmer et al. 2018; Mohan and Wall 2019; Schmitt 2021; Tenove et al. 2018). They also use other means, chiefly illicit, to gain influence over the verdict of the ballot box. By hacking into the computer systems of electoral administrations and political parties, foreign agents can try to change electoral data – by making certain votes disappear or altering election results. They may set out to make computer systems inaccessible by conducting distributed denial-of-service (DDoS) attacks or phishing attempts to disrupt the computer infrastructure and services of EMBs. Estonia was the subject of a cyber-attack during the parliamentary elections of March 2023 (Martin 2023). In 2023, hackers managed to gain entry via a very sophisticated attack on the electoral registers of the UK Electoral Commission (Seddon 2023). During the 2019 Kosovar parliamentary elections, the online election results display systems also suffered a major denial-of-service attack from Russia (Ahmetaj 2021). Hackers can try to influence voters' opinions by making public information about candidates they allegedly stole. This was the case during the 2017 French presidential elections when Emmanuel Macron's campaign team fell victim to leaked emails (Vilmer 2019). Foreign interference can also be motivated by an attempt to discredit the electoral process by relaying the rumour that the electoral outcome has been doctored. More traditionally, it can take the form of financial support for a candidate or political party or harassment of a candidate or family members (Hogue 2024; Zimonjic 2024).

Measures EMBs Have Adopted to Mitigate New Electoral Risks

In face of the growing menace of new electoral risks, some EMBs have adopted risk mitigating measures. In 2016, Valimised, the Estonian State Electoral Office, created an inter-agency task force to safeguard against disinformation (McBrien 2020). In 2018, the Australian Electoral Commission put together the Electoral Integrity Task Force, a year-round multistakeholder team, which includes police and intelligence services, whose objective is to protect the integrity of electoral processes (Australian Electoral Commission 2018). AEC also implemented the Disinformation Register, which "lists prominent pieces of disinformation the AEC has discovered regarding the electoral process"(Australian Electoral Commission 2023b). Since March 2020, The Electoral Service of Chile (Servicio Electoral) offers electors a fact-checking page with an electoral "Fake news repository." In 2021, the German Federal Returning Officer launched a similar fact-checking service on its sites (Die Bundeswahlleiterin 2021). In November 2021, participants at the XV Conference of the Inter-American Union of Electoral Bodies (Uniore) set up the Inter-American Observatory for Combating Disinformation, whose function is to build strategic alliances with fact-checking agencies and social media platforms (OICDE

2022). In 2022, before the regional and municipal elections, Peru's National Elections Jury (JNE) and the National Office of Electoral Processes (ONPE) implemented a bot service on WhatsApp to provide information about voting, such as polling places, to fight electoral disinformation (Oficina Nacional de Procesos Electorales 2022). They also added a fact-checking component to the channel with the support of a fact-checking initiative called ONPEChequea (ONPEChequea 2022). In June 2022, Brazil developed the Electoral Disinformation Alert System (SIADE), designed to facilitate the detection and prompt response to false content that could influence the electoral process (Tribunal Superior Eleitoral 2022).

After the 2022 federal election, AEC implemented a Reputation Management System (RMS), an institutional-wide approach to maintain voters' confidence in electoral integrity (Australian Electoral Commission 2023a:6). In October 2023, the Electoral Tribunal of Panama (TE) developed a fact-checking service on its website called "VerificadoContigo" (*verified with you*)[4]. In 2023, Elections BC from Canada implemented a Disinformation Register on its website, which lists prominent falsehoods or misperceptions that have come to their attention (Elections BC 2024). In 2023, the Parliament of British Columbia updated its Electoral Law to make it illegal to transmit false statements about candidates' citizenship and profession, as it might influence electoral outcomes (Legislative Assembly of British Columbia 2023). In January 2024, Elections Canada launched the "ElectoFacts", a tool designed to inform voters during the next federal elections (Elections Canada 2024). Élections Québec's latest strategic plan includes the objective of preventing the use of disinformation in electoral contexts by improving their preparedness, reducing the public's vulnerability to electoral disinformation, increasing transparency and access to data, and preventing the use of disinformation in electoral contexts (Élections Québec 2024:20). The Élections Québec website also provides a section on the various types of disinformation and how to handle them if encountered (Élections Québec 2021). The 2024-28 Elections Alberta's strategic plan included developing a communication plan to emphasize "transparency within legislative limits, combating misinformation and disinformation, and creating safe spaces for public discourse" (Elections Alberta 2023:29).

In 2020, Anton Boegmen, Elections BC CEO, recommended that more robust changes impose restrictions on electoral advertising, limit electoral financial contributions to Canadian residents only, and regulate social media platforms, but those have yet to be implemented (Boegman 2020). Pierre Reid, CEO of Élections Québec, also proposed legislative changes in 2023 to require social media platforms to register election-related advertising and to add new offences specifically addressing disinformation in the Election Act to more effectively combat information manipulation (Élections Québec 2023:119).

4 https://verificadocontigo.com/

Why Have EMBs Adopted Insufficient Risk Mitigating Measures?

EMBs have Limited Legislative Power

While the initiatives proposed by EMBs may enhance election security, assessing their effectiveness remains challenging, as they are difficult to evaluate outside the context of an actual election. More importantly, despite the significant threats facing voters, the proposed measures appear both insufficient and overly cautious, as this overview demonstrates—they simply do not match the scale of the threat. Why have EMBs adopted only a limited set of timid risk-mitigation measures? The first reason for this is that most EMBs operate within rigid legal frameworks, making it difficult for them to proactively address threats such as cyber-attacks, disinformation, and new forms of voter suppression. They lack the ability to push for necessary legislative updates, which greatly limits their capacity to implement essential reforms. Even those classified as independent and considered a “fourth branch of government” by Michael Pal (Pal 2016:2) lack the plenary powers to amend legislation to make it more robust against new electoral risks. In the brief history of electoral administrations, which has not yet celebrated its hundredth anniversary, the primary concern for EMBs has been the potential for partisan capture. This is why, little by little, democratic countries have adopted constitutional safeguards to ensure that EMBs can hold fair and free elections, in other words, in a non-partisan manner. This protection allows most EMBs to set electoral rules and guidelines, which any other branch of government cannot revise, let alone elected officials, as long as they comply with the constitution and electoral laws. They have limited executive powers to call and hold elections, certify or annul election results, and resolve electoral disputes. They can impose fines on offenders, particularly in the area of the financing of political parties and candidates. Some electoral administrations may also set the date of the ballot, provided that they comply with the parameters set by the electoral law relating to the length of terms of office, for example.

On the other hand, Members of Parliament (MPs) determine the roles and responsibilities of EMBs. They allocate EMB’s budget, appoint their members and set their terms and conditions of employment. For instance, the eight members of the Electoral Commission of Jamaica are Selected and Nominated by both the Prime Minister and the Leader of the Opposition (Ministry of Justice of Jamaica 2006). In Mexico, Members of the Instituto Nacional Electoral (INE) are appointed by a two-third vote by parliamentarians (INE 2017). Because of this constitutional framework, EMBs do not exercise plenary powers to amend laws in several areas linked to national security, which is entirely natural. Still, overall they cannot initiate reforms related to registering and voting regulations, nor the conditions under which ballots are cast[5]. For instance,

5 This is true for reforms that are considered minor, major, and technical based on the distinction established by Kristof Jacobs and Monique Leyenaar. See (Jacobs and Leyenaar 2011)

Germany's Federal Returning Officer cannot amend the federal electoral law, as the Federal Ministry of the Interior and Community is the sole authority (Die Bundeswahlleiterin 2024). Nor can the Electoral Commission of the UK reform the Electoral law (The Electoral Commission 2023:8). France's electoral legislative framework can only be amended by the National Assembly and the Senate once it has been deemed to comply with the Constitution by the Constitutional Council (Vie publique 2021). Similarly, the newly established Electoral Commission of Ireland's power is limited to "advice and make recommendations to the Government or the Minister, about any proposals for legislative change, or any other policy matters concerning electoral policy or procedures," when and only when "requested by the Minister," (The Electoral Commission 2024). The Republic of Korea is a very rare exception to this rule, as, since 1992, the National Election Commission (NEC) can "submit a bill to the National Assembly when it is necessary to enact a new law or amend an existing law concerning elections," as can do any other ministry (Kim 2024). Similarly, the South African Constitution grants the Electoral Commission the power to "continuously review electoral legislation and proposed electoral legislation, and to make recommendations in connection therewith" (South African Government 1996:2). However, although these EMBs have more power, they still need to convince MPs to adopt new election laws to enhance their resilience to new electoral risks.

However, history tells us that MPs have been known to ignore such recommendations, as partisan interests often influence their decisions. As Kenneth Benoit has shown in his research on electoral reforms, once elected, representatives of the majority party usually prefer the status quo and are unlikely to support any proposed amendments to the electoral law unless they believe it will help them win more seats in the next election (Benoit 2004). Even when most citizens favour a legislative change, such as eliminating the first-past-the-post electoral system in Canada, ruling political parties have chosen to maintain the existing system because they consider it more advantageous (Lajoie 2022; Thompson 2022). Consequently, proposals to amend electoral laws to counter disinformation and foreign interference are most often met with inertia. As a result, EMBs limited legislative competence hinders their capacity to adopt robust measures against new electoral risks (Vallée 2023).

Disinformation Very Rarely Constitutes a Criminal Act

The second reason for EMBs' limited action is that, like all other stakeholders fighting disinformation and foreign interference, they face serious legal restrictions. Disinformation rarely constitutes an illegal act (Gill 2020:14), and foreign interference can hardly ever be prosecuted.

In general, criminal law in any democratic society is guided by three basic principles: i) any action that constitutes a crime must be clearly defined; ii) after a trial, a guilty verdict must be accompanied by a sentencing decision; and iii), the means of enforcing this decision must be within the reach of the authorities. In disinformation cases, point i) presents the most significant difficulties; in the case of foreign interference, point iii) poses a challenge.

Disinformation must be illegal for it to be considered a crime. Very few laws expressly prohibit it, which we will discuss below. However, there exist certain legal provisions that criminalize activities that could amount to disinformation using current categories of illegal content, but as we will see, they have a limited impact on reducing this phenomenon. For instance, in Canada, hate speech is considered a crime if it causes harm and "undermines the dignity of others" (Supreme Court of Canada 2013). The legal threshold for a verdict of culpability is very high, as any democratic society values freedom of expression and thus must accept "some competition in the marketplace of ideas" (Sharpe 1987:232). Sharing a message on social media that falsely attributes a quote to a candidate or puts it out of context does not contravene hate speech provisions (Walker 2018). Nor does circulating the idea that candidate Emmanuel Macron's election campaign during the 2017 presidential elections was financed by Saudi Arabia (Feertchak 2017). From this point of view, it is simply not a crime. In April 2024, Scotland revised its *Hate Crime and Public Order Act* to enhance protection against discriminatory acts targeting individuals based on disability, race, religion, sexual orientation and gender identity. However, this amendment has a minimal impact on disinformation, as it does "not prevent people expressing controversial, challenging or offensive views" (Scottish Government 2024). Despite the recent amendment to this law, disinformation remains largely unregulated in Scotland.

In the same vein, one might also be inclined to use laws against defamation, as disinformation might resemble this, and lawsuits of this kind might come more easily to fruition. The crime of disinformation would then be considered a kind of defamation. However, as Lili Levi has demonstrated, legal actions for defamation have limited effectiveness in combating disinformation. They often fail to uncover the underlying truths beyond the specific statements in question and instead focus on providing redress to those who have suffered injustice. (Levi 2022). Consequently, such laws have also a limited impact on disinformation.

Lastly, disinformation might approximate false advertising. For instance, Canada's Competition Act contains provisions addressing "false or misleading representations and deceptive marketing practices in promoting the supply or use of a product or any business interest" (Government of Canada 1986:74.011). In this case, the main limitation is that disinformation is not usually aimed at selling a product or service. Rather, it is about intentionally disseminating false information. This approach would be ineffective in addressing disinformation, as it fails to acknowledge it as a criminal act and therefore fails to stop its spread.

That said, some electoral laws prohibit the spread of false information. Legislators from different countries have taken three different approaches. One approach treats disinformation as a "content-related crime" and bans specific types of untrue information and content from being shared. Another approach considers disinformation as a "consequential crime" and evaluates it based on the impacts resulting from sharing concocted content. Lastly, some have opted for a hybrid approach.[6] The Czech Republic privileges the content-related approach. Section 16 of the Electoral Code states, "The election campaign must be honest and fair. No false information on individual candidates and political parties or coalitions, on whose candidate lists the candidates are featured, may be published"(Czech Parliament 1995:16). A total of 12 United States electoral laws also contain provisions against electoral procedural disinformation, such as California, New York, and Pennsylvania (Movement Advencement Project (MAP) 2024). The Canada Elections Act makes it illegal to distribute false information about candidates' "citizenship, place of birth, education, professional qualifications or membership in a group or association"[7] (Government of Canada 2000:91). Article 57 of the Election Code of Ukraine (as amended in July 2020) makes it illegal "to spread deliberately false information about the candidate or party (party organization) that are electoral subjects" (Republic of Ukraine 2020:57). This legislative approach has limited effectiveness, as it only protects a narrow range of information typically not targeted by disinformation campaigns.

Other EMBs privilege the consequentialist approach. Article 132 of the Electoral Code of Mali stipulates that

> "[t]hose who, using false news, slander or other fraudulent maneuvers, have diverted votes or have determined one or more voters to abstain from voting, will be punished by imprisonment of one (01) month to one (01) year and a fine of twenty-five thousand (25,000) to two hundred fifty-thousand (250,000) francs." (République du Mali n.d.:132) (free translation).

In Austria, the Criminal Code provides that

> "[a]ny person who publicly disseminates false information about a circumstance that is likely to deter persons entitled to vote or to vote from voting or to induce them to exercise their right to vote in a particular way at a time when a counterstatement can no longer be effectively disseminated shall be liable to a custodial sentence not exceeding six months or to a monetary penalty of up to 360 daily penalty units." (Article 264).

The Brazilian Congress introduced in 2020 the pending Bill of Law on Freedom, Responsibility and Transparency on the Internet, which would make it illegal to disseminate false information to attack the credibility of elections (José Guimarães - PT/CE 2024; Vieira 2020). In 2023, the defence minister of Taiwan proposed to amend the All-out Defense Mobilization Readiness Act to

6 ADTAC Disinventory provides a good overview of countries' policies to fight disinformation. See https://inventory.adt.ac/wiki/National_Policies_Affecting_Disinformation.

7 Even then, courts have rarely convicted people for such a crime as it is tough to prove that someone intentionally shared information they knew to be counterfactual (Gaumond 2020). Sharing false information is, therefore, not a crime unless it can be proven that it was done with full knowledge of the facts and with the willful intention of distorting the conditions of the vote

include measures that are aimed at combating "cognitive warfare," which refers to the dissemination of disinformation or rumours that pose a threat to society and the general public (Chan 2023). This bill has not been officially approved due to uncertainties surrounding specific provisions and their implementation (Souza, 2023). With an even more forceful approach, the French parliament adopted in 2018 the "Law Against the Manipulation of Information" (*Loi contre la manipulation de l'information*), which aims to combat the various forms of intentional dissemination of fake news. During the three months preceding a national election, a judge can use this law to rapidly halt the circulation of a publication by the following three criteria: i) the false news must be evident; ii) be disseminated on a massive scale and artificially; and iii) lead to a *disturbance of the public peace* or the *sincerity of an election* (République française 2018)[8].

Latvian authorities have taken a hybrid approach. The Criminal Law considers an offence the act of hooliganism, which is to carry out "a gross disturbance of the public order, which is manifested in obvious disrespect for the public or in insolence, ignoring generally accepted standards of behaviour and disturbing the peace of persons or the work of institutions" (Tieslietu ministrija 2022)[9]. Although spreading disinformation could rightly be considered an act of hooliganism, some are calling for this law to be overhauled so that it can be used more specifically to deal with disinformation, given the extent of this phenomenon today (Zāģere and Treļs 2022). Besides this legislation, Latvia adopted a different legislative path that should have an impact on disinformation, as the Parliament approved in September 2023 the 'National Security Concept,' a government-backed policy planning document. It states that as of 1 January 2026, all content created by public media must only be in Latvian and languages belonging to the European cultural space (Eng.LSM.lv 2023). The move will prohibit Latvian media from producing content in Russian. As most disinformation efforts in Latvia target the Russian-speaking minority, this legislation will presumedly contribute to curbing disinformation[10].

Have any of the three legal initiatives been effective in combating electoral disinformation? It is premature to give a definitive answer, as evaluating the impact of such legislation is complex, given that disinformation is a relatively new phenomenon and long-term data is limited. Most studies of laws designed to limit the spread of false or misleading information on social media focus on the consequences of freedom of expression, rather than on their

8 This law has been used only once, and the complainants were unsuccessful because, according to the judges who examined the complaint, the shared information was not covered by the law.

9 For a good overview of EU legislations that limit the spread of disinformation, false news and fake news, see (Hoboken and Fathaigh 2021).

10 Some nations have enacted regulations in response to the issue of disinformation, although most of these laws predate the widespread use of technology and social media. For instance, Croatia's Electronic Media Act forbids discrimination based on factors such as race, gender, or religion. It also contains bans on apologizing for fascism or communism. (Hrvatski sabor (*The Parliament of Croatia*) 2009).

effectiveness[11]. Additionally, other factors beyond the reach of these laws may have contributed to any observed different pattern of behaviour in disinformation campaigns. Studies have shown trends in Russian disinformation campaign operations that are primarily linked to geopolitical objectives that the Kremlin wishes to reach. For instance, since 2020, Russia has intensified its engagement in the Sahel region with the objective of reshaping the region's strategic landscape and undermining Western influence (Terren, Aelst, and Damme 2025). We should therefore be cautious to accredit the reduction of disinformation solely on the effectiveness of laws.

Foreign interference cases are even more straightforward. As stated above, EMBs do not exercise national security or defence powers, which is entirely legitimate. Crucially more critical, however, they do not have any authority beyond their territory, even in areas where they are competent. Even if they could identify malign actors behind foreign electoral manipulative operations and convince legal authorities to initiate criminal proceedings against individuals or entities that violated electoral laws, these proceedings would be ineffective if the alleged offenders resided outside the country[12]. This is because extradition agreements between like-minded states are rare. Such a treaty does not bind Russia, China and Iran. Incidentally, identifying adverse online authors is also challenging, insomuch as widely available tools such as Virtual Private Networks (VPNs) allow users to maintain online anonymity easily. (Desai, Pawelec, and Lesher, 2022).

EMB's Range of Actions is Limited by Strict Independence and Impartiality

The third limitation EMBs face in their fight against new electoral risks is their severe restriction due to the obligation of independence and impartiality. This constraint obliges them to show strict neutrality to ensure equality of opportunity between candidates. For instance, Austrian Returning Officers "have to make a vow as to their impartiality and conscientious fulfilment of their duties to the person who appointed them" (Bunderskamzlermat Österreich 1992:2)[13].

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11 See for instance (Lim and Bradshaw 2023).

12 The remark made by David Vigneault, the director of the Canadian Security Intelligence Services, during the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions well summarizes this difficulty: "Ultimately, state actors [were] able to conduct [foreign interference] successfully in Canada because there are no consequences, either legal or political. [Foreign interference] is therefore a low-risk and high-risk endeavour." (Vigneault 2024).

13 Somewhat surprisingly, the majority of electoral laws, which define the composition of the members of EMBs, their duties and responsibilities, do not specify that they must act in a neutral, objective and non-partisan manner. In some cases, as in Singapore, they only have to confirm that they are not a political party member on the day of the vote, which seems to me to be a very weak constraint and guarantee of integrity. This issue would certainly merit further analysis. Cf. The Statute of the Republic of Singapore. Presidential Elections Act (Chapter 240A), 2011, Part II, Elections (ELD n.d.). In the case of Luxembourg, the legislator has prohibited election staff from being affiliated or related to candidates and elected persons, but nothing is mentioned about their

In Canada, any election officer must make a solemn declaration before assuming duties that "he or she will exercise the powers and perform the duties of the office in an impartial manner" (Ministère de la Justice 2023:3).[14] To ensure non-partisanship, members of Guatemala's Supreme Electoral Tribunal (*Tribunal Supremo Electoral*) cannot be a member of any political party (Asamblea Nacional Constituyente 2017:124).

This neutrality requirement severely limits any role EMBs may perform in defence of a candidate that is the subject of a partisan disinformation campaign, as this may be interpreted as one-sidedness. Even where EMBs wield greater leverage, such as the Costa Rican Supreme Electoral Tribunal (TSE), its actions must be strictly limited and concordant with its constitutional obligation, and for this reason, its members are forbidden to "enter into debate with candidates or competing parties" (Gustavo 2023:56). TSE must be left to journalists and fact-checkers to debunk partisan disinformation. The nature of EMBs is that they must remain neutral. This prevents them from acting against disinformation and foreign interference, especially when partisan elements are involved, which is often the case. To overcome this limitation, EMBs should focus on addressing procedural disinformation, as this type of threat can be handled in an objective and fair way.

Social Media Platform Cannot Regulate Their Content, and This Includes Disinformation.

The fourth and final limitation faced by EMBs in addressing new electoral risks presents a dual constraint. Similar to the first limitation, EMBs lack authority over the legislative framework necessary to enact legal reforms that would enhance resilience to these threats. Specifically, they cannot impose regulatory measures on social media platforms to ensure more stringent oversight of election-related content, despite these platforms playing a crucial role in the dissemination of disinformation. Furthermore, even if EMBs were to succeed in advocating for such reforms, the permissive terms of use and limited liability provisions governing these platforms enable them to disregard a substantial volume of online content and its creators. They simply ignore most of what circulates on their platforms.

This issue is compounded by the fact that a very important portion of social media platform traffic comprises inauthentic pages produced by automated bots (Binder 2024; Bischoff 2021; Kargl 2023). A report written in 2019 by

membership of political parties or their duty of neutrality and objectivity. See Loi électorale du 18 février 2003, Chapitre II. De la composition des bureaux, article 67. Cf. https://elections.public.lu/dam-assets/fr/legislation/loi-electorale-18-02-2003.pdf

14 This requirement for neutrality and non-partisanship is applied in various ways, considering the different organizational models of EMBs, particularly in cases where EMB members are representatives of political parties, as in Colombia, for example. In such cases, requiring them to put partisanship aside would be in conflict with the very principle behind the law.

former Facebook data scientist Jeff Allan well illustrates this phenomenon. In the United States, “6 of the top 10 pages visited by the African-American community were pages produced by troll farms” based in Kosovo and Macedonia (Allen 2019). The authors of these sites were not from this community, nor were they even designed to bring community members together to share their views and promote their interests. Their creators exploited Facebook’s advertising revenue model, which favours popular content (Alexander 2016). And yet, despite the inauthentic nature of these pages and the fact that this phenomenon is documented, the platform has done little to restrict their distribution. Although platforms occasionally say that they have removed hacked accounts and adopted tools to identify inauthentic online behaviours, in reality, because this phenomenon is so vast, the scale of such efforts is insufficient to have an impact (Nimmo 2022; Safi 2019; Sawers 2022; Timberg and Dwoskin 2019). It is likely to grow, as counterfeiters now have the tools to deepfake digital content using artificial intelligence, making their task even easier (Mai et al. 2023).

If it is difficult for platforms to measure the phenomenon of online inauthenticity, it is even more difficult for third parties, such as legislators, to recommend solutions to counter disinformation, as they also have very little access to the massive data that these platforms accumulate and that would enable a better understanding of this phenomenon. As private companies, they are reluctant to share such data (Persily and Tucker 2021). Social scientists and journalists complain about the lack of collaboration and transparency in social media so that they can better understand, among other things, how the algorithms and assumptions that power social media platforms work (Krass 2022; Mayer-Schönberger and Ramge 2022). Sometimes, the relationship between researchers and platforms is even more problematic. In 2021, for example, Meta forced the AlgorithmWatch research group to stop using an add-on script it had developed, which volunteer users could add to their profiles to understand better Instagram’s News Feed algorithm (Kayser-Bril 2021). The issue of data access has also grown after platform X adopted in 2023 a new, more restrictive policy explicitly aimed at the research community (Jingnan, 2023). Lastly, the social media environment is ever-developing, and platform changes might contribute to disinformation. In a recent analysis, Reporters Without Borders condemned X since Elon Musk took it over in October 2022 to have become a “sanctuary for disinformation” (Berthier 2023). One cannot reliably predict future trends in the spread of online disinformation, but the lack of cooperation from social media platforms with authorities poses a real challenge for EMBs, as for any other actors in addressing new electoral risks.

What could EMBs do?

Election administrators worldwide recognize the danger that new electoral risks pose to the integrity of elections. Positioned at the forefront of electoral processes, they are well-placed to assess the scope and impact of these challenges. However, effectively addressing such risks remains a complex and difficult task. Despite their limited powers, EMBs retain the capacity to implement measures aimed at mitigating these threats and safeguarding the integrity of electoral systems. One potential avenue is leveraging their legislative authority to regulate partisan and third-party advertising, as some have already done. However, they must set realistic expectations with this strategy, as the effectiveness of such regulations in mitigating the spread of disinformation is likely to be minimal, given that social media advertising is not the primary vehicle for disseminating false information (Dawsey 2017). The disinformation ecosystem is complex and widespread, operating through networks that extend beyond paid advertisements. While there have been instances of disinformation disseminated through social media advertising, they are infrequent (Marks 2021:388). Access to this space is restricted not only because it is a paid service, but also because it is already subject to a series of regulatory provisions limiting its misuse. For these reasons, disinformation takes many other paths, such as on Facebook group pages (Alexander and Silverman 2016), in private messages on WhatsApp (Hern 2020), on Snapchat (Andrey et al. 2021), on X (Singh and Blase 2020; Vosoughi, Roy, and Aral 2018). During the 2018 Brazilian presidential election, X was one of the prominent supporters of disinformation (Recuero 2020). During the 2019 Tunisian presidential elections, disinformation proliferated mainly through Facebook posts (Jouini 2019). During the 2019 Indian general elections, WhatsApp users were the main target of disinformation by other users of the platforms (Garimella and Eckles, 2020). During the 2018 Mexican presidential elections, numerous fake opinion polls were published on social media and on some traditional media (Buendia 2018). These examples testify to the wide variety of spaces available to spread disinformation outside advertising. Consequently, while regulatory frameworks on political advertising may contribute to greater transparency, their overall impact on curbing disinformation remains constrained.

From an administrative standpoint, and beyond the limitations of this inconclusive legislative approach, EMBs should adopt a more comprehensive risk management framework in the planning and execution of elections, as recommended by researchers from International IDEA in 2021 (Vincent, Alihodzic, and Gale 2021). A preliminary review of the publicly available strategic plans of various EMBs suggests that this approach has not yet been widely adopted. Given that disinformation and foreign interference operations often occur outside official electoral campaigns, they should actively support initiatives aimed at establishing a whole-of-government approach to address these challenges[15]. EMBs alone do not have the necessary resources to mitigate this threat, nor is it in their mandate.

15 As recommended by O'Connor, Sarah, Fergus Hanson, Emilia Currey, and Tracy Beattie (2020), "Cyber-enabled foreign interference in elections and referendums," *International Cyber Policy Centre at ASPI* 63; and Hogue, Marie-Josée (2024), "Initial Report," Public Inquiry Into Foreign Interference in Federal Electoral Processes and Democratic Institutions, 194.

Given that most EMBs are mandated to educate voters, they should mount campaigns focused on identifying disinformation, enhancing media literacy, and promoting fact-checking, with a particular emphasis on countering procedural disinformation. Recognizing the significant role that political parties and candidates play in the electoral process, EMBs should also develop specialized educational toolkits and training programs tailored to these stakeholders. By equipping them with the necessary knowledge and resources, EMBs can foster a more resilient electoral environment. However, despite the value of these initiatives, here again it is essential that they establish realistic expectations regarding the effectiveness of these measures in combating disinformation. In their study on the effectiveness of fact-checking, Nathan Walter and his colleagues showed that preexisting ideological beliefs reduce the ability to identify factual information. And yet, this is particularly this segment of the population who would benefit the most from such efforts (Walter et al. 2020). Moreover, if we consider disinformation a public health issue, as it can harm society by altering voters' choices, studies have shown that simply correcting the record may not effectively reduce the risk-taking behaviour of less cognitively capable voters, as they have more difficulty distinguishing between information and disinformation[16]. (Adams et al. 2023; De keersmaecker and Roets 2017; Yadav and Kobayashi 2015).

To enhance the robustness of the EMB's communication link with voters and contenders, we suggest that they avoid using social media for disseminating election-related content and instead rely solely on their official websites, where they maintain full authority over the messaging. As a last remark, while it is key to offer convenient voting methods to reduce the cost of voting and increase voter turnout, EMBs should continue to use paper ballots alongside these measures. The risk of significant electoral manipulation, whether foreign or not, is much greater with online systems than with paper ballots and human-administered processes.

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16 This is the conclusion that Rajendra-Prasad Yadav and Miwako Kobayashi reached in their study of mass media campaigns for reducing alcohol-impaired driving and alcohol-related crashes. They found that "[d]espite additional decades of evidence, reviewed studies were heterogeneous in their approaches; therefore, we could not conclude that media campaigns reduced the risk of alcohol-related injuries or crashes." Yadav, Rajendra-Prasad, and Miwako Kobayashi (2015), "A systematic review: effectiveness of mass media campaigns for reducing alcohol-impaired driving and alcohol-related crashes," *BMC Public Health* 15: 857. Similarly, Zoë Adams, Magda Osman et al. Have found that "in health and risk communication it is widely accepted that the mere provision of accurate information is typically not sufficient to induce behavioral change—raising the question of why perceiving false information should be sufficient to induce aberrant behaviour." Adams, Zoë, Magda Osman, Christos Bechlivanidis, and Björn Meder (2023), "(Why) Is Misinformation a Problem?", *Perspectives on Psychological Science* 18(6): 143663.

Conclusion

The dissemination of knowingly false information and the manipulation of electoral processes by foreign entities are a rising concern that poses a threat to the integrity of democratic elections. Both phenomena compromise the integrity of electoral processes and alter the attitudes and behaviours of electors in a manner that is counter to a healthy democracy. While EMBs are cognizant of the gravity of this threat, their capacity to safeguard elections is constrained by their limited legal autonomy and the absence of straightforward solutions to address these challenges. A confluence of factors, intrinsic to both the capacities of EMBs and the nature of the threat, imposes considerable constraints on their ability to effectively intervene. First, EMBs are unable to amend electoral legislation, a necessary step to combat this threat, due to their inability to exercise legislative autonomy. Instead, EMBs rely on parliamentarians for any amendments to electoral legislation and, for partisan reasons, they infrequently act. Second, the challenge of protecting against disinformation is compounded by the fact that it most often classifies as free speech, which hinders the imposition of sanctions. Furthermore, foreign entities engaging in malign activities during electoral processes are not subject to national legal jurisdiction. Third, any measures that EMBs might take against partisan disinformation would be inconsistent with their obligations of neutrality. The fourth and final constraint, while compelling social media platforms to enhance content curation, would be helpful, as they host most of the disinformation, EMBs do not possess such authority and social media platforms can hardly enforce any regulation over what circulates online.

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Ijan Parento

Prevazilaženje ograničenja: Izborna tela i borba protiv dezinformacija i stranog uticaja

Apstrakt:

Problem dezinformacija i stranog mešanja u izbore značajno je porastao u poslednjim godinama. Time se stvaraju neravnopravni uslovi koji ometaju fer konkurenciju i informisano glasanje. Izborne dezinformacije ispoljavaju se na dva načina: partijski i proceduralni. Partijske dezinformacije ciljaju na kandidate i birače lažnim informacijama kako bi uticali na njihove biračke preferencije. Proceduralne dezinformacije, s druge strane, imaju za cilj da obesprave birače ili da dovedu u pitanje izborni proces. Strano mešanje u izbore može se definisati kao svaki pokušaj uticaja na ishod izbora u drugoj zemlji. Da li su tela za upravljanje izborima (EMBs) sprovela efikasne mere za ublažavanje ovih rizika? Odgovor je složen, ali je u suštini – ne. Ona se suočavaju sa institucionalnim, pravnim i tehničkim ograničenjima koja im sputavaju delovanje. Prvo, izborna tela ne mogu menjati izborne zakone kako bi ih učinila otpornijim na pretnje dezinformacijama i stranog mešanja u izbore. Drugo, dezinformacije u većini slučajeva nisu krivično delo i ne potpadaju pod važeće zakone, što otežava pravno gonjenje. Strano mešanje izlazi izvan domašaja nacionalne jurisdikcije. Treće, postupci koje izborna tela mogu preduzeti ograničeni su njihovom obavezom da ostanu pravična i nepristrasna. Četvrto, iako bi unapređenje kontrole sadržaja na društvenim mrežama bilo korisno, izborna tela nemaju ovlašćenja da sprovedu takve mere, dok same platforme imaju ograničenu kontrolu nad objavljenim sadržajem.

Ključne reči: Izborna tela, dezinformacije, strano mešanje u izbore, izbori

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Adam Szymański

CRISIS OF DEMOCRACY IN POLAND – DOES IT AFFECT THE SUBNATIONAL LEVELS?

ABSTRACT
Most current studies on the democratic or de-democratic changes in Europe have concentrated so far on the national level, while they are also important at the local and regional levels. The article is aimed at investigating: 1) changes going in either democratic or autocratic direction within the subnational structures in a state as well as 2) their relationship with similar processes at the central level – focusing on the impact of the national tier on lower territorial levels. The case of Poland will be studied, focusing on the years 2015-2023 (the period of Law and Justice ruling in the country) but also taking into consideration previous years to identify a possible change concerning the investigated issues taking place since 2015.
The article presents a part of the research within the pilot project. It takes mainly a qualitative approach and is based on the following data sources: local media materials, data from mini survey, in-depth semi-structured interviews of sub-national politicians and national experts as well as data from focus group interviews – local journalists and NGOs members.

KEYWORDS
(de-)democratization, democratic enclave, local democracy, Poland, territorial politics

Introduction

Most studies on democratic or, in recent years, de-democratic changes have concentrated so far on the national level, while they are also important at the local and regional levels. There are just single and not necessary comprehensive studies on the relationship between the territorial levels in this regard (e.g. Obydenkova and Libman 2013; Mera 2016; Tomini and Sandri 2018; Öktem 2021; Charron, Lapuente, Bauhr, and Annoni 2022, Fidalgo 2022, Polga-Hecimovich 2022; Buzogany and Spöri 2024). The article is aimed at investigating: 1) the changes going in either democratic or autocratic direction within the local and regional structures in a state as well as 2) their relationship with the similar processes at the national (central) level – focusing on the impact of the national tier on lower territorial levels.

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The case of Poland will be studied, focusing mainly on the years 2015-2023 - the period of Law and Justice (PiS) ruling in the country, but also taking into consideration previous years to identify the possible changes concerning the investigated issues taking place since 2015. This state has been selected because it is an interesting case of an EU member having three subnational levels and a combination of centralized and decentralized model of administration. The reform from 1999 introduced three subnational territorial levels - municipality – *gmina*, district – *powiat* and province – voivodeship, *województwo* and led to the development of the process of decentralization and a relatively strong territorial self-government – with a high autonomy of local and regional authorities in terms of tasks and competences but limited financial autonomy-related, for example, to the presence in the administrative model at the level of provinces of voivodeship governors – representatives of the central administration (Regulski 2003). In Poland, there are also various political profiles of local and regional authorities (including politically non-aligned persons) and models of their political relationship with the central authorities, not to mention the process of de-democratization, observable particularly in the aforementioned period 2015-2023 (e.g. Grzymała-Busse 2017; Przybylski 2018; Sadurski 2018; Zamęcki, Mieńkowska-Norkiene and Szymański 2023), after the time of democratic consolidation (e.g. Bernhard 1993; Taras 1996).

Moreover, Poland is an understudied case in terms of the deterioration of democracy at subnational levels. The works on this state (sometimes in comparative perspective – covering the first of all the case of Hungary) have focused mainly on single aspects of de-democratization at local and regional territorial tiers. There are, for instance, studies on the use of incumbency advantage in subnational elections (Mazurkiewicz 2021), problems of competitiveness of elections and political pluralism at the local level (Gendźwiłł, Żółtak and Rutkowski 2015), partocracy (O'Dwyer and Stenberg 2022), clientelism (Bartnicki 2019), executive aggrandizement (Rajca 2021), deficits of social consultations (Czopek and Żołnierczyk 2017), participatory budget (Błaszak 2019), citizens panels (Podgórska-Rykała 2024) and citizens' initiatives (Banat 2020). The exceptions of more comprehensive studies are too general and out of date (e.g. Krysiak 2014). The impact of national level on subnational democracy has not been thoroughly studied. The single texts, which have been published in recent years, are rather on recentralization, i.e. the indirect impact on local and regional democracy (Sześciło 2019; Swianiewicz 2024) or how cities react to it (Aksztejn, Hajnal, Lanckowska and Kadar 2024; Aksztejn, Mikuła and Lackowska 2024).

The article will present the first findings of the pilot project which covers selected five voivodeships (provinces) in Poland (Lublin, Lubusz, Masovian, Silesian and Subcarpathian) and several cities within these provinces, i.e. Lublin - Lublin, Zamość, Świdnik and Chełm; Lubusz - Zielona Góra, Gorzów Wielkopolski, Nowa Sól and Słubice; Masovian Warsaw – the capital city and Radom, Płock and Otwock; Silesian - Katowice, Częstochowa, Bielsko-Biała and Gliwice; Subcarpathian - Rzeszów, Przemyśl and Sanok. The selected provinces are representative of the whole country because they cover main models of voivodeships in terms of size and number of population, location, and historical heritage as well variability and diversity of political constellations. The project stems from a general main hypothesis that decentralization processes constitute an opportunity for subnational authorities to become more democratic but also more autocratic, as they may enhance the divergence in democracy levels between different territorial tiers of governance.

The following questions are posed in the article (also in the project): What is the state of democracy in Poland at subnational levels? Can we observe any changes in this regard, particularly after 2015? Are there any patterns between the changes towards democracy or autocracy and those in the decentralized or centralized direction? Are the decentralized territorial structures, first of all cities, "democratic enclaves" in the case of de-democratization starting at a national level? What is the impact of the national level on the democratization/de-democratization at subnational levels? What other factors could influence the state of regional/local democracy? (in particular, what is the role of regional and local factors?)

The article (as well as the whole project) is based on the theoretical framework concerning two pillars: democracy/(de-)democratization and the territorial dimension of politics. Conceptually, it goes beyond the liberal model of democracy (as some democracy indexes such as V-dem) and takes into consideration also participatory and deliberative democracy. They are partially overlapping, but they are important from the angle of analysis of local democracy, referring to different democratic activities of inhabitants at this territorial tier and relevant mechanisms of local democracy. The theoretical and conceptual framework will be discussed in more detail in the next part of the text.

The article takes mainly a qualitative approach. There is a lack of sufficient detailed data on the state of local and regional democracy; the existing indexes, e.g. V-dem democracy index, have many deficits in this regard, i.e. a limited number of items, no consistency of data and deficits concerning particular countries (McMann 2018). It is difficult to use quantitative methods for this study. For analyzing links between territorial dimension and democratization/autocratization in Poland the following sources were selected within the multi-stage research process (apart from desk research): local and regional media materials – first of all the local branches of one of the biggest newspapers in Poland *Gazeta Wyborcza* (Bielsko-Biała, Częstochowa, Gliwice, Katowice, Lublin, Płock, Radom, Rzeszów, Warsaw and Zielona Góra) but also local and regional newspapers and online portals, useful to find the detailed data about examples of deficits in operation of democratic mechanisms, data from two focus group interviews – with local journalists and NGOs members (conducted in Autumn 2022) as well as from 32 in-depth semi-structured interviews with sub-national authorities (from cities and provinces and different political parties and local committees) and experts - in November 2022-June 2024 period.

In addition, a mini survey was conducted in June 2024 as part of a broader omnibus CATI survey organized by one of the biggest public opinion companies in Poland – the Public Opinion Research Centre (*Centrum Badania Opinii Społecznej*, CBOS). This phone survey was carried out on a representative random sample of over one thousand adults living in Poland. It included two questions: one about the perceptions of city and municipality residents on their impact on local decision-making through the mechanisms of local democracy, and another about perceived changes in this regard over the last 10 years.

At the first stage, the multistage collection of data was aimed at collecting the factual data (from local media collected in a special data basis) to be used within the next stages aimed at collecting data from different groups – observers of local/regional life as members of specific professional groups (journalists, academicians, NGO members) as well as people directly involved in the work of local/regional self-government institutions and the decision-making process (local/regional authorities and inhabitants). The idea behind it was to have a collection of different perspectives on the same issues (Gonzalez-Ocantos and Masullo 2024: 12). It is obvious that people directly involved in the work of local and regional institutions will look at certain issues in a different way (often more subjectively and less critically) than people who observe this work from outside.

The following methods of analyzing data are used: content analysis (with the use of MAXQDA Plus software) – to find out if we can observe any non-democratic legislation and practices at subnational levels and to investigate local and regional groups' perception of the state of democracy in their cities or provinces; process-tracing of the paths through which the national level affects (directly or indirectly) the subnational structures – to investigate the causal chains leading to democratic or undemocratic changes. For the latter qualitative method a key role is played by interviews (Gonzalez-Ocantos and Masullo 2024).

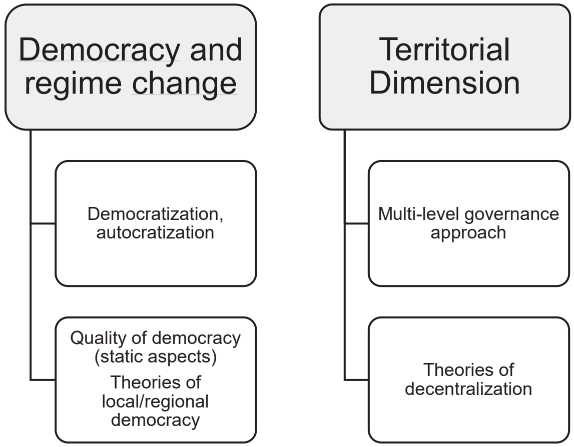
The article consists of two main sections. The first is devoted to outlining the theoretical and conceptual framework of the article. In the second section, the author presents the first findings of the study.

Theoretical and Conceptual Framework

Two-pillar Theoretical Framework

The theoretical framework of the study is based on two main pillars. The first one refers to democracy and changes of political regimes (approaches to democratization/de-democratization and more static issues of the quality of democracy and local democracy), the second one – to territorial politics, accounting for multilevel governance as well as theories of decentralization (see Figure 1 below).

Figure 1: Two-pillar theoretical framework



Source: The author's work.

Middle-range theories of democratization, especially the concepts of consolidation of democracy (Linz and Stepan 1996) and the quality of democracy (Morlino 2011), can be used to study de-democratization changes at the national and subnational levels, provided that they are accompanied by the use of local democracy theories that take into account the specificities of democracy at these levels, e.g. specific forms and mechanisms of direct democracy (Hendriks et al. 2010) and such concepts as the aforementioned "democratic enclave", which is useful to investigate the state of democracy at the subnational levels in the situation of democratic backsliding at the national level. The concept was developed, for example, by Gilley who defined it broadly as "an institution of the state or a well-defined regulatory space in society where the authoritarian regime's writ is substantively limited and is replaced by an adherence to recognizably democratic norms and procedures." (Gilley 2010: 390) We limit its meaning to territorial units – cities in particular and apply to de-democratizing political systems rather than authoritarian regimes, which was the main area of research by Gilley.

However, these theoretical approaches cannot provide a sufficient theoretical framework for analyzing democratization and de-democratization at subnational levels. They must be linked to approaches that also make it possible to study the interactions and links between the national, regional and local levels – in order to check whether, in the context of democratization or de-democratization, there is an impact of these processes at one level on their development at another level. For instance, it is important to analyze the impact of such important political phenomena at the national level as politicization, partocracy, corruption or clientelism on the local or regional level.

Governance theories (limited to structural aspects) may be a starting point in this context. They enable the presentation of a network of connections between different actors at the national, regional and local levels. Multi-level governance must be mentioned in this regard (Kohler-Koch and Larat 2009; Piattoni 2010). The theoretical framework for analyzing democratization and de-democratization at subnational levels should also include more specific approaches in order to analyze a very important democratic relationship between central and local/regional authorities – primarily from the point of view of the separation of powers and competences. In this connection, there are very useful theories of decentralization, including its conceptualization, causes, effects and the relationship with democracy and (de-) democratization (Saito 2001; Falleti 2014; Antwi-Boasiako and Csanyi 2015; Mbate 2017; Kuhlmann, Wollman and Reiter 2025). They cover both the processes of decentralization and recentralization – important for the main research question.

A summary of the usefulness of the components of the adopted theoretical framework is provided in Table 1 below.

Table 1 – Usefulness of components of the theoretical framework in brief

Research agenda	Useful in investigating
Democratization and de-democratization	Dynamic change
Quality of democracy Local democracy	Static dimension + regime dimensions More static approach – components and mechanisms of local democracy; concepts such as "democratic enclave"
Multilevel-governance approach	Relations between different national, regional and local actors and institutions – structural (i.e. not functional) aspect
Theories of decentralization	Causes, modalities, and consequences of the process of decentralization (and re-centralization)

Source: The author's work.

Two-stage Conceptualization

The conceptual framework worked out within the study consists of two main components, being a result of the two stages of conceptualization (Jaakkola 2020). The first one is the identification of models of democracy and their main elements. The second component is a set of items that can be studied on different levels – from national to local, while investigating democratization and de-democratization.

In order to analyze democratization and de-democratization trends in a multi-level democracy, it is first necessary to precisely define what kind of democracy we mean and identify the models of democracy that will come into play, along with their basic elements.

Firstly, *electoral democracy* and *liberal democracy* – the two main components of the V-dem liberal democracy index – should be taken into consideration. Electoral democracy is identical with Robert Dahl's polyarchy (Dahl

2000) and includes such elements as: elected representatives, fair and competitive elections; freedom of speech and freedom of the media as well as freedom of association. In order to talk about liberal democracy, such issues should be added to the list as guaranteeing the rights of individuals and minorities, ensuring the rule of law, the functioning of the checks and balances mechanisms, first of all to control the executive power, and ensuring the independence and impartiality of the public administration (Antoszewski 2016).

However, in order to investigate democratization and de-democratization at the subnational levels, two other models must be taken into consideration. As mentioned in the Introduction, they are partially overlapping with the model of liberal democracy, but they enable a researcher to distinguish between particular democratic activities at the subnational levels – related to participation and deliberation as well as to relevant democratic mechanisms. As a result, they help to assess more precisely the state of local and regional democracy. It has been recognized by some democracy indexes, such as V-dem Institute's indexes. The first one is *participatory democracy*, reflected among others in the V-dem participatory democracy index (Uziębło 2009). It includes such important elements as: functioning of direct democracy mechanisms – referendums, functioning of semi-indirect democracy mechanisms – citizens' legislative initiative, right to petition, public hearings (as well as elements specific to subnational levels – e.g. participatory budgets and panels), participation and representation of citizens in local and regional authorities; taking part in civil society organizations.

The second important model of democracy which should be taken into consideration is *deliberative democracy*, reflected among others by the V-dem deliberative democracy index (Bachtiger et al. 2018). It covers such issues as the presence of citizens in decision-making processes and public management, mechanisms and forums of dialogue, consultation mechanisms and institutions (e.g. youth, women or senior councils) as well as forms of e-democracy.

After identifying the models of democracy and indicating the elements in these models, which is important from the point of view of the main research questions, it is necessary to reflect on the elements within these models that can be subjected to de-democratization not only at the central level, but also at the subnational levels in Poland (taking into consideration some differences at these levels).

When it comes to electoral democracy, while investigating democratization and de-democratization in terms of elections at the national and subnational levels (Johansson, Ronblömm and Öjehag-Pettersson 2021) - taking into consideration the differences between these levels, such as different parties holding power as well as more non-affiliated candidates and local electoral committees at the subnational levels (Gendźwiłł, Żółtak i Rutkowski 2015), the elements to be investigated are particularly: integrity and competitiveness of elections, including the questions of presence of electoral malpractices, using incumbent advantage by governing parties and authorities or role of clientelism in elections (Gendźwiłł 2020).

And in the case of freedom of speech, the focus must be on the operation of local and regional media, i.e. if we observe media bias and their excessive politicization/partisanship (influence of parties and local/regional authorities), restriction of media pluralism, censorship/self-censorship, fake news and hate speech, use of regional and local media by local politicians to develop populist rhetoric (Krysiak 2014). As far as the freedom of association is concerned, the following questions must be posed: Are pluralism and the activity of political groups or civil society organizations restricted by local and regional authorities? Do NGOs have the equal support of these authorities? How is the party system shaped? - whether we are dealing with its increasing concentration or even domination of some parties; whether the ruling party at the national level, also in power at the subnational levels, does not apply similar (legal) measures limiting the ability of opposition parties to act at the national level (e.g. limiting the possibility of debating, proposing legislation or taking part in decision-making) (Jakli and Stenberg 2020).

In the case of ensuring freedoms of citizens and rights of minorities, researchers investigating the model of liberal democracy (Tomini and Sandri 2018) must ask whether at regional and local levels the exercise of civil rights and freedoms is increasingly restricted and whether there is a growing intensity of activities of state and local authorities raising doubts in terms of respecting the rights of minorities – religious, ethnic or LGBT+.

While investigating the question of rule of law, it is important to ask whether decision-making and adopting regulations are based on legal provisions and are consistent with the constitution and laws; whether we are dealing with an increasing number of cases of illegality or doubts in this matter; whether the transparency of the decision-making process is not decreasing; whether the number and scope of consultations with relevant regional and local institutions is not decreasing; whether practices from the national level (night sessions, etc.) are not duplicated at subnational levels; whether the problem of acting in accordance with the law of regional and local authorities and being responsible for its violation is intensified.

The checks and balances system is analyzed in terms of democratization/de-democratization by asking whether decision-making (legislative) and controlling bodies at subnational levels retain their position, competences and tools vis-à-vis the local and regional executive bodies; what is the position of decision-making and controlling bodies of local/regional government in relation to state administration bodies (provincial governors in Poland); whether mechanisms and institutions of control over the executive, including media, courts and civil society organizations, are not undermined; whether the problem of accountability (political and legal) for the actions of regional and local authorities is growing (Krysiak 2014).

In the case of the last component of the liberal model of democracy, i.e. ensuring transparent, citizen-friendly, independent and impartial administration researchers ask questions about growing problems in maintaining the so-called good administration and in enabling wide access to public information as well as in ensuring the impartiality of local government administration bodies (lack of political or party influence) and independence from state administration bodies (Grzyb and Gendźwiłł 2019). They also investigate the development of clientelistic structures and nepotism in this regard (Krysiak 2041).

Since participatory and deliberative democracies are taken into consideration, elements of these models should be also the research subject in the context of democratization/de-democratization, recognizing at the same time the relatively early stage of consolidation of local democracy in Poland.

In the case of the former model, researchers investigate first of all the functioning of the mechanisms of direct and semi-indirect democracy and ask whether they are not limited (if they have existed so far); whether the importance of such instruments of citizen participation as participatory budgets is not weakened, e.g. through politicization, partisanship and excessive influence of the political authorities; whether the actual functioning is not replaced by a fake one as a result of the use of slogans of reinforcement of direct democracy by populist political forces (Paxton 2020). Moreover, they analyze other forms of citizens participation, in order to find out whether the participation of citizens in different types of civil society organizations and partnerships is decreasing.

The analysis of deliberative democracy at subnational levels in Poland requires, in turn, posing questions about the presence of social consultation mechanisms in decision-making processes and public management, i.e. whether there are growing problems of local government units in fulfilling obligatory consultations, whether optional public consultations on important issues (concerning local laws, financial matters, investment and infrastructure projects, etc.) are not limited; whether certain groups of residents are not omitted from public consultations; whether consultations are becoming more and more superficial and ostensible (Czopek and Żołnierczyk 2017).

Preliminary Findings

After the desk research as well as after the advanced phase of local/regional media analysis, focus group interviews with local journalists and NGOs representatives, in-depth interviews and mini-survey, several important preliminary findings can be presented in this part of the article.

The main observation is that there are problems with respecting the relevant models of electoral, liberal, participatory and deliberative democracy at the local and regional level in Poland. These problems are an outcome of both not sufficiently high quality of Polish local/regional democracy – both before and after 2015 (but with increasing improvement in the case of large cities) and de-democratic changes at the national level after 2015, which strengthened many undemocratic tendencies at the subnational levels.

The democratic deficits at the level of the Polish cities and provinces were observed before 2015, i.e. before Law and Justice (PiS) won presidential and parliamentary elections. It shows that irrespective of the party holding power at the central level (Civil Platform – PO, since 2018 running as Civic Coalition – KO or PiS), there are problems with local/regional democracy which is still at not sufficiently advanced stage of democratic consolidation. However, many undemocratic tendencies at the subnational levels in Poland, having their source at the national level, have been developed since 2015. The following parts, based mainly (but not only) on the investigation of the local territorial level (the level of provinces was still investigated at the stage of writing of this article), will present arguments to support these observations. Since the preliminary findings will be outlined, not all detailed items of the previously discussed conceptual framework will be addressed. The presented items will serve rather as examples of observed phenomena and processes.

Unconsolidated Local Democracy

Many components of the aforementioned four models of democracy look quite often even worse in terms of quality of democracy at the subnational levels than at the central level, including the period of Law and Justice ruling after 2015. It makes it sometimes difficult to find out which territorial levels influence mutually one another within multilevel governance in terms of de-democratization and who is copying whose undemocratic measures.

The unconsolidated local democracy is noticeable both before and after 2015. However, we see the difference between large cities (in which the state of local democracy is improving – also according to interviewed local authorities, irrespective of political affiliation) and medium/small towns, determined to a large extent by legal obligations for big cities to organize such democratic mechanisms as e.g. participatory budgets. The amendments to the self-government laws introduced by the Act of 11 January 2018 established an obligation for all cities with district rights to implement a participatory budget as part of the city budget, amounting to a minimum of 0.5% of the expenditure reported in the most recent financial statement (Kancelaria Sejmu 2018).

Firstly, while the problem with competitiveness of elections emerged at the central level several years ago (see first of all the 2020 presidential elections), it has been clearly seen for many years at the subnational levels. When it comes to small towns and local communities (villages), there is often no other candidate for the elected posts (Gendźwiłł, Żółtak and Rutkowski 2015). The situation looks better in bigger towns and cities, but the problem here boils down to limited competition on equal foot (present also in smaller towns). The heads of local executives there – mayors or presidents (the latter in cities usually with more than 50,000 inhabitants) use the so-called incumbency advantage (Schedler 2002) and many resources are just at their disposal: their offices – all official events and ceremonies, e.g. opening a new football stadium, are used for electoral purposes, money – public (related to the office) and private – coming from the local business, spent for buying votes in different forms, human resources (use of administration and council members), knowledge of new planned investments not available to other candidates, a huge PR machine and media (very often local authorities have their own free of charge media, published by town halls, e.g. in Zielona Góra or Bielsko-Biała) (Transcript of FGI I 2022a). In the last case, they began to use also the social media – many local authorities hire a team of Internet trolls to use new media for their own advantage (Turska-Kawa and Wojtasik 2020; Mazurkiewicz 2021). Furthermore, the incumbency advantage is exercised by the incumbents from the central level to support local or regional candidates. Although this occurred under all governments between till 2023, the PiS rule from 2015 to 2023 was often described as more "pushy" in terms of the use of non-democratic methods, as one local journalist put it (Transcript of FGI I 2022a). For instance, during the early presidential election in Rzeszów in 2021, public funds from special central government programmes were used for campaign purposes while central government ministers provided direct support. One journalist described these malpractices as follows: "Mrs. Ewa Leniart, who was a candidate for president [in Rzeszów], was also the voivode of the Subcarpathian voivodeship at the time. She could count on the support of government ministers, the prime minister and Kaczyński, and these promises [for example cheques] were flying like crazy in our country. Minister Warchoł did not even need to bring his colleagues with him, because he could bring money from the Justice Fund himself." (Transcript of FGI I 2022a)

Sometimes, in the case of big cities, the advantage is used by big parties – at the cost of smaller competitors (including the capital city – Warsaw), showing that although the quality of democracy seems to look better there than in smaller towns, large cities have their own problems – in this case related to the democratic deficits present at the national level, i.e. politicization, partocracy and political polarization (Transcript of in-depth interview no. 11 2024a). It is often supported by legal regulations. As one of the capital city's authorities said with reference to the electoral law, "as a result of the fact that almost everywhere in local elections we have five-mandate constituencies, in fact in most places mainly PiS and the Platform are represented, which greatly distorts the overview, I would say, of our society." (Transcript of in-depth interview no. 13 2024b) A similar situation is often observable at the level of provinces, at which the impact of political parties and their central structures is much stronger than at the local level, leading to the use of resources from the central level, particularly by incumbents to support the election campaigns in provinces.

Thus, we observe an uneven playing field in local/regional elections, possible also due to the long term development of clientelistic networks (e.g. Aspinall and Berenschot 2023), being another component even more conspicuous at subnational levels than at the national level. These clientelistic networks work not only in the triangle politics-media-business (in this case the local developers play a leading role at the subnational level) but cover the whole territorial communities – people receive posts or good jobs for no criticism in the election campaign and voting in elections for a particular candidate (Transcript of FGI II 2022b).

Another field in which democracy looks often even worse at subnational levels than in the center is the executive aggrandizement (Bermeo 2016), first of all reflected in the excessive strengthening of the executive power, for example, at the cost of the legislative power, leading to the weakening of the checks and balance system and control over the executive. While its development can be observed at the national level since 2015, it has been present also at the subnational levels – as a result of the long-term process of strengthening of the local and regional executives.

The introduction of direct elections of village and town mayors as well as presidents in 2002 belonged to the pro-democratic reforms of local government conducted in Poland (Regulski 2003). However, at the same time, it enabled to build the dominating position of the village and town mayors as well as presidents, including different resources at their disposal. Even though the heads of executives at the level of districts and provinces (in Polish *starosta* and *marszałek* respectively) were not elected directly by citizens (it is so till today), they also were able to play a key role in the decision-making process. It happened first of all at the cost of councils, which often became useful instruments in the hands of executive bodies (e.g. Rajca 2021).

The "power of majority" (one of the interviewed journalists called it "majority violence") is clearly reflected when heads of local and regional executives have the majority in the legislative bodies (Transcript of FGI I 2022a). The work of the latter is then often limited to acceptance of new laws proposed by the executive, with limited discussion. The legislative process leaves also a lot to be desired – draft laws are often not available to council members or changed half an hour before the session. Particularly at the local level, it happens that members of councils are treated instrumentally by heads of executives, receiving many benefits (money, posts in local companies) for absolute subordination. The control function of councils is limited to several instruments (related to the control of finances and activities of executives in a particular year). As a local journalist said, "in fact the power is held by one person, and three times a year councillors vote on important matters." (Transcript of FGI I 2022a) There are audit committees chaired by representatives of the opposition, but they do not play any role due to the fact that the majority of members of these committees belong to the incumbents. The oppositional political forces in the legislative bodies have then often a weak position (Transcript of in-depth interview no. 10 2023g). They participate in discussions but with a limited impact on the final version of legal acts. Moreover, their draft regulations are often rejected by the majority and, interestingly, sometimes adopted later as proposals of the governing majority and the heads of executives (Transcript of FGI I 2022a). There are some exceptions in this regard, e.g. in the Subcarpathian voivodeship. For instance, in Sanok, it was also possible for the opposition to reach consensus with the committees forming the majority, as their representatives did not always support the mayor's initiatives (Transcript of in-depth interview no. 7 2023e). In the Subcarpathian *Sejmik*, everything depended on the mobilization of opposition councillors – it was sometimes possible to push through specific issues, such as the project for a road leading to the airport (Transcript of in-depth interview no. 8 2023f).

Even in the situation of lack of having a majority in the council by a head of executive, the council control function is limited, even though it has some impact on the executive's local or regional policy, depending also on the will to reach some consensus between the executive and the council (there are also cases of presence of consensual culture, e.g. in Rzeszów in Subcarpathian province or Otwock in Masovian province) (Transcript of in-depth interview no. 5 2023c).

Law and Justice Contribution

However, the intensification of undemocratic tendencies at subnational levels took place in Poland in 2015-2023 and was observed in two dimensions. On the one hand, there were de-democratization symptoms related to the central United Right's (PiS and much smaller coalition parties) government activities towards local and regional governments limiting the fruits of de-centralization. On the other hand, we could clearly notice the indirect process of "copying" undemocratic changes from the national level to subnational levels after 2015.

In 2015-2023, the central governments were trying to reverse the process of decentralization (Sześciło 2018; 2019). We can talk about the "creeping re-centralization" in this period (Skorut and Stawarz 2020: 49) – the process either not recognized or justified with unconvincing arguments such as security by the PiS local and regional authorities (Transcript of in-depth interview no. 6 2023d). It was reflected in limiting competences of local and regional governments which were taken over by either central authorities or central administration bodies in provinces (voivodeships) – e.g. strengthening chief education officers, taking over jurisdiction over some places in cities (such as Piłsudski Square in Warsaw) or deciding about fares for water and sewage disposal; limiting financial resources and competences for their distribution (also EU funds) of the local and regional authorities as well as "multilevel clientelism"– limiting expenditure autonomy of self-government and arbitrary transfer of money from the central budget, mainly to the regions, cities and municipalities ruled by PiS (Flis and Swianiewicz 2022). At the same time the central government was giving new tasks to local and regional authorities, which, if could not be fulfilled, were a fertile breeding ground for discrediting the institution of self-government (important element of checks and balances system) – particularly in the situation when it criticized the governing party or acted against the central government's interests (Transcript of in-depth interview no. 3 2023a).

The process of indirect "copying" de-democratic changes took place at subnational levels very often in territorial units, in which PiS held power in the local or regional bodies or has substantial influence on these units, e.g. representatives of central administration (voivodes) being very often in conflict with local or regional self-government authorities belonging both to oppositional parties or non-affiliated politicians representing local electoral committees and governing party (Transcript of in-depth interview no. 6 2023d) or ignoring these authorities, e.g. not attending the sessions of bodies after invitation;

prosecutors being under the control of the Chief Prosecutor Zbigniew Ziobro, at the same time Minister of Justice; the police; conservative organizations and the local Catholic Church priests; regional branches of the TVP public television and media under the control of the governing party (thanks to purchasing in 2021 by the Polish state-run oil company, PKN *Orlen* the *Polska Press* media organization) (Szacki 2021).

This "copying" concerned many components of the liberal model of democracy and was reflected mainly in limiting the rights and freedoms of individuals, certain social groups and minorities. There were many examples in this regard often presented broadly in media, e.g. limiting the freedom of speech through censorship (e.g. banning cultural events or dismissing persons responsible for their organization) or freedom of media (critical journalists were ignored by local authorities, accused of hate speech or had court cases for defamation) (Karpieszuk 2022; Transcript of FGI II 2022b). Very often the rights of LGBT+ communities were not respected – they did not receive from local authorities any financial support (only patronage for their events was possible) and had difficulties with their organization (e.g. equality parades) because the local authorities did not share their beliefs. Some regions and municipalities were officially declared LBGT+-free zones to counteract the spread of "LGBT+ ideology". Although many councils called it off, they did it not because of respect for democracy but being afraid of losing EU funds (e.g. Skomra 2023). Persons belonging to women's organizations also had difficulties to act, being accused of spreading the "gender ideology". For instance, their right to protest was limited – when they organized some protests in front of PiS local offices, they had problems with police and courts cases were opened against them (Sulowski 2021). Generally, some basic civic rights of inhabitants were limited, e.g. the right to public information, the right to take part in sessions of local or regional councils (Transcript of FGI II 2022b).

However, no matter if PiS, Civic Platform/Coalition, the Left or (theoretically) non-affiliated representatives held power in particular regions or local communities – a similar type of democratic deficit could be often observed before and after 2015. The difference between PiS and other parties was in the scope of undemocratic changes and how conspicuous they were. Law and Justice took over many provinces in 2018. Particularly from that time the non-democratic activities of PiS were more aggresive (as one of interviewed local journalists put it) (Transcript of FGI I 2022a). It was reflected in different areas of local democratic life. For instance, according to Warsaw councillors, PiS adopted an increasingly aggressive and polarizing style of debate in the city council after 2015. One of them (not from PO/KO) highlighted the "degradation of language, degradation of political culture, a full infection with the virus of a certain political populism." (Transcript of in-depth interview no. 13 2024b) However, where the Civic Platform/Coalition or other political forces officials who were in the opposition at the central level till December 2023, held power at the local or regional level (including the capital city), they were taking quite often similar non-democratic measures reflecting first of all politicization, partocracy, nepotism and clientelism at the subnational levels. This point of view was shared by the representatives of local journalists and NGOs within the focus group interviews (Transcript of FGI I 2022a; Transcript of FGI II 2022b) but, obviously, not necessary by local authorities during the in-depth interviews (e.g. Transcript of in-depth interview no. 3 2023a). The latter group representing till December 2023 the oppositional parties at the national level usually did not recognize the aforementioned deficits of local democracy before 2015 (interviewed persons from PiS in turn did not see the key deficits after this year; Transcript of in-depth interview no. 5 2023b).

Cities as "Democratic Enclaves" or Examples of "Sham Democracy"?

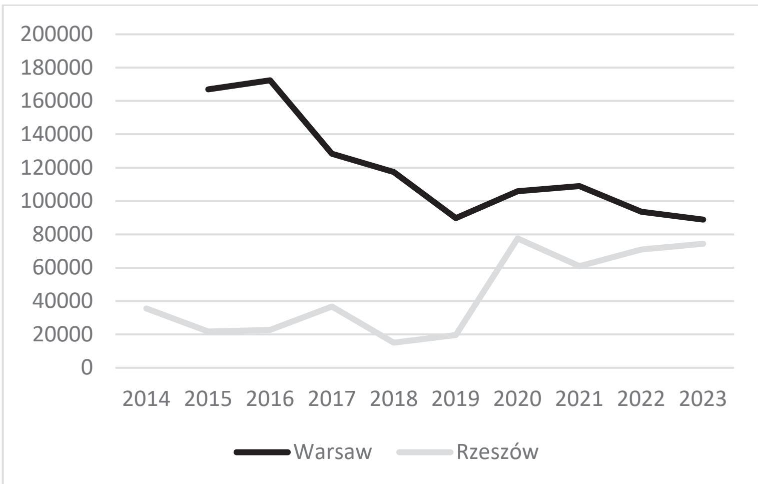
At the same time, at certain levels – first of all in big cities (in the analyzed provinces, e.g. in Warsaw, Lublin or Rzeszów) – attempts to consolidate the "democratic enclaves" (Gilley 2010) have been made. It refers to cities with presidents in opposition to PiS (from oppositional parties or local electoral committees – untill 2023). A very good example is Rzeszów in the Subcarpathian Voivodeship (ruled by PiS) in southeastern Poland. Konrad Fijołek has been the President there since 2021 – local politician, representative of local committee "Development of Rzeszów 2.0" but supported in early elections by many oppositional parties. He was behind the project of smart city in Rzeszów beforehand. After the elections, he kept the promise to develop participatory and deliberative democracy mechanisms. He developed the institution of participatory budgets, social consultations, councils with representatives of citizens (e.g. women council) and the so-called urban lab to discuss important city issues with inhabitants. He was organizing outdoor meetings and city walks. He also strengthened communication with citizens in social media (first of all Facebook) and elements of e-democracy (Transcript of in-depth interview no. 4 2023b).

On the other hand, the citizens themselves – individually and as members of local organizations, city movements and media – show that the consolidation of local democracy in Rzeszów is in progress. The number of groups active in public life is increasing (e.g. youth). Certain NGOs are increasingly influential, e.g. ecological organizations (Transcript of FGI II 2022b). Citizens and local activists are taking part in protests against the de-democratization tendencies – in Poland but also abroad. The same can be said about other analyzed cities such as Warsaw, Płock or to some extent Lublin (e.g. Diduszko-Zyglewska 2017).

However, a closer look at the present mechanisms of local democracy in these cities allows us to take a more critical approach. There are still some democratic deficits that justify the claim expressed by many interviewed local journalists or NGOs members that actually "sham democracy" has been developed at the level of cities (Transcript of FGI I 2022a; Transcript of FGI II 2022b). The mechanisms of participatory or deliberative democracy have been developed, but they are often ostensible and ineffective (i.e. do not give the city residents a real power).

The participatory budgets do not work properly. They are bureaucratized, schematic (similar type of projects were proposed in subsequent editions) and politicized, serving the interests of parties and local authorities - they are used for implementation of their statutory tasks (Transcript of in-depth interview no. 11 2024a; Błaszak 2019). We can also observe the "participation fatigue" – there are often fewer applications and voters in subsequent years. However, there are also opposite examples. For instance, while in Warsaw fewer and fewer inhabitants voted for the participatory budget projects (with the exception of 2019-2021), in Rzeszów, an increasing number of people were active in this regard (with the exception of 2020 - the COVID-19 year). The figure below shows this clearly.

Figure 2: The number of votes for participatory budget projects in Warsaw and Rzeszów

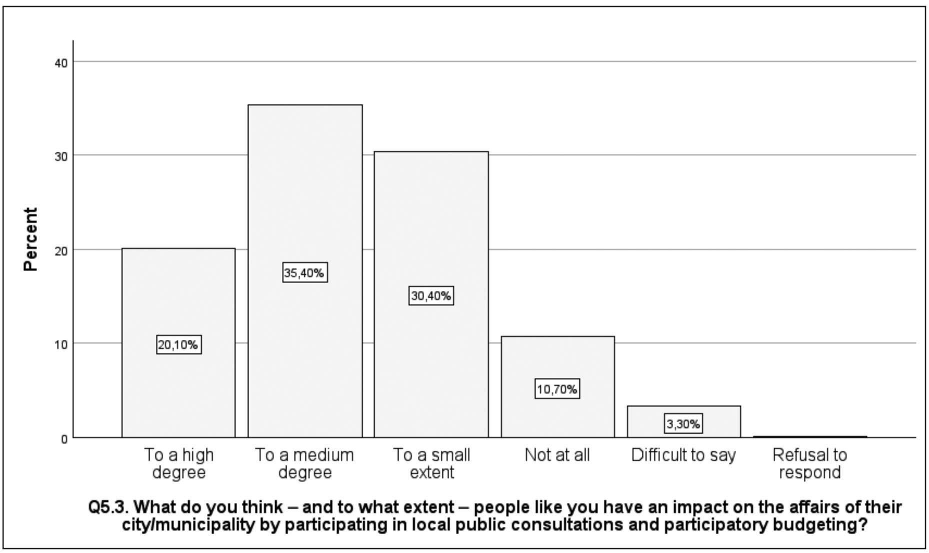


Source: https://um.warszawa.pl/waw/bo/poprzednie-edycje;
https://erzeszow.pl/pl/3108-rbo/78599-wyniki-poprzednich-edycji.html

This fatigue also concerns social consultations. They have been in most cases significantly developed. Long experience seems to have in this regard e.g. Warsaw. In the capital city a rising number of consultation mechanisms in different form - online and paper surveys, consultation online and on-site meetings or workshops and e.g. "consultation walks" – took place. The city inhabitants are asked about various initiatives, projects and investments of local authorities – from single streets or parks to big investments (such as a new metro line) and general city plans (e.g. Bartnicka 2017). However, there is less and less interest in consultations, which is affected by the approach of local authorities who often treat them as an unpleasant obligation required by regulations, the PR tool or way to delay a decision on a particular issue (Transcript of in-depth interview no. 13 2024b). According to the laws on self-government in municipalities (1990), districts and voivodeships (1998), the local and regional authorities can organize consultations with citizens in the cases provided for in the law or on issues important for local/regional communities. In the former case, the consultations are often obligatory, e.g. with reference to area development plans, investments in sectors impacting the environment or projects of development strategy (Regulski 2003).

It happens that there is a lack of sufficient information on consultations or their duration is limited. The way of conducting consultations also leaves a lot to be desired. They are often limited to a collection of questions and then very selective replies (Transcript of FGI II 2022b). Sometimes, there is no discussion at all within these consultations – citizens just write questions. Moreover, they are often not effective – people are not heard by local authorities. The latter often think that they know better. For instance, the Warsaw authorities organize consultations at different levels but later implement their own projects – as in the case of Krasiński Garden or one of the fitness area projects in the Wola quarter (Żelazowska 2013). It is not surprising then that in the mini-survey conducted for the presented project by CBOS in June 2024 just 20.1% of respondents see both participatory budgeting and public consultations as mechanisms giving them "to a large extent" a real power in their cities or municipalities (see Figure 3 below). However, sometimes the position of local authorities is justified by a low quality of opinions and proposals being often unfeasible or irrational (Transcript of in-depth interview no. 3 2023a).

Figure 3: Attitudes of Poles towards public consultations and participatory budgeting in their cities/municipalities in 2024 (sense of impact)



Source: CBOS omnibus survey, CATI (N=1000), 24 June 2024.

The investigation of work of the local authorities in cities, based on interviews and media analysis, reveals also that there is a problem with obtaining the necessary information by citizens but also journalists from the city bodies. Petitions are often ignored (but, as mentioned above, this approach is often justified by their low quality) (Transcript of FGI II 2022b). Urban movements compete for funding and are transformed from citizens movements to corporate groups. The work of different local NGOs is not hindered by the local authorities, but they either do not support these organizations or the support is limited to such issues as patronage over events. The exception is the situation where a particular organization is very popular in a local community. However, there is often no assistance which would make, e.g., the equality organizations more effective (particularly when local authorities do not share the ideas of these NGOs or the latter are critical of the authorities). The situation concerning unequal treatment of NGOs by local authorities was summarized well by a member of one of Rzeszów's city movements. He said that "the city treats social and civic organizations as one in the food chain, there are institutions and movements that are more important, which the city supports, and we are one of them only if there is something left, then we will get it." (Transcript of FGI II 2022b) Last but not least – although local councils gathering different groups of inhabitants have been developed in recent years (e.g. youth, senior or women councils, with many deficits concerning particularly the last group), some of them have difficulties to work regularly (e.g. housing estate councils) (Transcript of FGI I 2022a; Transcript of FGI II 2022b).

Conclusion

Even this preliminary research proves that the key question of the relationship between democratic and undemocratic changes at the national level and subnational levels in Poland is very complex. The answers to all questions posed in the Introduction are difficult and can be at best considered implicit. Already, this early stage of the research verifies negatively some initial assumptions about the state of multilevel democracy in Poland, made in the preparatory phase of the project. Although the year 2015 was without any doubt crucial for the undemocratic changes at subnational levels in the next years, taking over power by PiS is not the only explanatory factor of these changes. Similar (not necessarily the same) practices often observed in the case of other political parties holding power at subnational levels force us to consider also the state of local and regional democracy in the whole analyzed period. Identifying alternative explanations (here: other than the impact of national changes) is necessary to fulfil the requirements of correct process-tracing, one of the main research methods employed in this study (Bennet and Checkel 2015).

In consequence, we should be cautious about firm claims concerning the impact of one territorial level on the other in terms of de-democratization in Poland. The same appeal refers to the identification of local territorial units as "democratic enclaves", even if local authorities coming from oppositional parties at the national level do not have doubts about this role played by their cities.

However, further studies are needed to draw concrete and more decisive conclusions in this regard. The answers to the posed research questions require, obviously, a continuation of the project, i.e. a thorough analysis of all collected data.

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Adam Šimanski

Kriza demokratije u Poljskoj–da li ona utiče na subnacionalne nivoe?

Apstrakt

Većina aktuelnih istraživanja o demokratskim i de-demokratskim promenama u Evropi do sada se fokusirala na nacionalni nivo, iako su ovi procesi važni i na lokalnom i na regionalnom nivou. Cilj ovog članka je da ispita: 1) promene koje se dešavaju u demokratskom ili autokratskom pravcu unutar subnacionalnih struktura u jednoj državi, kao i 2) njihov odnos sa sličnim procesima na centralnom nivou – sa fokusom na uticaj nacionalnog nivoa na niže teritorijalne nivoe. Analiziran je slučaj Poljske, sa fokusom na period od 2015. do 2023. godine (period vlasti partije Pravo i pravda), ali se uzimaju u obzir i prethodne godine kako bi se identifikovale moguće promene u vezi sa pitanjima ovog istraživanja, a koje se događaju od 2015. godine.

Članak predstavlja deo istraživanja sprovedenog u okviru pilot projekta. Pretežno koristi kvalitativni pristup i zasnovan je na sledećim izvorima podataka: materijalima lokalnih medija, podacima iz dubinskih polustrukturiranih intervjua sa subnacionalnim političarima i nacionalnim ekspertima, kao i podacima iz intervjua u fokus grupama sa lokalnim novinarima i članovima nevladinih organizacija.

Ključne reči: (de-)demokratizacija, demokratska enklava, lokalna demokratija, Poljska, teritorijalna politika

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THE EVOLUTION OF THE ‘CARPATHIAN BASIN’ DISCOURSE IN THE HUNGARIAN PARLIAMENT (1998-2020)

ABSTRACT

We explore the use of the term “Carpathian Basin” in the Hungarian Parliament 1998-2020. The “Carpathian Basin” is a term of Hungarian geography, historically used to justify Hungary’s territorial claims during the interwar period. While it was absent from official discourse for decades, it has recently gained traction among Hungary’s politicians. By processing 1525 speeches, we examine changes in the discourse of three major political blocs (right-wing nationalist, liberal/left, and Fidesz) to capture the linguistic representation of the dynamics of political polarization, and to identify changes in politically driven identity patterns and framing differences.

Our paper has both methodological and substantive relevance. The methodological novelty is that we apply methods that allow automated processing of large text corpora without reading them, in a field where previously mainly qualitative approaches were used. We show that it is possible to detect changes in framing in an automated way without human coding. From a substantive point of view, our study focuses on the linguistic features of an important concept that differ from one political ideology to another.

We employ both supervised and unsupervised modeling approaches. The supervised classification was used to examine changes in the polarization of discourse, while the unsupervised tool (Structural Topic Model) supported a more nuanced, qualitative interpretation of the results. According to our results, the political ideology of the speakers of the speeches can be predicted more effectively, i.e. a kind of polarization-growth can be detected, while at the same time the deeper analysis shows that parallels can be detected in the changing discourse of different ideological sides. One such common feature is a more concentrated focus on the Hungarian nation, as opposed to neighboring peoples and the European Union. We also found discourse traits of both the left’s rapprochement with the right (as an imprint of the left’s opening to Hungarians beyond the borders after 2010) and the moderation of the far right.

KEYWORDS

natural language processing, Carpathian Basin, Hungarian Parliament, ideological divides

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"So when we talk about Hungarians beyond the borders, we should always put this adjective in brackets; let's talk about Hungarians, let's talk about Hungarians living in the Carpathian Basin and in the world, let's talk about our annexed or separated brothers and sisters, but I think that we cannot go in the direction of what, among others, the policy of abandoning national interests has embodied [...]"

Dr Tamás Gaudi-Nagy, parliamentary speech
far-right party Jobbik, 2013

1. Introduction

The quote from the motto shows the stakes of our research, the concept of Carpathian Basin is not a neutral term, as it is loaded with geopolitical intentions, and actors in political discourse are conscious of their choice of words (see the proposal of 'Hungarian living in Carpathian Basin' instead of the neutral 'Hungarians beyond the border'). As Megoran (2006) defined, a political geographical imagination is 'the way in which people experience, conceive of, or desire a particular configuration of the relationship between space, ethnicity, nation, and political community.'

The research is at the intersection of sociology and regional studies: the use of the term Carpathian Basin in public policy discourses in the Hungarian Parliament in the period 1998-2020. In our analysis, we use databases of the ELTE Research Center for Computational Social Science (rc2s2.elte.hu/en), on which the most important preprocessing and cleaning tasks have already been carried out by the research group. The aim of our research is to identify changes in (geo)political intentions through the changing use of the term, and, in this context, the changing relationship between ideological sides.

The Carpathian Basin as a landscape unit is bordered by the Alps (in the west), the Carpathians (in the north, east and south), the Dinaric Mountains and the Šumadija Mountains (in the south). It includes Hungary and Slovakia, as well as parts of Croatia, the Czech Republic, Romania, Serbia and Ukraine; the country shares borders with seven different countries within this area (Gaudenyi, Mihajlović 2022).

The 'Carpathian Basin', the most important Hungarian geographical concept, is linked to the historical process of (self-)recognition and (self-)definition of Hungary (Balogh, 2021). Although the concept of the Carpathian Basin was rarely used between 1960 and 1981, it has since been increasingly back on the political agenda, becoming a central element of the governmental narrative. Based on Balogh (2021) the concept played a vital role in demarcating Hungary during disputes over its boundaries and legitimizing territorial claims lost during the interwar period. While the term fell out of use between 1960 and 1981, it resurfaced after political changes, fueled by Hungary's interest in the fate of ethnic relatives in neighboring countries. Counter-discourses, both foreign and domestic, emerged, with the latter addressing overlooked issues in mainstream Hungarian geography and politics. Foreign counter-narratives mirrored the interests of their respective countries.

Nowadays, there is a noticeable resurgence in the usage of the term "Carpathian Basin" within the government narrative as "an unquestionably cohesive political geographical entity". This strategic use of language is underscored by the presence of a dedicated program on public television titled "Carpathian Basin News", in which the news is about "Hungary, the Carpathian Basin and the world at large", and even the weather forecast is for the whole of the Carpathian Basin.

The concept of the Carpathian Basin appeared several times in Hungarian parliamentary politics and legislation since the 1989 regime change: in a nature conservation (environment protection) context, in a historical context, and also in connection with responsibility towards Hungarians living beyond the borders (Scott, Hajdú 2022). The significance of this concept in Hungarian domestic politics and thus in party competition is difficult to understand without the development of the issue of national politics, a special concept that refers to the responsibility and actions of the Hungarian state and government towards the Hungarians who live beyond the borders. Therefore, in order to understand why the Carpathian Basin became a political symbol in Hungarian politics and how it has evolved, we briefly review how Hungarian national politics changed after the regime change in 1989.

The first prime minister of the new-born Hungarian democracy, József Antall, declared after his election that he wanted to be the prime minister of fifteen million Hungarians in spirit. This sentence perfectly symbolizes the challenges of Hungarian national politics and the significance of the Carpathian Basin as a political and geographical concept. The fifteen million Hungarians naturally included the community of millions of people living outside Hungary who were not Hungarian citizens but were still of Hungarian nationality, for whom the Hungarian state and its leaders, as leaders of the national political community, were responsible. However, the phrase "in spirit" reflected the unique situation that this responsibility was primarily ideological and symbolic, as there was no real legal relationship between Hungarians living beyond the borders and the Hungarian state. Although the Hungarian opposition parties at the time considered this declaration by the prime minister to be worrying, the issue of Hungarians living beyond the borders was not fundamentally a subject of domestic political debate (Pogonyi 2017). An important part of this was a series of state treaties concluded with certain neighbouring countries, in which the Hungarian state reaffirmed the decisions laid down in the peace treaties of 1920 and 1947 that ended the world wars, thereby renouncing its territorial revisionist aspirations. Although some right-wing politicians criticized the governments that concluded these treaties, a broad consensus emerged among the parliamentary parties that the country had no territorial revisionist claims, as these would not only jeopardize the international order and the principles of international law, but also the security of Hungarians living beyond the borders, at a time when anti-Hungarian sentiment was already an important factor in Romanian and Slovak domestic politics (Mák 2000).

The consensus among mainstream parties on the situation of Hungarians living beyond the border, their relationship with Hungary, and the political and legal scope of action available to the Hungarian state was essentially broken by the status law adopted in 2001. This legislation did not grant dual citizenship, but it did grant special legal status to Hungarians living beyond the border, which, among other things, made it easier for them to find work and entitled them to certain social benefits (Udrea 2013). The potential budgetary and social spending implications of this legislation were strongly criticized by the Socialists and Liberals during the 2002 election campaign, which can be seen as a turning point which broke the previous consensus and highlighted the fundamental differences between the left-liberal and right-wing political camps on the issue of Hungarians living beyond the border. This confrontation was reinforced by the 2004 referendum on dual citizenship: the right wing, led by Fidesz, campaigned for easier citizenship for Hungarians living beyond the border, while part of the social-liberal camp supported abstention from voting and another part supported a no vote, with only a few left-wing and liberal politicians endorsing the yes vote (Németh et al, 2024). The invalid referendum left a serious mark on Hungarian politics: from then on, the right wing, which called itself the national side, presented itself as the main representative of the interests of Hungarians in the Carpathian Basin. Fidesz, which came to power in 2010, also expressed this by healing the wounds caused by the failed 2004 referendum and creating the possibility of dual citizenship. Contrary to earlier promises, the parliament also extended voting rights to dual citizens (in practice, the requirement of residence in Hungary for voting rights was abolished). It is also from this moment that national politics became a prominent element of governance; while in the years before 2010, the agencies and support programs dealing with Hungarian minorities were usually referred to "Hungarians beyond the border," in the period after 2010, national politics was usually linked to Hungarians of the Carpathian Basin, and references to living beyond the border almost completely disappeared. To sum up the period after 1989, it seems that while in the first decade after the change of regime there was basically political consensus among the parliamentary parties on the situation of Hungarians living beyond the border and the Hungarian state's responsibility towards them, after the 2001 status law, the Hungarians of the Carpathian Basin and the national policy related to them increasingly became the subject of domestic political struggles, and after the political turnaround of 2010, both national policy as a concept and instrument and the Hungarians of the Carpathian Basin as a cross-border political community transcending national borders.

Our paper has both methodological and substantive relevance. The methodological novelty is that we apply methods that allow automated processing of large text corpora without reading them, in a field where previously mainly qualitative approaches were used. We show that it is possible to detect change in framing in an automated way without human coding. From a substantive point of view, the significance of this research lies in the fact that while the research of other authors on the topic, e.g. Balogh (2021), is based on the texts of geographical authors, this analysis examines the official political public sphere, and thus directly the geopolitical self-image of the country. The emergence of the term Carpathian Basin in Hungarian politics is significant not only for the political geographical approach, but also for political discourse and policy making. What Balogh (2021) presents in relation to the history of the development and political use of the term is significant not only because it summarizes the meanings and knowledge that have been accumulated on the term, but also because we can see that the Carpathian Basin as a term, incorporating these layers of meaning, becomes a symbol in everyday Hungarian life. Not only in politics, not only in other cultural or entertainment arenas important to society, but even in education, or, as mentioned above, in everyday phenomena such as weather reports or other map representations of territorial issues.

In the world of politics, the role of language and symbols is particularly important. These symbols, born from political action, bring otherwise distant institutions closer to individuals, endow politics—and the specific phenomena, institutions, or actors they represent—with a kind of mythical significance. (Edelman 2004). According to Cohen, "It is the very essence and potency of symbols that they are ambiguous, referring to different meanings, and are not given to precise definition" (Cohen 1979: 87).

A political symbol can be anything "that represents a political institution, hierarchy, movement, belief, or ideology", i.e. anything can serve as a political symbol if people associate it with some aspect of political reality (Theiler 2017). A political symbol has three main functions: first, it provides a simplified and condensed meaning of certain political procedures or principles, making them easier to internalize. Second, it allows institutions and emotions to be linked, and this affective symbol is also necessary for citizens to relate to politics. Third, there is a cumulative-representative function, in which a symbol embodies, represents and links views, values and political expectations. Symbols can help form larger social groups into a common political camp, even if there is no universal agreement among them. It is important to note that for this grouping element to be effective, the symbol must remain multi-layered and somewhat ambiguous. This vagueness allows the political community it unites to be as broad as possible (Theiler 2017).

In the case of the Carpathian Basin, all three functions are clearly outlined in the Hungarian politics. Its meaning is not only a concrete geographical unit, but as a symbol of the heroic historical past, of the once united (now mutilated) nation, of the Hungarian nationality as an organically (geographically) cohesive political community. The symbol, which always has an ambiguous meaning, allows us to widen the scope of specific, legally very well-defined political action and institutions, to expand their legal-institutional boundaries, or to make these boundaries fade away or become meaningless.

In the previous phase of our research (Németh, Katona et al, 2025) we investigated the political determination of the discourse in the Hungarian

Parliament. Our results showed a resurgence in the use of the term 'Carpathian Basin'. The discourse serves as a battleground for different political ideologies in the Hungarian Parliament. Left-liberals use it neutrally to describe a diverse region, focusing on institutions and interests. In contrast, right-wing narratives often portray the Carpathian Basin as a unified geographic entity, with some questioning territorial legitimacy, while others emphasize values, emotions, and culture, offering a collective identity through its use.

In the present study we will focus on the change of this discourse over time (1998-2020). After the war, the term "Carpathian Basin" became a taboo term until the early 1980s (Balogh, 2021). Since then the term has gradually come to the fore again in recent decades (Hajdú, 2018) and now plays a role in everyday political discourse and in the construction of national identity (Scott & Hajdú, 2022). Our study focuses on the last two decades of this process and the parliamentary discourse as a whole, and focuses on the detection of change.

We use computational tools to process the speeches containing the phrase from all the parliamentary speeches of the two decades under study. From an epistemological point of view, the empirical social research trend based on text also has a history of several decades. One of these antecedents is the narrative turn in the social sciences (Goodson, Gill, 2011), which primarily sought to provide a methodological alternative to positivist research, seeing in the text the possibility of a self-reflexive approach to social phenomena. Several other, not unrelated, discipline-specific antecedents of the emergence of discursive approaches in social research include the science of language and politics, where language is seen as an indispensable tool for political action (Wodak, Forchtner 2017; Müller, 2008), or the science of language and history, where the discursive construction of national history (Wodak, 2010) or national identity (Wodak et al., 2009) is focused on. In our approach, the text is not presented as an object to be read and understood, but rather as an input to automated methods without actually being read by anyone. The use of NLP in social research is thus related to this recently popular 'text as data' approach, where text is the input to computer algorithms as an ordered, well-structured, numerical database.

2. Research questions

The research divides parliamentary speeches from 1998 to 2020 by the date of the 2010 election, thus comparing two time periods. Our aim is to investigate the change in speech styles of the three major political entities (right-wing nationalist, liberal/left and Fidesz) in relation to the discourse of the Carpathian Basin:

RQ1. Can we capture a change in the linguistic representation of political polarization? We address this research question using machine learning classification at first. We train our models on a subsample and evaluate their performance on another set of data over time. Our focus is on the results in terms of confusion, where we observe the model's capability to distinguish between parties at two different time points.

RQ2. What changes in content can be detected across ideologies? (Changes in party discourse) Here we use Structural Topic Modelling (STM) to observe thematic changes through the word usage of the three different ideological blocks.

RQ3. What changes can be detected in the discourse of each political-ideological bloc? Is there divergence or homogenization? (Dynamics of differences between parties) In answering this research question, we will draw on the STM to examine thematic shift / changing framing, measured by word choice, in a comparison of political blocs. There are two more general background processes that are related to this research question.

1. "Two-way mainstreaming" means the radicalization of the traditional right and the strategic refinement of the extreme. This leads to a blurring of the boundaries between the classical far right and the centre right, and extreme narratives become part of the public discourse and even the norm (Hunyadi, 2022). A good example of the strategic refinement of extremism is the moderation of Jobbik[1] which has been observed since 2013: the party's campaign messages have been significantly moderated, statements have been made distancing themselves from their racist and anti-Semitic manifestations, and the declared goal has become to become a "real people's party" (Kovarek, Farkas 2017).

2. The left-wing's turn in its attitude to national identity. Since the regime change, the left has been constantly on the defensive against the right in the discourse on national identity. The socialists began to focus on renewing their attitude towards national identity after the 2010 election defeat, which brought a radical turnaround in the assessment of the attitude towards Hungarians beyond the borders. This consciously prepared turnaround is based on the MSZP's[2] attempt to get out of the box into which Fidesz and Jobbik tried to force the socialists. The policy of reaching out to Hungarians beyond the border can be seen as the symbolic beginning of this shift (Friedrich Ebert Stiftung-Policy Solutions, 2013).

Beyond answering the research questions, the paper highlights the relevance and innovative nature of using the Structural Topic Model (STM) in political discourse analysis. The STM is an extension of the Latent Dirichlet Allocation (LDA) topic model, developed by social researchers for their own purposes (Roberts et al., 2014, 2019). Unlike LDA, the model allows us to add meta-variables to the model in the form of categorical variables that explain the frequency and content of topics. The relevance of the method to social science is illustrated by the fact that its creators, political scientist and sociologist

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1 Jobbik is a Hungarian political party that has experienced ideological shifts, initially known for its right-wing and nationalist stance, but later undergoing a moderation process to present a more centrist and moderate image.

2 The Hungarian Socialist Party (Magyar Szocialista Párt, MSZP) is a center-left political party in Hungary, historically associated with socialist and social democratic principles.

Roberts and colleagues (2014), applied the tool to open-ended questionnaire responses to immigration questions to show, for example, the effect of party preference on the prevalence and framing of immigration fears topics. The innovation has thus transformed the topic model from an exploratory tool into a method that allows testing associations with important characteristics like the party preference above. Within the meta-variables, we can specify which ones influence the frequency (prevalence/population) and which ones influence the content (framing) of the topics. A further difference with the LDA topical model is that it removes its restriction on the uncorrelatedness of topics.

3. Data and methods

A total of 1,525 speeches were analyzed. We only examined the parliamentary speeches that include the term 'kárpát_medenc*', the preprocessed, standardized Hungarian form of the Carpathian Basin.

In our analysis, we explore the temporal dimension through two categories, using the 2010 national elections as a dividing point. Fidesz changed the government in that election year, and from then on, the government radically transformed the public law system and declared its system-building intentions from the beginning. Since 2010, there has been a hegemonic party system in Hungary, where the governing party, Fidesz won ⅔ majority in the parliament in four consecutive elections. The electoral system was changed fundamentally in 2011 and 2012, and since then, several minor changes like fine tunings have been implemented to guarantee the victory for Fidesz. 2010 was a turning point also from that perspective that, as mentioned before, Fidesz-led parliament implemented dual citizenship with voting rights for ethnic Hungarians, which not only extended the Hungarian electorate but put the topic of national politics, including financial supports for kin-Hungarians outside of Hungary into the agenda of the Hungarian parliament.

Besides the temporal dimension three groups of parties active during the observed period were identified: Fidesz; right-wing nationalist (Jobbik, MDF, FKGP, KDNP, MIÉP); and left-wing liberal (SZDSZ, MSZP, DK, LMP, PM, Együtt.). The last two political groups, especially the parties in the left-liberal bloc, have diverse ideologies. They don't have a clear ideological stance; instead, they are used in relation to Fidesz, the dominant party. Table 1. shows the number of speeches made by each of the three blocks at each of the two time points.

	25.06.1998 11.04.2010	12.04.2010. - 23.11.2020
Fidesz	153	397
right-wing nationalist	161	490
left-wing/liberal	161	163

Table 1. The number of speeches by ideological block and date

In our analysis, we consider parliamentary speeches as the unit of analysis. Our research group Research Center for Computational Social Science developed a convention-based cleaning and preprocessing pipeline for the Hungarian language, adjusting to the research questions. The different stages of this process were: character standardization, filtering of the texts according to certain aspects, word cleaning (deletion of non-linguistic signs, irrelevant parts), defining and removing stop words (as those words are too common), word lemmatization (deleting conjunctions) and unification (name recognition, essentially the unification of proper names). We used preprocessed data from our research group.

Natural Language Processing (NLP) is a Machine Learning technique used for understanding, interpreting, and also generating texts. In the context of our research, NLP plays an important role in extracting insights from parliamentary speeches, by using different models and algorithms.

Our research questions are addressed using two approaches: supervised learning and unsupervised learning. In supervised learning, we use algorithms to classify speeches into one of three ideological blocks. This approach involves training algorithms on our labeled corpus, where each speech is associated with one of the three political blocks. To train the models, we divide our corpus into two different datasets: the training data (80% of the texts) and the test data (20% of the texts). The two datasets will be used to create the model and then to evaluate the model's performance. The algorithm used for classification learns textual patterns and correlations in the training data to make predictions about the ideological affiliation of new, previously unseen speeches from the test data. As we know the real categories, we can compare the predicted labels and the true labels for each speech. With various measures, we can describe the efficiency of the model.

On the other hand, we also employed an unsupervised learning technique, the Structural Topic Model (STM), to analyze the topics of parliamentary speeches. In contrast to supervised learning, unsupervised learning does not need labeled data. These models identify patterns and latent structures in the texts without any prior knowledge of categories, themes. STM is used to discover latent topics within the speeches and to uncover how these topics are related to each other, to the time dimension and to the ideological blocks.

The key difference between the two approaches lies in the nature of the learning process. Supervised learning requires labeled data and aims to classify new instances into predefined categories, while unsupervised learning aims to uncover hidden patterns in the data. By employing both supervised and unsupervised learning techniques, our research provides a comprehensive analysis of parliamentary speeches, shedding light on ideological differences through thematic content.

4. Results

4. 1. Multinomial logistic regression

During classification we also focus on the reasons behind classification. The interpretation of classification models is extremely important: on the one hand, it helps us to understand how the model makes its decisions, how it classifies a given speech into different categories, and on the other hand, it provides us with deeper information about the framing of the Carpathian Basin in the Hungarian Parliament.

We used multinomial logistic regression for the classification, with default settings of the model. Logistic regression (Eisenstein 2019) is used for binary classification tasks, where the outcome variable has two possible outcomes. The model can be extended to handle multi-class classification problems. This allows us to use the model on our task: classifying parliamentary speeches into three different ideological blocks. Logistic regression models the probability that a given observation belongs to a particular class. In our research, each ideological block represents a class, and logistic regression gives an estimation of the probabilities of a speech belonging to each block. An important advantage of this model is that it provides easily interpretable results, allowing us to understand the influence of individual textual parts on the classification outcome. As mentioned before, interpretability is important for our research, as we would like to understand which terms are driving the classification of speeches into different ideological categories.

Our original sample is highly unbalanced, with Fidesz and the right-wing nationalist group being over-represented at the second time point. To deal with the imbalance, these categories were randomly undersampled (Table 2.). Random undersampling removes data points from the over-represented class, potentially leading to the loss of valuable patterns and relationships, weakening the model's ability to generalize, and reducing its capacity to learn meaningful patterns for both dominant and minority classes. However, in our case, it is a useful and unavoidable approach to address the imbalance, though it may sometimes compromise the robustness of the model.

	25.06.1998 - 11.04.2010		**12.04.2010. - 23.11.2020**	
	original	undersampled	original	undersampled
Fidesz	153	153	397	160
right-wing nationalist	161	161	490	160
left-wing/liberal	161	161	163	163

Table 2. The number of speeches by ideological block and date after undersampling

Outcome variable was the ideological block, and we used Term Frequency-Inverse Document Frequency (TF-IDF) vectorizer on the preprocessed texts of the speeches. TF-IDF is a technique which reflects the importance of a word in a document relative to all documents in the corpus. By using TF-IDF, we could underweight the influence of common words that may not carry high discriminatory power. We used ‘unigrams’ and ‘bigrams’ as features for prediction, allowing our model to capture both individual words and pairs of adjacent words.

To predict the three categories, we divided the corpus for the two time points and fitted separate models for the two time points. We used 80% of the data for training the model and 20% of the data for testing the classification performance. We use the confusion matrix to analyze the performance of the classification model. The matrix displays the counts of true positive, true negative, false positive, and false negative predictions. This allows for a comprehensive assessment of the model’s ability to correctly classify speeches. We measured the model performance accuracy. Accuracy measures the proportion of correctly classified instances among all instances in the dataset. The model performs no better or not much better than random classification. However, the model performance improved for the second time point compared to the first. Based on this improvement in the model, we can infer an increasing polarization in the framing of the Carpathian Basin in the parliamentary speeches.

time period	confusion matrix					accuracy
25.06.1998 - 11.04.2010		Predicted category				0.49
	Actual category		Fidesz	Left-liberal	Right-wing nationalist	
		Fidesz	6	11	19	
		Left-liberal	3	21	9	
		Right-wing nationalist	2	4	20	
12.04.2010. - 23.11.2020		Predicted category				0.58
	Actual category		Fidesz	Left-liberal	Right-wing nationalist	
		Fidesz	18	12	10	
		Left-liberal	1	21	6	
		Right-wing nationalist	1	10	17	

Table 3. Results of the classification

Based on the confusion matrix (Table 3.), looking at the first time point, we can see that the model fails to identify speeches related to Fidesz politicians, sorting speeches to the right or left more often than correctly. It categorizes the left and right correctly, classifying relatively few wrongly. We can conclude that the model tends to classify speeches held by left-liberals as right-wing nationalist speeches. This is also because the left-liberal bloc contains a relatively diverse party palette.

In the second period, the recognition of Fidesz politicians' speeches improves, but the classifier still assigns a lot of speeches to both as left-liberal and right-wing nationalist. The model classifies left-liberal speeches well. However, it assigns many of the right-wing nationalist speeches to the left. The model's incorrectness in this category is consistent with the moderation of right-wing parties discussed earlier.

4.2. STM

Topic models are used to discover hidden thematic structures in a collection of documents. One of the most used topic models is the Latent Dirichlet Allocation (LDA). Topic models assume that 1) each document in the corpus is generated by a mixture of underlying topics that reflect the thematic structure of the document; 2) each topic is represented as a distribution of words in the vocabulary. This distribution identifies the words that are most likely to occur in documents addressing a given topic. The aim is to find the best way to explain how these topics and words are distributed throughout the documents. This helps us to understand what the main concepts are and how important they are throughout the collection.

The Structural Topic Model (Roberts et al. 2019) is a subtype of topic models. STM allows the researcher to estimate the topics' relationship to document metadata, which can influence both the content (the words used within a topic) and prevalence of topics. Moreover, it allows correlation between topics, i.e. it does not make the unrealistic assumption that the appearance of topics in individual speeches is independent of each other. The advantages of the STM include its ability to analyze changes over time, thus we can observe the evolution of topics in documents with the inclusion of the three ideological blocs in the analysis. This opens up the possibility of exploring different ways of speaking and framing. In our analysis the structural topic model is used for validation and interpretation: to support the classification models. The inclusion of the three ideological blocs in the analysis not only enriches our understanding of topic evolution, but also provides deeper insights into how different perspectives shape discourse over time. The STM enables a more detailed examination of ideological shifts and allows us to identify subtle variations in language use and framing strategies across different ideological affiliations.

To determine the number of topics, we opted for a topic number of 7 using a qualitative and quantitative (see Fig. 1) approach.

The model has two important covariates: prevalence and content. Prevalence helps account for variations in the occurrence of topics based on external factors, which are in our analysis date and political bloc. The combination of the same variables was also used as content variable. This covariate provides insights into how external factors shape the content and language style associated with a particular topic.

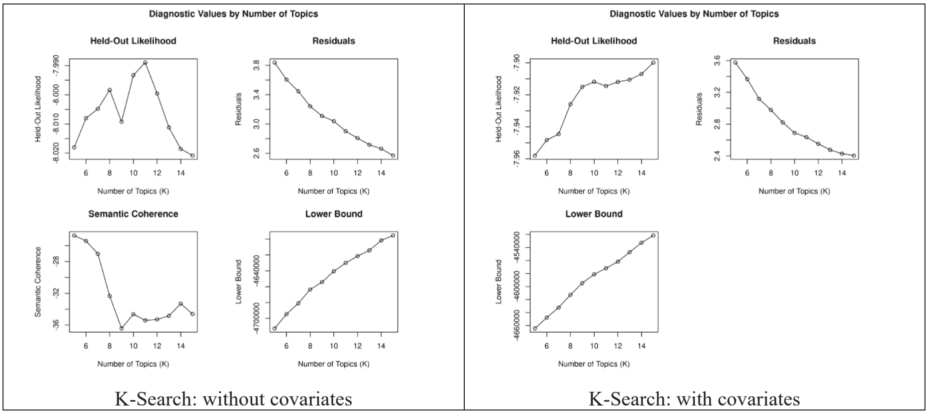

Figure 1. Diagnostic values by number of topics

The final 7-topic model is presented in Table 4. The table presents the topic labels obtained after qualitative and quantitative interpretation, the topics' prevalence, and their most relevant terms.

Instead of frequency the most relevant terms are defined by FREX, not the most frequent terms within the topic but the most distinctive ones (Roberts et al. 2019). The correlation between the topics was not found to be of a considerable size (absolute value below 0.25), this means there is no relation between their occurrence in speeches. This suggests a high degree of thematic independence among the topics[3].

We can analyze the topics by examining their key terms and representative speeches. Topic 1 primarily revolves around discussions concerning agriculture and its related sectors, including water management, environmental and climate policies, and sustainable energy. The Carpathian Basin is depicted as a transboundary ecosystem within this context.

Topic 2 encompasses cultural subjects spanning the entirety of the Carpathian Basin, such as the 'hungarikum' designation, which denotes locally produced high-quality goods.

Topic 3 addresses public administration and regulatory matters affecting Hungarian communities beyond national borders, focusing on issues like voting rights.

Topic 4 revolves around speeches related to memory politics, particularly commemorations such as the 1100th anniversary of the founding of the state. Here, the Carpathian Basin is typically portrayed as the historical homeland of Hungarians for a millennium.

Topics 5 and 7 tackle various public policy domains (including church policies, cultural heritage), economy and financial matters. These topics encompass diverse subjects, with the Carpathian Basin context being just one aspect among broader economic topics such as budget discussions and development programs spanning the entire region.

3 According to the authors' experience, correlations between topics are rare.

Regarding Topic 7, it can be identified as national and neighborhood policies. These stances typically address issues pertaining to the political, cultural, and religious organizations of Hungarians beyond the borders.

ID	Label	Prevalence (1998-2010, 2010-2020)	Most relevant terms
T1	Agriculture	0.19	víz (water), élelmiszer (food), föld (land), mezőgazdaság (agriculture), növény (plant), mezőgazdasági (agricultural), termőföld (farmland)
T2	Culture	0.15	palinka (spirits), hungarikum (unique Hungarian product), székely[4], emlékév (commemorative year), Duna Televízió (Duna Television[5]), szórvány (scattered[6]), János[7]
T3	Public administration, regulation	0.16	ön (you), Jobbik (Jobbik, right-wing political party), Fidesz (Fidesz, currently governing party), párt (party), szavaz (vote), választás (election)
T4	Memory politics	0.16	nép (people), Alkotmány (Constitution), történelem (history), Alaptörvény (Fundamental Law[8]), szabadság (freedom), hős (hero), csata (battle)
T5	Public Policies (monument protection, family policy, media regulation etc.)	0.10	stratégia (strategy), civil (civil), műemlék (monument), egyetem (university), változás (change), éghajlatváltozás (climate change), Duna (Danube)
T6	Economy & Finance	0.11	nemzetiségi (related to nationality), milliárd_forint (billion forint), összeg (amount), millió_forint (million forint), költségvetés (budget), nemzetiség (nationality), egyházi (related to church)
T7	National politics	0.14	tábor (camp), Erzsébet[9], nemzetpolitika (national policy), nemzetpolitikai (national political), diaszpóra (diaspora), külhoni magyar (Hungarian beyond the border), értekezlet (meeting)

Table 4. Topics of the final model, with their label, prevalence, and most important terms.

4 The Székely people are Hungarians with their own ethnic identity living in Transylvania, Romania. They had autonomy between 1950-1968.
5 Hungarian television channel, one of the main tasks of which is to provide Hungarians living beyond the country's borders with programmes in their mother tongue.
6 "Szórvány": Hungarian minority communities living in a scattered area, far from the majority of the Hungarian minorities. The term is intended to distinguish them from the Hungarian minority population, who live in a relatively contiguous area and form a majority in that place (they are referred as "tömbmagyarság").
7 Hungarian male first name.
8 The "Fundamental Law" is the Hungarian constitution, adopted in 2011 after the landslide victory of the Fidesz. It has been the subject of controversy both at home and abroad. Critics claim that it was adopted without sufficient input from the opposition and society at large, and that it reflects the ideology of the ruling party.
9 The "Erzsébet Camps" program offers holidays for children, including those from beyond the border.

4.2.1. Different political framing, temporal changes: focusing on topics 4 and 7

In the following, we will focus on Topic 4 and Topic 7, because these topics are the ones that show the most politically relevant use of the concept of the Carpathian Basin: memory politics (Topic 4) and national politics (Topic 7). These are the topics where the divergent political narratives to construct the perspectives of people are likely to be most detectable.

4.2.1.1. Changes in party discourse

The change in the framing of the national policy topic on the left (Figure 2) does not show a characteristic ideological change, we can only see how the support provided to Hungarians living beyond the borders has changed. E.g. the 'Szülőföld Alap' (Birthplace Fund) established in 2005 is replaced in the second period by the mention of the 'Erzsébet tárbor' (Camp Erzsébet) introduced in 2020. In other words, the left-liberal discourse on national politics in both periods primarily focuses on regulations and laws.

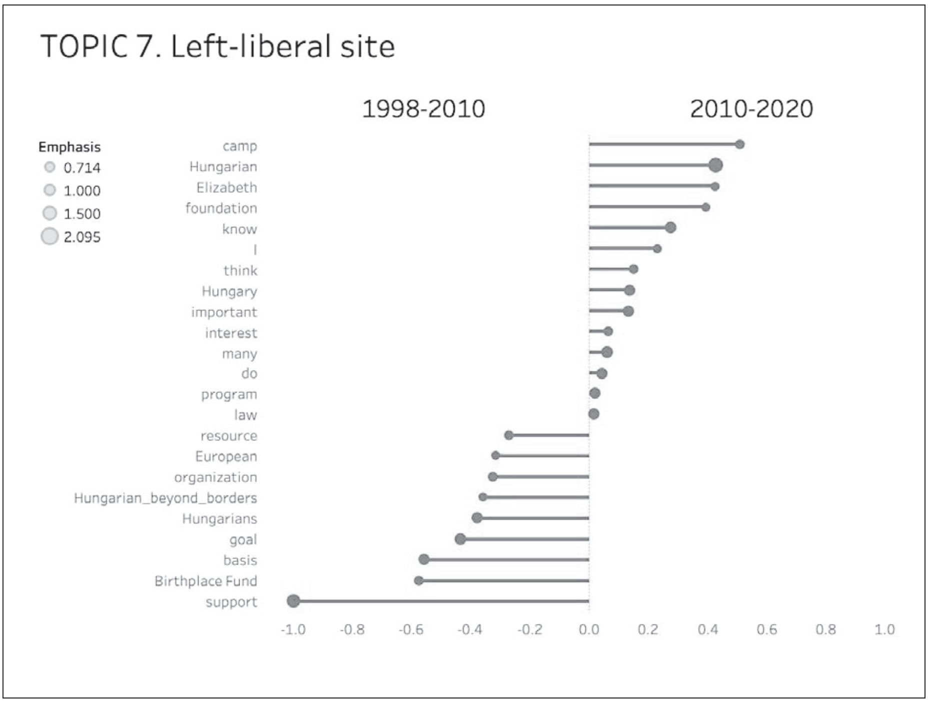

Figure 2. Change in the national politics topic on the left-liberal side.

However, a characteristic change can be detected in the left-liberal discourse on memory politics (Figure 3): terms referring to neighboring peoples other than Hungarians ('Slovak (szlovák)', 'common (közös)' are more typical of pre-2010 discourses, and their use has decreased after 2010 (Fig. 2).

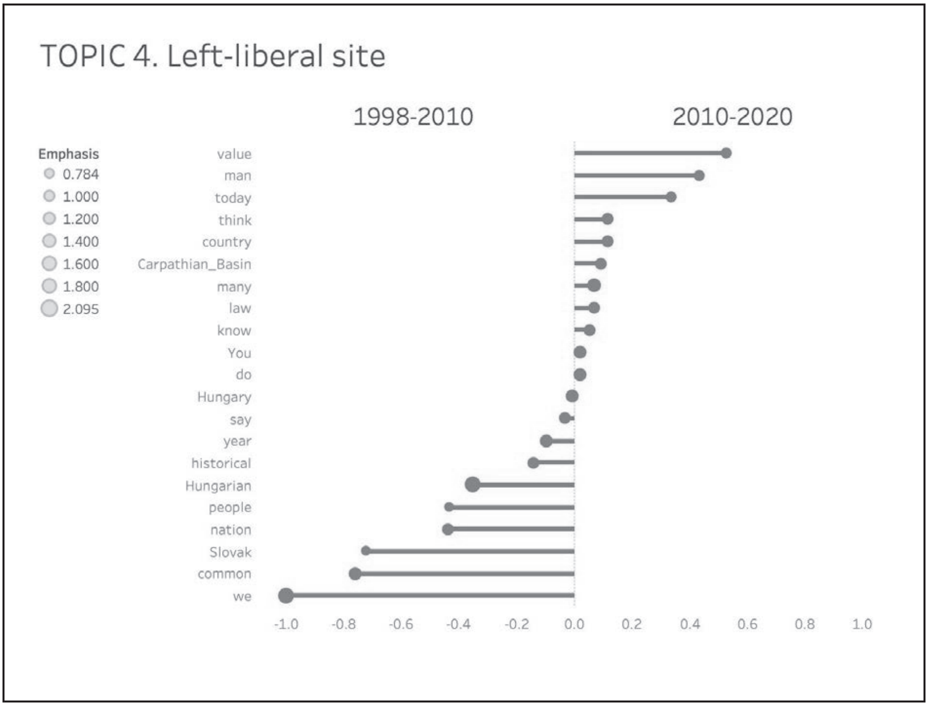

Figure 3. Change in the memory politics topic on the left-liberal side.

There is a similar 'turn to ourselves' in Fidesz speeches. See below the decrease in the frequency of the term 'European Union (Európai Unió)' and the increased use of terms referring to their own nation ('Hungarian (magyar)', 'Hungarians (magyarság)'. 'national (nemzeti)', 'nation (nemzet)') after 2010. This is observed in both Topics 4 and 7 (Fig. 4.). A similar trend can be observed on the right-wing nationalist side in relation to Topic 4, see the decrease of 'Europe (Európa)' and the increase of 'Hungarian (magyar)', 'Hungary (Magyarország)', 'national (nemzeti)'. In addition, the trend towards institutionalizing national policy in law is typical of Fidesz, see the rise of the terms 'Constitution (Alkotmány)' and 'Fundamental Law (Alaptörvény)' (Topic 4). Finally, on the right-wing nationalist side, in relation to national policy, a declining radicalization and a turn towards policy solutions is suggested by the decreasing use of the word 'territory' and the increasing use of the words 'programme (program)' and 'government (kormány)'.

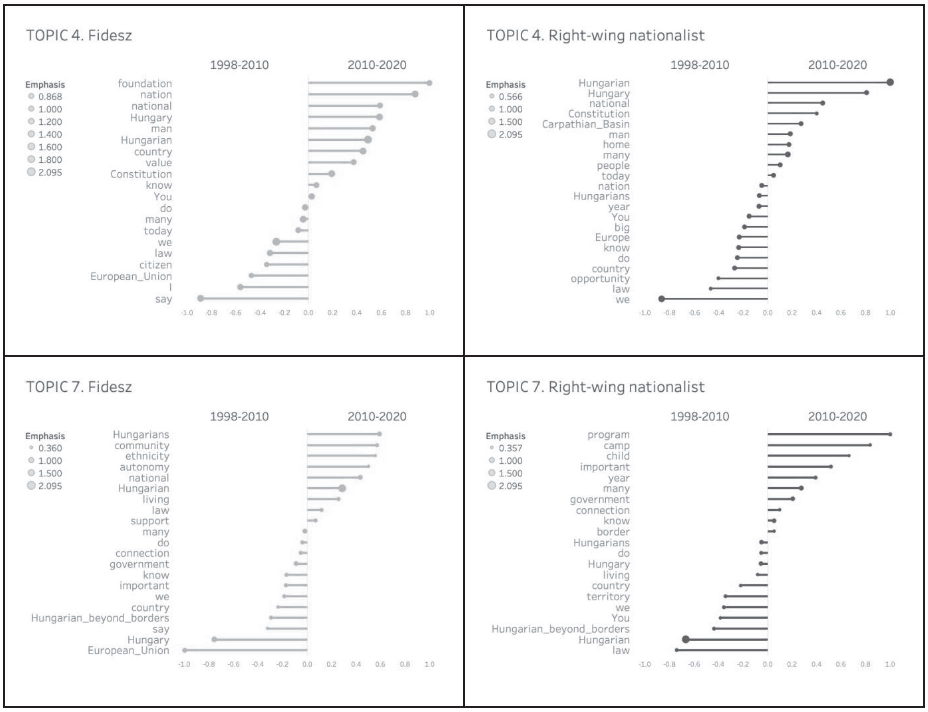

Figure 4. Change in the memory politics (Topic 4) and national politics (Topic 7) topic in the case of FIdesz and the right-wing nationalist side

4.2.1.2. Changes in the divergence of ideological narratives

There are several features to be observed when comparing political sites pairwise regarding their speeches on Topic 4 and 7. Some of the related plots are presented in Appendix.

In case of Topic 4, memory politics, the most striking change in the divergence of the left-liberal vs. right-wing narratives (Figure A1 and A2 in Appendix) is that, in the second half of the period under study the left-liberal bloc is lagging behind the right in using the national narrative (overrepresented terms on the right side: 'Hungarian (magyar)', 'Hungary (Magyarország)', 'nation (nemzet)', 'national (nemzeti)', 'we (mi)').

In the comparison between Fidesz and the right-wing nationalist bloc (Figure A3 in the Appendix), there is no systematic change in their divergence. Both periods are characterized by Fidesz using more terms that presumably bring memory politics within a legal framework ('constitution (Alkotmány)', 'Fundamental Law (Alaptörvény)').

Turning to national politics, Topic 7: when comparing the left-liberal bloc and Fidesz (Figure A4 in the Appendix), the trend already seen in topic 4 is emerging: by the second half of the period under study the left-liberal bloc is lagging behind the Fidesz in using the national narrative (Fidesz uses more frequently the terms 'Hungarian (magyar)', 'national (nemzeti)', 'Hungarians (magyarság)'). While in this second period the left-liberal bloc tends to argue within a rational legal framework ('law (törvény)', 'foundation (alapítvány)', 'programme (program)', 'Camp Erzsébet (Erzsébet tábor)'), Fidesz moves beyond patriotism towards virtual community building, using words like 'community (közösség)' and 'autonomy (autonómia)'. In the comparison between the left-liberal and the right-wing nationalist blocs (Figure A5 in the Appendix), the left-liberal's backlog in terms of national rhetoric is striking in both periods under review. The biggest difference is the use of the term Hungarian (magyar).

In the comparison between Fidesz and the right-wing nationalist bloc (Figure 5), after 2010, the earlier characteristic of Fidesz using more institutional terms ('European Union (Európai Unió)', 'Hungary (Magyarország)'), while the other right-wing nationalist parties used more ethnic terms ('Hungarian (magyar)','Hungarians (magyarság)', 'territory (terület)'), and even seem to reverse the role reversal, with the former referring more to ethnic terms ('Hungarian (magyar)','hungarians (magyarság)', 'community (közösség)', 'autonomy (autonómia)') and the latter referring more to policy solutions like 'program (program)' and 'government (kormány)', see the two comparisons on figure 5.

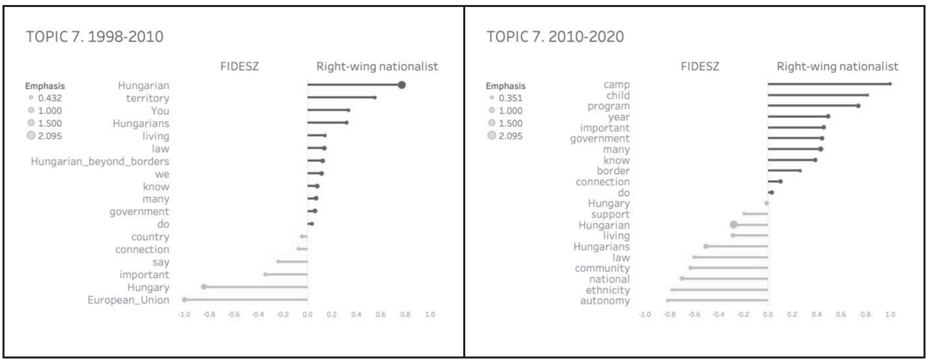

Figure 5. Changes in the divergence of framing between Fidesz and the right-wing nationalist bloc, Topic 7

4. Limitations

Our analysis also has its limitations. We only analysed speeches that contained a specific keyword, a decision justified by methodological reasons. Speeches were analysed as individual utterances, whereas they were part of conversations with dynamic and interactive patterns. In order to overcome this limitation, our future plan is to study networks of speeches in relation to the themes explored in this study.

A further limitation of the analysis is the imbalance among the categories. To overcome this problem we used undersampling. This approach could potentially cause the loss of valuable patterns and relationships, weakening the model's ability to generalize, and reducing its capacity to learn meaningful patterns for both dominant and minority classes. Additionally, the grouping of parties, particularly within the left-wing liberal group, which consists of a diverse range of parties, may complicate the analysis from the model's perspective, making it more difficult to accurately capture patterns within this side. This variability further limits the model's ability to perform robustly.

Finally, as there is no standardised procedure for determining the optimal number of topics, we conducted robustness tests and combined quantitative and qualitative approaches before selecting the final model. We do not claim that 7 is the 'right' number of themes, but this model includes all the important themes that emerged in the other models and does not include any unrelated themes. Overall, it provides useful insights without being overly clustered.

5. Conclusion

The corpus of our analysis consisted of the Hungarian parliamentary speeches containing the term 'Carpathian Basin', delivered between 1998 and 2020. Our results have shown an increasing polarization in the Carpathian Basin discourse in general (classification efficiency increases).

Using both quantitative and qualitative approaches, we identified 7 topics in the Hungarian Parliament's discourse related to the Carpathian Basin. These topics were found to be well-defined in terms of their subject matter: speeches on agriculture, culture, public administration, memory politics, public policies, economy & finance, and national politics constituted a separate topic. The change in discourse was achieved by splitting the period under study into two (1998-2010, 2010-2020). By comparing the most relevant terms used when discussing the topics, we examined (1) the change in the political blocs' discourse and (2) the change in the blocs' divergence.

Parallels can be detected in the changing discourse of different ideological sides. When focusing on topics of memory politics and national politics, one such common feature is a more concentrated focus on the Hungarian nation, as opposed to neighboring peoples and the European Union. Even though this shift has also taken place on the left-liberal side, their disadvantage in this respect remained unchanged or in some cases increased, i.e. the national narrative was underrepresented in both halves of the period under review in the left-liberal speeches compared to Fidesz and the right-wing nationalist bloc.

We have found evidence of the left-wing's turn in its attitude to national identity, that is, discourse traits of the left's rapprochement with the right (as an imprint of the left's opening to Hungarians beyond the borders after 2010). Furthermore, "two-way mainstreaming" has also been detected, that is, moderation of the far right: the distinctive traits of Fidesz and the right-wing nationalist side swapping places.

The Carpathian Basin as a political symbol creates an opportunity for the "owner" of this symbol to expand the boundaries of Hungarian politics without changing the territorial integrity of the country in any way. The term was even included in the 2011 Fundamental Law, which states that "We undertake to cherish and protect our heritage, our unique language, Hungarian culture, the language and culture of the nationalities of Hungary, and the natural and man-made values of the Carpathian Basin." According to the text, the responsibility of the Hungarian state is thus to protect the values of the Carpathian Basin, which, whatever it may mean in practice, extends the scope and responsibility of the Hungarian state as a sovereign actor beyond the borders of the state. This use of symbolism therefore has such a political or competence-expanding effect on the one hand, and therefore presumably also has another effect in another direction: it is the "domestic politicization" of issues relating to Hungarian nationalities beyond the border. In other words, the issue of Hungarian minorities will be transformed from being a matter of primarily international human rights and minority rights, or inter-state issues, and, in sum, of foreign relations and foreign policy, into a domestic issue.

The introduction of dual citizenship as an instrument of nation-building has a considerable literature, so we will not discuss the lessons to be drawn from this, neither from the general international nor from the regional nor from the specific Hungarian developments. It is worth noting, however, that the introduction of dual citizenship and the intensification of the Carpathian Basin vocabulary occur simultaneously. This means that, contrary to the assessments that predict the draining effect of dual citizenship and the weakening of diaspora Hungarians, there is also an opposite effect: the extension of the public policy-making limits of the Hungarian state, of classical domestic policy issues, beyond the borders.

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Appendix

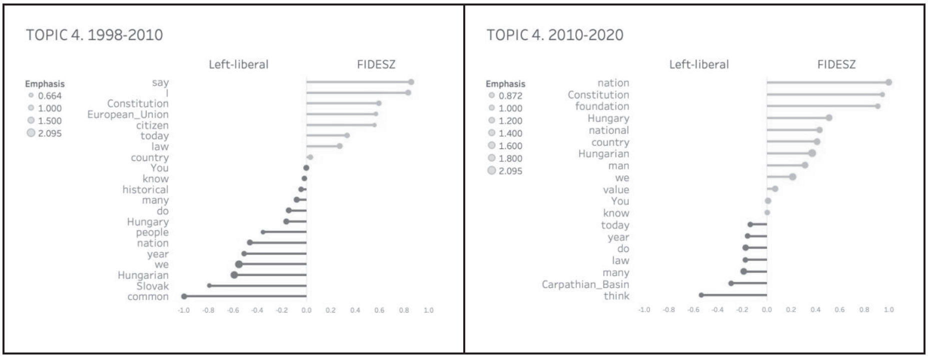

Figure A1. Changes in the divergence of framing of the left-liberal bloc and the Fidesz, Topic 4

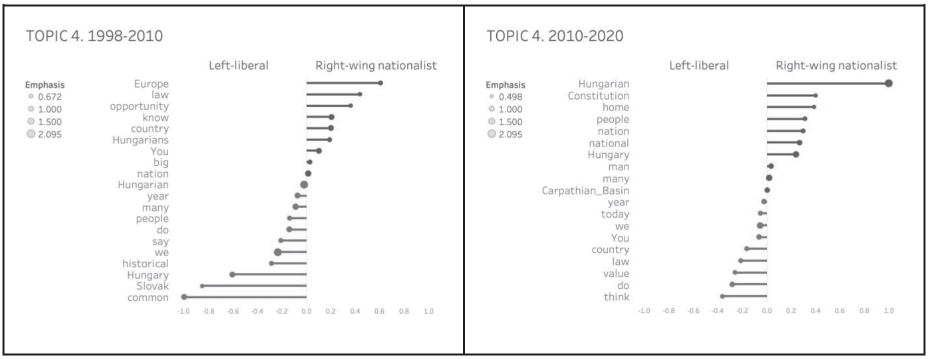

Figure A2. Changes in the divergence of framing of the left-liberal and the right-wing nationalist blocs, Topic 4

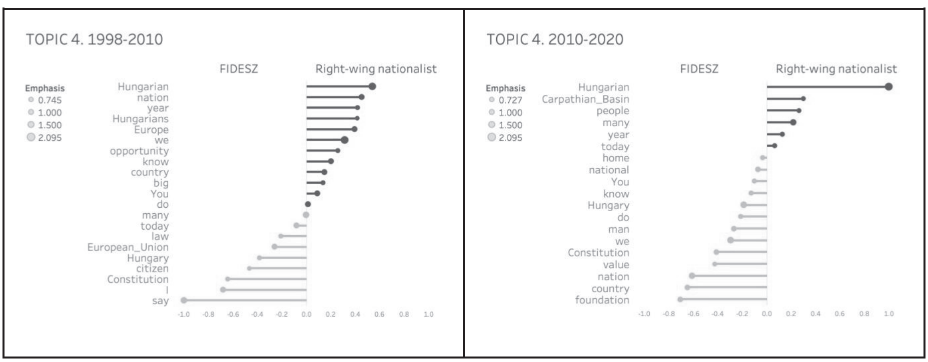

Figure A3. Changes in the divergence of framing of the Fidesz and the right-wing nationalist bloc, Topic 4

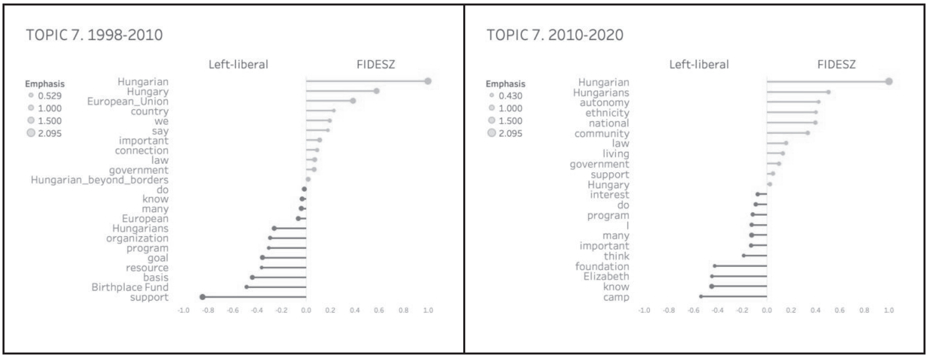

Figure A4. Changes in the divergence of framing of the left-liberal bloc and Fidesz, Topic 7

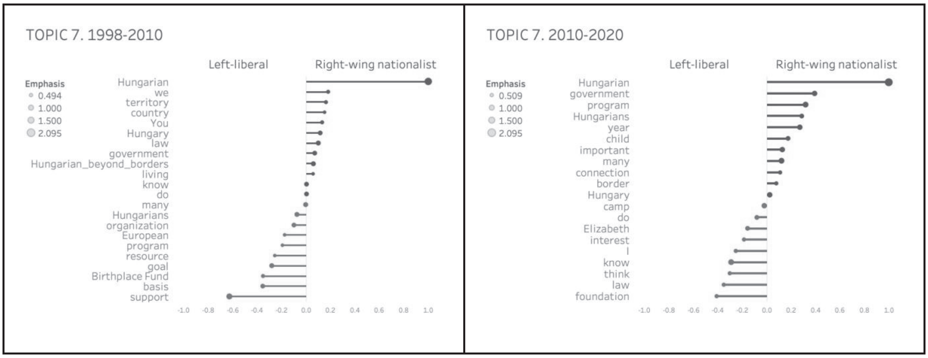

Figure A5. Changes in the divergence of framing of the left-liberal and the right-wing nationalist blocs, Topic 7

Ester Katona, Renata Nemet i Ana Unger

Evolucija diskursa o „Karpatskom basenu” u mađarskom parlamentu (1998–2020)

Apstrakt

U ovom radu istražujemo upotrebu izraza „Karpatski basen” u mađarskom parlamentu u periodu od 1998. do 2020. godine. „Karpatski basen” je pojam iz mađarske geografije koji je istorijski korišćen za opravdavanje teritorijalnih pretenzija Mađarske u međuratnom periodu. Iako je decenijama bio odsutan iz zvaničnog diskursa, u poslednje vreme doživljava povratak među mađarskim političarima. Analizom 1525 govora proučavamo promene u diskursu tri glavna politička bloka (desničarsko-nacionalističkog, liberalno/levičarskog i Fidesza) kako bismo identifikovali jezičke obrasce političke polarizacije i promene u obrascima identiteta i načinu uokviravanja pojma.

Naš rad ima i metodološku i sadržinsku važnost. Metodološka novina ogleda se u primeni tehnika koje omogućavaju automatsku obradu velikih tekstualnih korpusa bez potrebe za njihovim ručnim čitanjem, u oblasti gde su ranije dominirali uglavnom kvalitativni pristupi. Pokazujemo da je moguće otkriti promene u načinu uokviravanja bez ljudskog kodiranja.

Sadržinski, fokusiramo se na jezičke karakteristike jednog značajnog pojma koji se različito koristi u zavisnosti od političke ideologije.

Koristimo i nadgledane (supervised) i nenadgledane (unsupervised) metode modelovanja. Nadglednu metoodu koristimo za ispitivanje promena u polarizaciji diskursa, dok nenadgledana metoda (Strukturalni model tema) omogućava nijansiraniju, kvalitativnu interpretaciju rezultata. Naši nalazi pokazuju da se ideološka pripadnost govornika sve lakše može predvideti – što ukazuje na porast polarizacije – dok dublja analiza otkriva i određene sličnosti u razvoju diskursa među različitim ideološkim stranama. Jedna takva zajednička crta jeste sve veći fokus na mađarsku naciju, za razliku od ranijeg naglaska na susedne narode i Evropsku uniju. Takođe identifikujemo tragove približavanja levice desnici (kao posledica otvaranja levice prema Mađarima van granica nakon 2010) i umerenijeg diskursa krajnje desnice.

Ključne reči: obrada prirodnog jezika, Karpatski basen, mađarski parlament, ideološke podele

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Erdoğan Altun

WHEN CLIENTELISM IS IN CRISIS: BROKERS OF JDP DURING 2014 AND 2019 LOCAL ELECTIONS IN TÜRKIYE

ABSTRACT
Clientelism is an exchange relationship that includes sources of patrons and services of clients. In the political dimension, this relationship's basic characteristic involves political support from citizens and the redistribution of resources, mostly public resources, by party elites. Hypothetically, control of public resources is subject to state regulation within an institutional framework. In some countries, like Türkiye, the state and government, state elites, and party elites are intertwined. This structure has its own roots in the peculiarities of Turkish political history. These peculiarities make clientelistic relations embedded in daily life. These conditions and peculiarities make brokers, who bridge state elites and resources with citizens, significant actors in Turkish political history. In this study, I analyze the effect of brokers in politics at a local scale by examining their agency during the 2014 and 2019 local elections in Artvin, a province of Türkiye. The question posed is whether the efficiency of brokers influences local election outcomes.

KEYWORDS
Brokerage, Clientelism, Local Politics, Türkiye.

Introduction

The clientelist relationship and clientelist policies can be likened to a customs relationship between two countries with unequal resources and power. One country plays the role of the patron, the other that of the client. Each has its own needs and can fulfill some of them through the other. Reciprocity is present, yet asymmetrical. The existence and continuity of the relationship depend on mutual consent, the benefits each derives, the predictability of these benefits, and the repetition of the exchange. Within this customs metaphor, the most critical figures are the customs officers—those who regulate and authorize transactions across the border. In clientelist politics, these officers are analogous to brokers.

Brokers gain prominence precisely because of the gap between the two sides of the clientelist relationship. In the metaphor, this gap may represent

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linguistic or cultural differences; in the political context, it refers to the divide between the center and the periphery. Brokers bridge this divide by ensuring the continuity, observability, and effectiveness of the exchange. They are the relational glue that allows clientelist networks to function over time and space.

In the political history of Türkiye, clientelist relations developed within the land and tax systems of the Ottoman period, were transferred to the Republic, and have continued to exist until today. As will be explained in the text, it would be more accurate to describe these early relations as patronage. Clientelist relations, on the other hand, emerge especially with the experience of democratization, since this experience brings to the agenda the 'hypothetical political participation' and the deficiencies that give rise to the need for brokers, the center-periphery gap, which is argued in this study to be filled by brokers, and the bureaucratic structure that does not function properly, which becomes visible through clientelist relations.

This study will analyze the effects of "brokers" in local politics. I will focus on the 2014 and 2019 local elections in the districts of Artvin, a province in Türkiye's Black Sea region. In the 2014 local elections, JDP (Ak Parti or AKP in Turkish) won 7 out of 8 districts of Artvin. This success was unprecedented for any party in Artvin until then. The districts of Artvin were shared by several parties in the past local elections. Therefore, the JDP's victory was a real fairy tale. In 2017, the JDP made a routine change in some districts' local branches and district presidents. In the local elections held two years later, in 2019, the JDP lost 5 of the 7 districts it had previously won. The first thing the JDP did after the defeat was to dismiss the presidents of the districts where it had lost. Therefore, the JDP blamed the district presidents for the defeat. The reason why I think of this change as a change related to clientelist politics rather than an ordinary internal party affair is that district presidents are the most prominent and effective brokers in Türkiye's political culture. In Türkiye's social and political structure, the political elite is positioned against appointed bureaucrats and on the side of citizens. The citizen, who is an element of the "periphery," seeks the patronage of party figures such as the district presidents in the face of state elites who represent the "center".

What happened between and after the 2014-2019 elections should also be considered in the context of clientelism due to the structural features of Turkish politics. In particular, in the current political structure of Türkiye, which I call the "presidents' regime," mostly after the regulation of the Constitution in 2017, district/province presidents of JDP's local branches are the most powerful brokers of provinces. Therefore, a study on the brokers who took office in 2017 and lost elections in 2019 will allow us to understand the impact of clientelistic relations and brokers in local politics.

To guide this inquiry, the study poses the following research questions: How do brokers mediate relationships between political parties and voters in Türkiye's local political context? In what ways does the perceived effectiveness of brokers influence the local election outcomes? What factors contribute to a broker's success or failure in securing electoral support in clientelist systems? How does the central appointment of brokers, rather than local legitimacy, shape their ability to function within clientelist networks? These questions are situated within the broader framework of clientelism, particularly drawing on the distinction between electoral clientelism, which involves short-term vote targeting during campaigns, and relational clientelism, which depends on long-term, embedded interactions between brokers and constituents.

Based on this framework and the field observations in Artvin, the study proposes several hypotheses: that brokers who engage in sustained, face-to-face relationships are more likely to generate electoral support; that voters rely on retrospective evaluations of a broker's past performance rather than one-time campaign appeals; and that when brokers prioritize upward loyalty to party elites over their embeddedness in local networks, their effectiveness diminishes. Finally, the study hypothesizes that centrally appointed brokers—particularly in party-centered patronage systems—may lack the local legitimacy required to fulfill their roles in relational clientelist networks. These propositions frame the analysis of the Justice and Development Party's broker strategies and their electoral consequences in Artvin between 2014 and 2019.

Political Dimension of Clientelism and Brokers

Clientelism refers to a form of political exchange in which material resources are distributed in return for political support. This exchange is inherently asymmetrical and hierarchical, involving patrons (those who control access to resources) and clients (those who seek those resources). Classic scholarship by Scott (1972) and Wolf (1966) emphasized the dyadic, personalized nature of such relationships, often characterized as "beneficial friendships" between unequals. Landé (1977) described clientelism as a "vertical dyadic alliance," stressing that although such ties are often reciprocal, they are rarely balanced. Kettering (1986) further emphasized the personalized, non-bureaucratic logic of these relationships, contrasting them with an impersonal, rules-based public administration.

Yet these early frameworks, while foundational, often treated clientelism as static or pre-modern. More recent work has refined these concepts by distinguishing between electoral and relational clientelism (Nichter, 2008, 2018). Electoral clientelism refers to short-term transactions that occur during campaign periods, such as vote-buying or turnout mobilization. In this model, parties use brokers primarily to categorize voters—loyalists, swing voters, opposition—and to allocate scarce resources strategically. Relational clientelism, in contrast, is about long-term embedded relationships. Brokers maintain ongoing ties with constituents, solving problems, mediating access to state institutions, and maintaining trust and loyalty between elections. In this model, voters are not passive recipients but actors who evaluate brokers based on retrospective performance, responsiveness, and accessibility—elements crucial to democratic accountability (Krishna, 2007).

Within this framework, brokers emerge as indispensable actors, especially in hybrid political systems like Türkiye, where formal democratic institutions coexist with centralized party control. As Auyero (2001) argues in his analysis of Argentine politics, brokers are gatekeepers within "problem-solving networks"—individuals who provide goods, resolve issues, and mobilize constituents. They are often embedded within the same neighborhoods or social groups as their clients, which gives them social capital and informal authority. Similarly, Ghergina and Nemčok (2021) argue that in contemporary democracies, accountability through clientelistic networks depends heavily on broker behavior and proximity.

Recent comparative studies have further theorized the complexity of brokerage roles. Brierley and Nathan (2021) emphasize brokers' dual accountability: upward to political elites and downward to constituents. Brokers who prioritize their party over their community may alienate voters, while those who lack party support often lack resources. Higashijima and Washida (2023) extend this insight in the context of electoral autoritarian regimes, arguing that brokers play a central role in navigating the gray zone between formal institutions and informal control. Their effectiveness is shaped not just by charisma or embeddedness, but by their ability to perform within institutional constraints while managing expectations from both ends of the chain.

This study draws from these multi-layered perspectives to analyze the role of brokers in Türkiye, where centralized party control intersects with long-standing traditions of face-to-face politics. In the Turkish case, brokers are not merely vote-counters or logistical agents; they are relational actors who must maintain visibility, credibility, and utility in their communities. As Brusco, Nazareno, and Stokes (2014) note, one of the key functions of brokers is to reduce information asymmetry between political centers and the peripheries. When this function fails—when brokers misrepresent voter preferences or lose local legitimacy—the entire clientelist structure is weakened.

In summary, understanding clientelism today requires moving beyond simplistic vote-buying models. Instead, we must analyze the relational infrastructures that sustain political loyalty over time. Brokers are not just intermediaries—they are social agents who translate party resources into community benefits and community needs into political leverage. Their success or failure shapes not only individual careers but broader patterns of political representation and democratic performance.

Brokers

In political clientelism, parties aim to benefit individuals and try to keep their votes calculable. Therefore, parties have to pay attention to which voters and families have what kind of needs. This is where monitoring, one of the most important features of clientelism, comes into play. Vote tracking requires parties to collect concrete information about individuals' behavior outside the center. This need for "local information" leads political parties to hire "armies of brokers". These brokers are people from the "neighborhood" and therefore can easily obtain insider information such as "whose child is sick, who went to vote in the last elections and who did not, whether a voter turned his back on the party, who voted for the rival party despite benefiting from party favors" (Stokes, et al., 2013: 19). Javier Auyero likens brokers in the "Peronist problem-solving relationship" to gatekeepers who control the flow of goods and services from local powers and administrators and support and votes from "clients" (1999: 303). Ersin Kalaycıoğlu makes a similar analogy to watchmen. According to him, brokers function "as a political hinge, providing political communication and connections between the masses and elites" (Kalaycıoğlu, 1998: 818).

The literature on clientelism takes brokers as a given when analyzing relationships and policies, but studies on brokers are limited (see Gay, 1999; 1976; Auerbach, 2016; Dawson, 2014). These studies focus on the activities of brokers and their effectiveness. Brokers bring together "people and opportunities". They enable the circulation of resources and communication. According to Kettering (1986), brokers are often already important people with resources and personal reputations and therefore become brokers. Serving as a broker requires influence within the community and in the social and political structure. Through their relationships, which are the source of their power and legitimacy, brokers "fill the gaps in the connection between individuals, groups, structures, and even cultures" (Boissevain, 1969: 380).

To understand the distinct position of brokers in clientelist networks, it is useful to distinguish them from patrons and clients. The broker differs from the patron in that he usually brings resources into the exchange that he does not own. The broker differs from the client in that he also possesses resources that distinguish him and enable him to participate in the system. The main problem is how one achieves such a unique position. It has already been mentioned that brokers can, in some cases, be patrons of the past. In such cases, it is important that the broker has resources that can be called 'family' and are usually acquired through his lineage and surname. This positioning may involve emphases from the past that can be seen as particularly favorable, but may also include the legacy of forms of relationship that may not have a positive connotation, but which can provide support where necessary. For example, people with surnames who have been settled in the same neighborhood for the last few centuries and who have held various statuses such as land ownership, banditry, merchant, moneylender, collector, bureaucrat, etc. during this period are likely to inherit this heritage and act as brokers.

Another possibility in determining the broker is that individuals become brokers through appointment by the Center. In this case, it can be stated that a person who has been settled in a place for a long time through different levels of civil servant positions acts as a broker between the Center and the Periphery, especially in matters related to the area in which he is in charge. A third possibility is that especially the 'party-oriented broker" is selected from among the members of the organization who have successfully served in their own party at various levels for many years.

A key debate in the literature is whether brokers derive their role from their position in networks or vice versa. According to Nico Ravanilla et al., 'the value of the broker derives, in part, from his or her position in social networks', but whether someone earns their position by virtue of being a broker or is a broker because of their position in the network is debatable (Ravanilla et al., 2022: 4). Brokers bring together 'people and opportunities'. They make the circulation of resources and communication possible. According to Kettering (1986), brokers are usually already important people with resources and personal reputations and therefore become brokers. Acting as a broker requires influence within the community and in the social and political structure. This influence can be derived from 'personal reputation, office, position and family name, wealth, civil service, clients and patrones' (Kettering, 1986: 43).

The importance of brokers increases when the periphery is untraceable from the point of view of the center and the need for the authority of the clientelist relationship entered into through the transfer of resources. With their functions of 'information accumulation and resource control', brokers form a 'problem-solving network' (Auyero, 1999: 16). Patrons (central authorities and/or political parties) need armies of brokers to gather the information needed for the correct and efficient distribution of benefits. According to Stokes et al., 'brokers are local mediators who solve the problems of their followers/constituents and provide them with certain benefits in exchange for their active participation in election campaigns and votes' (2013: 75). Due to this role - and this is also the factor that leads them to be considered brokers - they are in a frequent and continuous relationship with voters, and while observing their behavior, they also obtain information about their needs, political tendencies, and preferences.

Brokers keep predictability and observability in the clientelist relationship in constant operation. Since the network of brokers consists of local figures who know the clients (voters) who are parties to the relationship well, they are useful in understanding their demands and delivering 'the right goods and services to the right people' by predicting their voting behavior (Komsuoğlu, 2009: 27). The indispensable role of brokers in clientelism as a reciprocal exchange relationship stems from being 'embedded' in social relations. They take part in social relations and provide local information essential for distribution policies that will determine voter preferences (Stokes, 2005).

The importance of clientelist relations and brokers becomes most evident in multi-party democratic political systems within the modern state structure. This is because the race to win in multi-party political systems reveals the importance of political participation. The importance of brokers in the transition from traditional to modern society has already been mentioned. The modern state structure differs from the traditional social structure in that 'the scope for people to participate in politics and to be influenced by politics in large-scale political units has expanded' (Huntington, 1973: 36). In the traditional structure, whether we are talking about a small-scale or a large-scale society, political participation is limited to a small group. As the structure modernizes, political participation limited to small groups turns into broad and grassroots political participation due to the existence of political parties.

Political participation can be considered in two ways. Firstly, there is a form of political participation that can be analyzed as the participation of the citizen in the macro-scale decision-making processes within the modern state and democratic system, which can be thought of as the citizen's relations with public institutions and political parties. Verba et al. (1971), when referring to this type of political participation, emphasize the activities of citizens to influence the government and its decisions on a national scale.

A second form of political participation requires a microscale analysis. This means that the political participation of the citizen does not only consist of sending deputies to the Parliament. Especially at the village, neighborhood, and district levels, the actors and conditions of political participation differ from the macroscale. The main difference at the microscale is the specificity of power relations at the local level. Weiner provides a detailed description of the scale of political participation at the local level as follows: 'any voluntary action at the local or national level to determine public policy, organize public affairs, or elect political leaders' (Weiner, 1971: 164).

Analyzing political participation activities from the national to the local level is necessary to evaluate political participation at the district level, such as in this study. It is possible to say that as the scale of political participation decreases, the influence of the periphery on the center increases. While the influence of the periphery in the center increases, it is important to note that the periphery is not identical to the center in terms of structure and actors. The periphery tends to maintain its own horizontal and vertical relations. The functioning of the existing structure in local and national political participation is made possible by the provincial organizations of political parties and the clientelist relations and brokers that link the provincial organizations with the citizens and the citizens with central politics.

It has already been mentioned that the two main elements of political participation are political parties and voters. The role and importance of clientelism and brokers for these two elements should be mentioned separately. The reason for this necessity is that clientelism and brokers should become more decisive during election periods for political parties and in the inter-election period for voters. In making this distinction, we will use the distinction between electoral clientelism, which becomes more pronounced during campaign periods, and relational clientelism, which persists in the inter-electoral period.

Studies on electoral clientelism (Stokes, 2005; Nichter, 2008; Gans-Morse et al., 2014; Rueda, 2015) emphasize a picture of voters as passive subjects with certain needs, waiting for campaign contributions from political parties or community leaders. In this picture, explicit clientelist politics, such as vote-buying and turnout-buying, are practiced. Relationships outside campaign periods therefore become irrelevant, suggesting that electoral clientelism is more important for political parties than for voters. The role of brokers in electoral clientelism is to enable political parties to categorize voters (e.g. loyalists, opponents, swing voters) in order to make the most effective resource allocation.

In relational clientelism, clientelist relationships outside of election periods are decisive (Nichter, 2018). Voters are not only remembered when they are going to vote, but even their personal daily problems are on the agenda of political party organizations. The most prominent example of this form of clientelist politics in the literature is the structure of the Peronist Party organized down to the neighborhood scale (Auyero, 2001). Relational clientelism, which can be considered as a form of inclusion of the periphery in the center, is more important for voters than for political parties. The importance of brokers in relational clientelism is that they ensure the transfer of problems and demands, that is, they 'bridge' the periphery to the center.

Brokers for Citizens

In theory, democracy means that 'informed voters freely choose their own leaders and that these leaders run for re-election at set intervals', thus enabling citizens to choose the leader or party that best represents them while at the same time evaluating their term in power in the next elections (Lau and Redlawsk, 2006: 3). Therefore, casting the right vote and making the right assessment is crucial for the electoral component of a well-functioning democracy.

The main problem with the democratic assumption is that there are many variables affecting a voter's choice of vote. It is possible to categorize the variables under two headings: reasons for voters' decision-making and affinity with political parties. The reasons for voters' decision-making may vary according to their knowledge about public policies and political parties' programs, and their motivation to care about their own short-term or long-term interests. Depending on their closeness to their political parties, voters can be identified with positions such as core voters, swing voters, opposition voters, and it is assumed that they will vote in a way that fulfills the requirements of these positions.

In clientelist systems, these dynamics intersect with specific mechanisms that shape voter-broker relations. Five such mechanisms include a problem-solving network in the inter-election period, contact with the center, involvement in public policies, closeness to party politics, and similarity between their own voting preference and party policy. The determinacy of the inter-election period in the voting preference of the voter means that he/she will show a retrospective voting preference, where past utility is decisive. The effectiveness of the brokers, who are the transmitters and followers of the benefit, is decisive in this preference.

The periphery voters' contact with the center and public policies is also influenced by the clientelist relations, which we have emphasized as a form of political participation, and the brokers bridging the periphery to the center. The influence of brokers on the ties that voters establish with party politics or the parties they vote for can be labeled as perverse monitoring. Through local organizations and representatives, voters have the opportunity to continuously test the policies and promises of political parties.

As stated above, the role of brokers in clientelist systems is central to understanding the enduring exchange between political elites and voters. Acting as both gatekeepers of problem-solving mechanism (Auyero, 1999, 2001) and "hinges" between masses and elites in political communication (Kalaycıoğlu, 1998), brokers enable a continuous flow of resources and influence. This reciprocal relationship, as further elaborated by Stokes (2005), is sustained through a long-term process of problem-solving, where voters respond with loyalty and participation in return for access and support.

One of the most important points in the situation of brokers in terms of voters is that brokers are also electable by voters. Güneş-Ayata (1984) states that voters are aware that the brokers do not have their own resources, and therefore they have the motivation to choose the best and most appropriate broker for themselves. Therefore, the voter takes into account the possible benefits that the candidate he/she will vote for will provide to him/her, in other words, how his/her vote will affect his/her life.

Clientelism and Brokers in Türkiye

Based on what has been discussed up to this point, it can be summarized that brokers are obliged to fill a gap. In Türkiye's political life, this gap is between the nuclear center of power and resources and the periphery where characterized lack of resources and caducity of political participation. This gap is fundamentally a gap between the state and citizens. Brokers are mechanisms that function as a prevention against the "lack of contact" between state and society, party and citizen, province and Ankara.

The most decisive element in defining Türkiye's clientelistic structure is the influence of parties over the bureaucracy and public resources. As Berenschott and Aspinall (2020) note in their analysis, relational clientelism is prevalent in "countries where political parties have strong control over state resources" such as Türkiye, Ghana, and Malaysia. Parties in power hold resources and distribute them through local party networks. Based on these considerations, Berenschott and Aspinall distinguish between "party-centered" and "community-centered" patronage democracies. Historically, party-centered patronage democracy has been observed in India, Malaysia, and Türkiye, where bureaucracies have come under the control of parties.

In Türkiye, where the control of public resources and bureaucracy in the hands of political parties has become a tradition, the most prominent role of the broker characters we have tried to identify is the role of "bridging", which we can think of as bridging the "distance between citizens and bureaucracy". Since the distance between the citizen and the bureaucracy is filled by political parties and structures that control public resources, it becomes inevitable for brokers to be directly associated with a current or past ruling party.

To fully understand the historical depth of brokerage in Türkiye, we must revisit its Ottoman roots. In Türkiye's political history, brokers have shown different characteristics due to the economic and social conditions that existed at the time. In the patrimonial conditions of the Ottoman Empire where power was concentrated in Sultan, *"â'yan"*s were origins of brokers. Since the 13th and 14th centuries, the â'yans had an important place in the provinces, but with the tax and land regulations of the late 16th century, they became semi-feudal lords whose main duty was to collect taxes. In the 18th century, as a result of the recognition of property and inheritance rights, the â'yan, "whose power derives from their economic and social control over the population," emerged as prominent figures in the countryside (İnalcık, 2003; Rodrik, 1982; Kettering, 1986).

From the late 19th century onwards, the brokers in control of public life, especially in the provinces, had a power that they would carry over into the Republican era (Meeker, 2005). The broker figure that emerges from the patronage networks handed down to the Republic is the eşraf. The notables, who were effective "in terms of rallying the social spirit" and "shared the same values with the peasants during the War of Independence", played an important role in "organizing the masses" for the war. Although the eşraf creates a patronage relationship because they make their own resources the subject of distribution, they are also suitable to be defined as patron-brokers because they are "a point of intersection between the state and the peasantry" (Komsuoğlu, 2009; Rodrik, 1982).

With the transition to multi-party life (after 1946), the â'yan, eşraf and agha would be replaced by party-linked brokers in line with the rise of party patronage. During the single party period, the role of brokers was assumed by a "growing new elite circle" such as large landowners, sheikhs, local merchants, artisans, doctors and teachers due to their close ties with the bureaucracy. With the transition to multi-party life, this "clientalism of notables" was replaced by "party-directed patronage" and "notables" were transformed into "party-directed brokers" (Sayarı, 1977; Komsuoğlu, 2009).

The urbanization (especially after 1960s) that emerged with the migration from villages to cities created a unique type of people. A new type of bureaucrat and urban broker emerged who carried the conservatism of his/her place of origin to the place of migration, who was knowledgeable about the problems of the center and the provinces, and who could establish good relations with those who remained in the provinces. The bureaucrat and urban broker type is characterized by the attempt to solve many of the problems created by irregular migration to the cities for their compatriots in the city and the problems of those in the provinces for their compatriots back home.

With the economic transformations Türkiye experienced in the 1980s, the 'merchant broker' type re-emerged on the scene. Being a merchant is a very important status, especially in provincial units with limited livelihoods. Merchants, who link producers and consumers to the national market, can establish many powerful relationships at both local and national levels. In order to use these relationships for political mobilization when necessary, they distribute their resources according to their own criteria, buying a sense of indebtedness and gratitude that they can use in the future. It is not unusual for families enriched by trade to occasionally try to be decisive in local politics. However, in the 1980s, it is observed that they significantly influenced the distribution of resources and local politics.

The concept that figures or surnames who have become wealthy and have consolidated their power locally are selected by political parties and citizens to act as brokers continued in the early years of the AK Party's rule. As will be detailed in the findings section, while establishing its local organizations, the AK Party tried to attract those who had influence in the relevant provinces/districts to its side. However, in the following years, when it consolidated its party-centered patronage democracy, i.e. its control over both state resources and the bureaucracy, it prioritized the criterion of 'position within the party' in the selection of brokers. In particular, the Presidential System of Government, which was passed with the amendment in 2017, has created a new situation, which we call the 'presidents' regime' in the context of intermediation.

In this new situation, political party district presidents or provincial presidents, who we have always seen as strong brokers as a requirement of party-centered patronage democracy, have reached their most powerful and decisive positions, and unlike in the past, they are now mostly determined not by local conditions, but by their position within the party. In the presidents' regime, where the incumbent political party's elite has become the sole and continuous determinant of clientelist conditions, the importance of being strong at the local level has decreased and the importance of being strong in the party has increased.

Methodology

This study adopts a qualitative research design, combining ethnographic fieldwork, participatory observation, and document analysis to examine the role of brokers in local Turkish politics. Since clientelist relations and brokerage practices are socially embedded and expressed through everyday interactions, they resist quantification. Qualitative research, with its emphasis on observing, interviewing, and analyzing contextual materials, is more suitable for identifying how brokers are constructed, evaluated, and function within local political networks (İslamoğlu & Alnıaçık, 2019). The objective was to reveal the underlying patterns within singular cases, making it possible to theorize how broker behavior impacts electoral outcomes.

Artvin was selected as the field site due to its unique political trajectory and socio-demographic profile. The province witnessed a remarkable reversal between the 2014 and 2019 local elections: the Justice and Development Party (JDP) won 7 of 8 districts in 2014, only to lose 5 of them five years later. This sharp fluctuation occurred without any major economic or demographic transformation in the region, allowing for a more isolated analysis of political intermediaries. Artvin's small scale, non-metropolitan status, and mix of urban and rural areas made it an ideal site to observe face-to-face political relationships and informal mechanisms like clientelism and brokerage. It offers the opportunity to examine how localized political actors function in both geographically dispersed and socially dense environments.

Fieldwork was conducted over a six-month period in 2024, immediately following the latest local elections. The research proceeded in three phases, combining participant observation, semi-structured interviews, and document analysis. In the first phase, I used ethnographic methods to explore how district-level brokers—specifically JDP district presidents who took office in 2017—were perceived by voters in their neighborhoods. Drawing on the logic of embedded ethnography, I spent time in political and social venues such as district party organizations, coffeehouses, mukhtars' offices, local administrative meetings, barbershops, and cooperative assemblies. These spaces allowed me to observe informal interactions and political discourses as they unfolded in everyday life.

The second phase consisted of interviews with JDP party members who served at the district level between 2014 and 2019. These conversations helped triangulate the perspectives gained from voters, offering a party-centric view of how broker performance was understood within the organization. In the third and final phase, I interviewed the district presidents themselves—individuals who had been appointed in 2017 and dismissed by 2019. The goal was to capture their personal narratives and interpretations of their roles. However, a major limitation emerged in this phase: none of the brokers acknowledged that they had any real influence on the election results. They framed their work as purely procedural, claiming loyalty to the central party and often describing themselves as "the shadow under President Erdoğan." Given the unanimity of their self-effacing discourse and the risk of strategic self-censorship, their accounts were excluded from the primary analysis. Instead, I centered the evaluations of voters and party members, who consistently emphasized broker effectiveness as a key determinant of electoral success or failure.

In total, the study engaged 64 individuals across all districts of Artvin: 8 district presidents (one from each district), 16 party members (two per district), and 40 voters (five per district). Participants were recruited using a "double snowball sampling" method that combined traditional ethnographic snowballing with independent outreach through existing local contacts. This approach was designed to avoid the risk of sampling homogeneity that arises when relying solely on one chain of referrals. In parallel with fieldwork, I also conducted document analysis using local newspaper archives and internal JDP party documents, with particular attention to organizational restructuring around 2017. These materials helped validate field insights, while also pointing to key actors and events worth observing. Taken together, the methodological design enabled a nuanced, triangulated understanding of how brokers operate within the overlapping spaces of party loyalty, local community ties, and clientelist expectations.

Findings and Conclusion

The first finding of this field study on the impact of brokers' effectiveness on local elections is the determinant role of face-to-face interaction between brokers and people. The most common phrase in the interviews was "everyone knows everyone here". In a place where everyone knows everyone, the daily life of the brokers is also known by everyone. A broker who is found to be indifferent to the people living in the district and their problems is seen as unsuccessful and incompetent by voters. A shopkeeper (Participant 1), who identified himself as a JDP voter, summarized his criticism of the broker figure (Broker 1), who served as the JDP's district president between 2017-2019, as "he failed to establish contact with the people during his term as district president". Broker 1 did not visit shopkeepers, did not contact people on the street and acted "arrogant". Participant 1 claimed that at least 30 other people like him did not vote for the JDP "because of this man". In districts where the results of local elections can be determined by 50-100 votes, the fact that even a shopkeeper was able to detect the swing votes of 30 voters is striking in terms of revealing the consequences of the incompetence of the district chairperson.

A second finding about the incompetence of the brokers is the problems with their own party's local branch and its members. As mentioned before, having served in various units of the party's provincial organization has become one of the determining conditions for becoming a district president in the last decade. However, this has also led to an increase in intra-party rivalry, as certain prominent figures within a small-scale organizational structure hold similar positions respectively. Therefore, the determination of who has more power within the party than the other was not determined by local dynamics but by central decision-making bodies.

An official (Participant 4), who has held important positions in the party for many years, stated that Broker 3 was "unpopular within the party" but was elected to this position "because of his good relations with those at the center" and this caused a reaction among party members. The result of this situation in terms of clientelist relations was manifested in the distribution of resources controlled by the broker. Broker 3 prevented party members other than those in his own circle from benefiting from resource distribution. Moreover, he did not act in accordance with the recommendations of the district organization regarding the employment of party members in various institutions. These two situations made Broker 3 seen as "ineffective" by his own party members and "corrupt" by others, leading to a loss of votes for his party and making it impossible for him to convince others.

The role of the brokers as a bridge between the state and the citizen and between the political party and the electorate has already been mentioned. This role is twofold: it connects the citizen to the bureaucracy and at the same time connects the political party to the electorate. There are therefore several different conditions under which a broker can fail. As presented in the examples above, a broker may fail because of problems in communication with citizens, but also because of problems in communication with his/her own party. The influence of the broker on the relationships he or she has to control is also decisive. For example, if the importance of the broker for a political party is to prevent problems caused by information asymmetry, it can also lead to electoral defeat when the broker fails to provide its own party with accurate information about voter behavior.

Broker 5 provides an example of this situation. In the interviews, it was claimed both by members of the party organization and voters that Broker 5, who was found to have good relations with people, led to electoral defeat because he failed to correctly identify the voter group to be targeted during the campaign period. A party interviewee (Participant 5) described the process as follows:

> "After the start of the elections, Broker 5 targeted a certain group of voters, but it was clear that they would not vote for us. We warned him, he didn't listen. Those in the center also listened to Broker 5, not us. Broker 5 was so interested in this opposition group that our main voters felt abandoned. 'We guess,' they said, 'if they are elected, they will not give us a job in the municipality. They made promises to the opposition, but no one talked to us'. As such, we lost the votes of people who were already on our side or who we could have convinced with a few good promises, and we couldn't convince the opposition anyway, we couldn't."

It was found that voters take a retrospective approach to their voting preferences, and that the past benefits of the broker are important factors in its success. Participants at all levels stated that when they had a problem that needed to be solved by the broker, they took into account the broker's previous achievements. Political parties and people look for the "right man for the right job" criterion in the selection of brokers. As in the case of Broker 2, some brokers do not have the skills of a "problem solver" and therefore left behind unresolved problems and broken promises. While describing the activities of Broker 2, one participant said:

> "He would probably write your problem on a cigarette paper and then throw it away. A few days later, you would go to him and ask, 'President, what happened to our business?' and he answered: "I tried, but it didn't work." When these examples multiply, you realize that he is not at all interested in your problem. If he was a good man, he would immediately pick up the phone and tell whatever he needed to say. This President is such a man. He calls the director of the relevant institution, turns on the speaker on his phone and you know that even if your problem is not solved, the President tried but still could not solve it. Then you trust the man. The man of that time was not like this. He offended many people."

The findings of this study strongly align with Javier Auyero's (2001) concept of brokers as everyday actors within "problem-solving networks." In Artvin, brokers were judged not by their ideology or titles, but by their capacity to resolve constituents' day-to-day issues — a core feature of relational clientelism. Voters described credible brokers as those who "called the director immediately" and "turned on the speaker," signaling genuine access and urgency. In contrast, those who made empty promises or delayed action were accused of indifference, and they lost political capital. This dynamic supports Krishna's (2007) argument that voters engage in retrospective voting, evaluating candidates and intermediaries based on past utility. Brokers who failed to deliver, regardless of party affiliation, were punished electorally — highlighting how micro-performance shapes macro outcomes.

These findings illustrate the relational logic of clientelism at the local level. Brokers who failed to engage in consistent face-to-face interaction or who selectively distributed resources were perceived not just as ineffective, but as violating the informal contract embedded in relational clientelism. In contrast to top-down narratives that emphasize ideological loyalty, local voters evaluated brokers through the lens of accessibility, empathy, and effectiveness. These expectations align with Nichter's (2018) argument that in relational clientelism, trust and personal rapport are more politically valuable than one-time benefits. They also reflect findings by Auerbach and Thachil (2018), who demonstrate that in urban slums of India, clients actively select brokers not based on party status but on everyday embeddedness, responsiveness, and localized credibility. Similarly, in Artvin, brokers were not judged by their formal party affiliation, but by their ability to deliver tangible support and remain visible within the community. These dynamics underscore the political agency of clients and the centrality of micro-level evaluations in shaping broader electoral outcomes.

Further, this study confirms Brierley and Nathan's (2021) observation that brokers navigate complex dual accountabilities: upward to party elites, and downward to local constituents. Several brokers in Artvin lost credibility precisely because they were seen as "favored by the center" but disconnected from the local party base or community. These vertical ties to the central party often came at the expense of horizontal relationships with local voters and cadres, creating organizational fragmentation. This also reflects Brusco, Nazareno, and Stokes' (2014) model of information asymmetry, where brokers serve as transmitters of local voter preferences and behavior. In one notable case, a broker misinformed party headquarters about targetable voter groups, leading to misallocated campaign resources and alienation of the party's loyal base. Such breakdowns in communication underscore the critical — and fragile — role of brokers as intermediaries in distributive politics.

These findings also gesture toward more recent distinctions in the brokerage literature, particularly Camp Szwarcberg's (2015) concept of "liquid pocket" brokers and Zarazaga's (2015) contrast between "smoke merchants" and "plugged-in" brokers. In Artvin, voters made clear distinctions between brokers who could act swiftly and those who only pretend to have access. While some brokers were seen as "men of action," others were regarded as symbolic figures, lacking the embeddedness or resources to produce tangible outcomes. This suggests that not all brokers are equal in their efficacy or status, and that access to institutional leverage — not merely party affiliation — determines a broker's legitimacy.

Together, these interpretations reposition brokers as central, active agents in relational clientelist systems, not passive instruments of party machinery. Their capacity to maintain everyday contact, translate needs into action, and mediate between organizational tiers makes them both vulnerable and powerful. The Artvin case confirms that brokerage is not simply about vote delivery but about navigating expectations, managing impressions, and fulfilling embedded social obligations within tightly woven local communities.

These findings, observed about the brokers working in the period in question and supported by some participant interviews, show that an unsuccessful broker affects voter behavior. This effect is one of the important components of losing elections in this sample. This sample provides a clear result regarding the effects of clientelistic relations and brokers in local elections. Future studies have the opportunity to fill an important gap in the political science literature by examining in depth the problematic put on the agenda in this study, through field studies to be carried out at different district levels.

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Erdogan Altun

Kad je klijentelizam u krizi: Brokeri AKP-a tokom lokalnih izbora 2014. i 2019. u Turskoj

Apstrakt

Klijentelizam je odnos razmene koji obuhvata resurse patrona i usluge klijenata. U političkom smislu, osnovna karakteristika ovog odnosa jeste politička podrška građana u zamenu za redistribuciju resursa, najčešće javnih, od strane partijskih elita. Teoretski, kontrola nad javnim resursima bi trebalo da bude predmet državne regulative u okviru institucionalnog sistema. Međutim, u nekim zemljama, poput Turske, država i vlada, državni i partijski činovnici, duboko su isprepleteni. Ova struktura ima svoje korene u specifičnostima političke istorije Turske, koje čine klijentelističke odnose svakodnevnim i duboko ukorenjenim. U takvim uslovima, brokeri – posrednici između državnih elita i građana – postaju ključni akteri političkog života.

U ovom radu analiziram ulogu brokera u lokalnoj politici kroz ispitivanje njihove aktivnosti tokom lokalnih izbora 2014. i 2019. godine u provinciji Artvin u Turskoj. Ključno istraživačko pitanje glasi: da li efikasnost brokera utiče na ishod lokalnih izbora?

Ključne reči: brokeri, klijentelizam, lokalna politika, Turska

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Edoardo Lavezzo

LIMITS OF A COMPETITIVE AUTHORITARIANISM IN SECURITY POLICIES: INTERPRETING TÜRKIYE'S APPROACH TOWARDS THE EU

ABSTRACT
Middle powers are often states that support and follow democratic principles, demonstrating such atonement in the domestic and foreign policies. However, states that want to emerge in modern multipolarity prefer a more centralised approach, adopting an assertive behaviour against powers or international institutions that criticise alleged 'authoritarian governance'. Among these countries, Türkiye as a middle power has manifested a growing assertive behaviour towards the European Union (EU) after the failed coup of 2016, capitalizing on such antagonism in the referendum of 2017 has allowed the Justice and Development Party, (Adalet ve Kalkınma Partisi / AKP) to transform Türkiye into a Presidential Republic. Nonetheless, such assertive behaviour in Turkish Foreign Policy (TFP) has not always corresponded to an open antagonism manifested in the domestic rhetoric. In particular, the polarisation of the AKP against the Europeanisation process moved by Turkish presidentialism has shown an inconstant evolution in the security policies. Hence, this article proposes to interpret Turkish presidentialism in its political polarisation and nationalism against the EU in the domestic and foreign policies after the presidential turn. The article contends that Ankara's leadership, albeit it has evolved the country's governance into a competitive authoritarian governance, the impact of its security policies towards the EU has not favoured an open assertiveness of Turkish behaviour as a middle power.

KEYWORDS
Authoritarianism; European Union; Middle Power; Türkiye, Security Policies.

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Introduction

The redimensioning of democracy and the proliferation of authoritarian modes of governance have been the concerns of leading scholars of democratisation lately (Diamond & Plattner 2015; Diamond, Plattner & Walker 2016). In particular, a growing number of studies are evidencing how middle powers, that manifest an assertive and ambitious foreign policy, have previously experienced a governance change that reduced democratisation and increased the nationalism of the leadership in their decision-making process, showing an 'unusual middle power activism' (Kutlay and Öniş 2021). Among these middle powers, Türkiye generates a strong attraction from scholarship, which has analysed the gradual loss of democracy and the evolution of Ankara's bilateral relations with the EU. Indeed, the relationship between Türkiye and the EU has often been rocky, but it drastically deteriorated following the coup attempt in July 2016. However, it was until the constitutional referendum and the rise of Erdoğan as the main agent within the Turkish governance that the EU voiced the peril of this democratic backsliding and the growing authoritarianism of the Turkish government (Dursun-Özkanca 2022: 746). However, the centralisation of the government can't be reduced to a mere desire of the AKP and Erdoğan to diminish the bureaucratic and military figures, and neither, the use of nationalistic discourses and political polarisation can be limited to the domestic sphere. Given the current status of the literature, crowded by different definitions that aim to display how the current regime in Türkiye shapes its foreign policy behaviour, scholars have been interrogating themselves on which definition would better describe the Turkish governance after the failed coup and interpreting its actual influence over the TFP, and in particular on its security policies.

Affirming that Türkiye has manifested a growing authoritarianism and that such form has impacted on its foreign policy towards the EU is a complicated task, since middle powers that want to emerge equate their desire for higher recognition with collective bargaining informed by non-conflicting interests, while ignoring the competition in global governance (Parlar Dal 2019: 586). Hence, when a middle power experiences a domestic change of its governance, it does necessary mean that it accepts authoritarianism to advance its image. However, authoritarian regimes in the current multipolarity are often affiliated with regional powers that have bonds with the western politico-economic sphere (Castaldo 2018). Narrowing the explanation of the Turkish governance after the coup and examining the consequences of such change in foreign policy, the literature affirms that the Turkish governance resembles a Competitive Authoritarianism (CA). What distinguishes CA regimes from other forms of authoritarianism is the presence of political competition guaranteed by meaningful democratic institutions that allow oppositions to challenge the governance incumbents (Levitsky & Way 2002). Here, the abuse of the state by a dominant force "places them at a significant advantage vis-à-vis their opponents" (Leivtsky & Way 2010: 5), meaning that Türkiye has never truly abandoned democracy but rather it has modelled it under the elites' pressures. According to the scholars that have been investigating the level of authoritarianism in the Türkiye (Esen & Gumuscu 2016; Castaldo 2018; Cagaptay 2018), and such centralisation has interested in particular the relationship between the EU and Türkiye. However, the exact impact of the Turkish CA on the TFP and how the centralisation of the powers has influenced the security policies of Türkiye towards the EU remains answered, especially considering how the recent conflicts occurred in the Middle East and Black actually contest the possible antagonism between the two parties.

Since this topic has been explored but not in the context of Turkish-European security policies, this article proposes to answer the following questions: To what extent has Türkiye become an authoritarian country? What elements of a CA regime have been mostly present in Turkish domestic and foreign policy of Turkish governance? Did Türkiye's approach change after the rise of Presidentialism? How has Türkiye used its domestic centralisation of power to pressure the EU in foreign policy? By answering these questions, the article contributes to share new insights about the TFP behaviour towards the EU as a middle power, examining the implication of its de-Europeanisation process in its security policies. In terms of structure, firstly the article theorises the principles of a competitive authoritarian governance in the domestic, focusing on the institutional aspects that regard power distribution, and then it explains how a competitive authoritarian governance affects the foreign policy behaviour of middle power. Secondly, after a brief literature review that reconstructs the evolution of Turkish governance and its consequences on the EU membership, the paper describes the key domestic elements that constitute the contemporary Turkish governance after the coup. Following this explanation, the article then proceeds to evidence how the institutional changes and the nationalist elements of Turkish presidentialism have impacted on the TFP, narrowing the focus on the impact of its security policies over the Euro-Turkish relationship. The article in conclusion contends that albeit Türkiye has embraced a competitive authoritarian system, there are institutional and ideological limits that impede Türkiye to fulfil entirely its security policies. Another contribution is that the article affirms that the Euro-Turkish relationship nowadays seems to have moved beyond the domestic backlash of Türkiye, embracing a pragmatism in the security policies.

Theorising competitive authoritarianism of the middle powers and foreign policy assertiveness

Foreign policy assertiveness is a complex theme among scholars since determining which factors have affected states' behaviour requires an investigation of both domestic and foreign elements. This is not the case when a state changes its form of governance, especially if it reduces the democratic power of the institutions and gathers it in the hands of few agents. When such event occurs to middle powers, then it means that their former role as followers of multilateralism and its principles is replaced by an ambitious approach in foreign policy. Most of the middle powers prior to the current multipolarity were western states characterised by a democratic and generally republican form of governance due to their affiliations with the US and the alignment with the western principles of full solidarity towards multilateral institutions, respect of human rights and application of democratic principles when acting in the international system. In contemporary debates, middle-power democracies could be classified as countries which regardless of their geopolitical weight have made democracy support a sustained component of their foreign policy (Kleinfeld et al. 2021). However, with the gradual retirement of the US as the main superpower as well as the growing impact of emerging great powers like Russia and China, a critical number of states classified as emerging middle powers have started to shape the international arena (Jordaan 2003). Albeit the complex definition of what divides an emerging middle power from a traditional middle powers suffers from a westernization of the term, traditional middle powers represent the majority of states in the international system and adopt foreign policy behaviour that respects the international order (Aydın-Düzgit 2023: 2319). Scholars have found that those emerging middle powers contest the forced unilateral application of democratic principles, adopting a more assertive behaviour to carve out a personalised foreign policy that distinguishes from traditional approaches (Jordaan 2003; 2017). Middle powers that criticise or reduce their alignment with democracy, favouring a more centralised system which reflects a more ambitious foreign policy, use stability issue as opportunities to chip away from the margins where liberal norms are less institutionalized and illiberal great powers are asserting their influence (Aydın 2021: 1382, 1394).

The characteristics of an authoritarian middle power in its foreign policy are the presence of a leadership that follows a nationalist ideology; the reduced power of collegial institutions concentrated instead on single figures or on a closed group of people or institutions that hold the majority of the power; the legitimation of foreign policy choices – especially in the security dominion – according to the elites' perception of the identified menaces; open antagonism and criticism of international institutions. CA firstly allows a government to enjoy institutional flexibility to react towards opposition's electoral power, since the government holds the state resources thanks to the loyalists inside the state institutions. In a competitive authoritarian system this blurred democracy is testified by regular elections which are however subjected to institutional procedures or social incumbents like bribes or political polarisation to manipulate the system without dismantling it (Jaffrey and Warburton 2024: 300). Secondly, a CA builds its agency and institutional capacity to legitimise their decision by adopting populist narratives to gather domestic support in the electorate and then using the legality of the institutions to maintain the majority in the government while persecuting the opponents. Thirdly, states that are characterised by this regime have executive and legislative power concentrated in the hands of few agents, mostly the presidential figure or institutional structures wherein the power of the majoritarian elites influence and the decision-making process. Finally, CA is characterised by a strong leadership, where the figure of a nationalist leadership dominates the political sphere, using its executive power on the institutions to direct foreign policy behaviour and legitimise assertiveness. This final aspect has however a limitation, since a ruling parties that usually resorts to violence to weaken the opposition, does not use this legitimate coercion systematically (Arslantaş and Kaiser 2023: 498). Given these elements, CA shapes a middle powers' behaviour in an assertive way where the nationalist ideology and the centralisation of powers facilitates the execution of the security policies to satisfy a 'conflict-oriented' approach. Assertiveness of middle powers has been examined through several approaches, but currently four approaches are preferred for these analyses: positional, behavioural, ideological and systemic.

These elements have been widely examined by scholars that explore CA's effects on states' foreign policy behaviour (Weiss & Dafoe 2019, Castaldo & Pinna 2019; Grzywacz and Gawrycki 2021). Most of the scholarship analyses middle powers' foreign policy and thus their impact on the system using a behaviour approach, clarifying also the distinctions among states that belong to this category and explaining which foreign policy aspects determine such status (Jordaan 2017: 397). This paper uses such explanation to describe how that a middle power that reduces its democratic principles, favouring a centralised type of governance, projects such changes in an ambitious grand strategy, where the nationalist element of the leadership, the centralised decision-making process and the political polarisation echoes from the domestic to the foreign policies. Nonetheless, categorising middle powers for their centralisation or autocratisation process is complicated since it questions if illiberal democracies should be included (Castaldo & Pinna 2019: 488). Countries that are slipping out of the democratic sphere cannot be considered as middle-power democracies in the same way (Kleinfeld et al. 2021) as traditional middle powers like Canada, Australia, or the EU members. Geopolitically, the authoritarian turn of middle powers not only can increase the instability in a region but also can influence other states' governance, meaning that their potential authoritarianisation "poses a challenge to their international and regional commitments, and question further development of regional cooperation" (Grzywacz & Gawrycki 2022: 2629). Hence, when a middle power is characterised by an authoritarian regime its foreign policy behaviour manifests a wider and more aggressive grand strategy, where the nationalist elements of the domestic governance are used as legitimising elements of their policies, the centralised governance becomes a diplomatic tool to bargain with foreign powers, and the polarisation of the enemies serves as a legitimising element of its assertiveness. This theorization however remembers how an authoritarian middle power, due to its limited capacities, cannot expect to shape all regional dynamics in its favour, although it has the capacity to project such ambitious behaviour. Hence, a middle power that does not respect the common democratic principles tries to limit its assertiveness by selecting the specific foreign policy area where its diplomatic authority is capable to influence other states' decisions.

Methodology

Illustrating how a competitive authoritarian system impacts on foreign policy behaviour of a middle power, as specified in the opening part, the paper selects Türkiye as the main case study, given the fact that its recent activism in foreign policy has been associated with the elites' behaviour manifested in the post-coup domestic environment (Aydın-Düzgit 2023; Soyaltin-Colella and Demiryol 2023). The paper analyses whether CA can alter the security approach of a middle power, and secondly when its domestic principles can be identified in the security policies of a state that pursues an assertive foreign policy. To do so, the paper follows a behavioural approach of middle powers, focusing on how the elites have evolved their behaviour in foreign policy according to how such elites have intended their pathway and application of an authoritarian governance. Considering how such method "proposes that middle powers can be identified by the framing and pursuit of distinct foreign policy agendas at the international level" (Efstathopoulos 2018: 50), the prior examination of the democratic backlash experienced in the domestic institutions is analysed to comprehend how the domestic turn has influenced TFP behaviour towards the EU.

In addition, since the analysis focuses on how the Turkish elites have described the changes of its governance and how Türkiye has dialogued with the EU over its effects in their foreign policy, the analysis adopts a critical discourse approach to examine the discourses of the elites. The paper adopts a variety of speeches, discourses and statements delivered by the political elites throughout the periodization that commences with the constitutional referendum in 2017 and finishes itself with the recent developments occurred by the time this article has been written (2024). We retrieved our data from publicly available documents on the websites of: Turkish ministry of foreign affairs (TMFA), Turkish Presidency. Moreover, to examine the perception of the EU, the paper recovers speeches and statements released by the websites of the main EU institutions: European Commission (EC); European Parliament (EP) and Council of European Union (CoE). The discourses will be selected where the Turkish elites refer to its domestic sphere when addressing security disputes after the adoption of presidentialism: a) Syrian civil war in the Middle East; b) Libyan crisis and energy issues in the Eastern Mediterranean and Libya; c) Russian's involvement in the Black Sea and Southern Caucasus.

Since the paper refers to Türkiye as a middle power and investigates its behaviour after a governance shift, the analysis acknowledges that the literature distinguishes between 'traditional' and 'emerging' or middle powers. The former refers to states that are stable, wealthy, and democratic, while the latter to states that are developing and that are new democracies. Although the article does not intend to expose the concept of emerging middle power for Türkiye, it retrieves the image of an assertive state and challenger of the international order to examine how the Turkish presidential form of governance has impacted on the country's relationship with the EU. After all, "middle powers' behaviour has been manipulated to justify to domestic and international audiences the foreign policy initiatives of these states" (Efstathopoulos 2018: 49), and hence, it is possible to determine such behaviour by firstly examining the governance turn. In this case, the inquiry exposes the behavioural changes after a governance shift as the ways in which a state interacts in the systemic crises according to the perception that the elites developed in the domestic sphere. Such perception is determined by how the governance shift has increased the power possessed by the elites in directing foreign policies according to a conflict-oriented approach to legitimise assertiveness (Grzywacz and Gawryck 2021).

Literature Review: Türkiye's relationship towards the EU

Esen and Gümüşçü provide evidence that notwithstanding Türkiye's position as a middle power and fulfiller of a multivectoral approach, it is undeniable that Ankara's relations with the EU have regressed, complicating the accession process due to its democratic backlash (2016: 1584). Before the domestic earthquake in governance, Ankara saw its proximity to the EU as a positive democratic influence over the regime, since it gave the AKP the institutional and normative power to signal discontinuity with its political Islamist roots (Ugur-Cinar 2023: 449). Between 2002 and 2010, Türkiye's leadership was convinced of the possibility that Europeanisation and the Turkish nationalist ideology could coexist so that Turkish institutions and policymakers could have been converged towards EU standards (Alpan 2021: 108). Some scholars underline how the initial attempt of the AKP aimed to make democratic elements coexist with ottoman values; yet in the attempt to create a balanced regime such democratization process has pushed the conflict between secularists and religious conservatives undermining its EU accession (Arısan 2022; Müftüler-Baç 2016: 62). Simultaneously, Türkiye was also pursuing its strategic autonomy in foreign policy, focusing on building up a region-focused activism to shape Türkiye's role as a middle power that aims to use neo-Ottomanism – a nationalist ideology developed by the former Turkish Prime Minister Ahmet Davutoğlu – to celebrate the multicultural and multi-ethnic dimensions (Kaliber and Kaliber 2019; Aykaç 2022: 358, 364-366). The AKP still did not want to direct its nationalism in the creation of Turkish geopolitical space, rather preferring to use soft power forms using its rising economy and the cultural aspect of its ottoman past to enhance its grand strategy. However, when the Turkish zero-problems strategy tried to use the neo-Ottoman ideology to influence North African and Middle East states' foreign policy during the Arab Spring, its diplomatic failure brought Türkiye into political isolation, accused of aiming for a wider regional influence. Türkiye changed its approach by entering into a de-Europanisation, stopping "benign foreign policy (good international citizenship, conflict mediation, multilateralism) in favour of a more revisionist one" (Sucu et al. 2021: 312).

For some scholars (Tüysüzoğlu 2024; Somer 2019), the reforms realised between 2013 and 2015 targeting the military and the higher judiciary, opened the way for the expression of Islamic identity in the political sphere, and consequently on the TFP. In 2010, the AKP aligned with the Fetullah Gülen Movement (GM) obtained a victory in a constitutional referendum thanks to which Erdoğan's AKP seized the high judiciary, cancelling a tutelary pillar of Türkiye's historic Kemalist militaristic bureaucracy; targeting the selection process of the Constitutional Court and the High Council of Judges and Public Prosecutors (HSYK), officially following the Europeanisation process, but actually using this democratisation "as a coup-proofing strategy" (Ülgül & Demir 2020: 146). For some scholars, the 2010 referendum represents a shift towards the authoritarian pole within the hybrid zone, since Erdoğan's AKP has captured the high judiciary, the last remaining tutelary citadel of Türkiye's historic Kemalist military-bureaucracy (Azgın 2020: 374). The second event was the Gezi Park protests that occurred on May 28, 2013, when Turkish protestors criticised the government-sponsored project to build Taksim military barracks and a shopping mall to replace the Gezi Park, a public place that echoes the Kemalist republican past. In reaction, "contravening the more conciliatory rhetoric and actions of other AKP politicians and taking a hard stance at every stage of the protests" (Carney 2019: 141), Erdoğan and the AKP took a hard stance against the EU, criticising its low support: "we saw with disappointment that the developments during the Gezi Park events and afterwards as well as the work carried out to ensure the separation of powers and the independence of the judiciary have not been fully understood" (TMFA 2014). The third event was the failure of the peace process with the Kurds caused by the elections of 2015 and the political polarisation used by the AKP against the Kurdistan Workers' Party (PKK) in the aftermath of several terrorist attacks that occurred in 2015. When the AKP failed to co-opt with the HDP (Peoples' Democratic Party), which accused Erdoğan's government of instrumentalising the peace process for containing the pro-Kurdish political movement (Jongerden 2019), the AKP was 'forced' to co-opt with the MHP (Nationalist Action Party), which opposed the peace process (Candar 2019: 262; Resch 2017: 11) to win the election.

The election indeed created scepticism between Türkiye and the EU: while the EU members evidenced how the growing power of the presidential figure was overstepping constitutional prerogatives (EC 2015), in response, Foreign Minister Çavuşoğlu accused the EU of slowing down the accession process stating that "political considerations must be put aside and technical process should be advanced without further delay" (TMFA 2015). In addition, the domestic polarisation against the PKK and HDP was increased due to the open alleged accusation of the AKP that targeted the HDP as an extension of the PKK. Then, the situation exploded on July 15 with the end of the political power of the Turkish military and political forces that wanted "to unseat the president andmade use of Kemalist rhetoric, assuming their historical guardianship role" (Jongerden 2019: 262). Such an event can be described as the last brick that built the wall of the Presidentialism so long dreamt by Erdoğan, since the political polarisation against the 'enemies of the state' within and outside determined an "unprecedented support for the government and the weaknesses of all kind of oppositions" (Castaldo 2018: 481). The AKP government then called the emergency status of Türkiye and signed a series of harsh measures that temporarily obscured the legal existence of the European Convention on Human Rights. The first sphere that was utterly shattered was the critics of the government, in particular the Gülenists belonging to the Fethullah terrorist organization (FETÖ), allegedly accused of being the primary executioner of the coup. Oppositions became traitors and those who dared to express criticism against the centralisation programme of the regime were harshly punished by the government and publicly denounced, since as Ozay Mehmet underlines, "by the time of the 2016 coup attempt, FETÖ had become a real threat to the constitutional order" (2020: 259), giving the AKP the legal mandate to target any oppositions. The second target was the Turkish Armed Forces, whose structure was reshuffled during the state of emergency where several dismissals interested officers affiliated with NATO, often called "Atlanticists", that favoured the rise of "Eurasianists" or "Pan-Turanic" officials (Ülgül & Demir 2020: 148), and also officers that were politically and ideologically aligned with the Kemalist Türkiye (Arısan 2022: 688). With these measures, for the AKP it was clear that now it was time to capitalise on the domestic turmoil to distance from the EU and seize Turkish governance through a legal referendum.

Turkish governance: determining the presence of authoritarian principles

Extending the state of emergency after the coup, the AKP gained the majoritarian presence in the institutions, legally obtaining the right to fulfil the presidentialist reforms; hence the nationalist Turkish elites "found themselves in the grips of majoritarian authoritarianism with a strong element of arbitrary rule" (Müftüler-Baç 2016: 74), where Erdoğan was the main actor behind the galvanisation of political legitimacy (Glombitza 2021: 252). With the victory of the presidential referendum in 2017 the AKP modified Türkiye's governance, focusing especially on three main aspects of the judiciary power and collegiality of institutions. Firstly, the Parliament has limited operational ground to exercise its judiciary power, it can only initiate investigations against the president in the case of criminal misconduct, but even that requires a three-fifths majority. Secondly, the President can unilaterally sign executive orders which undermine the separation of powers, marginalizing the role of Parliament by appointing all ministers and senior civil servants in all departments, where all the central agencies (*başkanlık*) answer directly to him. One figure that was particularly hit hard was the Ministry of Foreign Affairs, which has traditionally been a Western-oriented institution previously selected for its professional background (Uzgel 2022), now it represents the secondary and ideologically aligned figure in the whole Turkish government. Thirdly, thanks to the control of the higher judicial bodies by the head of the state, the executive power was entirely absorbed by the head of the state whereas the parliament was reduced to a mere 'biased organism' that bows to the leadership's choices. Under the new system, the executive branch was dramatically reorganized, offices were rearranged, and new entities, like policy committees within the Presidential office were created. Moreover, deputies are now subjected to a mandatory rotation that "functions as a sword of Damocles hanging over judges and prosecutors whose loyalty is not yet bought" (Arslantaş and Kaiser 2023: 504). Altering the institutional sphere, the rise of a CA regime has further exacerbated the will of the AKP to create a centralised governance led by a presidential figure and controlled by a political polarisation that could be oriented both internally and externally. The following sections provide a detailed explanation of the leadership's nationalist values and the polarisation of states' enemies, underlining the main aspect that has altered TFP behaviour as a middle power.

Nationalist leadership

Historically, this governance shift represents a critical move that poses the AKP legislation as a peculiar aspect of modern Turkish history, because the new political regime where Erdoğan alienates the bureaucratic mechanism of the parliament and judiciary system, and develops the country's domestic politics in his own image like Atatürk did in 1923 (Cagaptay 2018: 7). Using the parliament and the court of justice to target opposition and create the necessary majoritarian support for its nationalist initiatives, Erdoğan and the AKP protect their political power, where "the legitimizing efforts and consent-building strategies by the government and its notably increasing authoritarian conduct are regarded as vital and necessary instruments for the AKP" (Glombitza 2021: 258). Politically, the end of tutelary democracy increased the strength of the presidentialism system, wherein Erdoğan's executive power and authority over the institutional capacity resemble a full-scale authoritarian regime. AKP retains stable support from its voters, since "the widespread Turkish nationalism and fear of partition of the country exist among the voters of all major political parties" (Yilmaz, Demir & Shipoli 2021: 1125). In this sense, within the 'Competitive semi-Authoritarianism', Türkiye's Presidentialism can be easily described as 'Erdoğanism', where "the personality of Tayyip Erdoğan is divinised by partisan voters and elites, and as such a cult of personality around him has been entrenched" (Yilmaz & Bashirov 2018: 1821). Indeed, there has been a strong use of celebrating rhetoric that portrays Erdoğan as a leader that works "tirelessly for his citizens against the grave security issues stemming from alleged internal and external enemies" (Ugur-Cinan 2023: 449). Moreover, Erdoğan is taking advantage of the populist rhetoric to encourage its people to embrace more the ancient times, in particular with the figure of the sultan Abdülhamid II, whose momentum of strong republicanism during 1876-1878 led to a return of an authoritarian regime, and like the former sultan the Turkish President emphasised its image as a leader who fights on behalf of the people against political and military figures (Wastnidge 2019: 19, 23). Here, Neo-Ottomanism shapes a new vision of Turkish governance, where the goal was replacing a 'conservative democracy' with that of a nebulous 'advanced democracy' (Alpan 2016: 17-18). In practice, it is allowing the AKP to legitimise its nationalist narrative behind the changes in the government and consequently its new assertiveness de-Europeanised foreign policy.

Legitimisation of polarisation

The referendum of 2017 gave political polarisation a new dimension, where the political antagonism among parties has increased the rift in Turkish domestic politics, between those who support Erdoğanism and its Presidentialism and those who aspire to redirect Türkiye into a prior-2016 situation (Tziarras 2018), officially contrasting the Europeanisation process. Because of this referendum, Erdoğan became not only the de facto but also the de jure authoritarian leader who now has the power to rule by decree" (Yilmaz, Demir & Shipoli 2022: 11). The election results have direct consequences on two inherent problems of authoritarian rule: elite-level defection/rivalry and mass-level oppositional counter-mobilization. In this sense, this article confirms the concept of a conflict-oriented nature developed by Grzywacz and Gawrycki according to which a conflict-oriented domestic politics prefers "a competitive design and a tendency to uphold divisive debates bringing polarisation into play" (2021: 2631). In such environment, Erdoğan was smart to manage polarising discourses to gather domestic support and legitimation of the new form of governance where the polarisation in Türkiye "is fully reflected in the social and cultural attitudes of citizens against members of the opposite camp" (Arbatli & Rosenberg 2021: 297). Not as an authoritarian leader, but rather as the main symbol of Turkish Presidentialism, Erdoğan uses political polarisation "to set the political agenda away from their economic, social, and political failures; to justify future actions against their political opponents; steer polarisation; and maintain their power and position" (Yilmaz, Demir & Shipoli 2022: 4). Nonetheless, the "accelerating pattern of authoritarian responses to increasing social and political instability" (Yılmaz & Turner 2019: 693) has not diverged the political opposition to use the same polarisation against the AKP and Erdoğan's decreased democracy. Moreover, polarisation has been backfiring to the AKP and Erdoğan's popularity, the political polarisation weakened the party's operational capacity to use the coercive legality of the new constitution to block the opposition (Esen 2018: 49). Using the political polarisation against the foreign menaces and interferences that have blocked the TFP, the AKP instrumentalised the nationalist principles of the Presidency to project the strengthening of its diplomatic and material power, contrasting however with the EU security approach.

Interpreting the governance change: EU-Türkiye security policies

With the coup thus, Türkiye's image as a middle power that facilitates political and economic cooperation among Muslim countries "has been toned down in favour of more narrowly defined national interests, often couched in security terms" (Haugom 2019: 215). Such entrepreneurial manifested in the reforming process of the domestic institutions created an open criticism towards the EU, which was no longer seen as a Türkiye's ally due to different elements in their threats and security perceptions. The coup initially served to build a nationalistic and ambitious foreign policy discourse based on the notion of 'strategic autonomy' while drawing attention away from economic problems and other forms of governance crisis (Öniş 2022: 702). This attitude alienated the Turkish elites from the participation in the EU security framework, and in particular from the Permanent Structured Cooperation (PESCO); launched in 2017 this multilateral initiative aims to achieve more effective, efficient and synergic military capabilities by combining the material capabilities of each member. Diplomatically, Türkiye remarked the importance of the EU membership for its strategic objective, calling out the EP for lacking a visionary perspective and failing to respect the principle of "pacta sunt servanda" (TMFA 2019), but in practice its initial approach sustained the assertive turn of its elites. Pushing for wider autonomy and authority, the AKP has projected a new version of its Islamic Identity, taking advantage of the 'polished' military sphere from anti-Islamics and Atlantists, the Turkish government's policies post-coup directed the military focus and the police actions on focusing "more on external threats than domestic issues" (Ülgül & Demir 2020: 148). These elements are marking a new stage of Türkiye's behaviour as a middle power, where albeit its foreign policies seem to find a certain cooperation in domestic politics, Türkiye's centralisation remains a major limiting factor, defining the current Türkiye-EU relationship as "transactional and interest-driven relationship devoid of any of its original normative content" (Öniş 2022: 692). The following sections thus analyse the extent to which the CA regime has managed to influence Turkish security policies and how such policies have impacted on the Türkiye-EU relationship. Concluding that Ankara has not always manifested an assertive behaviour, these final sections confirm that albeit the Turkish elites have initially manifested assertiveness in its security policies, due to the misleading consequences, the TFP nowadays follows a more traditional approach as a middle power.

Initial assertiveness: Syria and Eastern Mediterranean

Initially, Türkiye's approach directed its ambitious security policies in the Middle East, focusing on becoming the main middle power in the Middle East and Eastern Mediterranean. Firstly, in the Syrian conflict, where the previous instrumentalisation of migration as a bargaining tool allowed Ankara to act "as an opportunistic coercer by using this population movement against the EU"

(Gokalp Aras 2019: 191), previously manifested when the Turkish elites adopted a contested European approach to migration in Syria while directing its economic support to aid an ailing economy (Aydın-Düzgit 2023: 2335). Politically, Türkiye exploited the government's security perception manifested through polarisation and the Neo-Ottoman ideology to show resilience against the EU and protect its regional ambitions. In this sense, seeing that the EU was not accusing Türkiye of committing violation of democratic principles, Türkiye uses the polarisation of the Kurds and PKK to legitimise military operations launched between 2017 and 2019. Operation Olive Branch, launched in April 2018, the TMFA legitimises such military incursion into Syria by depicting it as an act of self-defense against a build-up of terrorists, and as security action that could restore the road map toward such a successful future thanks to the Türkiye's resolute leadership (TMFA 2018). Operation Spring Shield, launched on October 9, 2019 Türkiye legitimises this action as a self-defense reaction under Article 51 of the United Nations Charter to reduce PKK and YPG presence (TMFA 2019). These security operations demonstrate firstly how the Turkish elites wanted to show off its hard power to demonstrate its operational capability (Gümüş 2022: 177), and secondly, how political polarisation legitimises the Turkish intervention to limit the PKK and cancel any pro-Kurdish terrorist organisations. More deeply, Türkiye's presence in Syria against the PKK and the successful polarisation towards the Kurds represents "more than a resurgence of its assertive role in the Middle East" (Murariu & Anglițoiu 2020: 138), since the new security doctrine adopted by the Turkish military figures in the post-coup political context is manifested as a form of preventive use "of coercive assets, forward deployment if necessary and the use of force beyond borders" (Kardaş 2018: 32). The EU criticised Turkish operations, underlining how the security framework in Syria against the PKK served as a geopolitical magnification of a decoupling pathway started with the failed coup in 2016, leading to a more authoritarian and anti-Western rhetoric (EP 2019).

In the broad Eastern Mediterranean, on the other hand, the nationalist government and its president-based system saw in the power vacuum provoked by Western interventions a massive opportunity to follow a neo-Ottoman strategy. Particularly aiming to increase its authority in Libya, Ankara has been using its military intervention and diplomatic support to reinforce and defend Tripoli's Government of National Accord (GNA). Seeing its success in Syria and warned by the military progresses that the Libyan National Army (LNA) under General Haftar was achieving against the GNA menacing Tripoli, Ankara and the GNA brokered a Memorandum of Understanding on security and military cooperation. Entering the conflict in a proxy-war way, Türkiye has assumed the command of GNA-aligned militias in Tripoli and has empowered them with conventional combat enablers and mercenaries (Yüksel 2020: 147), conducting a proxy war. Moreover, in Libya Türkiye also directed its security policies in the energy sphere, signing a memorandum with the GNA to establish an Exclusive Economic Zone that allows Ankara to project its nationalist concept of the *Mavi Vatan* (Blue Homeland) far from its closest waters and legitimise its approach by depicting such behaviour as a matter of national energy security. Here Türkiye adopted an ambivalent behaviour as proven by Erdoğan's words: "[Türkiye] is always ready to resolve the Eastern Mediterranean issue through dialogue on equitable basis"; specifying however that Ankara would consent to any initiative that would "lock the country out of its shores, ignoring vast swathes of Turkish territory" (speech retrieved from Daily Sabah 2020). Currently, Ankara antagonises the EU's energy and political policies in the country and region since it wants to achieve a "redrawing" of maritime borders (Besenyő and Málnássy 2024: 8), claiming Libya's strategic position. In this case, thus although Türkiye was a partner of the PESCO mechanism given the fact that this initiative leaves the door open to third country involvement, Ankara's security policies regarding Libya and Cyprus' question demonstrate how among PESCO members, rivalry among states undermines any meaningful input to align the Turkish aspirations with the European security policies (Aydin-Düzgit 2018: 2). Nonetheless, the EU criticism towards Turkish policies in the Eastern Mediterranean contrasts with how Türkiye's military interventions attract the EU security actors, which observe in particular the use of its drones foreseeing a possible cooperation between the EU and Türkiye.

Hedging behaviour: Russia and South Caucasus

Seeing however that pursuing a low neo-Ottoman ideology and adopting a full militarized approach to gain regional influence was leading Türkiye to drift away from its Western orientation (Uzgel 2022), Ankara's presidentialist turn, albeit changing its domestic policies, is recalibrating its behaviour in foreign policy. Indeed, after having reduced its aggressive attitude in the Middle East and Eastern Mediterranean, with Erdoğan's government revising its overambitious foreign policy posture and taking a conciliatory position in the eastern Mediterranean, its security policies showed a new approach in the Nagorno-Karabakh and Ukraine-Russia wars. In the conflict between Armenia and Azerbaijan, Türkiye considers its role as a security actor as essential for establishing peace, normalising the peace process with Armenia and applying UN international law (TMFA 2023). However, since it has given to Baku Turkish Bayraktar TB2 drones to neutralise the Armenian air defense systems and mechanized troops, it has also adopted indirect assertiveness by externalising its material power and sharing it with strategic partners. At that time, the EU didn't criticise entirely the Turkish approach, preferring an attitude of neutrality due to economic-political concerns (Kinik and Çelik 2021: 175). Similarly, Türkiye has applied a mixed security approach the Ukraine-Russia war, where albeit Türkiye considers the Russian aggression against Ukraine as unacceptable since it violates the Minsk agreements, posing a serious threat to the security of our region and the world (TMFA 2022), it has however sold its drones to Ukraine, with the EU open support and material curiosity in observing their performances in a 'hotter' conflict. Simultaneously, Türkiye's criticism against the EU sanctions towards Russia and the ongoing economic relations with Moscow, reveal another aspect: being a middle power and depending on Russian energy delivery, not sharing the same disapproval of the current occupation, the TFP pursues geopolitical goals outside what could be described as the collective stance of the West (Tüysüzoğlu 2024: 20-21). These recent conflicts thus reveal a double-hedge approach of the TFP and a mixed attitude towards the EU where on the one hand, Türkiye's public statements underline its commitment to regional peace and security among states, but on the other, its drones-based security policies manifest a new approach upon which Türkiye wants to exit from its former geopolitical isolation to create an *'a la turca'* securitisation.

Taking into account how the emerging of a nationalist leadership and political polarisation in the domestic policies have been initially used in Syria and Libya, the recent security events that occurred after the pandemic evidence clear limitations of Türkiye's assertiveness due to its middle power role. In practice, since Ankara's interferences in Libya and Syria have altered Türkiye's image as a middle power, making it appear as a problem-creator country that has increased its influence (Oğuzlu 2023: 680), Turkish policymakers have returned to a more hedging attitude with the EU. Observing in particular the effects of Türkiye's volatility of its foreign and security policy initiatives after the coup, the consequences on bilateral relations with the EU underpinned the cooperation under PESCO framework (Aydin-Düzgit 2018). Since the growing polarisation and populism in the domestic sphere have been used by Erdoğan and AKP to shape Türkiye's nationalist ambitions have not produced the desired gains, Ankara has adjusted its positions by lowering assertiveness and adjusting its diplomacy into more conciliatory positions. Indeed, in the recent conflicts after the pandemic, the Turkish elites had reduced the de-Europeanisation process and the neo-Ottoman perception of its security policies, preferring to pursue its ambitious security policies by observing with a more critical eye the systemic balance of power. These two recent conflicts that triggered diplomatic hostilities with Russia could be seen as geopolitical opportunities where Türkiye uses its hedging behaviour to amplify its position as a reliable bridge between the conflicting parties (Kuşku-Sönmez 2024: 7); where Ankara's activities as a bridge-builder image foster the rapprochement with the EU. At the same time, the persistent behaviour in security policies that refer to nationalist aspirations, like the *Mavi Vatan* issue over Cyprus will still deny Turkish military power in multilateral security initiatives like PESCO. Indeed, although Türkiye's balanced behaviour as a middle power is creating a diplomatic rapprochement, nowadays "neither the EU nor Türkiye is in any position to strictly define their relationship within the framework of EU membership" (Oğuzlu 2023: 685). Providing these evidences, the paper concludes that Türkiye's CA regime has not entirely manifested an assertive foreign policy and it has neither shown aggressive security policies towards the EU, but as the concluding section reveals it has adopted a more hedging strategy to fulfil its nationalist ambitions.

Conclusion

The aim of the article was to verify whether the domestic changes towards a CA regime have produced significant changes in the TFP behaviour, and secondly, how the security policies applied after this governance turn has altered its relationship with the EU. Judging Ankara's changes that occurred at the constitutional and political level have affected the domestic politics, it is possible to affirm that Türkiye's adoption of Presidentialism has undoubtedly changed its relationship to EU. What emerges is that the democratic backlash has favoured the spread of a nationalist image of the country and political polarisation against domestic and foreign threats. The paper confirms that Turkish authoritarianism is certainly changing the vision of Türkiye as a middle power, since its democratic backlash and de-Europeanisation in foreign policy distance it from the common conceptualisation of middle powers. Leaving open space for further analysis that examines the authoritarian turn of middle powers, the paper declares that Türkiye's CA regime has not translated into a constant assertiveness. Initially, the TFP's assertiveness was determined firstly by the consolidation of the powers and secondly, by the gradual loss of diplomatic interest to use the staus of EU candidatestatus now directed towards an entrepreneurial approach that seeks to exercise autonomy and authority towards the EU. However, ever since Erdoğan and AKP seized the institutional organisms, the criticism towards a westernized governance and foreign policy has not always been translated into an assertive image of its middle power, where on the contrary the impact of this change depends on the extent to which its security policy finds the passive European reaction.

Indeed, such limits are observable in the security policies in the post-pandemic world, where Türkiye's assertiveness has been recalibrated in the security policies, favouring a more balanced strategy. This positive rapprochement could interest the future cooperation between Türkiye and the European PESCO, as proven by the recent effects that Turkish drones in Azerbaijan, Libya and Ukraine are allowing. Nonetheless, a paradigm that still needs to be further addressed is the extent to which the Turkish elites will align their foreign policies with nationalist domestic governance. Indeed, as an ambitious regional power, Ankara retains strong claims over its geopolitical authority towards the EU in the Eastern Mediterranean due to political and economic reasons. A peculiar element that should be noted in the recent scenarios where Ankara has acted as a bridge-builder, like the Azerbaijan-Armenian war or the ongoing fight in the Black Sea, is the fact that Turkish security policies interacted with countries that share its centralised governance, or even certain elements that could be referred to CA. Giving these final contributions, the article expects that other qualitative researches with different method could come to different conclusions; however, it also foresees how certain factors of a CA regime do not always produce a stable assertiveness in a middle power's foreign policy. Hence, since the article offers a qualitative interpretation of the TFP towards the EU after the centralisation of its Presidency, the final conclusions leave room for additional developments that could clarify the nexus between the centralisation of a regime and an assertive foreign policy.

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Edoardo Laveco

Ograničenja kompetitivnog autoritarizma u bezbednosnim politikama: Tumačenje stava Turske prema Evropskoj uniji

Apstrakt:

Srednje sile su često države koje podržavaju i slede demokratske principe, pokazujući tu opredeljenost kroz unutrašnju i spoljnu politiku. Međutim, države koje teže da se afirmišu u savremenoj multipolarnosti preferiraju centralizovaniji pristup, usvajajući odlučno ponašanje prema silama ili međunarodnim institucijama koje kritikuju navodnu „autoritarnu vladavinu“. Među takvim zemljama, Turska je kao srednja sila nakon neuspelog puča 2016. godine postepeno pokazuje sve samouverenije ponašanje prema Evropskoj uniji (EU). Koristeći tu konfrontaciju tokom referenduma 2017. godine, vladajuća Partija pravde i razvoja (Adalet ve Kalkınma Partisi / AKP) uspela je da transformiše Tursku u predsedničku republiku. Ipak, to odlučno ponašanje u turskoj spoljnoj politici (TFP) nije uvek bilo praćeno otvorenim neprijateljstvom u unutrašnjoj retorici. Posebno, polarizacija koju AKP sprovodi prema procesu evropskih integracija, podstaknuta predsedničkim sistemom u Turskoj, pokazala je neujednačeni razvoj kada je reč o bezbednosnim politikama. Stoga, ovaj članak predlaže tumačenje turskog predsedničkog sistema kroz prizmu političke polarizacije i nacionalizma usmerenog protiv EU u unutrašnjoj i spoljnoj politici nakon prelaska na predsedničku vlast. U radu se tvrdi da, iako je liderstvo u Ankari razvilo sistem vlasti u pravcu kompetitivnog autoritarizma, efekat njegovih bezbednosnih politika prema EU nije doprineo otvorenijem i odlučnijem ponašanju Turske kao srednje sile.

Ključne reči: autoritarizam, Evropska unija, srednja sila, Turska, bezbednosne politike

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VOTING AFTER TRANSITION: POLITICAL PREFERENCES OF SERBIA'S TRANSITIONAL LOSERS

ABSTRACT
Economic crises create specific social conditions that affect voter preferences and behaviors. The Global Financial Crisis of 2007-2008 reached Serbia a year later, causing a major shock to the fragile Serbian economy, already burdened by the legacies of wars and international isolation during the 1990s, compounded by inequalities and uncertainties stemming from the delayed transition. Subsequent elections brought the collapse of the post-2000 political consensus, with many liberal and social democratic parties never recovering. This led to the domination of the populist Serbian Progressive Party (SNS) in the party system from there on. The main hypothesis of this article posits that the 2008 crisis solidified the pool of transitional losers composed of low skilled workers, the unemployed, low educated, rural populations, and elderly, providing continuous support for SNS ever since. The authors investigate whether the socioeconomic status of these groups still correlates with SNS votes, even though the party has been in power for 12 years. If the correlation stands, it implies that past economic traumas continue to influence voter preferences to this day. The study utilizes original data from two nationwide public opinion surveys.

KEYWORDS
economic crisis, transitional losers, voter preferences, elections, populism, Serbia

Introduction

Throughout the 20th century, numerous studies have demonstrated the impact of sociodemographic factors on voters' decisions, with some specifically focusing on the relationship between the economic status or class position of voters and their political preferences. Meanwhile, the modern world has undergone seismic transformations: the proliferation of democracies, increasing economic interconnectivity, more fluid class structures, and crises from distant regions affecting societies more profoundly than ever before. During this

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period, socialist countries of the former Eastern Bloc transitioned rapidly to capitalism, alongside implementing democratic reforms. While this brought about evident benefits and economic growth, it also led to heightened social inequalities, the loss of state-provided privileges, the dissolution of traditional class structures, and exposure to global competition and global shocks. Further down the road, both developed democracies and former socialist countries in Europe and elsewhere were equally strongly affected by the aftermath of the 2007-2008 global financial crisis, which came after almost two decades of growth. This newer crisis was characterized by soaring unemployment, income declines, cuts in social benefits, but also pronounced fear of losing the social status, leading to diminished trust in business and especially political elites (Owczarek 2017). These conditions provided a favorable social environment for populist politicians: the rise of Donald Trump in the United States or Brexit politicians in the United Kingdom can be related to the economic crisis. Central and Eastern Europe, in particular, proved to be a fertile ground for populists during this period, leading some authors to coin the term "populist belt" stretching from the Baltic to the Mediterranean Sea (see: Eiermann, Mounk & Gultchin 2017).

The transition in former socialist countries of Central and Eastern Europe has subjected many social groups to economic and political forces they did not always comprehend. The immense societal stratification during this period inevitably produced winners and losers of the reforms, and the later global financial crisis exposed the limits of growth, revealing to the latter that promises and aspirations for a better tomorrow may never materialize for them. These grievances and frustrations shaped their electoral behavior. The impact of these groups on political outcomes has been examined in a number of case studies within the post-socialist framework, although seldom with the focus on Serbia.

This is particularly intriguing because the country is one of the first where a populist party (Serbian Progressive Party, srb. Srpska napredna stranka, SNS) won the elections right after the crisis, retaining its grip on power to this day. The authors of this article argue that SNS consistently gathers support by exploiting the unified discontent of those left behind in the transition process, which in Serbia began in full swing very late, compared to other former socialist states: practically only with the overthrow of the Slobodan Milošević regime in 2000. The subsequent chapters of the study will delve into the theoretical framework of economic voting, with a particular focus on transitional losers, as well as the nexus between populist parties, voters, and the crisis. We will then establish a hypothetical framework for the study, present the methodology and data sources, as well as the models with which we will examine the socio-economic structure of SNS support, and the impact of transitional losers' vote on this party's electoral success in Serbia.

Theoretical Framework: Economic Voting and the Transitional Losers

A series of studies have identified the impact of voters' economic status on the decisions they make at the polls, particularly concerning the choice between ruling and opposition parties, or, in ideological terms, between right-wing and left-wing parties (for an extensive review of the 20th century literature on the subject, see: Miller 1997). One of the later studies (Leigh 2005) illustrates that the divide between political parties in the established Western democracies is particularly pronounced in three sociodemographic dimensions: between the young and the old, between the wealthy and the poor, and between native and foreign-born citizens. The theory gained a new momentum with the examination of the economic voting hypotheses in former communist countries, which, in a rapid process of transition, underwent significant socioeconomic stratification, creating a new constellation of social classes. An influential study conducted within the framework of argumentatively most successful post-socialist economies (Fidrmuc 2000) noted significant differences in terms of voting preferences related to the experiences of certain demographic groups with transformational reforms during the 1990s, clearly delineating a distinction between the young, educated, entrepreneurs, and urban population on one hand; and the unemployed, pensioners, manual and agricultural workers, on the other. Subsequently, the connection between unemployment and strong voting preferences has been identified over the broader European sample (see: Algan et al. 2017).

This brings us to the concept of transitional losers, the individuals or groups who experience negative consequences during the process of societal transformation. These drawbacks can include economic hardships, loss of social status, and the protracted feeling of being left behind in the evolving socio-political landscape. In academic literature, the concept emerges in the context of post-socialist transformation, forming part of the narrative of social distinction. Primarily associated with the discourse of reforms in Russia and the concept of individual well-being as the primary criterion distinguishing winners from losers early in the transformational processes, the term quickly expanded to encompass all other countries in similar circumstances (see: Danilova 2014). Specifically, the notion of transitional losers is linked to the inequality caused by tectonic changes in the wage structure after market reforms, i.e., after the abolition or significant reduction of centrally determined wage levels. This led to wage disproportions and subsequent social status disparities (see: Brainerd 1998). Apart from the case study of the Russian Federation, a similar phenomenon has been academically explored in countries such as the Czech Republic, Poland, Slovenia, and East Germany, where it has been associated with other significant demographic factors like education, urban-rural divides, or age (see also: Brainerd 1998: 1095).

A detailed study of five Central European countries (Mateju 2012) confirmed these findings. According to Mateju, the common determinant of the boundary between the subjective assessment of the status of winners and losers was, in fact, the age of respondents. A significantly smaller number of losers were identified in younger cohorts, in contrast to the older ones, which mostly felt left behind. Additionally, the rural population, especially agricultural workers, and often families of manual workers, tended to perceive their position in the transition as losing, as did the unemployed respondents. Another case study from Latvia also found that transitional losers, in terms of a decline in personal income in the first five years of the transition, were most prevalent in demographic groups such as women, rural populations, and specifically for that Baltic country, members of the Russian minority (Titma, Tuma & Silver 1999). Some research also identified women as transitional losers (see: Spehar 2006). A paper examining the position of recipients of social benefits in the Czech Republic, Hungary, Poland, Slovakia, and Russia over a ten-year transitional period revealed that the unemployed were the most common cohort of transitional losers. It also revealed that a decline in income was experienced by urban pensioners in all examined countries except Russia. Education, in the context of this study, proved to be another strong factor in terms of acquiring a higher social status during the transition (see: Verhoeven, Jansen & Dessens 2009).

The Populist Appeal after the Global Financial Crisis

The impact of a crisis on the rise of populist tendencies within a society was among the first identified by Laclau (1977). Meanwhile, numerous authors have established the impact of economic crises on the consolidation, growth, and even the Ascension to power by populist candidates and parties (see: Moffitt 2015; Hernandez & Kriesi 2016). It is widely accepted that during periods of economic difficulties, those in power tend to lose support; while the opposition forces, often populist, tend to strengthen. This pattern can be replicated among social groups most affected by the crisis: presumably the unemployed, lower-educated, elderly, or rural populations are the ones who often find resonance with the narratives and communication of populist politicians.

There are some alternative explanations regarding class support for populists during the times of crises, which put more emphasis on the subjective perception of threat to the current economic status. Exploring the surge of support for Donald Trump before the 2016 presidential elections, Mutz (2018) found that the key driver was economic (but also cultural) threat to the collective social status of white, Christian men in the United States. A similar correlation between the subjective perception of social status and the likelihood of voting for the right-wing populist parties is identified across the panel of European countries by Gidron & Hall (2017). Their conclusions align with our earlier assertions about the strong impact of the crisis in 2007-2008 and beyond on the rise of populists, mostly in Central and Eastern Europe, especially when compared to the transformational crisis of the early 1990s. The harsh transformational reforms did not produce many populists and seldom led them to electoral successes, in stark contrast with the 2007-2008 crisis. Simply put, the initial conditions in which citizens evaluated their position in 2008 were better, subjective status and the potential for loss were higher, and as a result, the crisis served as a more significant threat to voters' status than the post-socialist transformation.

Furthermore, crises may not necessarily be economic but can also involve the malfunctioning of political institutions, or more recently, cultural and identity-related crises, especially when it comes to the issues of immigration and integration in Western societies (see: Caiani & Graziano 2021). However, these crises, although sometimes closely linked to economic shocks, are beyond the scope of this research. Nevertheless, given that populist parties are inevitably seen as products of political crises, we see these trends as supplementary, with economic problems only intensifying distrust towards existing political supply (according to: Kriesi 2015). Another long-established theory in political science tells us that lower social classes are more inclined to vote for political parties advocating for redistribution, i.e., left-wing parties, socialists, social democrats, labor parties, and the like. However, the shift of the left parties towards more moderate center position at the end of the 20th century, primarily operationalized through the acceptance of the market consensus, also caused the detachment from redistributive policies and, therefore, from their working-class and union origins. These trends, coupled with the left's additional turn towards identity issues, social reform, and integration, have alienated their traditional voter base. While this was seen as the tactical repositioning towards more middle or higher-class support, in long-lasting term it created a strong social demand for populists, especially after the 2007-2008 crisis and its aftermath, when the threatened lower classes no longer had political representatives of the left they could trust (Berman & Snegovaya 2019). The populist right swept into that vacant space of the political spectrum.

The neoliberal left, as Beck (2006: 271-274) calls the newly transformed social-democratic parties, quickly occurred all over the former Eastern Bloc in the late 1990s and early 2000s as well. These parties were initially founded on social democratic positions during the early stages of democratic reforms, but soon turned to adopt neoliberal policies. Examples of such cases include the Hungarian Socialist Party, the Czech Social Democratic Party, the Bulgarian Socialist Party, the Social Democratic Party in Romania, the Social Democratic Party of Lithuania, the Socialist Party in Albania, and so on. Many of these actors implemented economic reforms or were in power at the time of the Global Financial Crisis, paying the price for their disconnection from the original voter base of lower social classes and, in some cases, almost completely losing legitimacy among those voters (Farkas 2016: 459). An illustrative example in this regard is seen in Hungary, where the need for integration into the global economic order led almost entire political spectrum to adopt neoliberal ideological positions regarding socioeconomic policies (Wilkin 2016: 23-49). As a result, the Hungarian Socialists lost the support of both manual workers and rural demographics. The earlier liberal, now populist-right Fidesz, as well as the far-right Jobbik, adeptly exploited the situation, offering voters simple and materialist solutions, along with strong criticism of the liberal economic consensus and often with an offer of a scapegoat for their difficulties. An analysis by Kreko & Juhasz (2017: 87) demonstrated that more than a third of Jobbik's voters come from the former socialist voter base. Here, we witness a demonstration of the trend: voters that traditionally supported the redistributive left (workers, pensioners, rural population) were disillusioned by the handling of the crisis and turned to the anti-elite, populist, often far-right nationalist parties, which then consolidated support among these social groups.

Hypothetical Framework

Our research builds upon the conclusions of previously outlined studies, but focuses exclusively on Serbia, requiring brief contextual explanations. After the Yugoslav wars and international isolation in the 1990s, Serbia entered a belated but accelerated transition in 2000, resulting in extreme societal stratification. Various classes of transitional losers who were bypassed by the benefits of privatization, marketization, and social transfer cuts emerged soon, although many were already impoverished during the continuous 1990s crises. In line with previous studies, this group in Serbia also comprises the elderly, pensioners, manual workers, the unemployed, the under-educated, and rural populations.

In the aftermath of the regime change in Serbia in 2000, two distinct waves marked the emergence of transitional losers, manifested by a surge in unemployment. The initial wave materialized promptly following the advent of the new democratic government, which, by means of market liberalization and the disengagement of the state from the managerial structures of the economy, prompted a notable escalation in the unemployment rate (see: Table 1).

Table 1. Unemployment rate in Serbia 2002-2006

2002	13.3%
2003	14.6%
2004	18.5%
2005	20.8%
2006	20.9%

Source: National Bank of Serbia

The second, notably more intense wave transpired amidst the Global Financial Crisis, a period during which Serbia confronted the challenge with a historically low unemployment rate of 13.6%, which came as a recovery after the transformational crisis. Nevertheless, the global economic downturn disrupted the previously optimistic trajectory of decreasing unemployment, precipitating substantial workforce reductions and culminating in the highest recorded unemployment rate (25.9%) since the democratic reforms (see: Table 2).

Table 2. Unemployment rate in Serbia 2008-2012

2008	13.6%
2009	16.1%
2010	19.2%
2011	23.7%
2012	25.9%

Source: National Bank of Serbia

In the aftermath, the Serbian Progressive Party (SNS) won the 2012 presidential and parliamentary elections. The right-center populist party consolidated power ever since, while the support for many of the democratic parties associated with the 2000-2012 reform period declined very rapidly (see: Spasojević 2019a). Despite the perceived dominance of major ethnic and geopolitical issues in Serbian politics, SNS builds its popularity, both in campaigns and beyond, mainly on materialistic positions, presenting itself as the defender of a broad front of disenfranchised classes (see: Pavlović & Stanojević 2016). One of the early and rare studies addressing the socio-economic foundations of SNS support revealed that, as early as the 2012 elections, the main predictor of a municipality predominantly voting for this party was economic, operationalized in terms of employment and income levels (Pejković 2012).

Our main hypothesis assumes that since the last economic crisis, almost the entire pool of social groups that can be defined as transitional losers has turned from their previously fragmented voting choices to SNS. Accordingly, this party has been mobilizing primary support among citizens of a weaker market position in post-transitional democracy: the older population, manual workers, pensioners, the uneducated, the unemployed, and rural populations. The hypothesis therefore proposes that, although almost 15 years has passed since and the economic situation in Serbia is relatively stable (unemployment in 2024 stands at 9%), experience of the crisis continues to impact SNS voters. Old socio-economic traumas remain relevant for voter preferences even today, while the ruling party also frequently tends to remind the voters about the blunders of its political competitors who governed Serbia during the economic troubles.

However, the hypothesis as formulated does not exclude alternative explanations for the mobilization and sustained support of current SNS voters, particularly when considering the nature of the ruling party in Serbia since 2012. In recent years, various international indices have characterized this regime as hybrid (Freedom House 2024) or an electoral autocracy (V-Dem 2024). In the context of significant democratic backsliding, partially enabled by external actors willing to overlook serious issues related to democracy, media freedom, and the rule of law (see: Bieber 2018), there has been a facilitation of the development of an extensive clientelist network. This has been especially effective in consolidating the party's electoral base among lower social classes, a pattern common in similar hybrid regimes (Pavlović 2019; for the similar case in Hungary, see Kreko & Juhasz 2017: 123-124). Simultaneously, SNS's dominance in both the political system and the mechanisms of redistribution, combined with its control over the media landscape, has presumably hindered the emergence of viable political alternatives capable of influencing that electorate, which is further exacerbated by the fragmentation of the party system and widespread distrust, particularly toward opposition parties (Spasojević 2019b). Nevertheless, this is not the primary focus of our study, as we aim to explain voter behavior through the lens of a socioeconomic shift in value orientations – a perspective that is not necessarily incompatible with the mechanisms employed by the ruling party to maintain power once it initially succeeds in securing the support of certain voter cohorts.

Methods and Data

The study employs two datasets from two separate public opinion polls. The first of them was conducted from 8 to 23 December 2022. To ensure a comprehensive and representative dataset, a Face-to-Face (F2F) data collection approach was employed, utilizing the Tablet Assisted Personal Interviewing (TAPI) as its main survey method. The study targeted a total population of Serbia, focusing on individuals aged 18 years and above, encompassing a substantial 6,501,689 eligible voters. The sampling strategy involved a Representative Stratified Three-Stage Random Sample methodology, with the sampling unit defined as the constituency-polling place territory, totaling 120 units. The stratification criterion included nine distinct strata based on the size of polling places and region (small, medium, and large). Respondents were randomly selected through a three-stage process, involving polling place (PPS sampling), household, and the first following birthday. The study included a final sample size of 1,185 respondents, with the research targeting a confidence interval of ±2.8 for events anticipated to have a 50% incidence rate. To address potential sample biases, a weighting procedure was implemented, utilizing a Multinomial Proportion Fitting through a multilinear regression procedure. This approach aimed to ensure representativeness within the sample that is aligned with the data from the last census, enhancing the overall reliability of the study's findings.

The demographic profile of the surveyed population reflects a balanced gender distribution, with 50.9% female and 49.1% male respondents. The survey encompassed both urban and rural settings, with 54.1% of respondents residing in urban areas and 45.9% in rural regions. Regional diversity was also aligned with the census data, as the research covered Belgrade (25.8%), Vojvodina (25.9%), Central and Western Serbia (28.2%), and Eastern and Southern Serbia (20.1%). Educational backgrounds varied among the respondents, showcasing the diversity and representativeness of the sample. Only 1% reported having no elementary school education, while 3.7% completed primary school. The majority had completed either three-year (18.1%) or four-year (55.4%) secondary education, with 10.8% holding degrees from vocational schools and 11% having attained higher education through university degrees. The employment landscape was multifaceted, with 33.5% working in the private sector, 11% in the public sector, and 5.8% owning their own businesses. Additionally, 24.1% identified as pensioners, 10.3% as students, 7.9% as unemployed, and 1.3% as individuals facing health challenges or disabilities that hindered their ability to work. The financial situation of respondents varied, with 12.7% finding it very difficult to meet their needs, 50.5% managing somehow but lacking stability, 32.5% having enough for their needs, and 4.3% having sufficient resources without concerns.

The second study was conducted from 25 October to 5 November 2023, in the same manner (F2F, TAPI) and with the identical sampling strategy, stratification criterion, and weighting procedure as described above. A total of 1,202 respondents participated in the study, reflecting a fairly balanced gender distribution, with 51.5% female and 48.5% male participants. The survey encompassed both urban and rural settings, with 61.7% of respondents residing in urban areas and 38.3% in rural regions. Geographically, the sample mirrored the distribution of the population across different regions of Serbia, including Belgrade (25%), Vojvodina (26.2%), Central and Western Serbia (27.4%), and Eastern and Southern Serbia (21.4%). In terms of educational attainment, the respondents exhibited a diverse range of backgrounds, with 6.3% having completed primary education, 17.9% holding diplomas from three-year secondary schools, 53.4% from four-year secondary schools, 9.7% from vocational schools, and 12.9% possessing university degrees. Regarding employment status, the respondents represented various sectors of the economy, with 13.6% employed in the public sector, 36.9% in the private sector, 6.9% as self-employed business owners, 5.4% unemployed, 6.9% students, 24.2% pensioners. The financial situation of the respondents varied, with 12.1% finding it very difficult to meet their needs, 44.4% managing somehow but lacking stability, 38.7% having enough for their needs, and 4.8% having sufficient resources without concerns. These comprehensive demographic overviews set the stage for a nuanced analysis of the research findings in subsequent sections.

Findings and Discussion

The 2022 questionnaire encompassed the operationalization of multiple independent variables, wherein a pivotal emphasis was placed on the variable concerning the individual perceptions of respondents regarding their experiences across three distinct chronological periods in Serbia (variable: "Have you experienced job loss and had difficulty finding new employment?" (1) Yes, from 1990 to 2000; (2) Yes, from 2000 to 2012; (3) Yes, from 2012 to the present). One period spans from 1990 to 2000, characterized by civil wars, the disintegration of the socialist Yugoslavia, economic collapse, sanctions, international ostracism, the Kosovo War, and NATO intervention in 1999. The period from 2000 to 2012 was typified by the processes of democratization, emergence from international isolation, economic reconfiguration, and privatization. Also, in this period, the Global Financial Crisis took place, which very intensively spilled over into Serbia. The contemporary period from 2012 onwards is delineated by a regression in democratic norms, democracy backsliding and hybridization of governance (see: Bursać & Vučićević 2021), but also with economic stabilization. This variable functioned as a proxy for stratifying respondents who may be categorized as transitional losers and non-losers in a sense of employment as a most basic criterion (see: Table 3).

Table 3. Transitional losers in three distinctive periods

	Non-losers	Transitional losers
From 1990 to 2000	76.1%	23.9%
From 2000 to 2012	75.3%	24.7%
From 2012 to the present	87.5%	12.5%

Post-stratification analysis has revealed that there are no statistically significant differences between responses from men and women to the posed question, nor based on the urban-rural divide. However, distinctive variations were noted across different age cohorts. Specifically, statistically significant disparities emerged when examining age groups, indicating a nuanced pattern of responses ($\chi^2 = 16.923$; df 3; $p < .00$). In the age group 33-42, 84.6% are classified as non-losers while 15.4% are transitional losers. Among respondents aged 43-52, 72.9% fall into the non-loser category, compared to the rising percentage of 27.1% transitional losers. In the 53-62 age group, 67.3% are non-losers and staggering 32.7% are transitional losers. Finally, for respondents aged 63 and older, 76.3% are non-losers while 23.7% are transitional losers.

The data also illustrates a clear pattern where different regions display varying proportions of responses which is statistically significant ($\chi^2 = 12.204$; df 4; $p< .01$). For instance, in Belgrade, 80.4% are categorized as non-losers, while 19.6% are transitional losers. Similarly, in Vojvodina, 78.1% fall into the non-loser category, compared to 21.9% transitional losers. These two regions are usually described as better off in the context of the Serbian economy. In the regions of Central and Western Serbia, 74.4% are non-losers and 25.6% are transitional losers. The data shows that Eastern and Southern Serbia have the highest number of transitional losers: 30.9%.

The sample also highlights a noticeable trend of respondents with a higher level of education showing a lower frequency of transition losers ($\chi^2 = 22.881$; df 5; $p <.00$). For individuals without elementary education, 45.5% are classified as transitional losers. Among those with completed secondary education, 25% fall in the loser category. Similarly, respondents with a three-year secondary education exhibit 36.2% transitional losers, whereas those with a four-year secondary education show 21.1% transitional losers. In the case of individuals with university degree, only 16.9% can be classified as losers.

The demographic battery of questions was followed by a set related to values. Interestingly, investigation into attitudes towards issues such as solidarity, democracy, rule of law, traditionalism, and respect for diversity between these two groups do not reveal statistically significant differences, showing no obvious propensity toward populist politics or authoritarian rule when comes to respondents' values. However, attitudes towards capitalism reveal that transitional losers exhibit a diminished preference for the market-based economic system. Specifically, non-losers score an average of 3.04 (SD = 1.48) on the desire for capitalism scale 1 to 5, whereas transitional losers score 2.68 (SD = 1.53) on average ($F = 2.517$; $t = - 3.093$; $df = 902$; $p < .00$, two tailed). These findings suggest that transitional losers are less inclined towards market reforms and economic globalization, which is somewhat expected.

The main research goal of our study was to explore the voting patterns of social groups categorized as transitional losers, particularly in the aftermath of Global Financial Crisis of 2008. Our hypothesis suggested that a significant portion of these vulnerable groups would align with SNS since the onset of the economic downturn. The data we collected provide evidence supporting this hypothesis, shedding light on the voting behaviors of transitional losers and their political affiliations in contemporary socio-economic contexts. Before addressing that, it is important to highlight that demographics reveal interesting patterns regarding voting for SNS. Data shows that this party enjoys the highest support in Eastern and Southern Serbia, with overall support increasing with age, but decreasing with level of education. As we have seen, these groups correlate to the transitional loser category.

Insights from the poll reveal a statistically significant increase in the number of SNS voters within the cohort identified as 2000 to 2012 transitional losers compared to those who are not. These findings underscore the complex interplay between socio-economic factors and political preferences, suggesting a notable shift in voting behaviors among individuals experiencing transitional challenges. The data indicate that there are no significant differences among other political parties (only parties with more than 20 observations in the sample were considered), except SNS and, to some extent, two smaller right-wing parties (see: Tables 4 & 5). These data provide empirical support for our initial hypothesis, indicating a detectable trend towards SNS affiliation within the transitional loser cohort.

Table 4. Voting behavior of 2000-2012 non-losers and transitional losers (party)

	SNS	SPS	SSP	Dveri	NDSS	Zavetnici
Non-losers	60.8%	9.9%	4.9%	3.1%	3.8%	3.5%
Transitional losers	67.7%	7.7%	0%	5.6%	2.6%	5.1%

$\chi^2 = 40.212$, df 22, $p < .01$

Table 5. Voting behavior of 2000-2012 non-losers and transitional losers (party blocks)

	Party in government (SNS & SPS)	Left-wing opposition	Right-wing opposition
Non-losers	75.9%	10.8%	13.2%
Transitional losers	80.9%	1.6%	17.5%

$\chi^2 = 15.699$, df 2, $p < .00$

If we consider transitional losers more broadly, incorporating those who fall into this category both during the 1990s and the 2000s, we obtain data that further supports our hypothesis that these sociodemographic groups now significantly lean towards SNS (see: Tables 6 & 7).

Table 6. Voting behavior of 1990-2012 non-losers and transitional losers (party)

	SNS	SPS	SSP	Dveri	NDSS	Zavetnici
Non-losers	56.6%	9.2%	5.5%	4.2%	3.5%	4.2%
Transitional losers	70.2%	9.4%	1.5%	3.2%	3.2%	3.5%

$\chi^2 = 39.909$; df 22; $p < .01$

Table 7. Voting behavior of 1990-2012 non-losers and transitional losers (party blocks)

	Party in government (SNS & SPS)	Left-wing opposition	Right-wing opposition
Non-losers	72%	12.9%	15.2%
Transitional losers	83.3%	3.4%	13.3%

$\chi^2 = 21.888$, df 2, $p < .00$

In Serbia, the appeal and alignment with SNS are frequently assessed in light of its leader and incumbent President, Aleksandar Vučić. Consequently, our survey aimed to evaluate the perception of his political attributes, examining responses through the comparative lens of transitional losers and their more better off counterparts. The empirical findings delineate that transitional losers, across 5 out of 7 attributes, view President Aleksandar Vučić more favorably than their non-losing counterparts.

Table 8. Perception of President Vučić among non-losers and transitional losers

	Abides by laws	Keeps his promises	Inspires trust	Possesses expertise	Exhibits charisma and leadership	Acts in accordance with the party ideology	Has the power to achieve what he advocates
Non-losers	56.2%	50.4%	50.9%	55.9%	58.7%	70.5%	69.7%
Transitional losers	60.6%	56.0%	55.7%	64.6%	61.1%	67.8%	69.3%

The consolidation of SNS support in the years following their initial electoral victory is evident through the analysis of voting patterns across two distinctive periods of Serbian political development. Our 2023 survey included a question about historical voting preferences, prompting respondents to recall the party they supported before SNS's electoral debut and victory in 2012. It should be noted that this party was founded in 2008 and did not exist during the initial transformative crisis of the Serbian economy after 2000. Respondents were presented with five common choices, notably DS (Democratic Party, nominally social democratic party that led the Serbian government in 2000-2004 and again in 2008-2012), the nationalist SRS (Serbian Radical Party), the old-regime SPS (Socialist Party of Serbia), the conservative DSS (Democratic Party of Serbia, which led the government in 2004-2008), and the liberal G17 (which participated in almost all reformist governments 2000-2012), along with an "other" option for smaller political actors. Despite acknowledging potential memory biases and socially desirable biased responses given in current political context, the survey results nevertheless offered insights into the changing voting patterns of transitional losers. Our analysis (see: Table 9) compares vote fluctuations from pre-2012 options to SNS among the general population, compared to four identified demographic groups often described as transitional losers in the CEE context: rural populations, individuals with lower education levels (holding less than a 4-year secondary degree), the unemployed (encompassing unemployed individuals, pensioners, and housewives), and the elderly (aged over 60).

Table 9. Vote fluctuations of pre-2012 parties' voters' towards SNS in general population and four distinctive transitional losers' groups

	Now voting for SNS (total)	**Rural population now voting for SNS**	**Low educated now voting for SNS**	**Unemployed, pensioners, housewives now voting for SNS**	**Older than 60 now voting for SNS**
pre-2012 DS voters	32.6%	48.9%	60%	57.1%	73.1%
pre-2012 SRS voters	64.5%	65.8%	57.9%	77.5%	79.5%
pre-2012 SPS voters	66.9%	75.6%	75%	74.5%	77.5%
pre-2012 DSS voters	51.5%	58.6%	50%	55%	75%
pre-2012 G17 voters	33.3%	35.7%	50%	50%	83.3%
pre-2012 voters of other parties	20.4%	31.6%	27.3%	36.4%	35.7%

The comparison reveals that while there is volatility within the base of every pre-2012 party, the propensity towards SNS is significantly higher in almost every group of transitional losers compared to general voters. With the slight exception of the "other" category, which in most part comprises ethnic minority interest parties, all major actors within the Serbian party system experienced a high number of their voters shifting to SNS after its emergence. This shift is primarily driven by transitional losers within their ranks, particularly the older population, the unemployed, and to some extent, individuals with lower levels of education and those living in rural areas. As mentioned earlier, SNS has consistently portrayed itself as a defender of the disenfranchised, contrasting with the political elites that governed Serbia through a challenging transformation and the disastrous Global Financial Crisis. This strategy has obviously mobilized all groups who suffered economic hardships during these periods and largely turned their backs to their previous electoral choices.

Conclusions

The study underscores the intricate dynamics shaping political attitudes and behaviors in Serbia, emphasizing the role of socio-economic factors affecting the electoral landscape. These findings contribute to a deeper understanding of political phenomena of transitional losers voting behavior. The research briefly explored various socio-economic and demographic factors, including the impact of historical periods, age cohorts, regional disparities, economic status, and levels of education on political preferences and attitudes. Our findings indicate that both transitional losers, defined as individuals who faced job loss and employment challenges, notably during the 2008-2012 period, show substantial voting trends in favor of the Serbian Progressive Party (SNS). This trend persisted even when considering a broader definition of transitional losers, spanning across the 1990s and the 2000s. Moreover, our analysis highlighted significant associations between voting behaviors and demographic characteristics such as age, education level, and regional distribution. Transitional losers, particularly older individuals and those with lower educational attainment, showed a higher propensity towards SNS. Conversely, attitudes towards capitalism revealed a diminished preference among transitional losers, suggesting a nuanced relationship between socio-economic positions and ideological leanings. Furthermore, perceptions of President Vučić among transitional losers indicated a favorable appraisal across various attributes, underscoring the influence of leadership perceptions on political affiliations among these demographic groups.

Our main hypothesis assumed that transitional losers, particularly since the last economic crisis, predominantly shifted their vote towards SNS, drawing upon their historical socio-economic experiences, regardless of the party's 12-year tenure in power. The comparative analysis convincingly demonstrates that a significant portion of the vote volatility towards SNS since 2012 originated from groups characterized as losers of transformative processes: rural residents, individuals with lower levels of education, the elderly, and the unemployed. The continuing support SNS receives from these groups means that experiences from previous economic hardships could shape voting behavior in the long term.

These findings align with theories surveyed in our study, focusing mostly on transitional processes in other post-socialist countries in Europe and highlighting substantial differences in voting patterns linked to the experiences of specific groups. Furthermore, they contribute to the expanding body of literature uncovering support patterns for populist parties and offering insights into the emergence of populists. Possible limitations of our study include use of post-hoc survey method for establishing pre-2012 voting preferences, as well as disregarding the voting preferences of smaller number of transitional losers who do not vote for SNS (as well as those non-losers who vote for them) – indicating multilayered voters motivations that need to be further examined. Furthermore, we acknowledge the reductionist approach of the study focusing only on socioeconomic status as possible explanation of voting behavior, necessitating the testing of other possible predictors. Most notably, democratic backsliding in Serbia has enabled the ruling party to maintain its electoral base not only by exploiting voters' socioeconomic position, but also through a combination of widespread clientelist relationships and an uneven playing field in which political alternatives are significantly constrained. Findings of this study thus can facilitate further research, along with other explorations of voting behavior, party systems, and populist phenomena not only in Serbia, but also across the broader CEE region.

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Nikola Jović i Dejan Bursać

Glasanje nakon tranzicije: političke preferencije tranzicionih gubitnika u Srbiji

Apstrakt:

Ekonomske krize stvaraju specifične društvene uslove koji utiču na odluke i ponašanje birača. Globalna finansijska kriza iz 2007–2008. godine stigla je u Srbiju godinu dana kasnije, izazvavši veliki šok u ionako krhkoj srpskoj ekonomiji, već opterećenoj nasleđem ratova i međunarodne izolacije tokom devedesetih godina, kao i nejednakostima i nesigurnostima koje su proizašle iz prolongiranog procesa tranzicije. Izbori koji su usledili su doveli do sloma političkog konsenzusa uspostavljenog posle 2000. godine, od čega se mnoge liberalne i socijaldemokratske partije nikada nisu oporavile. To je ujedno omogućilo dominaciju populističke Srpske napredne stranke (SNS) u partijskom sistemu, koja traje do danas. Glavna hipoteza ovog rada polazi od pretpostavke da je kriza iz 2008. godine učvrstila bazu tranzicionih gubitnika, koju čine nisko kvalifikovani radnici, nezaposleni, manje obrazovani, ruralno stanovništvo i starije osobe, a koji od tada kontinuirano pružaju podršku SNS-u. Autori istražuju da li socioekonomski status ovih grupa i dalje korelira sa glasanjem za SNS, iako je ova partija na vlasti već dvanaest godina. Nalazi impliciraju da ekonomske traume iz prošlosti i dalje oblikuju biračke preferencije danas. Studija se oslanja na podatke iz dva nacionalna istraživanja javnog mnjenja.

Ključne reči: ekonomska kriza, tranzicioni gubitnici, biračke preferencije, izbori, populizam, Srbija

II

STUDIES AND ARTICLES

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Miloš Ničić
Sanja Iguman Glušac

HERITAGE, PUBLIC HISTORY AND DEMOCRACY[1]

ABSTRACT
This paper examines the complex relationship between heritage, public history and democracy, arguing that heritage is not a neutral transmission of the past but a contested, constructed and politically charged process. Drawing on critical heritage studies and public history scholarship, the text evaluates how dynamic memory practices can both empower communities and reinforce existing power structures. Special attention is paid to the concept of dissonant heritage, which challenges singular narratives by exposing the omissions, silences and exclusions inherent in heritage-making processes. In contexts where democratic institutions are fragile or delegitimised, the paper identifies grassroots, bottom-up heritage initiatives as spaces for civic interventions and resistance.

This work advocates participatory and reflective heritage practices, positioning heritage and public history as essential tools for democratic engagement and future-oriented cultural governance.

KEYWORDS
Democracy, Future, Heritage, Past, Public History

Introduction

In this paper, we bring together the concepts of heritage and public history, both of which, in their own way, bring forth the dynamic usage of the past in pluralised and globalised contemporary societies. Additionally, these concepts are juxtaposed with contemporary principles of democracy, as they play a crucial role in shaping collective identities, fostering dialogue, and promoting inclusive narratives. By examining how heritage and public history intersect with democratic values, the paper will explore their potential to empower communities, facilitate critical reflection on past injustices and contribute to

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the broader process of societal transformation. In this context, the role of these concepts is not merely about preserving the past but actively engaging with it to build more equitable and democratic futures.

In the preface of his influential book *The Past is a Foreign Country*, David Lowenthal (1985) states: "The past is everywhere... Whether it is celebrated or rejected, attended to or ignored, the past is omnipresent" (xv). In this book, and indeed in his entire body of work, Lowenthal insists that the past is not a temporal continuum with the present time; the past does not represent (only) a period behind us—it is a temporally independent category. This constructivist view entails a shift in focus from the temporal to the cultural dimension of the past, which the author constructs primarily through analyses of discourses about the past and its presence in capitalist modernity.

The past is not just behind us; it is present in the here and now and in the future—it is a kind of cultural artefact. As Buden and Žilnik (2013: 19) interpret Lowenthal, "... the past does not appear to us in the dimension of time, but in the dimension of cultural difference[2]. When we say something is 'old,' we attribute to it a cultural quality that may be entirely new to us. In other words, our very relationship to time has acquired cultural meaning. Today, we primarily experience time in its (three) dimensionality through the process of cultural differentiation."

Viewing the past not as an aspect of linear time, but as a cultural process, introduces radically different views on how the past is conceptualized, how the content (from) of the past is used, questioning the postulates of classical historiography, as a specific (Western) understanding of the flow of (historical) time and reflections on that flow—which, among others, was wonderfully testified to by Latour (1991) when he says that "we have never been modern"—claiming that modern historiography purifies itself of the pollution of the temporal, in order to create the past as an object of the present. Lowenthal's credo, therefore, does not refer to new methods of reading or writing historiography, does not introduce cultural specificities as new filters for assessing the past, but rather culturalises the past itself, providing a kind of analysis of the present using a discourse about the past. If we assume that the past is just another place in (this) time, then we can easily attribute to it all the attributes that apply to other physical and conceptual *topoi* of the contemporary world, first of all semantic polysemy, in the sense that Dick Hebdige attributes to polysemy, which is an idea "whereby each text is seen to generate a potentially infinite range of meanings" (Hebdige 1979: 117). On the other hand, the content of the past, thus temporally uprooted, enters the domains of politics, economy and culture, and can be attributed with characteristics that are included in contemporary interests from profit, mobility, to control and creative consumption, in

2 It would be incorrect to think that time takes on cultural meaning only in the modern era, or contemporaneity, or after a kind of culturalist turn that Lowenthal proposes in his book. For more on time and the perception of the Other, from an anthropological perspective, see Fabian, 1983.

the way proposed by Fiske (1989). Lowenthal sees the past thus presented as a stage for self-expression in the present.

Understanding how individuals and social groups comprehend and relate to the past can be viewed in two separate but intertwined directions. In the first direction, it is about interpreting the institutional relations through which content from the past is ideologically or discursively produced, adapted and used in the present. In the second direction, it is about interpreting individuals and groups who unpack and decode such institutionally shaped content (Hall 1980) and, depending on other elements of their social positioning, accept, reject or reshape its meaning. Within this framework, the processes of production of historical knowledge independent of the aforementioned institutional relations are also happening. Therefore, in the second case, it is not only about the analysis of reception, but also about the active role of various social actors in understanding the past, as much as in creating the present.

Much of the contemporary research in memory studies focuses on how different versions of the past are articulated in society within political institutions, the school system, but also in art, literature, popular culture, the media, secular and religious rituals, and other contemporary practices and processes. Focus is thus shifting from the research on institutions and power relations that are traditionally considered the main carriers of the "production" of historical knowledge (academy, universities, media, governments, and other elements of Althusserian state ideological apparatuses), to the "audience of history," that is, citizens who are recognized as having an active role in that process.

Based on this concept of the past, which is not seen (only) as one of the dimensions in the tripartite structure of time in a continuum, a question arises: in what way does a certain version/vision of the past acquire the character of a general[3] narrative accepted by different social groups, or in what way and by what means this attribute of generality is retained and maintained. In a framework in which "everyman [is] his own historian[4]" (a position that will be separately addressed in the section dealing with the phenomenon of public history) and creates independent versions of the past, the question arises as to how and under what conditions the content thus created "returns" back to broader discourses about the past and influences them (Rosenzweig and Thelen 1998: 178).

Another key challenge with the past, especially the distant past, is that we were not there to witness it. This means we must choose among competing

3 Generality in this case should be seen in the Gramscian sense of the word. The general is never static and unchanging, especially when it comes to hegemonic relations, which are characterized by the constant negotiations between the dominant and subordinate social groups leading to "equilibria in which the interests of the dominant group prevail, but only up to a certain point" (Gramsci 1971: 182). In this way, the views/visions of the past that are considered general in a society are not only in constant conflict with those views that exist alongside them, but are often renegotiated, changed or sometimes completely changed by them.

4 *Everyman His Own Historian*, stated by Carl Becker almost a century ago (Becker 1932).

historical narratives in order to accept a version of events, periods, figures, or objects. The past is singular, but history is plural. As King (2000) notes, memory becomes the medium through which we negotiate the relationship between an event and its reconstruction. Narration is a powerful, complex and potentially risky process, capable of shaping public opinion and, in turn, influencing social attitudes and actions. When storytelling is biased, selective, or distorted—especially in relation to difficult, shameful or violent pasts—it can produce strained relationships between communities and actors involved in those events. This is particularly relevant to recent history, which remains vivid in a collective memory.

In this context, public history as an intellectual and activists' endeavour plays a crucial role: it brings history into the public realm, encourages critical engagement with diverse perspectives, and promotes inclusive remembrance practices. Rather than presenting a single, authoritative version of the past, it invites dialogue and reflection, helping society navigate the emotional and political dimensions of heritage.

Heritage

The term *heritage* has acquired diverse and shifting meanings across different languages and historical periods. Although many scholars emphasise that the concept resists straightforward definitions, a general understanding can still be outlined. A key challenge in defining heritage lies in the nature of the concept itself: what qualifies as heritage, who claims ownership over it, and who engages with or consumes it (Harvey 2001; Schouten 1995; Tunbridge and Ashworth 1996; Smith 2006). Heritage is mostly viewed as something created, maintained and handed down by past generations, with the expectation that it will be preserved for those yet to come. This view may imply that heritage is singular, fixed and easily identifiable (Timothy and Boyd 2003), which, as will become clear, is far from accurate. The issue is significantly more nuanced. Temporal and cultural contexts influence how heritage is perceived and valued, meaning that what one generation identifies as heritage may not resonate with those before or after it (Iguman Glušac 2024).

Whether we consider that: "Heritage is the contemporary use of the past [...] The interpretation of the past in history, the surviving relict buildings and artefacts and collective and individual memories are all harnessed in response to current needs which include the identification of individuals with social, ethnic and territorial entities and the provision of economic resources for commodification within heritage industries" (Ashworth and Tunbridge 1999: 105), or we trust Harvey's words when he says "Heritage itself is not a thing and does not exist by itself, nor does it imply a movement or a project. Rather, heritage is about the process by which people use the past – a 'discursive construction' with material consequences. As a human condition therefore, it is omnipresent, interwoven within the power dynamics of any society and intimately bound up with identity construction at both communal and personal levels” (Harvey 2008: 1), we can understand that heritage is far more complex than simply “passing of something from previous generations to future ones” (Ashworth and Tunbridge 1999).

The significance of heritage in the formation of collective and group identities, self-understanding, and views of Others, economic and local development, as a key part of cultural-diplomatic and even political discourses, is in fact widely recognised and extensively debated in both scholarly and popular literature (for various disciplinary attempts to define heritage, cf. Iguman Glušac 2024; Smith 2006; Schouten 1995). At the heart of this complex concept lies not the past itself, but the contemporary connections between the past and present, connections that are always political, arbitrary and given to (re)interpretation (Hall 1997). To that extent, Laurajane Smith, similarly to Buden and Žilnik, argues that heritage is “ultimately a cultural practice, involved in the construction and regulation of a range of values and understandings” (Smith 2006:11). However, the clarification provided by Tunbridge and Ashworth (1996: 20, also cf. Schouten 1995) between the past (what has happened), history (the selective attempt to describe the past) and heritage (a contemporary product shaped from history, [formed through selection and interpretation]) is significant for understanding the relational principles of their connections. The analysis of these connections and principles stands central in critical heritage studies, as they shed light on the processes of shaping the past in contemporary circumstances. For this, heritage is also considered a form of distortion of the past through selection (Smith 2006; Timothy and Boyd 2003; Walsh 1992). Schouten (1995) argues that heritage only connects to history once it is “filtered” through cultural and political frameworks such as mythology, ideology, nationalism, local pride, romanticism, or marketing. Rather than being a neutral recounting of the past, heritage is a selective, value-laden interpretation shaped to serve contemporary needs—whether emotional, ideological, or economic. In this sense, heritage becomes a commodified version of history, crafted to inspire identity, pride, or tourism appeal.

As the outcome of a commercial, political, or any other process, heritage is always “reinterpreted depending on the current interests” (Gavrilović 2009). It is thus clear that only a selection of the past becomes heritage, and in that regard, Timothy and Boyd (2006) stress that the process by which something becomes heritage is necessarily context-dependent and never universal. This leads to the possibility of establishing hierarchies where some heritage is seen as particularly important, while others are considered less relevant or visible. As previously stated, this depends on certain social and political conditions, decisions, the social and cultural environment, and economic usability, as well as the global tendencies and changes. Moving the conversation about the constructivist nature of heritage forward, Hewison (1987) provocatively claims that “heritage is everything,” emphasising that theoretically, almost anything can become a heritage resource. Supporting this idea is the growing trend of engaging with past contents connected to previously disenfranchised and marginalised groups, or a shift from grand narratives to vernacular heritage and everyday heritage (Marcshall 2008).

Everyday heritage refers to the often-overlooked cultural elements embedded in the daily lives of people, those that do not refer to grand monuments or iconic landmarks, but to local traditions, ordinary public spaces, informal social practices, and routines that shape the fabric of a community. Unlike official or monumental heritage, which tends to reflect dominant historical narratives and elite cultural values, everyday heritage embraces the experiences and contributions of ordinary people (Giombini 2020).

By recognising these practices as heritage, we move towards a more inclusive understanding of culture—one that aligns with democratic ideals by valuing diversity, participation, and shared ownership. Everyday heritage strengthens community well-being by fostering social connections, a sense of place, and intergenerational continuity. It also plays a vital role in sustainable development, encouraging adaptive reuse of urban spaces and community-driven planning. This way, everyday heritage becomes not only a cultural resource but also a democratic practice, enabling communities to define, care for, and share what they value most about their way of life (ibid).

In this sense, heritage cannot be understood or defined unless we accept that it is created, constructed, and, most importantly, always represents a semantic field bursting with meanings coming from various directions and driven by diverse motives and actors. Heritage can also be interpreted as a kind of text that can be read and interpreted, or as a discourse in which we can identify social and other actors and their roles in the creation of its meanings.

Recognizing the difference between the past, history, and heritage, and acknowledging that the processes by which heritage is formed always leave many other past elements "in the shadows," Tunbridge and Ashworth (1996) coined the term "dissonant heritage" to emphasize that in every act of heritage creation—through each selection and interpretation—certain other contents are inevitably omitted, marginalized or decentred. They identified four forms in which this "disparity," this dissonance, arises and becomes visible (ibid: 29). First, dissonance can arise from conflicting messages surrounding a heritage content—"the messages embedded in the interpretation of the same or similar heritage can conflict, causing discord among users (of heritage)." Second, it occurs if the message is not interpreted as intended, if the heritage communication is not received in the way it was designed to be. Third, dissonance can appear if heritage messages are directed at a completely changed society, one that holds entirely different norms and goals than the one the message was originally intended for. Finally, the fourth form of dissonance refers to undesired heritage, the kind of heritage whose messages "a particular society or part of it would rather not hear or not allow others to hear" (ibid).

It is equally important to continually question dominant definitions of heritage, which have traditionally been shaped by Western frameworks and tend to prioritise material, ancient, and aesthetically pleasing heritage. In her seminal work *Uses of Heritage* (2006), Laurajane Smith offers a powerful alternative by emphasising the role of memory, identity, intangible dimensions, as well as the performative and dissonant nature of heritage. Smith argues for an understanding of heritage that embraces its complexity and ambiguity—not only the parts we celebrate, but also those we may feel ashamed of. It is precisely in this dissonance that heritage gains its true, multilayered significance—not just as a source of information or pride, but as a site of moral and existential meaning.

Such an approach aligns closely with the ethos of *Public History*, which invites us to confront the uncomfortable past, amplify suppressed narratives, and recognise heritage as a space of dialogue rather than consensus.

Public History

Public history is an Anglo-American concept that represents a specific niche of historical research—a subdiscipline of the humanities, concerned with the production and use of historical knowledge outside academia.

One of the best-known definitions comes from Robert Kelley, who defines public history as the "employment of historians and historical methods outside academia: in government, private corporations, the media, historical societies and museums, even in private practice" (Kelley 1978: 111). Although defining public history has been the focus of significant scholarship ever since (cf. Sayer 2015; Cauvin 2016), including its links and differences with seemingly comparative term of applied history (Kaal and van Lottum 2021), the main understandings are revolving around the underlying assumption "that history was no longer determined by grand narratives and traditional political history but by a view from the bottom up" (Nießer and Tomann 2018: 13), while applied history stressed the importance of historical knowledge for the public sector – "applied history emphasized the qualities of trained historians in political analysis (ibid: 14). However, the terms public and applied history often overlap, and depending on the focus, represent complementary activities and approaches. They can be examined through their contributions to scholarly research on historical topics, as well as through activities that commodify and commercialise historical content to justify their existence and serve public needs. The increasing use of historical content, discussed by Lowenthal (1985) and Walsh (1992), has likely enabled the development of these approaches. The expansion of these terms originated in U.S. universities in the 1970s, during the period marked by two phenomena: growing public scepticism toward academic historical knowledge (especially in light of the relationship between universities and government institutions), and the shrinking job market for postgraduate historians. Many turned to non-academic fields where they applied historical methods and research. This resulted in a convergence between academic methodologies and the interests of non-academic audiences—commercial users or the general public (Holl 2008: 31). The spread of these activities to museums, memorial parks, sites of memory, and private collections led to a specific mode of historical knowledge production not always aligned with academic developments.

Such a shift also foregrounded the study of "history from below"—the historical experiences of "ordinary people" and the "everyday". As Tomann et al. write, this form of "history of everyday life" offers a "theoretically grounded analysis of social processes and structures, with a focus on how these processes are experienced, interpreted, and used among the population" (Tomann et al. 2011). This is why the concept of Everyday Heritage previously entered the discussion, not long after everyday life became a legitimate field of academic reflection in philosophy (Heller 1984, Lefebvre 1988), sociology (Karp and Yoels 1986), heritage studies (cf. Ireland et al. 2024) and cultural studies (de Certeau 1984). The focus on decentralised narratives, local contexts, and marginalised groups found its way into historical research as well, particularly in the U.S., where historians outside academic settings and even non-professionals have become active participants.

These approaches aim to serve as "bridges between social interpretations of the past, academic historical knowledge, and politically motivated collective narratives. Applied and public history promote participatory and pluralistic processes of negotiation between academia, history, and civil society" (Tomann et al. 2011). This favours pluralism in producing historical knowledge across academic, commercial, and civil sectors, while still maintaining a professional foundation.

The emphasis on multiple actors in this process often requires the same discourse analysis and other methods mentioned earlier. The focus is not on professional historians reaching out to the public, but rather on social actors, citizens, and consumers with strong historical interests (Tomann et al. 2011).

A seminal study that shaped the course of public history research was *The Presence of the Past: Popular Uses of History in American Life* (Rosenzweig and Thelen 1998). It debunked the widespread belief that "ordinary people" in the U.S. rarely engage with history, revealing instead that the majority interact with the past daily—visiting museums, talking about history, engaging with photographs as memory tools, etc. Similar studies followed in Australia (Hamilton and Ashton 2003) and Canada (Conrad et al. 2009).

Nearly two decades ago, the mentioned Rosenzweig and Thelen's study also revealed a negative association with the word "history" among respondents, while "the past" evoked strongly positive and personal reactions. Schools—especially high schools—were seen as unreliable sources of historical knowledge, while other sources such as museums (1st place), family/personal narratives (2nd place), and eyewitness accounts (3rd place) were favoured. Conventional national histories were overshadowed by personal or group identity histories, particularly among minority respondents (African Americans, Native Americans).

When faced with historical content constructed outside of the mentioned favoured sources, respondents would be critical about it and compare it against their own personal or community experience. This is in stark contrast to statements such as that of L. Harlan, then president of the American Historical Association, who equated historical narratives with officially proclaimed visions of the past and blamed the public for "ignorance and indifference toward our cultural heritage" (Rosenzweig and Thelen 1998:177).

Such views contradict the inclusive approaches to the past promoted by public history, where the goal is to understand how citizens engage with the past and to support all forms of acceptance, reinterpretation, and rejection of top-down heritage narratives. The best forms of public history retain critical perspectives, challenge dominant heritage narratives with multivocal views, and "ask more questions than they answer" (Tosh 2008: 22–24; Jordanova 2006: 149).

Exploration of the relationship between public history and heritage reveals that there is no ontological difference between the two: no fixed, immutable relationship, although a synergistic connection is often evident. The political potential of confronting heritage content with that from public history is seen as a useful governance tool, promoting "particular visions of social harmony" (Myers 2006: 38–39). To that regard Dresser (2010: 43–45) links the actions of UK Labour governments in the early 21st century to projects in public history aimed at reconceptualizing the individual–heritage–society relationship. Thus, he quotes Liz Forgan, then director of the UK National Heritage Memorial Fund, who said:

"Once upon a time, we could safely leave the future of the heritage to scholars, specialists and the wealthy owners of our historic houses and objects... But the world has changed... More and more of the money and commitment for sustaining the heritage will increasingly have to come from governments or public authorities... This means that heritage needs political support, a broad constituency which will compel our elected leaders to care for the heritage because their electorates do" (Forgan 2008 quoted in Dresser 2010: 45).

The mentioned political support shifted the focus "from being something that is exclusively defined by experts on behalf of society to [something] that recognizes the importance of protecting a wide range of heritage and also of getting more people involved in identifying and caring for what is valued collectively" (Think Tank Demos, in Dresser 2010: 44–45). This meant shifting away from grand imperial architectures of memory towards narratives potentially in tension with traditional heritage discourses.

This shift is also underlined in the Faro Convention (2005) that emphasises the importance of heritage in the context of human rights and democracy. Through its principles, the Convention insists that heritage can have a positive impact on social cohesion, as well as on the value and identity of the space where it is located or practised, rather than being an isolated value that does not affect space and its people. Additionally, the Convention stresses that heritage should not be seen solely as an aspect of tourism, but as an integral part of the everyday life of people to whom that heritage belongs or whom it simply affects.

Thus, the relationship between heritage and public history can be understood as a space of synergy. Since heritage is always a product of signifying practices and interpretation, it means it is inherently a component of public history, shaping both collective and individual perceptions of the past. At the same time, heritage—despite being a construct—carries strong emotional connotations, whether referring to national history or the history of smaller groups. From this standpoint, heritage influences broader historical understandings and the interpretation of "history from below."

Various examples brought forth in this paper remind us of an inherent dependency of both heritage and public history on politics, power, and broader societal self-perceptions. Tunbridge and Ashworth (1996) describe the existence of "dissonant heritage," which shows how micro-narratives from public history projects infiltrate and challenge dominant heritage narratives. Heritage thus becomes mapped as content created from/for particular positions in society, defined by dominant power relations and their preferred visions of the past.

Simultaneously, the existence of heritage-labelled spaces, practices, and artefacts invites public engagement through confirmation, reinterpretation, or rejection, constantly reshaping both personal and collective relationships to the past. In this sense, heritage becomes a starting point for public history projects, through which heritage is affirmed, questioned, and potentially transformed.

Heritage, Public History and Democracy

In contemporary societies marked by political polarisation, digital fragmentation, and resurgent nationalisms, heritage and public history are increasingly positioned at the heart of democratic struggles. While traditionally associated with conservation and education, both fields are today being reinterpreted as spaces of political negotiation, civic engagement, and identity contestation. As such, they hold a unique capacity not only to reflect but to shape democratic cultures, especially through their influence on collective memory, historical consciousness, and public dialogue (Nora 1989).

Democracy, with its contestability, inclusion, and deliberation, implies a multiplicity of voices and perspectives. It thrives on values that can also underpin critical heritage practices. Heritage, when approached as a dynamic, participatory process rather than a fixed set of elements, becomes a tool for cultivating historical pluralism. This is particularly in relation to public history that gives space to multiple voices, emphasising those excluded from official narratives. Public history also encourages dialogue between experts and the public, as well as community engagement, which is crucial in contexts where heritage is often a victim of politics. Thanks to this invitation to broader democratic participation in processes of cultural remembrance, the traditional monopoly of experts and institutions over historical interpretation is challenged.

However, the democratic potential of heritage is not given by default. In many contexts, the past is selectively chosen to support authoritarianism and to exclude minority voices. State-driven heritage initiatives may impose singular, tailor-made narratives, creating a national identity that erases dissonant or traumatic histories. This tendency is especially obvious in regimes where heritage policy becomes a tool for nation-building through amnesia, suppressing contested memories in favour of glorified pasts. Economic interests further exacerbate this trend, as heritage narratives and their protection are often reconfigured to attract foreign investments, boost real estate interests and interfere in urban planning, which directly affects built heritage standing on its way. In such circumstances, heritage and public history risk being instrumentalised to reinforce rather than question existing power structures. These trends are especially noticeable in the developing countries (Timothy and Nyaupane 2009).

In contexts where democratic institutions are fragile, under attack, or hollowed out—such as in countries with authoritarian tendencies or hybrid regimes—heritage can paradoxically become a testing ground for democratic innovation precisely because of the vacuum left by unresponsive or delegitimised state structures. In places where public institutions lack credibility or trust, citizens increasingly claim ownership over memory through informal, grassroots, or bottom-up initiatives (Fiket and Pudar Draško 2021).

A good example of this is Serbia, which shows the state's ambivalent stance toward contested heritage—such as antifascist monuments, urban memory sites, or minority histories—which has prompted civil society actors, artists, and local communities to engage in alternative heritage practices: self-organized walking tours, memory mapping, participatory workshops, and street-level interventions that rearticulate the meaning of places and histories often omitted from official narratives. These practices not only resist the instrumentalisation of the past by dominant political actors but also prefigure more participatory, pluralistic, and inclusive models of cultural governance. In such environments, heritage becomes a space of political imagination, where democratic values are rehearsed even when formal democracy fails. This further underscores the significance of public history and critical heritage work as laboratories of civic agencies, especially when official, governmental institutions fail to deliver it.

However, recent global trends of increased community engagement and environmental and cultural activism prove how heritage can serve as a medium for social critique, historical restoration, and community healing. This also implies that heritage and public history are not only about the past but are inherently present and future-oriented. They inform how societies remember, but also how they imagine the future—what is preserved, who is heard and whose stories matter. This is especially critical in an era where public discourse is being increasingly shaped by algorithms, disinformation, and epistemic fragmentation. Here, public history has a responsibility to counteract historical manipulation and support critical media literacy and historical agency. Also, as cities and institutions experiment with more inclusive governance models, heritage is becoming a testing ground for democratic innovation. Projects using co-curation, deliberative gatherings, or participatory budgeting for cultural heritage demonstrate that citizens are not just passive receivers of memory but can be active co-authors of history. These processes—however fragile—signal an emerging understanding of heritage as a right, not a privilege, a commons rather than a commodity.

Conclusion

Heritage and public history stand at a crossroads. They can be mobilised to defend democratic life or to distort and constrain it. The direction they take depends on how seriously and willingly societies commit to plurality, inclusion and ethical engagement with the past. In this light, safeguarding and expanding the democratic dimensions of heritage is not simply a cultural concern—it is a political necessity.

Heritage studies have reached a critical point, moving beyond nostalgic, romanticised, and static interpretations toward more inclusive, reflexive, and socially engaged understandings. What is increasingly questioned is not heritage itself—its sites or objects—but the ways it is practised, interpreted and governed. Even though global, indisputable institutions such as UNESCO acknowledge dissonance as the useful keyword to move from authorised towards inclusive heritage discourse, they are now being challenged for their mostly Western-centric logic and the necessity to balance standardised global frameworks with the protection of cultural diversity and local meanings.

Today, heritage stands at the intersection of major global challenges: sustainability, climate change, inequality, social exclusion, and urban transformation. In this complex context, rigid and conservative approaches to heritage have proven inadequate. What is needed are flexible, participatory models that reflect the dynamic nature of contemporary societies.

This is where *Public History* becomes essential—as a ground that democratises the engagement with the past by embracing multiple voices, mobilising diverse publics and emphasising shared authority in the interpretation of heritage. Along with *Critical Heritage Studies*, it questions the so-called *Authorised Heritage Discourse* and invites the recognition of heritage as a living, negotiated process—one that is shaped through public dialogue and collective memory rather than top-down narratives. The critique of the Authorised Heritage Discourse draws on Foucault's (1980) understanding of discourse as multidisciplinary, rooted in social practices, and inseparable from structures of power. This perspective challenges the dominant focus on monumental, prestigious, and historically imposing sites, often seen as the exclusive domain of Western, institutionalised heritage narratives.

By exposing these power dynamics, Critical Heritage Studies and Public History invite broader participation in shaping heritage discourses. They encourage individuals, communities and grassroots organisations to intervene, reinterpret, and contribute their voices. In doing so, heritage becomes less a product of top-down authority and more a field of democratic engagement—open to negotiation, contestation, and shared meaning-making. True democratisation of heritage requires not only involving communities in decisions about preservation and interpretation, but also shifting focus toward marginalised, underrepresented, and formerly colonised cultures. It also asks us to move away from commercialised heritage industries and instead support community-based narratives that foster inclusivity, justice, and cultural dignity.

The legacy of the 19th-century nation-building and the post-WWII project of European heritage are today confronted by the rise of far-right populism, which often weaponises heritage to promote narrow, exclusionary identities. In the post-truth era, misinformation and political agendas distort historical narratives, amplifying conflict and polarising societies. Heritage is no longer just about the past—it is a site of struggle over meaning, identity and power in the present, and consequently future perspective.

This makes heritage a democratic imperative. Rather than denying the political nature of heritage, we must consciously integrate it into inclusive, future-oriented policies that recognise its societal role. Public History offers critical tools for this task by creating participatory platforms, amplifying local voices, and encouraging active citizenship. It reminds us that heritage is not a passive legacy, but a space for shared responsibility.

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Miloš Ničić i Sanja Iguman Glušac

Nasleđe, primenjena istorija i demokratija

Apstrakt

Ovaj rad istražuje složen odnos između nasleđa, primenjene istorije i demokratije, polazeći od stava da nasleđe nije neutralno prenošenje prošlosti, već osporavan, konstruisan i politički obojen proces. Oslanjajući se na kritičke studije nasleđa i savremenu literaturu iz oblasti primenjene istorije, tekst analizira na koji način dinamične prakse sećenja mogu istovremeno osnažiti zajednice i učvrstiti postojeće strukture moći. Posebna pažnja posvećena je konceptu disonantnog nasleđa, koji dovodi u pitanje jedinstvene narative time što ukazuje na izostavljanja, tišine i isključenja svojstvena procesima stvaranja nasleđa. U kontekstima u kojima su demokratske institucije krhke ili delegitimizovane, rad prepoznaje inicijative „odozdo", iz lokalnih zajednica, kao prostore građanske intervencije i otpora.

Ovaj rad se zalaže za participativne i refleksivne prakse nasleđa, pozicionirajući nasleđe i primenjenu istoriju kao ključne alate za demokratsko angažovanje i upravljanje kulturom usmereno ka budućnosti.

Ključne reči: budućnost, demokratija, nasleđe, primenjena istorija, prošlost

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THE PLACE AND SIGNIFICANCE OF SOCIAL SCIENCES AND HUMANITIES IN MODERN MILITARY EDUCATION[1]

ABSTRACT
In this paper authors aim to explore and explain the place and significance of social sciences and humanities education in today's military education. By analyzing the impact that rapid progress of technological sciences has made on entire societies, the authors assert that problems and challenges of the modern world are even more pronounced and dangerous in the military realm, despite the military being necessarily separated from society in virtually all aspects, including education. Authors recognize several important and perilous problems in the context of the military which are produced by technological breakthroughs, and conclude that the optimal approach to solving these problems is systematic and genuine education in social sciences and humanities at modern military schools. The authors conclude that members of the military are not just in need of education in social sciences and humanities, but that it is owed to them by their institutions and their societies, due to the highly specific mission of the military and demands that society has from them.

KEYWORDS
Social sciences and humanities, education, military, war, technology, military officers

Introduction

The position and role of the military in contemporary societies and modern democratic political systems is to a great extent, perhaps even entirely, defined by the Huntingtonian paradigm of civil-military relations which prescribes a clear line of demarcation between the military and the rest of society in all functional and ontological segments and aspects. Despite not being the only

1 This paper is a result of research conducted in the research project of the Strategic Research Institute – "The Military Profession in Serbia in the Contemporary Security Environment" [Војна професија у Србији у савременом безбедносном окружењу] (ISI/DH/3/24-26)

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one, this paradigm that presupposes functional isolation of the military from society is perceived as the "normal theory," a framework within which all deliberations and considerations of the role and position of armed forces occur in democratic systems (Brooks 2021: 17), as "the proper and the 'normal' view of civil-military relations" (Atkins 2023: 966-967). Core functional attributes of the military system, institutional and organizational culture, the instruments the military uses, even the highly specific military ethos are essentially and necessarily different from all other social institutions and the mainstream social matrix. Accordingly, and quite naturally, the system of military education also significantly, in certain aspects even categorically, differs from its civilian counterpart. As Anglim (2018: 158) finds, significant differences between the military profession and other professions and social spheres condition and require different educational programs for the military and different ways of delivering of the said programs. However, despite these differences and peculiarity of the military education, the significance of high-quality and systematic education in the fields of social sciences and humanities (SSH) cannot be overstated in modern militaries in the current moment of civilization in which modern democratic societies reside. Including, of course, the Serbian society as well. Moreover, it seems that it is precisely SSH education that is more urgent and necessary than ever before in mankind's history, primarily due to the effects that monumental progress in other scientific fields, namely the field of technological science, has had not only on the military, but the overall functioning of societies.

The past and the present of military education

History of military education, in the full sense of the notion, is intrinsically tied to emergence of professional military-educational institutions, i.e., to the genesis and rise of the military profession and creation of the officer corps. Despite the fact that some European armies, and partially the American army, had some rudimentary features of professional structures even before the 1800s (Anglim 2018: 154) we can only speak of full-fledged military education as a product of the 19th century. The previous aristocratic model of officers' education was based on military academies which more resembled schools for developing aristocratic manners than proper military schools and schools intended for extensive education of military professionals. Young men of noble descent could always count on higher or lower positions in military hierarchy, solely by the virtue of their titles. Nonetheless, specificities of individual branches such are artillery or military engineering demanded that artillery and military engineering officers master certain skills in the realm of natural sciences and mathematics causing aristocratic military academies to open their doors for talented youngsters from common families. Thus, the practical demands for greater efficiency of military unites led to dissolvement of the officers' corps class structure even before the French Revolution. The French revolutionary and Napoleonic wars proved that social closure of the officers' profession that entailed reserving high positions for aristocracy grew unsustainable (Hantington 2004: 21-35). After the collapse of the aristocratic system of military leadership, and with the need for high competency of those who lead mass armies becoming univocally clear, it was only at the beginning of the 19th century that full awareness of the urgency of special and professional military education system was finally reached primarily in Prussian, French and British military; such an education system that would represent a militarily specific upgrade of the fundamental general education received outside military institution, (Ibid. 44-60).

Such education would be narrowly focused on military needs and would enable militaries to "produce their own personnel through a special system of education, necessarily separate and different from the educational system of the rest of society" (Stanar 2023: 37). Today, renowned military schools such as the French Saint Cyr or the British Sandhurst, as well as the military-education-wise avantgarde Prussian War Academy were all established in that period, at the beginning of the 19th century. It is worth noting that the Principality of Serbia too, following the initiative of Ilija Garašanin and by the decree of Prince Aleksandar Karađorđević, established its Military Academy on March 18th 1850,[2] under the name of Artillery School (Zorić and Đukić 2010: 15).

Therefore, modern officers' schools owe their beginnings to fundamental social transformation which took place in Europe at the turn of the 19th century. Given that this transformation was caused by the industrial revolution on the one hand and social and political civil revolutions on the other, officers' schools continued to faithfully accommodate the developed nation states' needs for projection of military power in their further development. *In concreto,* they adjusted their organization and curriculums to new conditions in which European nation states projected their power based on capitalist economy, industrial production, and national consciousness of their citizens (Gidens 2001: 46-53). As armies of nation states grew into massive national standing armies the need for a substantial number of active officers arose, but also officers in reserve. As military power was significantly founded on application of technological inventions, transformed into industrially manufactured and mass distributed war machines, it was implied that officers had to had considerable technical skills and knowledges. Rapid development of technical sciences and application of technical knowledge in growingly more specific and lethal means of war technology enabled the creation of specialized military unites and their own tactics, followed by new military branches, arms and services. Specialization of military skills and knowledge, along with new military organization, inspired the formation of separate military academies for education of officers

2 There were some attempts and kernels of establishing military schools in the Principality of Serbia even before 1850 – the "Gard schools" was opened in Požarevac in 1830, but it operated for less than three years, until 1833; the same city was home of the newly opened "Military Academy of the Serbian Principality" in 1837, but the school first relocated to Belgrade, then Kragujevac, only to dissolve after only six months (Zorić and Đukić 2010, 11-14).

with particular skills – army academies, air force academies, naval academies, technical military academies, etc.

The dusk of the era of limited war, of “lace” and “cabinet” war, signified the dawn of total war in which generals leading feudal armies clashed no longer; rather, entire states clashed, mobilizing all social capacities. Military power has always depended on more than just material-technical power – the fighting spirit created by the human component of war has also always significantly contributed to it (Starčević and Blagojević 2017: 122); even though technology was always remarkably important, it “alone has never been the decisive factor in winning war: the victory has rather been an outcome of a proper understanding of how the will to fight relates to the quantity and quality of available military resources...” (Korać 2023: 378-379).

As a “clash of wills,” in these new circumstances war presupposed the readiness of the entire society to bear the costs of war efforts. Introduction of conscription and relatively long mandatory service in standing armies converted militaries into social institutions with the function of identity formation, institutions which continued the task of preparation of citizens for fulfilling their existential meaning (Bauman 2009: 139). New weapons and new tactics also contributed to a higher level of autonomy of smaller military units, and thus also individual soldiers on the battle field. In such conditions the knowledge of individual capabilities of each and every subordinate and the ability to propagate military solidarity in a unit became crucially important on all levels of command. Hence, the need for SSH education of officers remained undisputable; the bottom line is that war represents a form of social conflict, that the military is primarily a social institution, and that the job of an officer is to command military units comprised primarily of people.

A new shift in officer schools came with professionalization of militaries in modern developed societies. Modern (postindustrial, postmodern, consumer, fluid, information, etc.) society, quite suitable for small professional militaries, gave up on national standing armies (Starčević 2024: 13-14). High level of profesionalization of officers, in conjunction with new types of missions for modern militaries, still demanded that officers’ schools retain a considerable volume of SSH courses, especially due to the need for building and nourishing professional loyalty and due to the imperative of civil democratic control.

The fact that social and human sciences were an important part of the curricula and programs of officer education can be demonstrated by the example of the Military Academy in Belgrade. At the end of the 19th century, cadets of the Lower Course of the Military Academy had a total of 33 subjects, six of which belonged to social sciences and humanities (without specialized military subjects, physical education and foreign languages). At the Higher Course of the Military Academy, another 14 subjects were studied, three of which belonging to social sciences and humanities (Starčević 2025: 12-13). With regards to specific disciplines, legal and historical sciences dominated. In the first half of the 20th century, pedagogical and psychological subjects were included in the curricula, and after the Second World War, Marxist philosophy and political economy followed. The curricula and programs of the Military Academy from 1998, after philosophy was erased from the education of officers, contained seven subjects from the field of social sciences and humanities, out of a total of 34 to 38 subjects (depending on the module for different branches). More recent research into the educational profile of officers also pointed to the fact that social sciences and humanities are necessary for officers (Marček, Životić-Vanović, Dikić 2014: 118-119). During the reform of military education in 2009, the study program intended for the education of officers of the Serbian Armed Forces had 45 subjects, eight of which belonging to the field of social sciences and humanities (Marček, Životić-Vanović, Dikić 2014: 173–174, 181).

The modern world and SSH

Having in mind the many different theoretical approaches to analytic consideration, description, and explanation of the modern world and the very logic of the complex social reality of today, it comes as no surprise that there are significant disagreements among scholars and thinkers who are invested in this topic. Pluralism of reference systems, approaches, and perspectives on the same phenomenon understandably and unavoidably results in a pluralism of theoretical explanations. Nevertheless, even in such an abundance of theoretical approaches to studying and explaining social reality one can clearly observe a minimal convergence of opinion on the decisive impact of rapid and galloping development of technology on virtually all aspects of modern humans and their societies.[3] There is practically no scholar worth his salt today who is not pointing out the crucial role of technological progress in everyday life, while there are even some thinkers who tend to completely, in a very reductionist manner, reduce causality of all changes of social reality to technological innovations and discoveries to the point of creating "an ideology of technological determinism" (Edwards 1995: 268).

Despite the fact that technological determinism is as least as old as dialectic materialism, it seems as though we are today on the brink of a completely new era of humanity in which the implementation of artificial intelligence in all spheres of life will further alter and determine society as AI is likely "one of the most dramatic technological game changers of our time with the potential to transform life from daily social interactions to how we conduct warfare" (Hunter et al. 2023: 4). Chances are that the initial premise of every future analysis of humans and human society in general, not just of the military and the phenomenon of war, which aims to be serious will necessarily begin with the principal impact of new technologies. Acceptance of Castells' (Kastels 2018: 71) remark that technology does not determine but rather embodies society, that is that "technology *is* society" and that social relations and practices change in accordance with the complex interaction of technology and social system,

3 Particularly interesting impact is the one produced in the political realm, including the realm of war, as discussed by many scholars (Korać 2023: 382-383)

leads us to a highly probable and balanced position that technology provides people (even more importantly, social groups) certain choices which would be impossible without technological breakthroughs. Essentially, technology enables certain practices, but it does not determine them (Kastels 2018: 366, 627). It of course goes without saying that every choice "offers some advantages which are paid for by acceptance of their detrimental consequences" (Levi-Stros 2018: 37).

In his brilliant short paper "Science and Reality," Serbian philosopher Jovan Babić (2018: 57-62) offers a precise and highly convincing explanation of not just the way that natural and technical sciences[4] shaped the world in previous centuries, but simultaneously of the genesis of social problems which occurred as products of sudden development of possibility of application of knowledge produced by these sciences. Namely, he indicates several major problems, among which the most important ones being the categorial difference in the very essence and "mission" between natural/technological and SSH and the phenomenon of the irresistibility of application of knowledge once produced. The image of today's world, as well as the problems faced by our generation, can be excellently explained with the combination of these two problems – the essence and role of natural/technological sciences is to deal with causality of nature and produce means and know-how for realization of our desires and plans; when such a knowledge is produced, a powerful, seductive, and irresistible urge surfaces to immediately use this knowledge without patience (perhaps even without desire) to explore all the implications and consequence of using these new means, and especially without patience to produce knowledge of *why* and *if at all* should we use our new abilities and means.

It is precisely the knowledge that is created by SSH, by their definition, nature, and "mission." Today's world image and condition of our planet and societies are a result of immediate application of every new knowledge that has been created by natural/technological sciences in past centuries, before considering the implications of its use and before providing scientific answers to questions why use this knowledge and is this application even good. Therefore, it is only understandable that SSH have been marginalized and perceived as utterly irrelevant, redundant, or even unnecessary, even at the very moment of history in which they appear to be the most important and most vital ones for our desperate pursuit of answers to questions *why* and *for what (justified) purpose* are we doing all the things that are so effortlessly done today.

In a boundless ocean of consequences and implications of "raw" application of the entire corpus of technological knowledge produced in the modern age, a particularly ominous possibility stands out – the possibility of total manipulation of the most referential point imaginable, truth itself. In spite of seeming *prima facie* counterintuitive, the tremendous progress of information technology which occurred in previous decades and which "made dissemination of information and our access to knowledge and truth all but effortless,

4 The notion natural and technical sciences encompass all natural sciences, mathematics, technical and technological sciences and biotechnological sciences.

without a historical parallel" simultaneously enabled "an uncontrolled information explosion which ushered us the age of post-truth" (Stanar 2021a: 120). The notion of post-truth, whose relevance has been remarkably wreathed by "canonization" of this notion in various dictionaries of our era's *lingua franca,* i.e. dictionaries of English language (Blackburn 2018: 5) portends an era of humanity in which explosion of different, confronted, and contradictory information and competing "truths" has led many to conclude that "there's no such thing, unfortunately, anymore as facts" (McIntyre 2018: 2). Relying on a number of manipulation mechanisms[5] which maximally exploit various innate biases, fallacies[6] and our inclinations towards logical mistakes in judgment, the phenomenon of post-truth unambiguously reveals the new reality in which ignorance and delusions are not, as it was the case throughout mankind's history, primarily products of inaccessibility or masterful covertness of information but rather of our inability to logical and critically think and analyze "an infinite amount of information which we all have literally at our fingertips," that is of our inability to properly discern the truth in the flood of lies (Stanar 2021a: 119). Once again, we must call attention to the essential and pivotal role of SSH, or education in this field to be precise – to capacitate human beings for elementary use of logic, critical thinking and basic literacy. Because unlike previous eras, to be basically literate and educated today doesn't mean to have access to information and ability to comprehend them but rather to be able to discern the truth among the infinite number of easily and effortlessly available lies and half-truths.

Truth, of course, is not the only object of relativization in the modern world – "truth, reason, morality, God, tradition, history, utopia, system, science, religion, all the *grand recits,* are meaningless" in postmodernism as Đuro Šušnjić (2015: 147) eloquently puts it. According to Baumann (2009: 61), contemporary society can be dubbed a fluid modern consumer society, while the transition of society from the phase of solid modernity into the phase of fluid modernity in the value plain is characterized by degradation of the ideals of "totality" and "long lasting" and their substitution with "the value of instant gratification and individual happiness". However, society in fluid modernity fails in its attempts to realize ideals of happiness and content because it becomes atomized and transforms into a "factory of mutual suspicion and competition" (Bauman and Obirek 2016: 51). The first line of defense against alienation and dehumanization is exactly the reflection on the significance of society, public interest, solidarity, hierarchy of values and other human beings. Such a reflection would be impossible without thorough study of SSH and education in the fields of philosophy, sociology, psychology and political sciences.

5 Some of the most researched mechanism include "*fake news,* echo chambers, filter bubbles, AI bots, AI algorithms" (Stanar 2021a: 119)

6 Steven Pinker (2018: 403) warns of the fact that our innate cognitive biases and fallacies make us incredibly vulnerable and susceptible to manipulation. Recent studies only further confirm the magnitude and depth of these phenomena (Damjanović: 2024)

Significance of SSH education in modern militaries

The military is, as discussed, at least partially separated from the rest of society in virtually every aspect by the virtue of its nature and structure. Still, it does not exist nor function in a vacuum of exception from social changes and key drivers of social change. Therefore, the military certainly is no sphere of exception when it comes to the critical importance of SSH education in a world shaped and determined by technological breakthroughs and various contemporary social challenges that come along. Moreover, precisely due to its highly specific instruments, its mission and its quintessential essence, as well as the fact that almost every new scientific discovery and every technological innovation somehow find their first application in the defense sector,[7] the military represents the primary location in which all the forementioned challenges of modern civilization manifest themselves, perhaps in the most obvious and most ominous way. These are the challenges to which only SSH can provide meaningful answers and solutions. Just like different technological innovations brought "unprecedented productivity to cities and factories," which in itself caused a string of serious social challenges and problems, and so brought "unprecedented efficiency to killing in war" (Šar 2020: 54). To say that this newly discovered efficiency of killing in war also produces equally serious social challenges and problems would be an understatement and a euphemism *par excellence* to say the least. *Ergo,* the urgent significance of meaningful and quality education in SSH is even more emphasized and pressing in the military, i.e., in the system of military education of modern armed forces around the world.

If we were to search for a segment of society in which what Babić refers to as "irresistibility of application" of new knowledge and capabilities most openly and strikingly reveals and manifests itself, we would find no better and more brazen example then the military realm. History of technical and technological development of military weapons systems and various combat systems emphatically indicates an utter lack of desire to investigate long-term and broader social consequences and implications of application of a new military technology, in particular the perspective of moral desirability and moral justification of the said application.[8] Instead, achieving mere technical *possibility*

7 Today's media-political discourse regarding technology is dominated by the subject of artificial intelligence, i.e., its possibilities and limits. We should harbor no illusions that the logic of implementation of artificial intelligence in the military realm will be any different than implementation of any previous technological breakthroughs – gunpowder, tanks, aircrafts, etc. History teaches us that AI will be implemented in military weapons systems and in the defence system in its broadest meaning, as soon as it becomes possible, and that it will too "revolutionize warfare" and militaries around the world (King 2024: 2)

8 This lack of deliberation can be derived from numerous factors – military urgency of the situation, i.e., lack of time, lack of awareness of the need for such deliberation, overwhelming (at times justified) existential fear that extensive deliberation could allow the rival to catch up and even surpass technological achievement of a military, mistrust in rivals and competitors, etc.

to do something is simultaneously perceived as an automatic achievement of *desirability* and *justification*; every new capability is therefore immediately and automatically placed in use. Such a wicked and impermissible logic of development and implementation of military technology, which basically represents the ultimate hubris and man's appropriation of God's attributes and prerogatives, "gifted" virtually all militaries in the world with the ability for effortless, quick, and total destruction and desolation of Biblical proportions, without any meaningful historical parallel, while "blessing" members of the military with "unbearable easiness of killing" (Stanar 2021b: 238).

These "gifts" and "blessings" of means and modes of mass destruction, placed in the hands of militaries by natural/technological sciences which produced the knowledge of *how* to do something, must necessarily be supplemented and upgraded with the knowledge of *why, when* and *for what purpose* these means and modes should, must, or must not, be used. Knowledge that can exclusively be produced by SSH. That is why many scholars warn that in modern wars, when limits of significance and strategic impact of each and every individual action of each and every individual soldier are redrawn and drastically pushed (Krulak 1999: 14-17), there is an imperative duty of exceptional and broad education of military leaders and officers in the realms of "history, cultural anthropology, political theory, religion and philosophy... geopolitics, international relations, sociology, economy and diplomacy... politics and culture" (Cook 2015: 38; Beasley 2018: 125; Anglim 2018: 160).

Education in fields of history, sociology, political science, andragogy, law, philosophy and segments of military sciences[9] in modern systems of higher military education of today's world has, at a minimum, as equal importance and relevance as education in fields of natural and technological sciences. This education, *inter alia,* must aim to develop and instill consciousness in future military officers, i.e., the governing structure of the military, about the role and function of the military withing the political system, and thus about the meaning of their life calling, about the society they serve and from which they are recruited, about the culture and social values which are in fact protected by force and with arms, about the specific military ethos and moral and legal justification (or lack thereof) of certain actions and decision within the military, both in war and peace. Some key challenges and problems facing contemporary armed forces – recruitment and retention of talent (Bryant et al. 2021: 10-24; Shane 2022; Tresch 2018; Levy 2009: 136–139; Tresch 2008: 84; Korb, Duggan 2007), generational value gap between the military and society and the following alienation of the military institution (Stanar, 2024), various forms of dehumanization of the enemy which lead to mass war crimes (Livingstone Smith 2011; Grossman, 1996), etc. – can be, if not completely resolved then at least significantly mitigated, with optimal SSH education.

9 According to the latest classification in the Republic of Serbia, academic disciplines withing military sciences include not only the "orthodox" military sciences of tactics, operational arts and strategy, but also military ethics and military history.

Additionally, for certain nations like Serbia, development of moral component of military power has been central for optimal development of defense capacities and successful defense – the glorious military history and war tradition of the Serbian people are comprised almost entirely out of great victories and achievements gained primarily due to the moral component of military power, based on understanding of important cultural and identity attributes and foundational social values as well as on understanding of the necessity of defending them at all costs – never due to any sort of technological or numerical superiority.[10] Fulfilment of this task, the task of optimal development of the moral component of military power primarily depends on the education that members of the military profession receive in the fields of SSH, meaning that optimal education in these fields can and must be considered a normative *ante bellum* obligation of every military (Wertheimer 2015: 54-68)! Those who are expected to kill and risk their own lives and lives of others for freedom, protection of collective identity and fundamental social values must have a deep and intimate understanding of these phenomena, coupled with sublime intellectual knowledge and understanding of limits of force that can never, under any circumstances, be crossed; not even when it is seductively and irresistibly easy.

Members of the military represent a highly vulnerable and attractive target for disinformation and manipulation which permeate social reality in the age of post-truth, especially in turbulent periods of preparation for war and during armed conflict. Following upon the famous words of Hiram Johnson who wrote that “the first casualty, when war comes, is truth,” all modern armed forces engage in extensive propaganda activities during the metaphorical “artillery preparation” of war, aimed at enemy’s population, and in particular their military, in an effort to manipulate them into surrender, submission, or at least to weaken their defense capabilities by sowing doubt and confusion. It seems self-evident, clear and obvious that the task of discerning the truth in a sea of lies and half-truths is the hardest in the *Nebel des Krieges* in which the cognitive battle is fought; a battle that is no less brutal than the kinetic one (Brun and Roitman 2020: 11-12). Development of information technologies, proliferation of mass communication devices, and all-encompassing impact of human rights ideology which partially altered the dynamics of relations even in the military, all together in synergy rendered traditional means and instruments for countering enemy propaganda – deliberate epistemic limitation and active discouragement of discussion and disagreement among the troops, along with a systematic sabotage of accessing unwanted content (Wolfendale 2015: 91; McMahan 2009: 119) – basically useless.

Consequently, the most potent and reliable instrument that militaries have at their disposal in this fierce cognitive battle of “truths” and narratives is comprehensive construction and systematic strengthening of critical thinking

10 Colonel Dimitrije Đurić and Major Milan Milovanović wrote about this fact and the specific weight that the moral component of military power holds for Serbian army already at the end of the 19^{th} century (Đukić 2019: 124, 116).

among military personnel so that war is not lost even before the kinetic battle begins – the same battle for which militaries, ultimately, construct and produce all the mighty and complex technologically advanced weapons systems. Construction of ability for critical thinking, that is of "weapons" for the battle in the cognitive theatre, again falls in the scope of SSH, primarily of philosophy. For over a millennium, philosophy has been aware of the crucial and decisive importance of *phronesis* (φρονησις) or *prudentia,* i.e., practical wisdom as the foundational virtue of pragmatic intellectual practice; by studying and mastering the philosophical disciplines of logic and ethics (axiology),[11] those who lead militaries are made capable of winning the cognitive battle. The victor of that battle is the "victor of spirit" which historically always triumphs, even against the sword (Đurić 1976: 373).

Important processes take place on a daily basis within military organization which require pristine knowledge in the realm of SSH, like for example civilian democratic control of the military, implementation (and partially creation) of defense policies, troops training, human resources management, composing and creating strategic and doctrines, upholding and nourishing military traditions, public relations, etc.[12] It is uncontroversial and clear that training in the military requires knowledges of andragogy, didactics, and methodology in order to be efficient; however, it is probably less known that efficiency of civilian democratic control of the military heavily depends on political culture of military personnel, that is of their education in ethics, political science and sociology. Familiarity with political processes, international relations, and public international law is indisputably necessary for those who participate in creation and implementation of defense policies. Proper command in the military rests upon fundamental study of human beings and social groups, it demands understanding of internal dynamics of collectives, humans, personality types, and human abilities and limitations in general; in short, it demands knowledge of psychological sciences.

Strategy has not been exclusively a military science for quite a while now: proper understanding of strategy requires perception of two levels of strategy – military level and state level. Officer competences must include understanding of both levels. Succinctly, SSH not only expand cognitive horizons and raise the level of general education of those who study them but also develop their

11 Slobodan Kanjevac (2023) writes that a nation is spiritually sterilized if deprived of "logic, axiology and language;" an entire military can be disarmed in the same manner today, even the one equipped with the most expensive, most advanced, and most complex weapons.

12 In addition to providing officers with appropriate expertise, education of officers in various disciplines of social studies and humanities also reflects expectations of political authorities from officers. For example, officers educated in Belgrade in the 19th century studied national history and Christian science, while after the Second World War they studied Marxist philosophy, and the contents of all other social subjects were adapted to Marxist ideology. For the past several decades, the political neutrality of the military has been the lowest common denominator of these subjects.

capabilities to properly understand and grasp social phenomena, contexts in which events unfold and in which military decisions are being made, as well as broader social consequences of military decisions. As a segment of military education, SSH enable officers to gain knowledge of the society they defend, of war as a form of social conflict, of the military as a social institution, of the social role of their profession, of collectives they command and of the human being – the only being on Earth that wages wars.

Conclusion

Specific knowledge produced by social sciences and humanities is crucial, essential and vital, not only for understanding the modern world shaped by leaps and bounds made by sophisticated advanced technology, but also for humanity's ability to rise to numerous current and future challenges of the world we live in. Military, as a critical social institution, is of course no exception with regards to the place and significance that social sciences and humanities hold in modern military education systems. Moreover, virtually all problems and challenges faced by modern societies, caused primarily by marginalization of social sciences and humanities and the lack of understanding of their nature and mission, are not only just as present in the military realm; indeed, they are even more pronounced, urgent, and with even potential to cause detrimental consequences if not addressed properly and optimally through extensive and systematic education in these fields.

The unprecedented power of destruction that practically all armed forces of the world wield must be guided, directed, and restricted by the knowledge of *why, for what purpose* and even *if at all* this power should or should not be used. Knowledge produced by social sciences and humanities. Reflections of countless issues of modern societies in the military sphere, can again only be properly and efficiently addressed with education in social sciences and humanities: recruitment and retention rates, awareness of the position of the military within society, awareness of pivotal social values and culture being defended, proper management of social groups, civilian democratic control of the military, alienation of the military profession, lack of critical thinking leading to vulnerability to subversive actions and propaganda, etc.

Finally, officers who spend their entire careers primarily working on and managing groups of people, members of an institution which in its essence loyally and obediently serves a country and its interests, people who are expected to kill and risk being killed for protection of key social values, culture and identity are the ones who are not only in dire need of broad and profound education in social sciences and humanities, but also the ones to whom such an education is owed the most and the ones who wholly deserve it, perhaps more than members of any other profession. Therefore, the responsibility and duty of every society and every military is to provide precisely such an education to its members.

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Mesto i značaj društveno-humanističkih nauka u savremenom vojnom obrazovanju

Apstrakt:

U ovom radu autori nastoje da istraže i objasne mesto i značaj obrazovanja u sferi društveno-humanističkih nauka u današnjem vojnom obrazovanju. Analizom uticaja rapidnog napretka tehnoloških nauka na celokupno društvo, autori ukazuju na činjenicu da su problemi i izazovi savremenog sveta još izraženiji i opasniji u vojnom domenu, uprkos činjenici da je vojska nužno odvojena od ostatka društva u gotovo svim aspektima, uključujući i obrazovanje. Autori identifikuju nekoliko važnih i opasnih problema u kontekstu vojske koji su rezultat tehnoloških otkrića i inovacija, te zaključuju da je optimalan pristup rešavanju ovih problema sistematično i pravo obrazovanje u oblasti društveno-humanističkih nauka u savremenim vojnim školama. Na kraju, autori dolaze do zaključka da je pripadnicima vojske obrazovanje iz sfere društveno-humanističkih nauka ne samo neophodno, već da im njihove institucije i njihova društva duguju upravo takvo obrazovanje usled specifične misije vojske i zahteva koje društvo ispostavlja pred pripadnike ove institucije.

Ključne reči: društveno-humanističke nauke, obrazovanje, vojska, rat, tehnologija, vojni oficiri

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Sabina Bodin Hadžibulić

SPIRITUAL CARE IN SWEDISH PRISONS: PRACTICES AND EXPERIENCES OF SPIRITUAL CAREGIVERS

ABSTRACT
This study focuses on spiritual care and how it is practised and experienced by spiritual caregivers in Swedish prisons. Its goal is to understand how prison conditions of different security classes affect spiritual care practice and what strategies spiritual caregivers use to help prisoners create and maintain their religiosity. The study uses five semi-structured interviews with prison spiritual caregivers from different religious traditions in various Swedish regions. To understand their experiences and practices, the concept of lived religion is applied. Analysis shows that the prison context strongly influences spiritual care practices, especially isolation and strict rules of behaviour and interpersonal interaction. Usually, spiritual care is provided through individual and group conversations. Religious rituals, services, and reading of religious texts occur to a lesser extent. However, spiritual care practices often transcend religious boundaries and have a transformative role in inmates’ lives.

KEYWORDS
spiritual care, prison, spiritual caregivers, practice, experience, Sweden, lived religion

In Swedish prisons, spiritual care is available to all inmates regardless of religious affiliation. This type of care addresses and seeks to meet existential and spiritual needs and challenges in connection with illness and crisis, and it is provided by spiritual caregivers (Hvidt et al., 2020). It is organised by the ecumenical organisation Sweden’s Christen Council (*Sveriges kristna råd*), which connects the churches and other Christian religious denominations, on the one hand, and the Swedish Prison and Probation Service (*Kriminalvården*), on the other (Sveriges kristna råd 2023). Similarly, the Swedish Muslim Council (*Sveriges muslimska råd*) is in charge of the spiritual care of Muslims.

This study focuses on spiritual care and how it is practised and experienced by spiritual caregivers in Swedish prisons. It aims to understand how conditions in prisons of different security classes affect spiritual care practice and what strategies spiritual caregivers use to help inmates create and maintain

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their religiosity. Therefore, the study focuses on the experiences and practices of spiritual caregivers who present different religious traditions. The concept of lived religion (e.g., McGuire 2008; Ammerman 2014) is used to analyse these experiences and practices as it views religion as a broader phenomenon beyond proscribed arrangements and patterns (Ensted & Plank 2018).

Spiritual Care in Swedish Prison and Probation Service

In Sweden, the connection between church and prisons has a centuries-long tradition. The rules for the spiritual care of inmates were laid down in 1571. However, it was with the establishment of the cell system in prison, almost 300 years later, that a foundation for individual spiritual care was built (Riktlinjer för kyrkornas arbete inom häkten och anstalter 2015: 3). This was followed by an increased role of priests in prison reflected in providing individual spiritual care, carrying out Sunday services and compulsory Christian education, but also taking responsibility for social issues and inviting associations to the prison to help inmates build new relationships before returning to society. Spiritual care and other religious activities were linked to the dominant state Lutheran church (*Svenska kyrkan*). During the 20th century, spiritual care in prisons declined due to increased secularisation and an intense debate about the place of religion in the public sphere. The prison reform in 1945 minimised the possibilities for individual spiritual care by abolishing the cell system and introducing the prison community. The introduction of the Freedom of Religion Act (*Religionsfrihetslag 1951*: 680) in 1951 allowed abstaining from religion, on the one hand, and the freedom to establish a religious community other than the Church of Sweden, on the other. With intense immigration, the Swedish religious landscape changed, which led to the prison spiritual care becoming increasingly criticised. A thorough reorganisation was done to achieve more outstanding balance and equality between the traditionally dominant Church of Sweden and other churches. Religious committees responsible for the organisation of spiritual care were given an ecumenical orientation, and since then, religious communities have strived to strengthen their activities in prisons.

In 2022, there were approximately 7,800 registered inmates in Sweden. They were placed in one of 37 remand prisons (*häkte*) and 45 prisons (*anstalt*), respectively, where the latter differ depending on the security class (Kriminalvården 2022). There are prisons of three security classes (*säkerhetsklass*), where the first class refers to the highest security level and the third class to the lowest. All inmates have the right to practice their religion (or not to practice any). Sweden's Christian Council employs coordinators and boards for spiritual care (*Nämnd för andlig vård - NAV*), further organising and navigating spiritual care activities in prisons. Approximately 180 priests, pastors, and deacons in the Swedish Prison and Probation Service (*Kriminalvården*) take care of spiritual care among inmates (Sveriges kristna råd 2022). The majority belongs to the Church of Sweden (70) in comparison with those from the free churches (56), the Catholic Church (10), and the Orthodox and Eastern Churches (4). In addition, 22 imams are responsible for spiritual care among Muslim inmates. Although most inmates who want to establish contact with a religious representative are Christians or Muslims, there is always the opportunity to meet representatives from other religious communities for those who belong to another religious tradition. Spiritual care providers' work is framed by training organised by Sweden's Christian Council. In addition, they have to follow several relevant guidelines based on ecumenism (Riktlinjer för kyrkornas arbete inom häkten och anstalter 2015).

Despite the long tradition of spiritual care in Swedish prisons, research about it is largely missing, except for a few separate articles and general overviews (Carlsson 2010, Larsson 2011, Roxell et al. 2016). At the time when Arner (1963) wrote his overview of the relationship between the church and prison care, The Church of Sweden was the state church deeply intertwined with the political and social structures. Sixty years later, much has changed; the church and the state are separated, and the society has become diverse, multicultural, and multireligious. The relationship between the church and prisons has changed. Prisons have become public institutions, and spiritual care has been organised by Sweden's Christian Council rather than directly by the church. Hence, Pettersson's (2015) study focuses on the relationship between the state and the church, examining different public institutions, such as hospitals, the military, and prisons. He argues that this use of religion in prison illustrates a certain ambiguity of the Swedish secular state institution. However, the Swedish official policy is that state authorities should be religiously neutral. In 2022, a study that offers an up-to-date view of spiritual care in prisons based on an overview of its history and organisation was published (Hadzibulic 2022). However, there is still a lack of thorough knowledge on this topic, especially concerning spiritual care practices and experiences. Therefore, the significant contribution of this study is to provide a new perspective on spiritual care in prisons by exploring the experiences and practices of spiritual caregivers. Their standpoint is central, as is how they adjust their practice in circumstances characterised by constraints, isolation, and uncertainty. The concept of lived religion is applied to understand these experiences and practices.

Lived Religion

Lived religion focuses on how religion and spirituality are practised, experienced, and expressed by people in everyday contexts (McGuire 2008). It is created through individuals' and groups' interaction and creation of meanings in a concrete context. It is "constituted by the practices people use to remember, share, enact, adapt, create, and combine the stories out of which they live. Moreover, it comes into being through the often-mundane practices people use to transform these meaningful interpretations into everyday action" (McGuire 2008: 98). By looking for religion in practices and narratives, we gain a new perspective that allows us to see how spiritual resources are generated, nurtured, and deployed across the many religious and secular contexts in which people live their lives (Ammerman 2014: 7).

Enstedt and Plank (2018: 14-16) suggest seven recurring and overlapping dimensions to approach different domains of lived religion where the sacred is created, met, and shared in life. *Materiality* refers to interaction with and creation of objects, bodies, places, artefacts, clothes, hair, make-up, and food. One can communicate and interact with the transcendent and absent through material culture. At the same time, material practices and bodily behaviours are created and disciplined in interacting with sacred objects and places. A dimension closely connected with materiality has to do with the *body*; it is itself a material and a symbol but also interacts with the material. Other aspects of this dimension include the body's social and cultural belonging, identity (habitus and habituation), and emotions – both social-religious and emotional regimes. *Praxis* is a dimension that includes rituals, ceremonies, calendar-related rituals, and everyday rituals and activities at home, work, or elsewhere. This can be studied on both individual and group levels. *Relations* make an essential dimension of lived religion and refer to interpersonal relations between people, animals, and things, as well as those with holy persons, God, and different supernatural creatures. A part of it relates to belonging to one or even more religious traditions since people sometimes combine elements from other traditions. *Power-dimension* is often inseparable from relations. Within the study of lived religion, power is about different forms of leadership and norms and values that influence people's lives. An essential aspect of this has to do with gender and how it interacts with sexuality, age, ethnicity, and class belonging, especially when it comes to creating unbalanced relations in society and religious contexts. *Spatiality* has to do with place and space in religion in the context of practising religion at different locations, in terms of religion in the private and public spheres, and the positioning of sacred buildings. Finally, a key site of analysis within lived religion research includes *stories*. Listening to stories of everyday religious life means listening for the canonical storylines that come from shared religious traditions and how they are improvised in new circumstances (Ammerman 2014: 8).

This study focuses on spiritual care as seen through key dimensions of lived religion from the perspective of spiritual caregivers. However, some dimensions will be analysed more than others, which has to do with unique experiences and ways of practising religion in prison. At the same time, these dimensions often overlap, making it challenging to present and analyse them separately but in connection with other dimensions. Lived religious practice "is closely linked with the teachings and practices of an official religion" (McGuire 2008: 98), and hence, their religious affiliations provide an orientation and a frame within which lived religion should be studied. However, as argued by Nyhagen, "the power and meaning of institutional forms of religion in individuals' lives must be studied empirically and not be taken as given" (Nyhagen 2017: 496).

Method

For this study, five semi-structured interviews were conducted with prison spiritual caregivers working in different Swedish regions in April and May 2023. The interviewees were recruited through Sweden's Christian Council. An e-mail with a detailed study description was sent to the Swedens's Christian Council's consultant, who then forwarded it to all employed spiritual caregivers. Those interested in participating contacted the researcher afterwards. Four interviews (No. 1, 2, 3, and 5) were conducted online due to the interviewees' different locations in Sweden. One interview (No. 4) was conducted at the local church. The interviewees were asked to talk about their prison experiences, various practices, and unusual situations. The interviewing language was Swedish. Typically, an interview lasts about one hour. They were recorded, transcribed verbatim, and translated into English.

In the following, five interviews with spiritual care providers will be presented. The interviewees are men between the ages of 45 to 65. Four represent different churches, whereas one is an imam who provides Muslim spiritual care. In the analysis, they are called the Protestant priest, the Catholic deacon, the Orthodox priest, the Free church pastor, and the imam. With the help of these five interviews, the goal is to display the most comprehensive possible range of experiences, practices, and adaptations (or not) in prison circumstances. Therefore, the "analytical generalisation" strategy is followed (Kvale 1996: 233).

The Swedish Ethical Review Authority (*Etikprövningsmyndigheten*) approved the study's conduct. All the interviewees were thoroughly informed about the research goals and issues. They gave informed consent to participate in the project and publish the descriptions and interview quotations for research purposes. When the study was written and before it was handed in for the journal review, the interviewees read it for further validation.

Results

Interview 1: The Swedish Church Priest

The Swedish Church priest works in the Stockholm region and visits two prisons of different security classes and a remand prison.[1] He has almost a three-decade-long experience of providing spiritual care in prisons:

> Strict rules and restrictions shape the everyday life of inmates in remand prisons. They are not allowed to meet other inmates. Isolation is interrupted only when they meet a lawyer, an investigator, or a Red Cross representative. [...] Once per week, there is an opportunity to meet a spiritual care provider through a private one-hour-long conversation. Those conversations can be challenging because of the circumstances – inmates do not know how long they will stay,

1 Rules and restriction in remand prisons are defined by the Swedish Prison and Probation Service but in some cases also by the district court.

> and everything looks pretty complex. [...] They usually take up existential issues, such as the meaning of life or their stay in prison, or they want me to help them understand how the Church sees their situation.

In security class prisons, the atmosphere is different, and group conversions are more common. Exceptionally, the priest is available for individual conversations and confessions. Sometimes, he talks to inmates of other religious affiliations than his own, which he explains by describing prison conditions and how spiritual care is organised. Namely, spiritual care providers from all religious communities are only sometimes available in prisons because more resources are needed to organise spiritual care. Therefore, those who happen to be there are open to meeting all inmates. It is part of their prison work to talk to anyone interested and give a helping hand to those who need it.

As for other practices, the service is usually organised once per month in security-class prisons. In some larger prisons, there are many separate departments, so gathering all interested inmates in one place becomes impossible for security reasons. Therefore, the number of inmates attending the service is usually low, although the service is shared among and led by different churches.

In his attempt to explain his view on the role of spiritual care in prisons, the priest mentioned a project carried out in the highest security class prison, Kumla, in mid-Sweden.[2] The Swedish Christian Council established a monastery within the prison for conducting a 30-day-long retreat modelled after the Jesuit founder Ignatius of Loyola's work *Exercitia Spiritualia*. Caregivers ran the retreat with 15 places from the Church of Sweden. In addition to the participants, three people were in the monastery – retreat leader, retreat leader assistant, and monastery host. While the assistant and the host took care of the practicalities, the leader took responsibility for conducting individual dialogues with the participants five days a week. The rest of the time, the participants spent in isolation and devoted themselves to reading the Bible.[3] The priest, although not himself included in the program, shared his perception of it:

> Kumla Monastery was our attempt to provide spiritual care and help inmates further. We were quite positive about this initiative, and it brought good results. It was open to everyone, regardless of their religious affiliation. [...] It was a positive experience, so it was expanded to two other penitentiary facilities but did not survive.

Despite positive results, activities in the Kumla monastery were suspended indefinitely in 2018. The reason was the need for more space and the importance of completing the sentences within a reasonable time frame.

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2 Kumla prison (*Anstalten Kumla*) is the biggest prison in Sweden, located in mid-Sweden. It is also known as the Kumla bunker (*Kumlabunkern*).

3 These exercises originally took 30 days to complete and were divided into four weeks or acts. The purpose of this classic work of Christian mysticism is that participants, through isolation and silence, listen inwardly and face themselves deeply to see and understand their own reality.

Interview 2: The Free Chruch Pastor

The pastor is in his early 60s and has worked in prisons in Stockholm for nine years. Besides being a pastor, he is a trained psychotherapist with many years of experience. Usually, he meets all interested inmates for a group conversation in the prisons of security classes. He prefers spontaneous contact, which he forms into a more topic-related conversation. The topics vary and sometimes have little to do with religion. Somewhat different experiences he shares about visits to remand prisons:

> The situation in remand prisons is very hectic. They [inmates] are desperate and do not want to live anymore; some even have suicide plans. Many take tranquillisers to cope at the beginning. [...] The whole process is different – they are under correction, waiting for the decision, and it is stressful. Some are isolated; they do not meet other inmates, only priests. And then they want to talk about burning issues. So I take it as it comes, but I want to calm them down and give them hope. [...]

Many inmates have never prayed before. The pastor encourages them to start and usually helps with the first step. Later, they talk about the feelings praying awakes and the role it has in their prison reality. Another critical dimension the pastor mentions is reading religious texts, especially the Bible. This is more common in security class prisons where inmates have well-structured everyday dynamics and hence more time to dedicate to reading and exploring various religious issues. Many start with praying and then feel like deepening their faith:

> They say: I do not understand this text; shall we read it together? Alternatively, I want to immerse myself in the faith. Then, I suggest that we read some parts of the Bible together. They read two chapters, and then we talk about them the next time we meet. They also write questions and notes about it. [...] Often, they want a lot but cannot take that much, and sometimes they also have difficulties due to various health issues, which make it hard to focus and read a lot. Then they just do a bit.

The pastor knows of many good audio and video content on the Internet that could be useful within the prison walls as inmates prefer listening over reading. However, that is not possible due to various risks associated with Internet use.

Life in isolation under strict rules becomes even more complicated when inmates face a personal loss with no possibility to process it outside the prison walls. Usually, such situations have to do with a death or life-threatening disease of a close family member and complicated life situations with children. It is often a spiritual caregiver that the inmates want to meet immediately. They are asked to pray, light a candle, or go to a chapel on their behalf. Another kind of emergency mentioned by the pastor is when an inmate succeeds in committing suicide. All inmates are affected by this and usually require more intensive conversations, shared prayer moments, and service. In these joint moments of religious practice, they find meaning and support for the coming days.

Interview 3: The Imam

The Imam, in his mid-50s, is one of two prison imams working in the Skåne region.[4] He has seven years of experience as a full-time Muslim spiritual care provider in different security-level prisons. In addition, he visits remand prisons daily, often one visit per prison in a week. Usually, inmates initiate conversations with him, and the first meeting is crucial for establishing contact based on trust and understanding. Later, the contact is deepened through regular conversations when more concrete issues are dealt with. Therefore, private conversations concern religious and existential questions about life, death, faith, punishment, and forgiveness.

> There are differences between male and female inmates. Women talk more about family and life difficulties. Men are more interested in religious matters. [...] Often, women ask me about how Prophet Muhammad dealt with women who were his spouses. Moreover, they also like to talk about their position in terms of religion - what does Islam say about women?

As experienced by the imam, the reasons that lead inmates who have lost or had no previous connection with religion to turn to an imam are the search for meaning in life, the need for forgiveness, and the desire to change. The Imam gathers inmates from different departments in security class prisons for group conversations. In larger prisons, the contact is regular; spiritual care is provided by phone if necessary. This was common during the COVID-19 pandemic:

> It was tough during the pandemic. We were not allowed to enter some prisons. It went back and forth—we could come in, and then it would be closed for a few weeks. Sometimes, they had to call if it was tough or if someone felt bad, usually by phone or Zoom. Someone would be locked up nonstop and get tired, with no light, and depressed. Then I would talk for 30-45 minutes.

Regarding other religious practices, the imam mentions reading the Qu'ran as an everyday activity. He also focuses on advising on how to pray and "talk to God." In some prisons, Friday is a day for a group prayer for Muslim inmates. If the interest among inmates is significant, then two prayer opportunities will be organised.

> Many of them have never prayed before. They start doing it in prison, or they read the Qur'an. [...] It is a huge change. They help each other, and they find meaning. It is the prison with its circumstances that makes them read and change.

The Imam's contact with inmates often profoundly impacts their lives. After being released from prison, many continue to meet the imam at a local mosque. The Imam sees this as a way to keep with the "right life" and as his duty to help those people reach a meaningful life in their everyday struggles.

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4 Skåne region, sometimes referred to as Scania County, is the southernmost region of Sweden.

Interview 4: The Catholic Deacon

At the time of the interview, the Catholic deacon was 55 years old and had nine years of experience as a spiritual care provider in Swedish prisons. In addition to theological education, he is a trained psychotherapist responsible for coordinating spiritual care in prisons for the Catholic Church at the national level. He has extensive experience in different prison locations and environments:

> Usually, an inmate takes the initiative via email or letter to meet me; we [Catholic spiritual care providers] are not allowed to do that ourselves. [...] We meet and talk about different things. It depends on what they want, but it always starts somewhere. The person may wish to help with a particular issue, but other questions appear soon that are more about their situation, future views, sometimes the crime itself, or whether they will do the same thing again.

According to his experience, there is no typical profile of an inmate who wants to practice religion. Some with a Catholic background wish to continue with the practice. At the same time, some have experiences only from one parent or early childhood, and the stay in prison is an opportunity to revive that experience. Sometimes, young men want a change, so they initiate conversations with the deacon. As experienced by the deacon, conversation as a form of religious practice in prison sometimes transcends the boundaries of Catholicism. It includes inmates of other religious affiliations or those who are not religious. The deacon accepts all interested inmates; these conversations usually address delicate issues about human nature. However, the situation is different when it comes to religious rituals:

> Sometimes, someone wants to convert, become Catholic, and be baptised, and they want that to happen immediately. The Catholic Church is quite restrictive about it. We can teach about it [Catholicism] in prison, and then when they are out, they can go to a church and talk about it. If they feel at home there, then they can convert. [...] A person sitting in prison is in a unique world, in a state that is not normal. Teaching is essential, and people can live their Christian lives without being labelled "Catholic." Through teaching, they see how interested they are. [...] Then some want to get married. It could be a man who has a family and a woman who comes to visit. Then I also say no because making such big decisions is a particular situation. I refuse to respect their freedom since it is limited, so their thinking is also restricted. To marry a couple, there must be freedom to choose. If that freedom exists, I cannot say no. However, how free is a person in prison? Or a woman who has a husband in prison? How free are they to enter into a marriage? Then I usually postpone it. I am not saying no, but we are postponing it.

The Catholic deacon sees inmates' cells as important places reflecting their current condition and interests. Pictures of Jesus Christ, the Mother of God, and heart pictures are standard in the cells of Catholic inmates. How these pictures look depends on the culture an inmate is coming from ("Some have slightly kitschy pictures of Jesus, where he is well-combed with roses while others do not appreciate those”). Inmates have no right to wear private garments and shoes, and no personal accessories are allowed. However, showing personal preferences is more accessible to some.

> Many Muslims in prison show their religiosity: they have their time for prayers, they do not eat pork, etc. That shows they have their religion, and it means something to them. Seeing others take their religiosity seriously makes some think about it [...] So many want a rosary to hang like a necklace. Because then it is a symbol, you see it, and then you know that someone is a Christian. It has a meaning.

For the Catholic deacon, religious practices in prison involve adjusting to strict behaviour and interpersonal interaction rules. Although he advocates new ways of religious practice, such as listening to YouTube lectures or reading religious texts on the Internet, he is aware of the possible risks involved and thus supports inmates in more traditional practices, such as prayer and reading the Bible.

Interview 5: The Orthodox Priest

The Orthodox priest is one of two Orthodox spiritual care providers in prisons of the Stockholm region. Although not a full-time employee, he has provided spiritual care in remand prisons and prisons of different security classes for almost 30 years. Usually, he meets Orthodox inmates but is also available to help others. In larger prisons, he gathers them for a group conversation on a topic they find meaningful. If inmates have special needs, they must be prioritised and activities organised accordingly.

> Some inmates want to confess or take communion regularly, but those are not common. More often, they want to confess when they arrive in prison. Everything is new and heavy then, so confession means a lot. [...] Sometimes, I meet someone who cries and cannot calm down, and then confession is a relief. [...] I tend to give communion to inmates in connection with religious holidays, but I also give them instructions on preparing for it.

In prison, the cell becomes an important place that reflects inmates’ current condition and interests. In some, Orthodox icons take a central place on the shelf.[5] That is where most Orthodox inmates pray or stop for a reflection, although icons are sometimes present in the cells of other Christian inmates. Likewise, religious holidays are special occasions for inmates, and that is when the Orthodox priest aims to create a more homely environment by giving inmates small gifts such as Christmas candies or Easter eggs:[6]

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5 A typical room in a Swedish prison has a chair, a table, a locker or shelf, a bed, a mirror, a bulletin board, a mug, a clock, and a radio. Although all rooms have a tv, not all inmates are allowed to use it (Kriminalvården 2023).

6 To be able to do that, a permit from the Swedish Prison and Probation Service is needed.

> That is something I have always succeeded in doing. I could be swamped doing other church-related matters, but I always find time to visit all the prisons I work in before Christmas and Easter. [...] These people [inmates] are alone; they have no family or friends around them, which is very sad. After all, they are people like us. [...] Many have children at home, so I think about how terrible it might be to be alone when everyone is celebrating. [...] While in prison, I just hand out candies or eggs and leave. However, in prisons, I also talk to inmates. Inmates always appreciate those meetings.

Occasionally, the Orthodox priest receives requests from inmates to celebrate particular Orthodox holidays or celebrations. The most common one is the Slava,[7] an annual celebration of a patron saint among Serbian Orthodox:

> The Slava is a significant celebration for Orthodox Serbs, so I always try to meet the needs of inmates in some way. I cannot arrange the Slava-related props but I can be there for confession or prayer. Inmates need some kind of contact with me so they do not feel bad that day; they are alone instead with their family members. [...] I use this opportunity to talk about the patron saint they celebrate and tell them how they have been challenged many times but have found a purpose in life. [...] Sometimes they [inmates] just like me to be there, so I come and we talk and try to be positive.

The Orthodox priest's experience with baptisms and weddings is somewhat limited. Twice in his long career, he baptised inmates sentenced to a longer term. Similarly, he once married an inmate who had children with his girlfriend but would stay in prison for several years.

Conclusions

The study aimed to research the practices and experiences of spiritual care providers in Swedish prisons. The concept of lived religion was used to show standard practices and how they are adjusted to the prison circumstances and context, especially isolation, strict behaviour, and interpersonal interaction rules. The stories of spiritual care providers created knowledge of both the canonical aspect of a religious tradition and its adaption in prison circumstances was created through the *stories* of spiritual care providers.

All spiritual care providers argue that their practices are influenced by both different prison conditions and inmates' needs. They approach each inmate according to their needs while adhering to prison rules and restrictions. This connects to *spatiality* as a dimension that defines a context in which religion is practised. Typically, spiritual care is provided through individual and group conversations initiated by inmates. These are the only possible resources for

7 According to Serbian Orthodox tradition, the patron saint symbolically protects the family and its home and is celebrated annually as one of the most important family events, along with Christmas and Easter. For more on the Slava, see: Hadžibulić, Sabina (2017), Hadžibulić, Sabina and Lagerspetz, Mikko (2020).

dealing with existential issues when conditions in prison are challenging and demand rigorous isolation. Topics that touch on various religious and existential questions related to life, death, faith, punishment, and forgiveness are common in these conversations. The *praxis* dimension is best depicted in religious practices such as baptisms, weddings, services, and reading religious texts, which are less common. This concerns how prisons are structured regarding living conditions and how different religious traditions interpret human existence. The Catholic deacon explained this by referring to the freedom and free choice of inmates, which is always questionable in prison conditions. *Materiality* and *body* dimensions are evident in how some inmates create their space using icons and religious pictures. Although there are various possibilities for reading religious materials and listening to religious lectures, their use in prisons is limited for security reasons. This was also evident during the COVID-19 pandemic when telephone and other newer communication sources were only allowed in extreme situations. However, all spiritual care providers said that spiritual care practices often transcend religious boundaries and have a transformative role in inmates' lives. They create meaning and give hope for a better future. This certainly has to do with *the dimension of relation* but also *power* through religious values and norms that affect inmates' lives. In emergencies, the importance of religion in prison becomes apparent. It helps inmates create meaning and gives them comfort and hope. Through religion, inmates build a capacity to live their lives despite difficult circumstances and intense feelings. Sometimes, this capacity is needed outside the prison walls, so some inmates meet their prison spiritual caregivers after serving their sentence.

Although the study gives significant insights into the practices and experiences of spiritual care, it still faces certain limitations that influence its results. The study focuses only on the spiritual caregivers' perspective, which offers a limited view of practices and experiences of spiritual care. Besides, only the practices and experiences of spiritual caregivers presenting the most dominant religious traditions in Sweden were collected and analysed, which excludes a variety of relevant existing accounts of representatives of other religious traditions. Finally, the study uses semi-structured interviews that provide in-depth knowledge about the topic. However, this lacks dimensions that could derive from different methods, especially observing the spiritual care practices and analysing personal diaries about spiritual care practices and experiences.

Future studies could provide a broader scope on this topic, including different actors relevant to the provision of spiritual care, from those working with the organisation of spiritual care via spiritual caregivers of all existing religious traditions to inmates receiving spiritual care. This type of research could include thorough fieldwork based on various methods, leading to comprehensive knowledge about spiritual care in prisons. Another important aspect could be including a gender perspective that could offer insights into the different experiences and needs of male and female prisoners regarding spiritual care. Besides providing more profound theoretical knowledge, future studies could benefit society by addressing critical issues within the prison system. By examining the provision of spiritual care in prisons, future studies could enhance the rehabilitation of inmates, which directly contributes to a safer and more humane society. Effective spiritual care can play a crucial role in rehabilitating inmates and helping them to reintegrate into society as law-abiding citizens. By identifying the most impactful elements of spiritual care, future research could inform policy decisions and improve training programs for spiritual care providers, ensuring that inmates receive the support they need to avoid reoffending. Moreover, addressing the needs of diverse religious groups within the prison population promotes inclusivity and respect. It also fosters inmates' sense of belonging and purpose, significantly aiding their rehabilitation. This inclusivity contributes to social cohesion and harmony, as former inmates are likelier to reintegrate successfully into their communities.

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Interview with the Orthodox priest. May 2023. Records of transcription are in the possession of the author.

Sabina Bodin Hadžibulić

Duhovna nega u švedskim zatvorima: Prakse i iskustva pružaoca duhovne nege

Apstrakt:

Fokus ove studije je na duhovnoj nezi i načinima na koje je pružaoci duhovne nege u švedskim zatvorima praktikuju i doživljavaju. Cilj studije je da razume kako uslovi u zatvorima različitih bezbedonosnih klasa utiču na praktikovanje duhovne nege, kao i koje strategije koriste pružaoci duhovne nege kako bi pomogli zatvorenicima da stvore i održavaju svoju religioznost. Studija počiva na pet polustrukturisanih intervjua sa zatvorskim pružaocima duhovne nege različitih religijskih pripadnosti u nekoliko švedskih regiona. U analizi njihovih iskustava i prakse, studija se oslanja na koncept proživljene religije (eng. lived religion). Rezultati pokazuju da zatvorski kontekst snažno utiče na praktikovanje duhovne nege, a posebno izolacija i stroga pravila ponašanja i međuljudske interakcije. Obično se duhovna nega pruža kroz individualne i grupne razgovore. Verski rituali, službe i čitanje verskih tekstova su prisutni u manjoj meri. Međutim, prakse duhovne nege često prevazilaze verske granice i imaju transformativnu ulogu u životima zatvorenika.

Ključne reči: duhovna nega, zatvor, pružaoci duhovne nege, Švedska, proživljena religija

III

REVIEWS

PRIKAZI

SØREN MAU, MUTE COMPULSION: A MARXIST THEORY OF THE ECONOMIC POWER OF CAPITAL, NEW YORK: VERSO, 2023

Damir Zejnulahović
Institute for Philosophy and Social Theory

Søren Mau's *Mute Compulsion: a Marxist theory of the economic power of capital* begins with a rather familiar question, namely, "how is it even possible that a social order [capitalism] so volatile and hostile to life can persist for centuries?" (3). Despite the familiar question, Mau's answer is innovative and original, based upon a theoretical grounding of a specific form of power embedded in the economic process, power wielded by capital itself, which stems from the core, essential features of the capitalist mode of production. Mau's work follows Marx doubly, as he works on the same level of abstraction as Marx but also expands on lesser-known observations Marx made in his later works. The book is divided into three parts, beginning with the examination of conditions that underpin the economic power of capital, then moves on to a discussion of the fundamental social relations which exist in the capitalist mode of production, and culminates with an exploration of the dynamics of economic power and its manifestations.

The first part of the book, simply titled *Conditions*, includes five chapters. The first two chapters are dedicated to the meaning of power as it appears in the writings of Marx, as well as other thinkers, be they Marxists or not. Mau's understanding of capital as a social logic, a constant movement of ever increasing valorisation of value, appears as a problem when trying to understand the notion of power, since it seems impossible to claim that a social logic can be viewed as a subject wielding power. Instead of conceptualising capital as a subject endowed with a conscious agency, Mau proposes we think of capital as an emergent property resulting from the organisation of parts of a wider system, thus having the possibility to impose its logic on social life, which can be defined as power. Defined as such, economic power of capital can be differentiated from the coupling of coercion and ideology, while the state, understood as the political form of capital is a necessary condition which enables mute compulsion. Chapters three and four are focused on the questions of human nature and social ontology. After revisiting, and agreeing with, Althusser's claim that Marx broke with a humanist critique of capitalism after 1845. Mau stresses that Marx's critique of political economy is underlined by a social ontology which relies upon a notion of human nature. Human nature is then explored in terms of metabolism and needs, both of which are socially mediated. In order to fulfil those needs human beings create tools, understood by Mau as organs, but with a crucial difference, as tools are much easier to separate from the body than other organs. Thus, the human metabolism is doubly mediated, by social relations and by tools. This double mediation opens a near unlimited number of possibilities of organising the human metabolism. In chapter five, Mau shows how the social dialectically emerges from nature, giving rise to human history, understood as a possibility of different modes of production. Human capacity for surplus labour also enables a potentiality of its appropriation, and one way this extraction can take place is through separating life from its condition, or put into other terms, separating workers from their tools by means of property relations. A place for the economic power of capital is thus created as social 'relations of domination can reproduce themselves by becoming enmeshed in the reproduction of social life' (119).

Part two, *Relations*, consists of four chapters and deals with the core social relations which constitute the capitalist mode of production. Following Robert Brenner's distinction, Mau divides these relations in two groups: vertical relations between the producers and the exploiters and horizontal relations between the producers themselves and the exploiters themselves. In chapter six, class is defined as 'a relation of a group of people to the conditions of social reproduction' (129) while the proletariat is defined by the radical split between life and its condition. By entering the capital relation, proletarians become workers and are unified with the conditions of their reproduction, but under the logic of capital, thus making the reproduction of capital the condition of reproduction of life. This shows us that the power of capital, the mute compulsion, is forced upon every worker and that it has an impersonal and transcendental character. Chapter seven deals with social differences, such as oppression based on gender or race, that are often used to strengthen the power of capital. Ultimately, Mau concedes that even though it is evident that these, and other, social differences are an inherent and necessary part of the logic of capital, they fall outside the framework of the book, as it deals with an abstracted form of the capitalist mode of production. In chapters eight and nine, the focus shifts on the market as one of the mechanisms of the power of capital which determines the horizontal relations through value and competition. Value is seen, in line with the advances in value-form theory, as a specific form of coordinating production since production is done privately but at the same time all production is mutually dependent. Competition is likewise defined as a mechanism which forces individual capitalists to compete for the accumulation of capital and forces the proletarians to compete to work, to become workers. As in the case of the capital relation, we are dealing with an impersonal form of domination, but, this time, regardless of class position, the domination of the market is universal.

Part three of the book, *Dynamics*, delves into the consequences of the economic power of capital, the manifestations of it and the effects it produces. Chapters ten, eleven and twelve explore the real subsumption of labour, as well as the subsumption of nature. Real subsumption is a concept designed to capture the way in which capital continually remoulds the social and material aspects of the production process. In the case of labour, real subsumption is driven by the need of reorganizing labour processes to combat the resistance imposed by class struggle and by the power exerted by competition. These modifications deepen the dependence of humans to capital simultaneously strengthening the power of capital, leading to a paradoxical conclusion that the 'one of the sources of the power of capital is the very exercise of this power' (226). Mau provides two concrete examples of these modifications, one concerning nature, through an encroachment of the logic of capital into agriculture, and the second through the logistics revolution. The process of real subsumption, now encroaching ever deeper and ever wider, moves capital ever closer to remoulding the whole world in its logic. Finally, chapter thirteen deals with the creation of relative surplus populations and crises, both being a cyclical result of the capitalist mode of production, and both having the potential to reaffirm the power of capital.

In summary, *Mute compulsion* succeeds in articulating a distinct theory of economic power which is 'rooted in the ability to reconfigure the material conditions of social reproduction' (5). The sheer breadth of topics explored in the book, related to different strands of Marxism can be overbearing. The structure of the book enables the reader to keep a clear focus on the main path of argumentation, but one feels that there sometimes was an attempt to say everything at once, which necessarily leads to some subjects not having enough attention put on them. Even though Mau constantly reminds us of the dangers of deriving political strategy from highly theoretical arguments, it would be a disservice to downplay the importance of a more complete understanding of the chains that stop us from plucking the living flower of a free life.

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