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IMPACT OF IMMIGRATION ON EUROPE AND ITS APPROACH TOWARDS THE MIGRATION (EUROPEAN UNION STATES VS VISEGRAD GROUP COUNTRIES)

Peter CSANYI¹

The current European refugee crisis is first and foremost a humanitarian crisis. This article addresses the difficulties the European Union (EU) faces in building a proper Common Migration and Asylum Policy. The author argues that the problem here lies in the different approaches towards migration held by EU member states. Different migratory traditions are one of the key issues related to the misunderstanding among the states. Their approaches are determined by their geographical locations and migration histories. The member states use the same concepts and terms when discussing migration; however, the meanings of these concepts and terms are not equivalent, as each state uses them differently. The main aim of this article is to analyse, compare and, hopefully, to give some clarity to the positions held by the most of EU member states and particularly the Visegrad Group countries (V4). Even though apparently, they hold opposite positions towards migration, the study finds that they share some common features such as a denial of being an asylum country and the absence of a related public policy. Probably the most important conclusion has to do with the fact that these two group of countries are appealing to a “selective solidarity principle” depending on the circumstances.

Key words: immigration; refugees; European Union; Visegrad Group; quotas.

1 IMMIGRANTS IN EUROPE

Immigration is deeply rooted in European history. When considering the social impact of immigration, literature on the economies is widespread, however, even here, there are still various areas waiting for further investigation. In addition, the diversity of legal and organizational frameworks makes a comparison

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between European countries difficult. The economic transitions underway are influenced by immigration. This is the case in the labour markets, concerning job opportunities, unemployment, incomes, formal and informal activities, sectoral divisions, trade orientation, competition, as well as import and export. Immigration is changing the patterns and sizes of consumption. Immigrant small businesses and ethnic entrepreneurship are playing an increasing role.

Immigrants have had an impact on the cultural contexts in European societies in various ways. One obvious area concerns the changing food production and consumption patterns. Another area concerns sports. The impact becomes obvious when one looks at the activities of immigrants in amateur sport associations and clubs, but also when one analyses the impact of immigrants on the professional sports industry. A third area concerns fashion. Every day, cultural change takes place with regard to fashion, and immigration has influenced the changes in the last decades. Immigration clearly has an impact on the political discourse in European societies. As a prominent example, the political participation of immigrants has been debated in the context of awarding voting rights in most of the European countries. This includes creating institutions of participation, including parliamentary and advisory instruments for migrants. A wide variety of civil society institutions and migrant self-organizations have facilitated the political participation of immigrants as well. Systematic research is still lacking with regards to the political participation of immigrants in trade unions. To sum up, European societies have changed obviously under the influences of immigration and migrant settlement.

The migration processes since World War II are quite complex, especially when looking at them from a European perspective. Of course, guest worker and post-colonial recruitment policies, irregular immigration, refugee flows and the mobilization of migrants from all over the world all play their roles in forming the history of migration in Europe and in the individual countries (European Migration Network 2006; Glitz 2012).

One of the recent wave of movements in Europe (before the refugee crisis) was mainly internal, and triggered by the expansion of the European Union towards the former Central and Eastern European countries. European legislation foresees that citizens of countries that join the European Union can freely move across those countries. However, pre-existing member states may impose, during a seven-year transition period, limitations to the employment of citizens of new-member countries (Dustmann et al. 2003). "After EU accession of eight Central and Eastern European countries, plus Malta and Cyprus on May 1, 2004 the UK, Sweden and Ireland allowed citizens of the new accession countries to work in their labour markets immediately, which led to sizeable movements from particularly Poland into these countries. It is estimated that between 2004 and 2008, Poland experienced the net outflow of over 300,000 citizens, or about 1% of the total population" (Dustmann and Frattini 2012, 8). Although new EU citizens were allowed to freely travel to these countries, taking up an employee job was illegal, and led many new accession citizens to engage in illegal work relationships.

Further, continuing conflicts around the world (in Syria, Libya, Iraq and Afghanistan) and improved travel and information technologies dramatically increased the pressure on Europe's Southern borders, with countries like Italy and Greece receiving large inflows of asylum and illegal immigrants, many arriving by boat on largely uncontrollable sea borders.

2 MIGRANT CRISIS IN THE EUROPEAN UNION

Since the Arab Spring began a flood of human trafficking vessels have attempted to land on the tiny island of Lampedusa, lying just 70 miles north of the North African coast. The United Nations estimated more than 32,000 migrants would have journeyed to southern Italy in 2013 by using this area, but as we know the reality was different and the number of migrants have been much higher. On October 3, 2013 an overcrowded fishing boat capsized, killing 366 people. This tragedy should have kept illegal immigration at the forefront of discussion within the European Union and it was just a beginning of problems of the European continent and its effort to handle the immigration crisis. This tragedy was proof that illegal immigration had become an unavoidable outcome of the EU's impervious immigration posture. The European community acknowledged the despair and the unbearable living conditions of the immigrating population and wished to prevent any future humanitarian disasters.

Italy, like other European states along the Mediterranean is prone to illegal immigration, given its geographical proximity to North Africa. Mediterranean states represent major border crossing points for African migrants fleeing political and/or socio-economic instability in their native countries. By keeping its national borders secure, Italy therefore also prevents EU borders from being crossed. As a result, immigration policy is no less a matter of a national concern than a supranational one. The illegal immigration crisis must be recognized as an issue of joint responsibility by EU members and particularly by those signatories of the Schengen Agreement.

The European Commission took the importance of the issue into consideration over the last years. The financial burden of short and long-term policies to secure European Union's coastline could not be borne solely by Italy and Greece. Rather, a robust supranational policy has had to be enacted to ensure the security of the Mediterranean coast; one in which member states provide an equitable share of the funding to border states. After the Lampedusa disaster the EU announced the establishment of new tools under the Asylum and Migration Fund (AMF) to more adequately support Mediterranean states affected by illegal immigration. In response to the call of the Italian and Greek interior ministers for more European aid, the European Commission provided both countries with huge amount of money to help improving reception conditions and the process of settling refugees. Improving assistance to illegal migrants who pass the gate of the EU maritime borders is undoubtedly needed. That being said however, one must keep in mind that part of this financial aid is used to send many of these immigrants back to their native countries. The EU Commission also injected extra funds into FRONTEX, the European border agency, in order to improve security along the maritime corridor off the African coast.

However, the question remains whether these improvements will actively discourage future illegal movement, meaning fewer tragedies such as Lampedusa. The answer is no! For these immigrants it is still less dangerous to try to survive this "journey" than to stay in their home countries. But, it is only the beginning of their long, exhausting and uncertain journey. What those vulnerable people go through after their arrival on the European soil, illustrates why the European Union is often called "Fortress Europe". Seeking asylum remains a painful process here, legal economic migration often impossible.

The plan was that a common European policy on asylum and immigration would reduce these tragedies at sea. By opening more legal immigration channels, the EU could discourage people from embarking on dangerous illegal immigration routes. It is unrealistic to imagine member states rescinding their national control over immigration, but by recognizing the shortfalls of its impervious migration policies and forging a more harmonized immigration policy, the EU might take a step towards a durable solution to this recurrent problem. Another such way to ease the process would be to ensure a fair distribution of refugees within the EU. Currently, asylum seekers can only send their application to obtain refugee status to one European member state. This officially bars them from being relocated elsewhere in Europe, as the asylum process still remains a national responsibility. A common EU asylum policy would remove some of the pressure on EU border-states (Girard 2014).

The rise of asylum seekers continues to generate disagreement among EU members as the Continental bloc struggles to come up with a comprehensive solution to the problem. Some countries, including Germany and France, announced that they would accept a larger number of asylum seekers, while also pushing the rest of the European Union to accept mandatory refugee quotas. However, other member states believe these measures will lead to heavier migrant flows and put additional pressure on the bloc's external borders, causing entry point countries such as Greece and Hungary to become overwhelmed by the number of migrants seeking to apply for asylum in Europe.

In August and September 2015, following the dispersion of harrowing images of human suffering coupled with increasing public pressure, some previously resistant European leaders began to warm up to the idea of allowing more African and Middle Eastern migrants into their countries. Many Europeans have been caring for the refugees, acknowledging the probable economic burdens but letting compassion subsume them. Others in Europe, though, hesitate out of fear that migrants will take jobs, threaten social cohesion, and raise welfare spending.

An influx of migrants might indeed have negative effects on native workers' wages (that's why some nations are banning the migrants from working), but sometimes, the effects of a migration can have a positive effect on native workers' wages. The effects of a mass migration on the labour market differ from case to case. Economists generally agree immigration is mostly good for a nation. They even have a term for it: "Immigration surplus" refers to the positive effect immigration has by creating new demand for goods and services, which encourages employers to hire more people. And if migrants replace incumbent workers, even though wages are lowered, goods and services are produced more cheaply. The winners are broadly distributed and the primary losers are incumbent workers, whose wages fall until the resulting economic growth boosts their wages in the long run.

Most of all what this demonstrates is how racial divides can exacerbate the strife that comes along with an influx of new workers - a lesson that should be concerning as we consider the situation today. Citizens, unions, and leaders will have to take a position on desperate migrants based on their own convictions and economic interests. Many Syrian refugees are skilled and young - just the thing, perhaps, for Germany's aging and shrinking labour force. The country figures that in four or five years, those economic benefits may outweigh the \$11 billion per year it costs to take migrants in. This, of course, ignores the role of humanitarianism in the equation (Ghilarducci 2015).

But, unfortunately, Europe is primed for some ugly competition between native workers and new arrivals, as prejudice, austerity, and labour insecurity - three features of many European economies today - are sure to make any migrant crisis worse. By September 2015 more than 430,000 migrants crossed the Mediterranean to enter Europe - more than twice the number who had done so in 2014. Given their countries of origin (the largest proportions from Syria, Eritrea and Afghanistan), most are likely to have a credible claim for refugee status, and few are likely to be going home anytime soon. Many are here to stay.

Some view this as a humanitarian crisis and others see it as a challenge and a threat. On the other hand, economists tend to see a large influx of refugees not as an obligation or a threat, but as an opportunity. In particular, Europe faces a major demographic challenge: our population is aging, and, in many countries, shrinking. The European Union's total fertility rate is not much over 1.5 children per woman. Indeed, if it weren't for migration, the EU's working age population would already be shrinking. During the last years, deaths exceeds births in Greece and Italy (where the vast majority of the migrants arrived) and in Germany (where the largest number end up). Germany's economy is creating jobs faster than the natives can fill them. Surely the answer is obvious - Europe should not only accept refugees, but welcome the consequential increase in the labour force. In this case, the crisis represents "an opportunity for Europeans to jump start the continent's economy" (Piketty 2015).

It is undoubtedly true that the economic case for immigration is strong. In the UK, the period of high immigration that began in 1997 and intensified in 2004 with the extension of free movement rights to the new member states of Central and Eastern Europe, is generally recognized as having a positive economic impact. It has resulted in a substantial increase in overall employment and hence GDP without any significant negative impacts on the employment prospects of the native-born. And while the resulting growth in population has certainly increased pressure on public services, this is more than compensated by increased tax revenues. Nor has the changing population necessarily had a negative impact on social outcomes. For example, while there is much debate about the recent extraordinary improvement in the performance in London's schools - perhaps unparalleled in the developed world - it is generally accepted that the children of recent immigrants have at least something to do with it.

Moreover, beyond demographics, immigration could also improve Europe's economic performance over the medium-to-long-term in a number of ways. Immigrants bring different skills and aptitudes and can transmit those to non-immigrant colleagues (and vice versa). They can increase competition in particular labour markets, increasing the incentive for natives to acquire certain skills. Indeed, evidence from Denmark suggests a refugee influx in the late 1980s had just this impact. And workplace diversity can boost productivity, as a number of US and UK studies have shown.

But a note of caution is in order here. The operative word in all of this is "could." While many refugees are well educated or highly skilled, not all are; and, more pertinently, unlike most "economic" high-skilled migrants, they are not coming here because of job or career opportunities. There is nothing automatic about their success, either in the labour market or in society as a whole.

Recent OECD (2015) research makes this point. Some European economies and societies are far more successful than others in integrating immigrants into their

labour markets. While in the UK, immigrants are only marginally more likely to be unemployed than natives, in Spain, Greece, Belgium and Sweden there is a gap of 10 percentage points or more. Similar divergences appear on other indicators: for example, France, Germany and Finland all have worrying gaps between the educational performance of children of natives and the children of immigrants. The reasons for these divergences are complex and varied, ranging from the cultural and religious backgrounds of immigrants, to racial and religious discrimination and exclusion, to the different labour market institutions of different European countries. But if we want to realize the very large potential gains from this new wave of immigration, policy must not just be about where to put the new arrivals and how to deal with their resettlement in the short term, but how to ensure that they integrate successfully, both economically and socially. And this will not be painless or cost-free, either for them or for the host countries, and it will take years or decades, not weeks or months.

3 EUROPEAN UNION'S HANDLING OF IMMIGRATION

Religious persecution, war and poverty have been driving hundreds of thousands of refugees to Europe, especially to Germany. Germany's authorities expected up to 800.000 asylum seekers in 2015, an estimate that may be too high but would represent about 1% of Germany's population. Immigrants other than asylum seekers would increase that number to far more than 1 million (they were 1.1 million asylum seekers in Germany in 2015). How quickly these immigrants are integrated (or not) will be decisive for Germany's economy and Europe's monetary union.

Immigrants are significantly younger than the domestic population. Given Germany's and few other EU countries' major demographic challenges, this is welcome news. As the German political leaders pointed out in 2015, the immediate costs of handling refugees and immigrants were manageable. Long-term benefits to public finance and the sustainability of pensions can be substantial. Research has documented that foreigners currently living in Germany pay more to the state than they receive in social benefits. But the long-term benefits depend on whether and how immigrants are integrated into the German labour market.

Many immigrants bring specific skills and the ability and willingness to work. German industry has discovered this opportunity and has called for legal changes to facilitate the integration of qualified workers in the German labour market. Industry groups are calling for immigrants to be granted the right to apply for apprenticeship positions in Germany, in order to adapt and upgrade their skills. In the last few years, the integration of migrants in the German labour market has been made easier, but significant obstacles remain, and Germany still has a reputation of being restrictive on immigration.

Opening the German labour market quickly and comprehensively to migrants should provide a boost to the German economy. The substantial increase in the labour supply should contribute to increased German output. More workers would mean more investments, increasing growth further. Immigrants also need housing, benefiting the construction sector. The additional investments in the economy and immigrants' lower saving rates would boost German demand. The demand boost should also benefit Germany's neighbours and could help bring down Germany's current account surplus. In fact, countries with high immigration rates often run current account deficits, such as Spain in the 2000s

and the United States. The effect is unlikely to be as big in Germany, but additional workers will need capital and housing.

Some fear that immigrants will dampen wage growth, and make it harder for the Euro zone countries to regain much needed competitiveness relative to Germany. However, the empirical evidence on wage effects is inconclusive. Relatively low-skilled immigrants could even contribute to higher wages for skilled German workers. Qualified workers, such as nurses from Syria and Iraq, may however compete with German workers and potential immigrants from other euro area countries.

More immigrants entering Germany from outside the EU could make it more difficult for migrants from other Euro zone countries to find a job there. From 2009 to 2014, more than half a million immigrants arrived in Germany from Spain, Italy, Portugal, Greece and Central European countries. These numbers are small given the huge unemployment rates especially in Southern Europe. There is thus not enough migration within the euro area to make the currency union adapt to the shocks and reduce unemployment rates sufficiently. Immigration from outside Europe won't help bring down unemployment in Southern Europe – but it could at least contribute to adjustment in Germany, making job creation in Southern Europe easier.

Chancellor Angela Merkel has a historic chance to turn the refugee crisis into an opportunity for immigrants, for Germany and for Europe. Integrating large numbers of migrants is a huge challenge to society and to social cohesion. However if successful, it could boost Germany's economy and contribute to re-balancing the monetary union. Immigration could turn around Germany's main weakness – its precarious demographic situation – and help pay the pensions of tomorrow. Opening German borders to immigrants will change the economic and political balance in Europe for decades (Wolff 2015).

This is exactly what Chancellor Angela Merkel decided to do, when she invited the refugees to Germany and unintentionally made a refugee/migrant crisis in Europe more complicated. At first, the German refugees welcome policy "Flüchtlinge Willkommenskultur" was welcome by the German and most of Western European citizens, but later it brought lots of troubles for the countries and the German Chancellor as well. After several attacks, sexual harassments and problems caused by refugees and asylum seekers, more and more Germans have demonstrated their dissatisfaction and disappointment with the policy of German government. Even, lots of governmental and regional politicians within the Christian Democratic Union (CDU) pronounced their disagreement with the direction of Germany's handling of immigration. Despite of this fact, there are still lots of German and EU politicians who support Chancellor Merkel's resolution to solve the immigration crisis in Europe.

During his participation in a mini-summit of European leaders (informal meetings with German Chancellor Angela Merkel, French President Francois Hollande, British Prime Minister David Cameron and Italian Prime Minister Matteo Renzi) in Hannover in April 2016, the then US President, Barack Obama, appreciated the Germans' courageous attitude to refugee crisis and that Chancellor Merkel showed a real moral and political leadership. Barack Obama announced that Germany and few other countries should not have carried the burden of crisis alone and also added that the recent agreement between the European Union and Turkey on migration was a step forward to a fairer division of responsibility. Thanks to Chancellor Angela Merkel, Germany's engagement

rate on the international political scene has been increased and the country plays more important role nowadays than before.

The European Union's aim is to promote democracy, unity, integration and cooperation between its members. However, in the last years it is not only dealing with economic crises in many countries, but also with a humanitarian one, due to the exponential number of migrants who run away from war or poverty situations.

When referring to the humanitarian crises the EU had to go through (and still has to) it is about the refugee migration coming mainly from Syria. Since 2011, the civil war in Syria killed more than 470,000 people, mostly civilians. Millions of people were displaced, and nearly five million Syrians fled, creating the biggest refugee crisis since the World War II. When the European Union leaders accorded in assembly to establish quotas to distribute the refugees that had arrived in Europe, many responses were manifested in respect. "On the one hand, some Central and Eastern countries rejected the proposal, putting in evidence the philosophy of agreement and cooperation of the EU claiming the quotas were not fair. Dissatisfaction was also felt in Western Europe too with the United Kingdom's shock Brexit vote from the EU and Austria's near election of a far right-wing leader attributed in part to the convulsions that the migrant crisis stirred. On the other hand, several countries promised they were going to accept a certain number of refugees and turned out taking even less than half of what they promised. In this note it is going to be exposed the issue that occurred and the current situation, due to what happened threatened many aspects that revive tensions in the European Union nowadays" (López-Dóriga 2018, 1).

The greatest burden of receiving Syria's refugees fell on Syria's neighbours: Turkey, Lebanon and Jordan. In 2015 the number of refugees raised up and their destination changed to Europe. The refugee camps in the neighbour countries were full, the conditions were not good at all and the conflict was not coming to an end as the refugees expected. Therefore, refugees decided to emigrate to countries such as Germany, Austria or Norway looking for a better life. It was not until refugees appeared in the streets of Europe that European leaders realized that they could no longer ignore the problem. Furthermore, flows of migrants and asylum seekers were used by terrorist organizations such as ISIS to infiltrate terrorists to European countries. Facing this humanitarian crisis, European Union ministers approved a plan on September 2015 to share the burden of relocating up to 120,000 people from the so called "Frontline States" of Greece, Italy and Hungary to elsewhere within the EU. The plan assigned each member state quotas: a number of people to receive based on its economic strength, population and unemployment. Nevertheless, the quotas were rejected by a group of Central European countries, also known as the Visegrad Group, that share many interests and try to reach common agreements.

4 REBELLION OF VISEGRAD GROUP COUNTRIES

In a fact, the handling of refugee or migration crisis in Europe is a long-term process. Also the perception of migrants vary country by country. When the high number of refugees started to flow from the Middle East and Africa to Europe in 2015, the most of the Europeans sympathized with them and tried to help them. Nevertheless, there were some Central and Eastern European countries, such as the Czech Republic, Slovakia, Hungary and Poland (known as Visegrad Group, Visegrad Four or V4), which were worried and warned the EU leader countries

that the open borders for all refugees could be counter-productive. The leaders of these countries have been confident that none of the Muslim refugees can be integrated practically (different culture, religion and traditions). The anti-refugee atmosphere united the countries of Visegrad Group, what was a surprise to some, because this group usually has a problem to agree on the common steps regarding some issues, such as the European climate policy or economic sanctions against Russia, etc. The most active anti-refugee campaign supporter is the Hungarian Prime Minister, Viktor Orbán. He already spoke out strongly against the refugees in the beginning of 2015, after the terrorist attack of Charlie Hebdo, when the number of refugees coming to Europe was relatively low. However, the government of Viktor Orbán wanted to enact anti-terrorist laws as soon as possible, which alarmed the representatives of civil law. The parliamentary elections in Poland in November 2015 meant a significant change for Visegrad Group, too. The victory of nationalist-conservative party, Law and Justice, led by Jaroslaw Kaczynski, brought few changes to the Polish political scene. The new government is absolutely against any of European agreements or reform plans for refugee redistribution. "Hungary and Poland have equally refused to abide the EU rules and values, and in their conflicts with the Commission they have not been ready either to any kind of meaningful compromise or real dialogue. Instead, they have talked about political accusations and have referred to their national sovereignty" (Ágh 2018, 42). "Because of the arrogance of the West, as well as because of the political "dictate" of receiving immigrants, Eastern Europe does not expect anything good from Brussels, and rather tends to nationalist parties and movements. The most responsible politicians of this revival of nationalism, which weaken the integrity of the EU are Viktor Orbán and Jaroslaw Kaczynski. Their nationalist agenda is not understood as populism, but as relevant reaction to unfulfilled promises of the West" (Ižák 2019, 65).

The politicians in the Czech Republic and Slovakia are different, not as "loud" as their Hungarian and Polish colleagues, but they also took an opportunity to use the refugee problem for their benefits. The former Slovak Prime Minister, Robert Fico, described the new migration policy of the European Union as a "ritual suicide". His then Prime Minister colleague from the Czech Republic, Bohuslav Sobotka, was not as pejorative, but still his government refused the EU's "refugee quotas" - one of the most controversial initiatives has been a provisional EU relocation system, aimed at the distribution of 120,000 asylum-seekers from Greece and Italy. This 'refugee quota plan' has been strongly criticized by several EU member states, in particular by Hungary, the Czech Republic, Poland, Romania and Slovakia, ever since the Juncker Commission first proposed it. Still, the EU member states' Ministries of Justice and Home Affairs found the necessary majority to give the initiative the green light on September 22, 2015 (Carrera 2015).

Although, the Visegrad Group countries were criticized by the most of EU member states (especially by Germany, Austria, France and Benelux countries), the terror attacks in Europe have changed the public opinion in these countries as well. It is perceptible in the entire European continent. Many European countries are witnessing electoral gains for far-right and nationalist parties, though they span a wide political spectrum. The migrant crisis has fuelled a backlash against the political establishment, but the wave of discontent also taps into long-standing fears about globalization and a dilution of national identity. This new anti-refugee atmosphere is proven by the fact that many of xenophobic, far-right wing and nationalistic political parties have been on the increase in Sweden (Sweden Democrats - SD), the Netherlands (Party of Freedom - PVV), Spain (Podemos a Ciudadanos), France (National Front - FN) as well as in

Germany (Alternative for Germany – AfD), Austria (Austrian Freedom Party – FPÖ) and other EU member states.

4.1 Czech Republic

The Czech Republic, like few more other countries in Central and Eastern Europe, focuses on economic migrants rather than refugees. The Czech Republic is one of the countries with the lowest unemployment rates in Europe; in fact, the need for foreign workers is essential for its economy. Meanwhile it never expected to receive asylum seekers at all. In 2015, only 3,644 people in the country were refugees, and in 2017, it was 3,580, according to the World Bank Database.

During the humanitarian crisis of 2015, the country's position in the quota debate was slightly different from the other V4 members, such as Hungary and Poland, which refused the Commission proposal of voluntary quotas straight away. The main complaint made by the Czech authorities was related to the procedure of voting at the June EU Council meeting. The decision on voluntary or compulsory quotas was not made by consensus, but by a qualified majority, and the result was perceived by the Czech authorities as mandatory and was read as an attack on the Czech Republic's sovereignty. Since then, not many differences can be seen between the Czech position and those of the other Visegrad Group countries. They all defended a position in which the numbers of accepted refugees depend only on the will of each individual state, and argued that the EU cannot make them accept any quota in a clear denunciation of the legality of the decision taking in the EU Council. Under the EU relocation quotas, the Czech Republic had to take in 4,300 people, around 410 refugees per one million people in the country. The Czech authorities have accepted only 12 refugees so far. The former Czech Prime Minister, Bohuslav Sobotka, showed then that the political line of the Czech Government would be a security-based one. This narrative was followed and reinforced by the subsequent Andrej Babis government.

There can be two main types of explanations of the Czech position on the EU level. The first one, which is more organic and essentialist, appeals to the security narrative based on stereotypes and prejudices that equates Muslims with terrorists, and sees them as a threat to the national identity. This position is explained by the political actors through the concept of "non-integrable communities" developed by Giovanni Sartori (2010). Nevertheless, this explanation was not empirically based since the Czech Republic does not have a large Muslim community. Despite that, the main reason for developing this kind of explanation is linked to "what happened in Germany or other countries with big Muslim communities". From their point of view, most of the problems happening in those countries are a direct consequence of the Muslim presence there. All the major Czech political parties have adopted this narrative of migration as a security threat and as linked to crime. Migration as a security issue is outside of the political debate. The discussion is only about through which tools and policies it should be managed. The way in which the Czech political class is dealing with this issue makes people perceive migration as a threat to their security and to a national identity that should be preserved.

The second explanation, which is more pragmatic and legalistic, justifies the Czech position with five main arguments. The first one is "refugees cannot be treated as a flock; they need to be asked where they want to go". This statement is reinforced by arguing that the EU relocation violates the Geneva Convention "because the right to asylum is purely individual". The second argument is that refugees do not want to go to the Czech Republic because they do not have social

networks in the country, so “they do not want to stay here” but arrive in Germany instead. The third is that “the Czech Republic has its own migration pressure coming from the East, but countries in Western Europe do not know it”, and thus foreign workers coming from the East “are our migrants”. The fourth is that “the Czech Republic is helping in the border control operations, especially in the Balkans, so it is further implicated in the EU migration policy”. In addition, the fifth argument is that “our complementary plan to solve the migration problem is to work in reception countries such as Jordan, Lebanon or Turkey” (Turrión Ferrero 2018, 9–10). The Czech position is based on there being no need to develop policies towards the arrivals of refugees because its efforts are focused on the refugees’ countries of origin.

Czech society was caught unprepared when thousands of people arrived in Greece, and subsequently the Balkans, during the summer of 2015. Being fairly closed-off for most of the 20th century, Czechs tend to see the Czech Republic as a migrant-sending or transit country rather than an immigrant-receiving country. There is only a very small Muslim community in the Czech Republic, including a small group of Czech Muslims. Yet, islamophobia seems to be one of the main drivers of the anti-immigration politics held by the government and supported, arguably, by most citizens (Heřmanová and Basch 2017).

The public response to the migration crisis was mixed and divisive, whilst the majority of Czech citizens approve the ‘politics of discouragement’ practiced by the government, there was also an unusually strong civic movement of volunteers who participated in the distribution of humanitarian aid on the Balkan route. Whilst official policy is increasingly isolationist and protectionist, the public remains divided, and with hate-speech and populism on the rise, it is more and more difficult to publicly discuss issues such as migration. Despite this, the Czech Republic remains a relatively liberal, open country with functioning democratic processes. However, the issues outlined in this post must be taken seriously as a stark warning regarding the direction in which the country is heading.

When looking at Czech politics in relation to the refugee crisis both the role of political parties and of the president should be discussed. Each of them play an important role in shaping the debate about refugees since, given the presence of the mentioned 12 refugees in the country, there is very little interpersonal contact between Czech citizens and refugees, possibly one of the most important ways to increase intercultural understanding (Dražanová 2018). Because these interpersonal contacts do not exist in the Czech Republic citizens are dependent on the political debate and the media to form their opinion.

Political parties in the Czech Republic were and still are united in their refusal of refugees and immigration. Of the top six parties recently elected in the national parliament only one, the Czech Pirate Party, officially declared a pro migrant position (Hinshaw and Heijmans 2017). The other five parties range from utterly against any form of migration, the position of the Freedom and Direct Democracy Party, to against the forced refugee relocation scheme as in the case of the Czech Social Democratic Party. Since almost every major party in the Czech Republic is opposed to refugees it should not come as a surprise that the cues taken from the political debate depict the refugee crisis in a genuine negative way.

Although the president has only a ceremonial role, the office traditionally has a strong role in influencing the public debate. The incumbent president, Miloš Zeman, is obviously against refugees and his actions are contributing to “an increasingly xenophobic public discourse” in the Czech Republic (Nielsen 2015).

As elsewhere in Europe, where anti-immigration movements have gained a new foothold, the Czech Republic in recent years has witnessed rising polarization of politics and society around migration issues. In the face of the prevailing public ambivalence, politicians who support more open migration policies have been reluctant to advance their views and less numerous than the opposing side. As a result, recently proposed and adopted policies are based on a security paradigm that is focused on migration control and greater selectivity of immigrants. With Czech Republic there are just four more countries, which voted against the Global Compact for Safe, Orderly, and Regular Migration in December 2018 (Drbohlav and Janurová 2019). Once again, the Czech Republic is aligned with Hungary, Poland and Slovakia in an anti-migration crusade, thus feeding populist and xenophobic discourses around Europe.

4.2 Slovakia

Like its Visegrad Group counterparts, Slovakia has pursued extremely restrictive immigration policies and employed anti-migrant rhetoric since the onset of the “refugee crisis” in 2015. Despite the fact that Muslims make up only 0.1 percent of the population, Slovakia has witnessed a surge in Islamophobic discourse and hate crimes.

Slovakia’s experience with integration of migrants is not so long, but since there is a significant number of Roma and Hungarians in the country, integration as a concept has been an issue in Slovakia for decades (Lajčáková 2007). Slovakia has surely been one of the EU states that has been most critical to the idea of refugee settlement in Europe. Slovakia has from the very beginning rejected the EU policy of migrant relocation. What’s more, Slovak government took the EU to court to fight a mandatory mechanism for relocating asylum-seekers. That is, in December 2015 Slovakia filed a lawsuit at the European Court of Justice against the European Union’s plan to redistribute 120,000 refugees across all 28 EU Member States (the EU’s mandatory relocation scheme under which Slovakia was expected to accept 802 asylum seekers) (von der Burchard and Barigazzi 2015). Thus, it can be said that Slovakia openly has rejected the EU human call for more solidarity with migrants.

The country’s hostile attitude towards refugees is belied by the fact that Slovakia has been largely shielded from migration pressures because it is not located on the main migration routes into western Europe, especially after Hungary sealed its border with Serbia and the March 2016 EU-Turkey deal came into effect. In 2017 Slovakia registered just 160 asylum applications, the lowest number in the EU that year. In 2017, 2,590 undocumented migrants were apprehended (a similar figure to that in Bulgaria), and in 2016, 2,035 were apprehended. In 2017, 1,740 non-citizens were expelled from the country, of whom 80 percent left “voluntarily” (Eurostat 2017).

Economic motives have spurred Slovakia to adopt a more Euro-friendly posture as the refugee “crisis” has subsided, distancing itself from its closest neighbours. In 2018, Slovakia opted not to vote on the Global Compact for Safe, Orderly and Regular Migration while the Czech Republic, Poland, and Hungary voted against it (Gotev 2018).

We can say that the socio-political factors are the most important factors influencing the current situation concerning attitudes towards immigrants in Slovakia. Before the outbreak of the current migration and refugee crisis, it was

only a marginal topic for Slovak politicians and public, but with the crisis the situation has changed significantly, especially due to the fact that the migration policy became a part of electoral programs of the main Slovak political parties before the parliamentary elections in 2016. With a few exceptions, the most of the political party leaders used the migration actively (and negatively) in the campaign, including the former Prime Minister and leader of Smer-SD, Robert Fico, the leader of opposition liberal party SaS, Richard Sulík, the leader of the nationalist party SNS, Andrej Danko or the extremist LSNS leader, Marian Kotleba.

What's more, the predominantly Christian country of Slovakia passed a law in November 2016 that effectively bans Islam as an officially recognized religion, which also blocks Islam from receiving any state subsidies for its schools (CNS News 2016). According to the new law, a religion must have at least 50,000 members to qualify for state recognition; the previous threshold was 20,000 members. According to Slovakia's latest census, there are 2,000 Muslims and there are "no recognized mosques". The former Prime Minister, Robert Fico, led the campaign for the 2016 March election under the slogan "We protect Slovakia", calling migrants "a danger". However, an unintended result of Fico's harsh and undemocratic rhetoric towards the migrants was that the far-right People's Party-Our Slovakia has entered parliament with over 8% of the vote. Surprisingly, also many young people in Slovakia have been against the idea of accepting the migrants to Slovak society (Galanova 2016). The protests come as a surprise since the country has accepted only a few of the migrants currently fleeing to European continent. During the 26 years since its independence, only about 60,000 people have sought asylum in Slovakia and a little over 800 have been successful. Less than 700 others have received subsidiary protection which means a status for people who do not qualify as refugees. "Still, many Slovaks argue that refugees and migrants are one of the most serious challenges for this Central European country. For many Slovaks the refugees are considered to be one the biggest problem facing the country. They have been worried about migration while most think refugees and migrants would increase crime and the risk of terrorist attacks. It is obvious that most of Slovaks who oppose settlement of migrants in their country have such a stance due to security and economic concerns. However, their fears due to cultural and ideological concerns should not be neglected as well" (Brljavac 2017, 99–100).

4.3 Poland

The Polish response to the crisis that escalated across Europe in 2015, banning refugees from crossing its borders, has been one of the least welcoming in Europe. Poland has been reprimanded by the EU for its lack of solidarity with other countries that accepted refugees. The government's response was that it does indeed welcome refugees as long as they are not Muslims, since letting Muslim refugees in would be a security risk. "The figure of the Muslim terrorist posing as a refugee has become a key trope through which xenophobic nationalist politics have been employed. In this sense, Poland can be seen to be drawing particular inspiration from the Eurosceptic politics of Viktor Orbán's Hungary while also reflecting a broader European trend towards Islamophobia in countries such as France, Germany, Sweden or the UK" (Narkowicz 2018, 357).

The migration crisis rumbled on for the last few years since it had developed as a major issue in Polish politics dividing the main parties in the run up to October 2015 parliamentary election. Along with the three other 'Visegrad Group' countries, the previous government, led by the centrist Civic Platform (PO)

grouping, initially opposed the European Commission's proposal for mandatory re-distribution quotas for Middle Eastern and North African migrants located in Greece and Italy.

However, concerned that the country was coming across as one of the least sympathetic to the migrants' plight, the Polish government changed its approach following the summer 2015 migration wave. Civic Platform's EU strategy was based on trying to locate Poland within the so-called 'European mainstream' by presenting itself as a reliable and stable member state adopting a positive and constructive approach towards the main EU powers, so it was anxious to appear to be playing a positive role in helping alleviate the crisis. In the event, at the September 2015 EU summit Poland broke with its Central European allies and signed up to a burden-sharing plan which involved the country admitting 6,200 migrants as part of an EU-wide scheme to relocate 160,000 people in total by September 2017.

On the other hand, the right-wing Law and Justice (PiS) party, at the time the main opposition grouping, bitterly opposed the EU plan arguing that Poland should resist pressure to take in migrants. The party warned that there was a serious danger of making the same mistakes as many Western European states with large Muslim communities, which could lead to admitting migrants who did not respect Polish laws and customs and tried to impose their way of life on the country. While it always supported Polish EU membership in principle, Law and Justice was a broadly anti-federalist (verging on Eurosceptic) party committed to defending Polish sovereignty, especially in the moral-cultural sphere where it rejected what it saw as a hegemonic EU liberal-left consensus that undermined Poland's traditional values and national identity. It viewed the migrant relocation scheme as part of this wider clash of cultures which also threatened the country's national security. Not surprisingly, therefore, Law and Justice accused the outgoing Civic Platform government of betraying its Central European allies by taking decisions under EU pressure that undermined Polish culture and security. It argued that the figure of a few thousand migrants was unrealistic because family members would be able to join initial arrivals and that the quota would be used as a precedent to force Poland to take in additional migrants in the future. The 2015 elections empowered the extreme fringe groups on the right. This was seen through the several anti-refugee and anti-Muslim demonstrations held across Poland, attracting large crowds of Poles whose attitudes have grown increasingly hostile to refugees in general and Muslims in particular. As the government and the Church have facilitated spaces for the strengthening and legitimization of the far-right movement, this has provoked a strong response from other elements within civil society to resist this shift resulting in increased levels of solidarity politics across difference. The more the Polish borders shrank to ensure no "Others" slip through, the more civil society activism mushroomed across Poland unveiling divisions within and between key public institutions that ran deeper than disagreement over whether to welcome refugees.

Following its October 2015 election victory, the new Law and Justice Government agreed initially to implement the scheme approved by its predecessor and, as a start, accept 100 migrants. However, in April 2016 it suspended the process arguing that the verification procedures for the vetting of migrants were insufficient to guarantee Polish national security. Since then Poland (along with Hungary) has not accepted any migrants under the EU scheme (Szczerbiak 2017).

The Law and Justice Government's opposition to the relocation of Syrians to Poland has harmed the country. It has been criticized many times by EU countries and institutions, including the European Parliament. Poland has lost the

reputation of a country that can take responsibility for the community and solve European problems. By refusing to show solidarity with the migration crisis, the country has lost the right to demand solidarity from others (Wielniński and Wyborcza 2018). The rich EU countries showed solidarity with Poland by paying into the EU cohesion fund, which financed investments that help poorer countries to catch up. So far, Poland has been its largest beneficiary.

Public opinion shows that Poles have very limited knowledge of immigration and are very sceptic regarding its possible benefits. This is directly linked to, among other things, a lack of direct experience and contact with foreigners as well as the relatively short history of Poland as a destination country. A surprising fact is that between 2015 and 2017, Poles changed from being cautious supporters to decisive opponents of admitting refugees into the country. In the early stages of the refugee crisis, Poles were less sceptical than citizens of other countries in the region. "The reasons for this shift in opinion are linked to, among others, the public debate and the rhetoric of political elites who have been using fear of immigration for their own political purposes" (Laciak and Frelak 2018, 10). Furthermore, it has proved to be a very facile political tactic, with the majority of society being unable to ascertain the veracity of the often-xenophobic message. The general trend has also been to focus on the security issues connected with migration, which has resulted in the perception of refugees as a challenge to the state's internal security.

The refugee crisis and the domestic escalation of racist attitudes in its response have played into the current nationalist political climate of Poland, one that is hostile to any imposition from abroad. In this wider context, civil society became increasingly divided between those who felt empowered by the conservative Catholic agenda and those who felt that the government undermined the country's democratic values. Within this, the figure of the refugee became a symbol of the wider conflict in which the refugee crisis functioned as subtext. As the anti-refugee discourses has revealed, it is not only Muslims, but also Jews, that are targeted in what seems to be a revival of anti-Semitism (Santora 2019). An understanding of the recent escalation in anti-refugee attitudes in the country needs to be analysed as a continuation, rather than an entirely new phenomenon, one that is being furthered as part of a nationalist project.

4.4 Hungary

In Hungary in 2014 there were more than 40,000 first-time asylum applicants coming from outside the EU. This numbers were on the rise and in the first half of 2015 Hungary received the second highest (after Germany) number of asylum applications in Europe. In 2015 the number of irregular entries increased with refugees coming via the Balkan route from Serbia towards Hungary. However, for many of them Hungary was not the final destination, and many continued the journey towards Germany or other European destinations.

The government, led by Prime Minister Viktor Orbán, responded to refugee inflows with a wire fence constructed along the 175-kilometer border with Serbia in order to deter new entries and also announced fence-building on sections of the border with Croatia and considered fence construction on the border with Romania. In an incident after closing the border with Serbia, Hungarian police used tear gas against immigrants on the Serbian side of the border.

The government's attitude towards the migration crisis was obvious. At the beginning of 2015, the Fidesz - Hungarian Civic Alliance government ran an anti-immigrant campaign, a 'National Consultation on Immigration'. Later in July 2015, the Hungarian parliament passed amendments to the Asylum Act. The UNHCR raised concerns about the amendment, which might lead to denying assistance to asylum-seekers, their deportation and prolonged detention. The Hungarian government stood in opposition to the quota system voting against it along with other three Member States. While Fidesz ran an anti-immigrant campaign, many Hungarians protested against it and the governmental campaign was criticized by advocacy organizations and researchers.

The public's response was different from the government's expectations and anti-immigrant protests took place in the country as well as demonstrations against border fence raising. Civil society organizations and volunteers were active in supporting refugees arriving in the country. Hungarians collected food, medicines and clothes. At train stations and around towns food and other basic goods were distributed to refugees and medical care was provided. Hungarian intellectuals, artists and politicians signed solidarity appeal from Central Europe in response to the migrant crisis.

However, the inflammatory way that officials and the national media in Hungary have described the influx of refugees created confusion, hostility, and fear among the citizens. This discourse has only exacerbated the xenophobia deeply entrenched in a part of the Hungarian population, and made the efforts of ordinary citizens and organizations working with asylum seekers and migrants more difficult (Pardavi and Gyulai 2015). Due to the government's anti-migration campaign and 'zero refugee' strategy, the public opinion has changed a lot in Hungary.

Hungary was the second European Union country in 2015, behind Greece, to apprehend irregular migrants at its external borders. However, the construction of the fences at the two Southern borders with Serbia and Croatia put Hungary outside the Western Balkan migratory route. Prior to the completion of the fences and the start of the migration crisis in summer 2015, the average daily arrivals in Hungary was 274 people/day. The number increased to the average daily arrivals of more than 7,000 people, but, finally, in December 2017 to 10 persons/day (IOM 2018).

A series of amendments to asylum legislation caused many changes in the arrival procedures and overall treatment of asylum seekers and beneficiaries of international protection in Hungary. In August and September 2015, together with the completion of the fence, Hungary designated Serbia as a safe third country, allowed for expedited asylum determination, and limited procedural safeguards. Additionally, climbing through the border fence or damaging it became a criminal offence punishable with imprisonment.

In 2016, a new amendment to asylum law prescribed police to push migrants who had "illegally" entered the territory and were apprehended within 8 km from the border, back to the other side of the border fence. More amendments have been subsequently adopted to decrease or suppress the different support mechanisms to asylum seekers and beneficiaries of international protection. In March 2017, new revisions to asylum law were enacted that decreed all irregular migrants be pushed back to the Southern border. The above asylum policies have been highly criticized on the basis of international and EU law as many international actors have argued that effective access to protection and the

principle of non-refoulement are not upheld. Due to reception conditions in Hungary, several EU member states have chosen to stop transfers to Hungary under the Dublin III mechanism (IOM 2018). The European Court of Human Rights ruled that the detention of migrants in transit zones qualified as a violation of the right to liberty, and challenged the legality of the detention centre's policies.

It is obvious that in Viktor Orbán's Hungary, refugees are unwelcome. Orbán won a third successive term in office last year, campaigning on a strong anti-immigrant platform. He refused to take part in the European Union's resettlement program for refugees in 2015. Later, Hungary approved a package of legislation called the "Stop Soros" law, which criminalized providing aid to undocumented immigrants and asylum-seekers. It declares that any group or individual helping undocumented immigrants claim asylum could be liable for a jail term. The move has unsettled NGOs and also made Hungarians nervous about volunteering to help (Barry 2019). In 2015 the European Commission initiated an infringement procedure against Hungary concerning its asylum legislation. After a number of steps taken by the Commission in January 2018 the European Court of Justice revealed that it will hear the case against Hungary, the Czech Republic and Poland regarding the infringement procedure for their refusal to abide by the decision on EU refugee quotas.

5 CONCLUSIONS

The different historical circumstances of European countries (like their colonial past) as well as their economic developments, and the demand for labour of their industries in the period after the World War II, led to different immigration intensities from different origin countries. As a result, different countries in Europe today are home to very dissimilar immigrant populations, in terms of origin, ethnicity, and education. Further, while some countries were home to large immigrant populations already in the 1960's, others experienced large immigration over the last two decades or only the recent years. Overall, however, large-scale immigration, and in particular immigration from remote parts of the world, is a far more recent phenomenon for any European country.

Immigration has impacted widely on European societies, and it will continue to do so. The non-indigenous populations with an immigration background in Europe have contributed to its economic transformation. Europe has diversified itself culturally. This has led to the development of new forms of dealing with discrimination, social exclusion, racism and xenophobia. Any specific conclusions that can be made must remain hypotheses. Large gaps in knowledge concerning these phenomena were identified in most of the European countries. Also, it is hard to distinguish between the influence of immigration in European societies and that of globalization. European societies have changed dramatically in the last decades and immigrants have obviously played a major role, especially in the transformation of European economies. European polities are also experiencing change due to immigration. The topics of immigration and cultural diversity are now being widely discussed in the public discourse. Institutional changes and development in the civil society are also fairly clear. Institutions and organizations are being transformed in this process. Academia, governmental bureaucracies, political parties and trade unions are all responding in different manners to the impact of immigration. Associations, civil society activities, NGOs, immigrant self-organizations and similar groups are all helping to change the

political landscape in Europe. Finally, immigration has an impact on the development of new political ideas and confrontations.

The framing of migration in political discourse can be characterized in two ways: migration is seen and treated predominantly as a security problem, and the broader context of migration and its economic, social and political dimensions is being ignored through a focus on the 'refugee crisis' and the Middle East. Cultural incompatibility and problematic integration of Muslim refugees is one of the main arguments given for not accepting refugees.

In terms of actual relations, on the one hand critics of the Central European countries' stance over refugees claim that they are willing to accept the economic benefits of the EU, including access to the single market, but have shown a disregard for the humanitarian and political responsibilities. On the other hand, the Visegrad Group complains that Western European countries treat them like second-class members, meddling in domestic issues by Brussels and attempting to impose EU-wide solutions against their will, as typified by migrant quotas. The Visegrad Group countries are obviously against of this solution. The European Union's response is simple. It claimed that if no action was taken by them, the European Commission would not hesitate to make use of its powers under the treaties and to open infringement procedures. At this time, no official sanctions have been imposed to these countries yet. Despite of the threats from the EU for not taking them, the Visegrad Group countries claimed that accepting migrants would have certainly been worse for the country for security reasons than facing EU action.

To sum it up, facing this refugee crisis in the European Union made a huge disagreement between Western and Eastern members. Since the European Union has been expanding its borders from west to east integrating new countries as member states, it should also take into account that this new member countries have had a different past (in the case of the Central European countries, they were under the iron curtain) and nowadays, despite of the wish to collaborate all together, the different ideologies and the different priorities of each country make it difficult when it comes to reach an agreement. Therefore, while old Europe expects new Europe to accept its responsibilities, along with the financial and security benefits of the EU, this is going to take time. As a matter of fact, it is understandable that the EU Commission wants to sanction the countries that rejected the quotas, but the majority of the countries that did accept to relocate the refugees in the end have not even accepted half of what they promised, and apparently they find themselves under no threats of sanction. In conclusion, the future of Europe and a solution to this problem is not known yet, but what is clear is that there is a breach between the Western and Central-Eastern countries of the EU, so an efficient and fair solution which is implemented in common agreement will expect a long time to come yet.

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FIRST AS TRAGEDY, THEN AS FARCE: A COMPARATIVE STUDY OF RIGHT-WING POPULISM IN HUNGARY AND POLAND

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National populism is a widespread phenomenon, present in almost every European country. Even though literature on populism is quite ample, it lacks terminological intersections and uses different approaches to delineate the term. The aim of this article is to adjust the term national populism to the specificities of the V4 countries, focusing on Hungary and Poland. We make threefold contribution to the current debate on populism. Firstly, a new dimension concerning populism is present, a requirement of the newly formed populist elite to decide, who is the “people”. Secondly, we introduce coherent description and comparison of national populists’ tendencies in Hungary and Poland, in summary called “Orbán’s illiberal doctrine”, which was adopted around Budapest-Warsaw axis. Thirdly, we view the V4 region to be a proxy-war in what Milanović calls “Clash of Capitalisms”. The notion of Orbán’s illiberal doctrine challenges erratic Czech and Slovak opportunism, so far prone to liberal capitalistic order.

Key words: national populism; Orbán; Kaczyński; FIDESZ; PiS.

1 INTRODUCTION

Widespread interest in the right-wing populism re-emerged as a result of refugee crisis in Europe following the year 2015. Although populism has been under heavy assault since then, it seems to become stronger the more intellectuals criticize it (Taguieff 1995, 43). It is generally accepted that scholars tend to lack a consensus on what establishes the right-wing populism, even though it is the only political force which managed to successfully penetrate the established order of the European political families, alongside the Greens (Mudde 2007, 1). Despite the lack of terminological intersection, the implicit acceptance of D. Trump, J. Bolsonaro, B. Netanyahu or M. Le Pen as being the representatives of the right-wing populism is present (Heywood 2019; Inglehart and Norris 2019; Eatwell and Goodwin 2018). What is missing though, is a complex assessment of the V4 countries in terms of their infiltration by the right-wing populism, with a

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specific focus on Hungary and Poland. The aim of this article is to extend the current knowledge of populism to the V4 countries, while adjusting it to the specificities of the region. Firstly, we sort out various approaches to the term “populism”, while sticking to the most suitable for our purposes. Secondly, by focusing primarily on the right-wing side of political spectrum, national populism to be more precise, we are allowed to compare political situation within Hungary and Poland. After national populism first took over Hungary, it swiftly moved to Warsaw. Unsurprisingly, Marx turned out to be right when claiming that history recur twice, “Once as tragedy, and again as farce” (Marx 2009, 1). Finally, after defeating the charm of the “undefinable” (Mudde 2004), we lay out the most crucial struggle, unnoticedly taking place in the V4 grouping. There is a friction of two potential futures on the periphery of the European Union (EU), one leaning toward Russia-like national populism-based surveillance capitalism while the other trying to preserve the residuals of liberal democratic order.

2 REVIEW OF LITERATURE ON POPULISM

Term “populism” originated in the United States labelling the political uprising of the American farmers, workers and miners against the Northeastern financial establishment. The coalition led to a creation of the People’s Party in the 1890’s (Rodrik 2018). Few decades before (in 1860’s), Russian political rural movement – *the Narodniks*, rising against the repressing Tsarist regime got to be called populist as well (Traverso 2019, 20). There we have two possible origins of the term populism. Nevertheless, none of these movements managed to succeed in taking power. We have seen a major transformation in terms of populism, from the time of People’s Party and the Narodniks, through Latin American populists like Perón and Vargas, to current populist wave assaulting the foundation of Western liberal democracies.

As we mentioned earlier, there is no easy way of defining populism, however, almost every delimitation of populism has at least one overlapping feature, or what Mudde (2004) calls a Manichean worldview. It is basically a way of expressing the opposing antagonism of the pure people against the corrupt elites. This will be our baseline for the delimitation of populism. There are numerous ways how to perceive populism. The most common one is to consider populism as an ideology. According Mudde, populism is a thin-centred ideology that considers society to be ultimately separated between two homogeneous and antagonistic groups, the “pure people” versus the “corrupt elite”, and which argues that politics should be an expression of the *volonté générale* (general will) of the people (Mudde 2004, 3). He views the term “populism” to be the opposite of the elitism on the one hand and the pluralism on the other. By adopting this minimalistic approach Mudde puts an emphasis on the lack of purity of the term explaining the occurrence of various forms of populist movements. Other authors have further developed this minimalistic approach toward populism (Abts and Rummens 2007; Stanley 2008; Kaltwasser 2013). Moffit (2016) criticizes the “thin ideology” approach because by sticking to its thinness, it might become difficult to conceptualize populism as a distinct ideology (Hugo Chaves’s ideology was a socialism, not populism). Even though some authors like Mudde consider populism to be a distinct ideology, it does not possess the same level of intellectual refinement and consistency like liberalism does (Mudde 2004, 544), therefore despite Moffit’s critique Chaves can bear socialist and populist ideology at the same time. That is the purpose of thin-centred delimitation of populism, not putting nationalism or communism on the same level with populism, but to show its adjustment within political ideology. Perhaps as a result of this

confusion, Hawkins and Kalwasser (2017) decided to replace thin-centred ideology with the moral set of ideas, so they could avoid this misunderstanding.

Conceptualization of populism as a set of ideas expressing itself as a Manichean discourse that identifies Good with an unified will of the people and Evil with a conspiring elite (Hawkins 2009, 1042) is basically a way of accepting Mudde's ideational approach to define populism as a thin-centred ideology, while avoiding the need to explain its subtle context. Heywood (2019) also shares the ideational approach toward populism as an ideology separating society between the two antagonistic groups: the "pure people" and the "corrupt elite". The homogeneous group of the pure people is considered to bear the sole legitimate guide to a political action. Fukuyama (2018) tries to cover the term "populism" as an ideology with three coherent characteristics: (1) the pursuit of policies that are popular in short term, but lack any sustainability in the long run, (2) basis of legitimacy build upon the "true people", excluding everyone outside a certain racial or ethnic group and ultimately (3) an authoritarian leadership, self-declared Trump-like outsider, claiming to have a direct connection with the "people". Various modifications of these traits establish different types of populism.

Next, there is nothing rare about perceiving "populism" not as an ideology, but rather a "political style" (Canovan 1999; Jagers and Walgrave 2007; Moffit 2016). Moffit (2016) criticizes the perception of populism as an ideology due to losing its initial apparent clarity by operating with discourse rather than ideology itself. Moffit acknowledges the political style as the repertoires of embodied, symbolically mediated performance made to audiences that are used to create and navigate the fields of power that comprise the political, stretching from the domain of government through to everyday life (Moffit 2016, 46). The populist political style in his view features an appeal to the "people" versus the "elite" dichotomy, bad political manners and the permanent induction of societal crisis, breakdown or threat. The most crucial aspect of this rhetoric consists of exalting the people's natural virtues opposing the elite (the political establishment), in order to mobilize the masses against the system they managed to create (Traverso 2017, 20).

Opposing these views, Inglehart and Norris (2019) do not acknowledge the populism to be an ideology *per se*, neither a political style, but rather a style of rhetoric claiming who has a legitimate power to govern. The only legitimate authority comes directly from the people, and established powerholders (let's call them the "elite") are deeply corrupt, aim purely at satisfying their self-interest and keep betraying public trust. Norris and Inglehart disclaim populism as an ideology, mainly as a result of its indifference towards what should be done, what policies should be followed or what decision should be made in order to improve the well-being of the society. Eatwell and Goodwin (2018) also reject the idea of populism being a serious ideology by considering it to be a way of competing for power, a way of doing politics. In their specification of populism, we can again encounter some shared characteristics with previous concepts of populism. Populist tend to invoke "popular will" so that it is heard and acted upon, defend the "ordinary people" against distant self-serving elites and ultimately replace them.

Populism as a way of doing politics, or rather a political strategy is commonly used approach (Weyland 2001; Ellner 2003; Roberts 2006). Barr (2017, 44) defines populism as a means of building and maintaining political power based on the mass mobilization of supporters through the usage of anti-establishment appeals and plebiscitarian linkages, a challenge to those who wield power on

behalf of ordinary people. It is basically a political strategy used to generate popular support. Anti-establishment appeal tends to go as far as to completely refuse to wear clothes associated with the deeply rooted establishment. An example can be a former Bolivian leader Evo Morales, who never wears a business suit of Bolivia's white elite.

Marco Revelli (2017) considers populism to be just a senile disorder of liberal democracy, natural revolt of those, who have been excluded and pushed to the margins. There is nothing ideological within the concept, it is just a natural response of society to tackle globalization, inequality and marginalization. This view is shared by other authors describing populism as a "normal pathology" of western liberal democracies (Betz 1994). This worldview has been attacked in Mudde's earlier paper (Mudde 2004, 548–551). Mudde claims that if the populism had been just a normal pathology of the liberal democracy, it would have become a solid part of the European political scene much sooner, however, its wave-like advent destines it to subside, like any other political ideology does. Although Mudde's counterargument is reasonable and valid, we do not completely share his viewpoint. Regarding various phases of business cycle and price level, income and wealth inequality or refugee inflows, various populist movements (in terms of populism as a Mudde's thin-centred ideology complementing other ideologies – socialism, communism or various fascist movements) used to reach its peaks and downsides alongside the metamorphosis of Western liberal democracies. Had it been just a random occurrence, we would not be discussing its manifestations today. It is no coincidence that the centre of gravity when it comes to populism has begun to shift from Latin America to Europe in recent years (Hawkins and Kaltwasser 2017).

In a joint paper published by Acemoglu, Egorov and Sonin (2013) authors utilized a quasi-obsolete definition of populism articulated by Dornbush and Edwards in 1991, viewing populism as the implementation of policies receiving support from a significant fraction of the population, but ultimately hurting the economic interests of this majority. It is one of few definitions of populism not taking into account elite versus people antagonism, at least not explicitly. One of the reasons might be their focus on the Latin American countries dealing with a more redistributive agenda tilting the populist spectrum more toward the left.

Slovak research focusing on the issue of populism is not very ample, however we managed to find few pertinent papers mentioning the term populism. Although Mesežnikov and Gyárfášová (2008, 7) concentrated primarily on the national populism, they based their approach on viewing populism as a method of appealing to ordinary people by promising to defend peoples' interest against the elite (here we have the people vs. the elite antagonism). The bearer of populist method aims for the protest votes by criticizing the political establishment, mainstream media and opponent parties for their corrupt behaviour. According Mesežnikov and Gyárfášová, populist movements do not have any relevant election program, their strategy is based solely on their appeal to the people, so they are able to address the masses. Unfortunate by-product of this approach is the exclusion of some identity groups – rich, capitalists, establishment politicians, liberals or intellectuals. This definition is quite similar to that of Eatwell and Goodwin (2018), who consider the populism to be a way of doing politics. However, by utilizing this catch-all approach, we can easily lapse into the fallacious perception that all politics is populist and *ipso facto* lose the *raison d'être* of the term itself. Anti-elitist, against the current political establishment rhetoric present in the pre-election struggle is an inherent part of politics. We do not see a purposefulness of this approach, needless to say, almost every catch-all

party (Tory party in the UK, current Democratic party in the US or Austrian People's party led by Sebastian Kurz) would be considered populist by this definition, what seems to be utterly unproductive. There are some authors who conceptualized populism as a political logic though. In his book *On Populist Reason* Laclau (2005) put forward his case for populism as a particular logic of political life. He claims that any political cleavage is built upon the division between the two competing antagonistic groups (the people versus the elite; us versus them; the establishment versus the underdogs). Although it is true that the nature of politics is populist, we cannot accept this approach. The purpose of populist label is to differentiate movements, parties and leaders who make a false pretence of being the true and only voice of people.

Despite Drabik's (2019, 77) focus on the ideology of Fascism and Nazism, this young Slovak historian did not leave aside the difference between fascist ideology and populism. Even though he does consider the populism to be an ideology, Finchelstein's (2017) likening of the populism to the Fascism would be in Drabik's estimate unsuitable. He regards populism to be a subset of Fascism, a necessary condition if you will, not a sufficient condition on its own. Not every populist movement is fascist, however it seems that every fascist unit bear populist feature. Drabik probably did not come up with the definition of his own, merely assumed quasi-Mudde's and Manichean definition of populism as a political ideology labouring under the misapprehension that society is inherently divided between common, good-hearted and morally incorrupt people and immoral, depraved, corrupt and decadent elite exploiting the pure common folk. Furthermore, fascist populism tends to have an anti-Semitic tinge.

After proposing various delimitations of populism, the only purposeful approach toward populism, with regards to specificities of Hungary and Poland as explained below is to accept Mudde's delimitation and consider populism to be a thin-centred ideology. So far, we have been able to discount fascist ideology from the populist one, explain what is generally perceived by populism and pick up the most suitable approach. Nevertheless, contrasting names labelling the right-side political spectrum can be little confusing. Are there any meaningful distinctions between right-wing populism, national populism, extreme right or populist radical right? Firstly, it is needed to focus solely on the right side of populist spectrum. For instance, Heywood (2019) came up with the coherent distinction between the right and the left types of populism. Right-wing populism, in his view, tends to prioritize sociocultural concerns such as immigration, crime and corruption while the left side of populism focuses on the socioeconomic identity linked to the income inequality, poverty and deprivation. This will be our baseline, national identity, so we can grasp the concept of the right-side of political spectrum when it comes to populism.

Mudde (2017) explains, why is it that there is so much terminological confusion concerning the right-wing populism. Political parties will never personify themselves as "populist radical right", "extreme right", "radical right" or "right-wing populist", in comparison to Greens or Socialists. No political movement wants to be labelled populist, apart from few exceptions. Many of them reject even the left-right political divide as obsolete. We have to thereby rely on the terminological overlaps. For instance, Mudde (2007, 26) prefers the "populist radical right" as a result of thoughtful selection based on the combination of ideological features of the maximum definition approach. The term covers all the needed nuances, while emphasizing nativism over populism, because it is the ultimate core feature of the thin-centred ideology in his view. Our approach will be slightly different, we do not aspire to come up with the maximum definition of

the political family, thereby there is no need for us to focus on the nativism over the populism, but to treat them equally.

Term “radical right” first emerged in pioneering study of Bell (1963) linking together some features from the early American populist movements of the 1890’s to the McCarthy era of the 1960’s. Although the republican politicians at that time used to be generally perceived more as a right-wing conservative, McCarthy’s launch of the populist “witch-hunt” against the communist threats to the American way of life based on the free-market system and Northern puritan values bounded together all aspects of right-wing populism. The pure American folk (the people), jeopardized by the foreign devilish communist ideology linked to the elite (external enemy and the elite), have an urgency to be protected. Other authors have worked with the “radical right” concept since then (Ramet 1999; Kitschelt and McGann 1998). Granted that the term radical right contents all aspects of right-wing populism, it is missing an important part in its name, populism itself. The same apply for the “far right” as well (Marcus 2000; Jungerstam-Mulders 2003).

Schain, Zolberg and Hossay (2002, 23), along with other authors (Rémond 1982; Hainsworth 2003) prefer the label “extreme right” over radical right or populist movements, due to the notion of extremeness in a political and ideological space. The term refers to the anti-democratic, anti-liberal, and therefore anti-constitutional standing. Although some of it might be true, right-wing populist parties tend to move within the constitutional boundaries, at least most of the time. By looking at the usage of the fascist minimum in the paper, Roger Griffin’s new consensus definition of fascism as “palingenetic form of populist ultra-nationalism” (Griffin 1993, 34), we can dismiss the term “extreme right” promptly as not suitable for our purposes. Populist supposedly aim to readdress the balance of discussion towards the “voiceless”, they do not attempt to establish fascist-like dictatorship, therefore any comparison with Fascism/Nazism, like the one proposed by Finchelstein (2017, 89), is erroneous in this sense, getting back to Drabik’s argument.

Describing populism with authoritarian values – authoritarian populism is a domain of Norris and Inglehart (2019, 7). They combine the rhetoric approach towards populism with the authoritarianism, defined as a cluster of values prioritizing collective security for the group at the expense of liberal autonomy for the individual. In the authors view, the biggest threat facing the liberal democracies nowadays is cultural backlash favouring authoritarian values. We do accept the subtle notion of authoritarian populism; however, we are missing the national aspect, which is not necessary present within the authoritarian label. We consider the authoritarianism to be just a by-product of national tendencies, not taking into account all the shades of right-wing populism. In his *Political Ideologies*, Heywood (2017) uses the name “national conservatism” taking into consideration far right and anti-immigration parties like *The National Rally* (former National Front) of Marine Le Pen or Matteo Salvini’s *League* (former Northern League). Although, it is by no means a prerequisite for the right-wing populism on its own, Heywood (2017, 105) further develops his idea. The “right-wing” populist parties express their concerns about immigration and multiculturalism. National identity (right-wing aspect) of the French and Italians is supposed to be jeopardized by the refugee inflows (external enemy) and domestic liberal elite (internal enemy). We can see the Manichean dichotomy and the “people” vs the “elite” antagonism.

Right-wing populism, or in Fukuyama’s words (2018) “populist nationalism” is a domain primarily of Northern Europe and Northern America, where the

populism takes a middle class-oriented, more ethnic and anti-immigrant stance. Eatwell and Goodwin follow up the Fukuyama's delimitation of right-wing populism as a "national populism". Populist nationalism, or national populism for that matter, accomplishes our requirements of linking together the term populism with the right-wing aspect of identity politics based on the "lowest common denominator" approach, or so-called minimum definition approach. Ultimately, we base our national populist approach on the understanding populism as a thin-centred ideology having four key features: (1) dialectical antagonism considering the society to be inherently divided between the people and the elite, (2) only the moral, uncorrupted and hard-working people have a say in where should the society be heading, (3) the politics is just a means to achieve the will of people and ultimately (4) it is up to the populist anti-establishment newly-formed elite to decide who is the people. Using the example of Hungary and Poland, the fourth feature of our perception of populism will be explained.

3 THE ORBAN PHENOMENON

Erratic Hungarian 20th century full of political upheavals, dissolution of big empire, advent of authoritarianism under the regency of Miklós Horthy, participation in ethnic deportations, 1956 revolution crushed under the Soviet tanks followed by communist oppression and ultimately hopefulness of the 1989 bloodless takeover of the power to the new democratic elite marked the Hungarian people significantly. New hope accompanying free elections gave rise to a fresh, liberal, west-educated and democracy-prone politician called Viktor Orbán. In 1988, Orbán and thirty-six other university students gathered and laid out foundations for the most influential political party in current Hungary, *Alliance of Young Democrats – FIDESZ* (Fiatal Demokraták Szövetsége). FIDESZ congress decided to transform itself into a proper political party in October 1989, in order to participate in the first free elections after the fall of communist regime. Although Orbán had been working for the George Soros' Open Society Foundation since April 1988, and later moved to Pembroke College (September 1989) with a grant from foundation to study the idea of civil society in European political philosophy for nine months, he managed to return to Hungarian political life in 1990 (Lendvai 2018).

It only took him eight years to become the second youngest prime minister Hungary ever had, serving between the years 1998-2002. FIDESZ-Hungarian Civic Party constituted government together with Independent Smallholders' party (FKGP) and Hungarian Democratic forum (MDF). Orbán's right-wing administration had functioned quite foreseeable and even pushed Hungary closer to the EU nevertheless, seeds of populism were present (Fowler 2003). One-man leadership of Orbán's government avoided bigger scandals, apart from few exceptions. Orbán quite successfully established himself as a firm pro-Western, reformist leader and later as an integral part of the European People's Party (Roháč 2016, 75). How is it possible then, that liberal youth organization – FIDESZ, with the 1990s motto of "Do not trust anybody over 35", transformed into a conservative right-wing populist party within a decade?

It was not long after 2006 elections when on the 50th anniversary of the Hungarian Revolution FIDESZ called for the "revolution" and encouraged riots targeting political establishment, who they claimed to be "rebranded communists" (Ding and Hlavac 2017, 9). Their identification with the "oppressed", the people suffering under the rule of establishment was self-

evident and laid out the foundation for the following decay of residual liberal values of the party. Their inability to accept electoral loss by a narrow margin (2002, 2006) fuelled the nationalist rhetoric glorifying the Treaty of Trianon, which turned the pre-1914 Kingdom of Hungary into a curtailed state. Trianon had cost Hungary more than two-thirds of its land area and about a third of its people, which is a detriment that never got to be forgiven (Rupnik 2012). During the two terms in opposition, FIDESZ started its metamorphosis from quasi-liberal movement, through centre-right conservatism to the embodiment of national populist prototype. Main trigger of this opportunistic metamorphosis were precisely the protests after 2006 election combining an outrage against the Socialist Party (MSzP) and proto-nationalist awakening (Trianon).

In the beginning of their second term in a row (September 2006), prime minister Ferenc Gyurcsány got taped saying “I’ve almost killed myself the last one-and-a-half years having to pretend that we were governing. Instead we’ve been lying morning, noon and night. And I don’t want to do that anymore”. Angry (predominantly far right and neo-Nazi) riots burst out, which were successfully repressed by the Hungarian police. After Gyurcsány outlived the vote of non-confidence, Viktor Orbán had begun to capitalize on the anti-MSzP emotion and escalated (opportunistically) the populist antagonism, claiming that “the government has begun a war against its own people” (Lendvai 2018, 36–39). FIDESZ, “defender of the people” was getting closer to finally take over, while dexterously assuming position of the far right Jobbik (The movement for a better Hungary). In 2010 election, voters were given the choice to send the discredited Socialist Party into the opposition.

Shortly after forming government following 2010 election, Orbán’s administration acceded to various unconventional moves limiting constitutional rights in Hungary. As a result of disproportional election law benefiting larger parties in order to simplify the creation of government, 53% vote share of FIDESZ-Hungarian Civic Party together with Christian Democratic People’s Party (KDNP) transformed into 68% of the seats in parliament guaranteeing constitutional-amendment supermajority consisting of two-thirds of votes. Unleashed supermajority power resulted in twelve amendments during the first year of FIDESZ-led government (Bánkuti, Halmai and Scheppele 2012). National populists in Hungarian parliament managed to amend an article of constitution requiring a four-fifth vote of parliament to set the rules for writing a new constitution, therefore no other obstacle stood in their way to write a new one. Before moving to a new constitution, Orbán had to effectively disable the constitutional court by increasing the number of judges (FIDESZ is given a power to name new judges and ultimately turn the balance in favour of the government). The extra-parliamentary committee consisting of three Fidesz members headed by József Szájer came up with a new constitutional draft. The new constitution went into effect on 1st January 2012, after no relevant discussion in Hungarian parliament with opposition parties refusing to take part in final voting (Westervelt 2012). New constitution presented a breakpoint in terms of relations with the EU and in terms of domestic propaganda. National populist wave had successfully begun. In Orbán’s words delivered at the 25th Bálványos summer camp in Băile Tușnad stating that “the new state that we are constructing in Hungary is an illiberal state, a non-liberal state”. Liberal democracy supposedly failed in delivering promised, failed in protecting Hungarian nation and its communities and according Orbán it is time “to organize our national state to replace the liberal state”, where there are no political activists attempting to enforce foreign interest in Hungary (Orbán 2014). Illusionary external enemy became significantly important for the state propaganda.

As we explained earlier, invoking Horthy's regime became in principle acceptable, mainly by highlighting its anti-communist sentiment based on the defeat of Béla Kun's short-lived Hungarian Soviet Republic in August 1919. Irredentism became an inherent part of the state doctrine. The Manichean dichotomy gained new international dimension, an external enemy behind Hungarian borders. Proud Hungarian people betrayed after both world wars, huge chunks of Hungarian soil being cut off and bloody suppression of the 1956 revolution where Hungarian people were once again betrayed by the West. Government led by Viktor Orbán keep rewriting Hungarian history. The Republic of Councils in Hungary arouses anti-Semitic narrative till these days. Communist internationalism lured Jews into the support of leftist ideology. After the defeat of Béla Kun, following "white terror" laid out foundation for the fallacy of Judeo-Bolshevism within the Hungarian society. Adherents of the Arrow Cross, puppet regime founded by the Nazi in 1944, are responsible for tens of thousands of Jew victims and still, subtle antisemitism shapes current political propaganda of Orbán's regime (Kirchick 2017). Antisemitism is usually linked to the fascist-like movements, although not necessarily. Government controlled by FIDESZ utilitarianly promoted image of powerful Jew planning to control the world. George Soros, affluent financier and philanthrope, indirect sponsor of Orbán's studies in the UK, happened to become main target of their anti-Semitic propaganda, with thousands of posters of grinning Soros with the slogan "Let's not allow Soros to have the last laugh!", having been posted around the country on billboards, on the metro, and on the floors of Budapest's trams (Echikson 2019). Statues and Memorials of regent Horthy are being unveiled in Hungary, statues of man who is famous for saying "I have been an anti-Semite my whole life". After the party came to power (2010), according the Holocaust Remembrance Project, dr. Gal got to be appointed to direct the Holocaust Memorial and Documentation Centre in Budapest and one of his first steps was to eliminate mentions of Miklos Horthy's alliance with Adolf Hitler and to sanitise the record of regime participation in the deportation of the country's Jews (Owen-Jones 2019).

Another enemy of the Hungarian people are supposed to be the non-governmental organizations (NGOs) and media, allegedly supporting the mandatory resettlement quotas, imposed by the European union. In June 2014, police raided offices of three NGOs that had received funding from Norwegian Civic Fund established to endorse open society projects in Hungary. Hungarian authorities accused Oslo of political meddling, after they declined to finance NGOs through channels, which are controlled by the Hungarian government, in order to avoid the funding of anti-government initiatives (Kirchick 2017, 57-58). Having outlined the anti-Semitic nuance of Orbán's propaganda, it is no surprise that he considers the NGOs to be just an extended secret service of an external enemy. Orbán did not hesitate to say that "in every country effort will be made to push Soros out. You can already see this in Europe at the moment. The sources of funding are being revealed, as are the secret service links, and which NGOs represent which interest. The coming year will be about displacing Soros and the forces he symbolizes" (Cabinet Office of The Prime Minister 2016).

Soros system, or a plot of liberal financial elite and foreign intelligence agencies trying to undermine Hungarian way of life by imposing forced immigration and LGBT agenda became a status quo of Hungarian politics. The strategy of finding scapegoats reached its peak by passing through parliament a law affecting NGOs that receive foreign financial support of over 24 000 EUR. After the bill was signed by president János Áder, NGOs not fulfilling this requirement were obliged to register themselves as if they were foreign lobbies or agents (Lendvai 2018, 101). The campaign against NGOs (mainly Open Society Foundation) launched by

FIDESZ peaked with an amendment to Higher Education Law, fast-tracked through parliament on 4th April 2017, destined to close the Central European University (CEU) founded in 1991 with an endowment from George Soros. The amendment requires universities to have operations in their home countries in order to award degrees in Hungary, making it impossible for the “Soros university” to function properly within the Hungarian law (Central European University 2017). One of the best universities in the region was effectively banned due to national populism.

Another channel through which anti-FIDESZ enemies propagating illegal immigration operated in Hungary, at least according to state propaganda, were the media. Government of Viktor Orbán forced hundreds of private media owners to donate their outlets under the control of a single, state-friendly entity led by a former lawmaker from FIDESZ (Kingsley 2018). Eventually, this move did not mean any significant change in the trajectory in freedom of press. Since FIDESZ (re)raised to power in 2010, constant assaults on the freedom of expression were present. Reporters without Borders do not hesitate to make comments such as “The ownership of Hungary’s media has continued to become increasingly concentrated in the hands of oligarchs allied with Prime Minister Viktor Orbán’s ultra-nationalist government” or “Level of media control in Hungary is unprecedented in an EU member state”, needless to say, drastic decline in the World Press Freedom Index (87th place in 2019 in comparison with 56th just five years ago) signifies that Hungary places behind countries like Timor-Leste, Niger or Kyrgyzstan when it comes to freedom of press (Reporters without Borders 2020a). Independent media outlets have been constantly accused of their anti-governmental positions favoured by the liberals, activists and illegal immigrants (Cabinet Office of The Prime Minister 2019a), challenging the people’s way of life by world governance and globalized open society (Cabinet Office of The Prime Minister 2017). Their stance is completely elitist, allegedly targeted against the common folk.

National populism became an official “Orbán’s doctrine” of illiberal Hungary. Nationalization of media outlets, effective pacification of NGOs and schools financed from abroad and subtle anti-Semitism keep moving Hungary eastward, closer to political systems of Russia or Turkey. Hungarian people dissatisfied with the failures of the MSzP-led governments came to believe the populist Zeitgeist, the “Redeemer fallacy” of Orbán’s propaganda. The 100th anniversary of the Trianon treaty (2020) might be ground-breaking. Just recently, Orbán declared that “one hundred years of Hungarian solitude (with reference to Trianon) has come to an end” calmly adding “day by day our economic, cultural and military strength is visibly growing. The time has come for us to use it. The only question is for what purpose” (Cabinet Office of The Prime Minister 2019b). Former Slovak ambassador in Budapest Rastislav Káčer did not hesitate to state, “we are three steps from Orbán’s Hungary territorial claims” (Aktuality 2019). On top of that, constant formal and informal struggles between Budapest and the representatives of the EU is driving a wedge to European integration. Quite recently, Political Assembly of the European People’s Party (EPP) decided to suspend FIDESZ membership within the EPP political family, due to breach of its values (European People’s Party 2019). Very similar development is being spotted in Poland.

4 BUILDING BUDAPEST IN WARSAW

The leader of Poland's ruling party *Prawo i Sprawiedliwość* – PiS (Law and Justice), although not a prime minister Jarosław Kaczyński, is a long-time admirer of Viktor Orbán's vision of the illiberal state. After FIDESZ secured a two-thirds parliamentary majority (2010), the most powerful persona in Poland stated, "the day will come when we will succeed, and we will have Budapest in Warsaw" (Buckley and Foy 2016). Why is it though, that Jarosław Kaczyński is so prone to follow the development of *enfant terrible* of the EU, Viktor Orbán? But even more important question is, why is the Polish people so eager to assume features of Orbánomics developing in Hungary ultimately leading to the Marx's prophecy? Tragedy of illiberal state has already been unveiled in Budapest. Warsaw inclines to finish up with the farce. Quite similar to FIDESZ in Hungary, Polish right-wing populists from PiS spent relatively dispute-free two years in government (2005–2007) before staying two terms in opposition fulfilling its populist-prone metamorphosis.

Centre-right liberal Civic Platform (PO) led by Donald Tusk had been ruling Poland for eight years. During the time in opposition, Kaczyński slightly morphed PiS from Christian and conservative, although still very right-wing oriented party, toward a national populism à la FIDESZ. Party shifted focus on voters who begun to criticize the existing system, mainly those socially and economically excluded voters who expressed their dissatisfaction with liberal democracy and voters who wanted to replace post-1989 third Polish Republic with a new one, illiberal democracy (Kozłowski 2019, 97). In a speech delivered in the lower house of Polish parliament – Sejm, the then prime minister Szydło drew on the populist politics of "ordinary people" proclaiming that "we want to help the people, not the political elites" later adding to a demur that she is the elite – "We are the good elite" (Buštková and Guasti 2018, 3). Current prime minister of Poland Mateusz Morawiecki's quote "We know perfectly well that we (people of Poland) have a chance to achieve something that has been dreamed of for 500 years" (Law and Justice 2020) reminds us of the similarities between PiS and Hungarian FIDESZ.

Victorious elections in 2015 foreshadowed the "populist metamorphosis". In just two years after PiS got to power, Freedom House organization concluded that "in 2017, Poland's democratic institutions, under the virtually unchecked control of PiS party leader Kaczyński, came close to a point of no return in straying from democratic norms" (Freedom House 2018). It took the government only few months to endanger the rule of law in Poland via a judicial reform that undermines division of power. The Law on the Supreme Court lowers the mandatory retirement age for the Supreme Court judges and establishes a new chamber in the Supreme Court responsible for disciplinary proceedings and overseeing electoral cases, while its members will be elected by the National Council of the Judiciary (NCJ). Unsurprisingly, NCJ is formed indirectly by the PiS-dominated parliament (Lyman and Berendt 2016). President of PiS did not mind labelling Polish court system as a "sick system" (Law and Justice 2019a) insinuating communist history of selected judges, with a need to "reject everything that arises from the previous system and pathologies that arose after 1989" (Law and Justice 2017). The need for de-communisation of Poland's court system was one of the three reasons (alongside low trust in judiciary and excessive length of proceedings) for judiciary reform demarcated in the White Paper on the Reform of the Polish Judiciary. This document was drafted as a counterargument against the application of the procedure of Article 7 (Treaty of

the European Union), potentially leading to a suspension of Poland's voting rights in the Council. Judges involved in the communist court system following law of Polish People's Republic were never held accountable for some of the verdicts they issued (The Chancellery of the Prime Minister 2018). Populist response of PiS, rousing Polish society against the elite judiciary system (communist residuals are the elite) is seriously endangering the division of power in Poland. It might have been a worth discussing issue, had it been a real problem, however it seems to be utterly fabricated conflict serving PiS to gain power over judiciary reluctant to give in. The average judge was a student when communism collapsed in Poland thirty years ago. Venice Commission of the Council of Europe, a body of legal experts issued an unusually direct statement accusing Polish government of "posing a grave threat to the judicial independence" by the reform that "enabled the legislative and executive powers to interfere in a severe and extensive manner in the administration of justice" (Venice Commission 2019, 14). After this harsh allegation, we might have come to a situation of renaming PiS, using the Economist's proposal – The Lawless and Injustice Party (The Economist 2020, 13).

Another allegedly flawed element of the Polish society are the mainstream media under the control of "post-communist elite" (Dziennik Gazeta Prawna 2016). It was not long after PiS came to power in October 2015 that the state media coverage has swung to the right (right-wing conservatism) and noticeably started to back the government. Study conducted in 2019 by the Council for the Protection of the Polish Language, affiliate of the Polish Academy of Sciences, found that the national media TVP was systematically portraying the opposition parties with attributes as "shocking", "scandalous", "provocation" or "putsch", whereas governing PiS was regularly connected to words like "reform", "sovereign", "strong", "heroic" or "patriotic" (Davies 2019). Partisan involvement of the state media (private media as well, but to a lesser extent) skyrocketed as a result of state advertisement funds being redistributed by PiS. The Law and Justice government did not hesitate to divert money from the liberal to the right-wing conservative press (Dzięciołowski 2017). In the party manifesto dedicated to 2019 parliamentary election, Kaczyński's ruling party pledged to establish a "new media order" (Prawo i Sprawiedliwość 2019). Since the PiS came to power in 2015, World Press Freedom index dropped to 59th place from being 18th in the world in 2015. This sudden shift can be explained by the populist polarizing thin-centred ideology preaching "re-foundation of Poland" while "making the media Polish again" (Reporters without Borders 2020b). It might be the beginning of the media "Repolonization", so succinctly declared by PiS president (Kania 2016), implicitly undermining the position of German publishers.

Anti-German, along with anti-Russian sentiment, represent a defining piece within the national populism containing Polish features. Both aversions result from World War II. tragic experience. Germans are constantly being reminded of the importance "that the German authorities do not forget about the crimes committed during World War II" (Law and Justice 2019b). The "German card" was even utilized during the 2019 election promise that "Poland will not pay for German crimes of World War II" (see the implicit irredentism calling for PiS as a defender against foreign enemy), under the government led by PiS (Law and Justice 2019c), almost 75 years from the end of bloodiest conflict in the history of mankind. Comments on aggressive policy of Russia are made frequently as well, amply criticizing so called hybrid warfare conducted by secret Russian authorities. Russian political meddling is one of the few issues of agreement between parties across political spectrum. Every attempt of constructive approach toward Russia ultimately results into a label – "Russian agent" while every indication resembling amelioration of Russian-Polish relation might be

marked as “falling into Moscow’s embrace”. After the fall of communism, Warsaw’s policy toward Russian Federation was unambiguous – extracting Poland from the sphere of influence of the former Soviet Union and joining the West. It ultimately sought to “build a West in the East” (Pełczyńska-Nałęcz 2019).

Besides rigorous mentions of Germany and Russia, the European Union is also considered to be a threat to Polish national identity. Prime minister Morawiecki believes that “European project needs a new opening” (Prime Minister Mateusz Morawiecki 2018). Although Kaczyński’s party is not so openly hostile toward the EU in comparison with FIDESZ for instance, they portray themselves as a representative of the people against the European elite. One of the main frictions, except the judiciary system reform, is a position towards refugees. Albeit it is not considered to be a Jewish conspiracy like in Hungary, refugees from Middle East and Africa are still viewed as creatures “bringing in all kinds of parasite, which are not dangerous in their own countries, but which could prove dangerous for the local populations” (Eyre and Goillandeau 2019). Illegal migration allegedly poses a threat to Christian and white Europe and only PiS-led government secures safety of Polish culture and heritage. During a famous speech in the lower house of Polish parliament (2015), Kaczyński expressed a determination to fight external enemies by asking whether “the government does have the right to act under foreign, external pressure and with no explicit agreement of the nation”, referring to Germany as responsible for economic migration into Europe. He continued with Sharia law areas under no control in Sweden and France and churches being treated as toilets (Krzyżanowski 2018, 85). PiS later helped to escalate the tension by drumming up fears about Islamic “intruders” who have arrived *en masse* and who are ready to “invade” Christian Poland (Krzyżanowska and Krzyżanowski 2018, 615). The then prime minister Beata Szydło, in the context of refugee crisis 2015-2016, kept continually reminding public that “we will never agree to endanger Poles’ security” and that “every state’s obligation is to protect its citizens, thereby I see no option of allowing migrants into Poland at this time” (Potyrała 2016). In this context, Krzyżanowski (2018) considers PiS to be an isolationist, Eurosceptic and ethno-nationalist party. He even draws a comparison between Hungarian latent anti-Semitism and Polish populist opportunism.

Even though we view national populism in Hungary and Poland to be quite similar, there are few differences resulting from different historical perspective. Albeit both populist regimes are founded on the anti-Communist sentiment, they differ in their perception of Western values along with relations with Russia and the United States. Part of Poland was being occupied by the Soviet Union following the advent of the Second World War, not to mention the Katyn massacre (1940), while Hungary suffered a tremendous disgrace after the suppression of 1956 popular uprising. Following the fall of Iron Curtain and the dissolution of Soviet Union, Russian-Polish and Russian-Hungarian relation started to improve. Why is it so, that Russia became n.1 external enemy of PiS-led government, whereas Orbán systematically fawns over Moscow?

After FIDESZ came to power, Hungary proclaimed its Eastern Opening aiming to enhance economic cooperation with countries like China, Russia, Turkey and Azerbaijan. Orbán continually undermines the position of the EU by condemning EU sanctions on Russia, as a result of Crimea annexation in 2014. He describes sanctions measures like “shooting oneself in the foot” (BBC 2014). Albeit not the only one criticizing EU sanctions, Prime Minister Orbán seems to have utilitarian incentives. On 10th of May, 2015, Viktor Orbán gave his inaugural speech after being re-elected and sworn in as prime minister, asking for “territorial autonomy for Transcarpathia, the western Ukrainian region historically inhabited by a

substantial Hungarian minority”, what may have been perceived as an attempt to undermine territorial integrity of Ukraine alongside Russia (Hegedűs 2016, 2). This attitude drove a wedge into Polish-Hungarian relations. Polish people, historically cautious of unlawful claims to their territory, naturally refuse this approach. Polish explicit support for Ukrainian pro-European stance stem from ever-present fears regarding Russia’s expansionism (Stokłosa 2017).

Attitude towards United States is miscellaneous as well. By standards of U.S. Department of State, “Poland is a stalwart ally in Central Europe and one of the United States’ strongest Continental partners in fostering security and prosperity regionally, throughout Europe, and the world”, while keep hosting the NATO Multinational Corps and Division Northeast Headquarters (U.S. Department of State 2019). It is no secret that Warsaw willingly contributed to operations in Afghanistan, Iraq, Syria and Kosovo, and never doubted the commitment of 2% of GDP to spend on defence. Hungary’s position towards U.S. is rather schizophrenic praising Russia’s illiberal tendencies as explained above, while at the same time portraying itself as a reliable NATO ally (Minister of Foreign Affairs and Trade 2019). Prime minister Orbán labelled Hungarian-US relations as having its highs and lows, good and bad time however, “United States can ultimately always count on US, both in meeting rooms and on battlefields” (Hungary Today 2019).

Direction of foreign affairs might differ in certain aspect nevertheless, government in both countries based on the national populists’ values have more in common than any other examples in the EU. Both populists’ governments face a possibility to be confronted with the Art. 7 proceedings (Treaty on European Union), eventually leading to the suspension of voting rights in the case of serious violations of the EU rules and values (Ágh 2018, 40–43). Populist thin-centred ideology in Hungary and Poland divides society on the issue of communism, post-communist elite and opposition (internal enemy), deterioration of indigenous Christian values as a result of immigration, NGOs or media (external enemy). False indications are being made, that there is only one trustworthy redeemer – the bearer of the populist thought itself, Orbán’s FIDESZ and Kaczyński’s PiS. In accordance with our definition of populism, the newly formed government essentially becoming the elite gets to label who is the true and only “people” (or rather who is not – media, NGOs, EU etc.). Both redeemers have to persevere in false illusion, that it is not them who became the elite, but they are the only one capable of defending the people. Eventually, unheard of enemy (the elite) needs to be created.

Ultimately, it does not matter whether the Budapest is built in Warsaw, or Warsaw in Budapest, the only pertinent issue consists of the question, whether the Orbán’s illiberal doctrine is going to take roots and expand to other countries, or it will eventually subside and be forgotten. To some extent, Orbán’s illiberal doctrine is an embodiment of deeper dialectical struggle, between what Milanović calls a “liberal meritocratic” form of capitalism and a “state-led” form of political capitalism (Milanović 2020, 11-12). This “Clash of Capitalisms” is taking place in both Poland and Hungary in form of the vision articulated through “Orbán’s illiberal doctrine”. Central-Eastern Europe became a battlefield between a system (Europe and Northern America) that concentrates the vast majority of production in the private sector and allows talent to rise and guarantee freedom of opportunity (at least officially) and between a system (China and Russia) focusing primarily on the high economic growth and limiting individual, political and civic rights though some sort of implicit social contract. National populism articulated within the Orbán’s illiberal doctrine being

propagated around Budapest-Warsaw axis is just one half of the V4 attitude towards the populism. Czech Republic and Slovakia represent the second half.

5 CONCLUSION

The aim of this article has been to make a contribution to the field of socio-political study assessing the concept of populism, by adjusting it to specificities of the V4 countries. Initially, we presented our take on the populism, reflecting specificities of the central European region. Populism is in our view a thin-centred ideology having four basis features: (1) dialectical antagonism considering the society to be inherently divided between the people and the elite, (2) only the moral, uncorrupted and hard-working people have a say in where should the society be heading, (3) the politics is just a means to achieve the will of people and ultimately (4) it is up to the anti-establishment, newly-formed populist elite to decide who is the people.

By excluding various types of right-wing populism (radical-right, extreme right or authoritarian right) we managed to select the most suitable one, linking together populism with its right-wing aspect of identity – national populism. We were able then to divide V4 into two ideological blocks considering populism. One represented by Poland and Hungary adopted what we call the “Orbán’s illiberal doctrine”, propagating state-led, illiberal and authoritarian capitalism, essentially driving a wedge into the Fukuyama’s dichotomic end of the history – the victory of liberal democracy and human rights (Fukuyama 1992) embodied in the EU. The notion of “Orbán’s illiberal doctrine” oscillates around Budapest-Warsaw axis laying the foundation for the “Clash of Capitalism” taking place in the V4. On the other hand, there is a heterogeneous Czech-Slovak cohabitation of limited populism. Slovak-born Czech prime minister Babiš’s vision of what can be labelled “technocratic populism” lacks basic nationalistic appropriateness, thereby cannot be considered a national populism. We do find his vision implicitly and even possibly treacherous however, Czech Republic still tends to defend the liberal version of capitalism. Slovak Smer-SD, “social-democratic paradox” is a quasi-populist entity *sui generis* adapting nationalistic rhetoric in combination with redistribution policies (leftist inclination) (Szabó 2019). Even though governments led by Smer succeeded in escalating nationalistic tensions, they managed to stay within the democratic boundaries and never attempted to take over the media. Both Slovak and Czech stance towards Budapest-Warsaw axis is rather erratic, not attempting to publicly undermine the unity of the V4 group meanwhile trying to stay away from the accusation of the rule of law disruption. We conclude that Czech Republic and Slovakia represent competing bloc against Poland and Budapest in the “Clash of Capitalisms”, at least for now.

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EUROPEAN CONTEXT OF REGIONAL GERMAN POLICY IN CENTRAL ASIA

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In this article, the authors describe the characteristics of Germany's foreign policy in Central Asia, which is included in the Common Foreign and Security Policy of the European Union. The aim of the article is to study the mutual conditioning of German and European politics in Central Asia, as well as the influence of other actors on these processes. The study used the paradigms of regional studies such as globalisation theories and postmodern theory, since the topic of the study is regional studies, affecting the regions of Europe and Central Asia. The theory of postmodernism and the theory of network integration were used to study the features of the trade and economic relations of states in the era of the post-industrial, information society. In the study context of the European Union and Russia crisis report on the relationship between the Federal Republic of Germany and Central Asian Republics, the smart power theory was used. The result of the analytical work is the identification of the general and the private in the relations of the Central Asian states with Germany and the European Union.

Key words: Germany; strategy; European Union; Kazakhstan; Asia.

1 INTRODUCTION

The purpose of this article is to fully and substantively study the issue of the European context of German regional policies in Central Asia. This study is of interest to the international scientific community since it significantly replenishes existing problems in the study of this topic. Many scientific works

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deal exclusively with interregional relations between the European Union and the Central Asian region (EU-CAR), or bilateral relations between states within the regions.

This study is relevant because of the leading role of Germany, which largely determines the successful development of the entire European Union. Germany has demonstrated a desire to play a more significant role in modern international relations, for example, by showing a certain degree of aggravation toward the US, traditionally an ally, assuming greater responsibility in military operations outside of Germany, in particular in Afghanistan, and attempting to become a non-permanent member of the UN Security Council. The EU, in turn, is included in the global economic triad of the EU-US-East Asia. The role Germany plays today in regional and international politics makes it an important, appropriate and necessary focus of research.

As of today, the role of the Caspian region in the supply of energy resources in the world oil and gas markets is growing significantly. Problems with energy supply jeopardise the work of European and German enterprises and institutions and thereby their economic development. This could result in enormous economic losses for Germany and the European Union.

German and European experts at the international level recognise the importance of ensuring the security of the Central Asian region, bordering an unstable Afghanistan. In his seminal work, Mackinder 1904 in "The Heartland theory" talked about the importance of the Eurasian region. The current migration crisis in the EU, and especially in Germany, once again proves the need for preventive measures in unstable regions. The consequences of conflict and wars are expensive for the European Union which, along with Afghanistan, Iran, Pakistan, and so on, becomes the destination for hundreds of thousands of people seeking a better life. In order to implement preventive measures it is necessary to understand the Central Asian region from a theoretical and scientific perspective. In this case, the adoption and implementation of EU and German foreign policy strategies in the region will be effective and widespread.

Thus, the novelty of this study is: to systematise the existing scientific knowledge and literature on this issue, bringing together information from research institutes and experts working in this field; to fully and meaningfully analyse the topic and the final conclusions of interest; to enter the findings from foreign and domestic experts and comparative analysis into scientific circulation. This research focuses on the study of the European context of German regional policy in Central Asia. The significance of this study lies in the need for scientific development of this problem not sufficiently developed in international studies.

2 METHODS

The evolution of German foreign policy in the world and in Central Asia, and the role of Germany in the formation and implementation of EU policies affecting Central Asia, were the focus of this study. During the analysis, the authors used the historical method, the method of comparative analysis, and the methods of inductive and deductive reasoning. In the final analysis of the research topics and materials, the generalisation method was used. The study also used methods and techniques of theoretical research, such as analysis and synthesis, SWOT analysis, mental modelling, a systemic method, a hypothetical-deductive method,

an analogy method, and an empirical one, for example, a qualitative and quantitative description.

For the scientific substantiation of the theses and final conclusions, the authors cite the results of an expert survey. Expert polls were conducted in the form of semi-structured interviews with open questions according to a pre-developed plan. The selection of data from domestic and foreign experts was determined by the areas of scientific interests of experts directly related to the purpose of the study. These are well-known and respected experts in the field of research on European integration and German and EU foreign policy (L. Kühnhardt, E. Fels, C. Jakobeit and Central Asia and Russia (B. Eschment, Zh. Sarabekov, Ye. Troitsky, S. Akimbekov, G. Suprygina), while expert practitioners are B. Minkowski and K. Koch.

TABLE 1: SWOT ANALYSIS OF RELATIONS BETWEEN GERMANY, THE EUROPEAN UNION AND CENTRAL ASIAN COUNTRIES

Strengths	Weaknesses
1. Germany is an economic 'locomotive' of the EU, capable of influencing the development of the EU's strategy for Central Asia	1. Institutional Weakness / Lack of Unity in Common Foreign and Security Policy of The EU
2. The priority state after the main partners: Russia and China, the European direction for the countries of Central Asia	2. The presence of the EU's strongest competitors in the Central Asian region, i.e. Russia, China. Central Asia is considered to be a strategically important region
3. The willingness of the Central Asian states to adopt the experience of the EU and Germany in various fields, i.e. from technological development to regional integration	3. Geographical remoteness of European regions from Central Asia
4. The positive image of Germany and the European Union in the Central Asian region, supported by long-term experience in implementing regional programs and projects, for example, 'Berlin Water Initiative'	4. The difference in the levels of socio-economic development of the EU countries, in particular Germany, and the states of Central Asia
5. Rendering assistance to the European Union and Germany to strengthening regional integration, which gained momentum with the advent of Mirziyoyev S.	5. The presence of structural problems in the political, economic and legal systems of the countries of Central Asia along with a high level of corruption, insecurity of business, the difference in mentalities that impede the intensification of economic relations of the Federal Republic of Germany - Central Asian Republics, EU - Central Asian Republics
	6. Cultural and political-diplomatic relations trend with a low level of trade and investment between the Federal Republic of Germany - Central Asian Republics, EU - Central Asian Republics with the positive changes
Opportunities	Threats
1. The Silk Road Economic Belt project implementation, i.e. ensuring access for the EU through Central Asia to the markets of East Asian countries, subject to the equal partnership in the framework of this project	1. Region destabilisation due to political instability, social unrest, terrorist, separatist threats, escalation of interstate conflicts (water problem, interstate territorial disputes, etc.) and, as a result, risks for German and European enterprises and investments
2. The Caspian Sea legal status determination back 2018 and opportunities for gas transportation from Turkmenistan to the EU through trans-Caspian pipelines (diversification of gas supply routes between the EU and Germany)	2. The deepening of the EU's problems, i.e. the migration crisis, the Brexit consequences, economic stagnation, and as a result, the decline in activity in regions of secondary importance, including Central Asia
3. New EU Strategy Adoption for the Central Asian region in 2019	
4. Central Asia is a good springboard for testing the new foreign policy of Germany and the new geopolitical role of the EU in the world	

3 LITERATURE REVIEW ON RESEARCH TOPIC

The scientific literature reflecting the research problem can be divided into groups: German and European-American, and Russian and Kazakhstani historiographies. This small sample of work across scientific schools will be revealed in the framework of this article.

In the first group, the scientific publications of the following German research universities should be noted: the Institute for Peace and Security Policy Research in Hamburg (IFSH), the Economics and Politics Foundation in Berlin (SWP), the Centre for East European and International Studies in Berlin (ZOiS), the Institute for the Study of Eastern and Southeast Europe in Regensburg, the Institute for the Study of Eastern Europe at the University of Bremen, the Institute for Social Research in Magdeburg, the Institute for Geographical Research at Free University Berlin, the International Centre for Reforms in Bonne, the East Seminar of the University of Freiburg, Heidelberg research centres and universities of Giessen, the Centre for European Integration Studies, and the University of Bonn (ZEI). There is practically no systematic work with an analysis of the evolution and nature of relations between the FRG-CAR (Federal Republic of Germany–Central Asian region) in German historiography, with the exception of reports from government agencies and Anne Klinnert's book *German Politics in Relation to Central Asia* (2015). German scientists mainly consider the internal social, economic, political, religious, and cultural characteristics of the Central Asian states, which should be taken into account when building foreign policy relations both at the level of the FRG-CAR and at the EU-CAR level (Schmitz 2015; Kreikemeyer 2017; Eschment 2018; Schiek 2018). In recent years, scientific interest has been growing in the study of Central Asia as a transit region, which is reflected in the frequency of studies of the project “One Belt – One Way” (Schiek 2017; Kühnhardt 2018).

In the European Union and the USA, research institutions such as the European Institute for Asian Studies (EIAS), the European Society for the Study of Central Asia (ESCAS), the Institute for Asia and the Caucasus (Central Asia–Caucasus Institute), and others are engaged in the study of Central Asian states. European-American historiography, for objective reasons, studies primarily the European and transatlantic foundations of relations between Germany and Central Asia. Great emphasis is placed on the energy and economic components of this relationship (Müller 1993; Kumar 1998; Pomfret 2005; Cooley 2008; Hoffmann 2010; Locatelli 2010) and questions security (Gelfgat 2014).

In the Russian Federation, research into the European context of German regional policy in Central Asia is carried out by research institutes at the Moscow State Institute of International Relations (MGIMO) and Moscow State University (MSU), the Russian Academy of Sciences (RAS), scientists from Tomsk State Research University (TSU), the Russian Institute for Strategic Studies (RISI), the Gorchakov Foundation, and the Russian Council on International Affairs (INF). Russian historiography is characterised by a study of the interdependence of German and European foreign policies, including with respect to the Central Asian region. Germany is considered by Russian scientists as a locomotive for the development of relations between the European Union and Central Asia (Yoon 2009; Pogorelskaya 2011; Klassen 2014; Tsvyk 2014).

In Kazakhstan, studies are conducted by the Kazakhstan Institute for Strategic Studies (KISI), the Centre for German Studies at Al-Farabi Kazakh National University (KazNU al-Farabi), the Institute of World Economy and Politics (IMEP), and the Research Institute for International and Regional Cooperation at the Kazakh-German University (KNU). Kazakhstani historiography is characterised by a broad study of the economic foundations of relations between Germany and the Central Asian Republic, since economic modernisation with the attraction of foreign investment, technology and experience has been put at the forefront of the development of countries in the

region (Dodonov 2010; Laumulin 2010). Also studied are the unique features of relations between Germany and the Central Asian states (Mukanov and Gubaidullina 2014). Today, Kazakhstan scientists are also actively studying the risks and prospects of the Silk Road Economic Belt (Sultanov 2015).

In addition to these scientific works, which were studied by the authors of this article to analyse and develop the conclusions of the article, and to some extent reflect the opinion of the authors, the work of leading experts should also be highlighted. The study of these works for those interested in this issue of scientific research would be very useful and informative.

Among the works of European scholars, the study of Bossuyt (2010) is of great interest, in which the author seeks to refute the prevailing opinion about the limited influence of the European Union in Central Asia by developing the concept of 'transnational power', which implies the integration of traditional and non-traditional, 'soft' forms of rendering influence in the region. Of particular note is the work by the renowned expert Marlene Laruelle (2018), who deals with both the geopolitical role of actors in the Central Asian region and along with Jos Boonstra (2018). Issues of European interests in the region are included in the framework of the new EU Strategy for 2019.

The similar studies are by German scientists such as Alexander Warkotsch (2006), Stefan Meister (2009), Alexander Rahr (2009), and Detlev Kraa (2007), which examine political concepts and tools for implementing European interests in Central Asia; also, conceptual proposals are discussed to improve various areas of EU policy in the region, as well as the geopolitical interaction of Russia and the European Union in Central Asia.

Among the Central Asian scientists, who are directly involved in the study of evolution, nature and problems of relations between the countries of the region and Germany, experts Komilova (2010) and Akmatbayev (2002) should be noted. These works are systematic studies of bilateral relations with analytical conclusions for each stage and area of cooperation.

4 RESULTS

In the context of the historiographic analysis, it is possible to state that in recent years the economic interests of Germany and other EU members in Central Asia have been growing. This is expressed not only in the gradual increase in trade and the strengthening of economic relations with the countries of the region. For the period from January to September 2018, Germany's trade with Central Asian countries amounted to 4.936.168 thousand euros (Trade between Germany and Central Asian countries, 2018). And the trade turnover between the EU and Central Asian states in 2018 was about 26.5 billion euros (Sarukhanyan 2019). The EU is the primary trade partner with Central Asia (Die deutsche Wirtschaftspolitik in Zentralasien 2018, 9).

The main objective of EU foreign policy in the region has been to involve the region in its sphere of influence. In general, the EU does not seek (or, at least, does not openly demonstrate a desire) to expand its presence in the region (Sarukhanyan 2019). Central Asia is perceived as one of the platforms where Brussels needs to provide a certain level of presence in order to maintain its status in international relations (ibid.). The region is also a potential source of

energy imports and a recipient of development assistance projects that play an important role in shaping the European image (ibid.). Therefore, the EU's participation in regional processes will most likely boil down to focusing on areas where Brussels has already established itself, where it has advantages over other actors, and also on attempts to provide Central Asian states with assistance in realising regional cooperation potential (ibid.).

On May 15, 2019, the European Commission introduced the Draft New Strategy. With its help, Brussels plans to build a "stronger, more modern and non-exclusive partnership" with Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan (The EU has adopted a new strategy for relations with Central Asian countries 2019). The proclaimed policy, starting in 2014, has enormous potential for implementation precisely in Central Asia. According to Troitsky (2018), professor at Tomsk State National Research University, "Central Asia as a secondary region for Germany is a good platform for testing the new foreign policy of Germany, which can serve as a starting point for upholding the stronger and more independent" voice of Berlin "in international politics." Today's aggravation of relations with the United States only spurs Germany to a more active foreign policy, including in Central Asia.

German policy in this region, unlike other European states, is influenced by the presence of the German diaspora in the Central Asian states. A special bridge exists through immigration from Kazakhstan to Germany (about 800,000 Kazakh Germans) and the German minority still residing in Kazakhstan (about 180,000) (Federal Foreign Office 2019b).

At the core of interregional cooperation between the EU-CAR is the axis of Germany and Kazakhstan, which are both leaders in their regions. In 2018, trade between the European Union and Kazakhstan amounted to US\$37.7 billion, while the total amount of foreign direct investment attracted to the economy of Kazakhstan for the first half of 2018 reached US\$12.3 billion (Atamkulov 2019). Today Kazakhstan is implementing 24 investment projects with the participation of European companies in the amount of about 3 billion US dollars (ibid.). The EU maintains leadership among Kazakhstan's trading partners with a share of about 50% of the total turnover (ibid.). Also, on July 1, 2019, in Nur-Sultan, the first meeting of the High-Level Dialogue Platform on Economics and Business between the EU and Kazakhstan was chaired by the Prime Minister of the Republic of Kazakhstan Askar Mamin (EU and Kazakhstan launched High-Level Platform of dialogue on economic and business matters n.d.).

It is indicative that the European Union concluded an Agreement on Enhanced Partnership and Cooperation with Kazakhstan in December 2015, and a similar agreement with Kyrgyzstan and Uzbekistan is currently under development and discussion. Kazakhstan was the first country in the Commonwealth of Independent States (CIS) sign a document of this format with the European Union (Ivanova 2017).

Central Asia today is becoming the arena of the so-called "big game" of the new generation, with other influential actors in international relations, which, in addition to Russia and the USA, include China and the European Union, already taking an active interest in the region (Tsvyk 2014, 71).

The European Union is Kazakhstan's most important trading partner, after Russia and China. It should be noted that Italy became the second trading partner

of Kazakhstan, the volume of trade with which reached 13 billion US dollars, the volume of direct Italian investments since 2006 amounted to 6 billion US dollars (Kazakhstan and Italy intend to strengthen cooperation 2019). Along with the Netherlands, it is the main European importer of Kazakhstani oil. Along with Holland, Italy is also a leader among the EU countries in terms of the number of investments in our country, but investments are mainly in the extractive sector of the economy. Today, Kazakhstan is trying to overcome the raw material orientation of the economy. Cooperation with Germany, which is not among the ten trading partners of Kazakhstan (*The main trading partners of Kazakhstan: 10 countries with the largest turnover 2019*), nevertheless, is of strategic importance for Kazakhstan for several reasons. Kazakhstan accounts for 70% of all foreign direct investment in Central Asia (Khabar24 2018), including German. The gross inflow of direct investments from Germany to Kazakhstan in the period from 2005 to the 2nd quarter of 2019 amounted to 5.2 billion US dollars (Kazakhstan and Germany are ready for a new stage of cooperation, 2019). Over 90% of German investments in Kazakhstan's economy are in the 'non-raw-materials' sector (ibid.), in particular in the processing industry, the chemical industry, the production of building materials, transport and the agricultural sector. This distinguishes Germany, contributing to the diversification of the Kazakhstan economy, from other European countries.

Although Kazakhstan is the fourth largest oil supplier to Germany, the product mix of the two countries is diverse and consists of more than 200 items. Kazakhstan accounts for 85% of Germany's foreign trade with five Central Asian states, which also makes it Germany's main partner in this region (Hetsch, 2015). In Kazakhstan, there are more than 900 enterprises with the participation of German capital (for comparison with Italy, there are 228 joint ventures), among them as large as Linde AG, Heidelberg Cement, BASF, Knauf, Siemens, Wilo, CLAAS (Kazakhstan and Germany are ready for a new stage of cooperation 2019).

The year of 2019 is a new stage in bilateral economic relations between Kazakhstan and Germany. The roadmap of cooperation is being developed, which will be the starting point for a new stage of bilateral pragmatic cooperation aimed at supporting the modernisation of the Kazakhstan economy and the creation in Kazakhstan of production of goods with a high degree of processing (Economic cooperation of Kazakhstan and Germany 2019). Kazakhstan needs to develop, produce and market its own products, for which Germany has provided Kazakhstan with a credit line of one billion euros (Kursiv.kz. 2019). Thomas Helm, the head of the Konrad Adenauer Foundation in Kazakhstan, is of an opinion that it is extremely incorrect to focus only on the raw materials sector, and in particular on oil reserves, which, according to the latest estimates, are transnational oil company British Petroleum at 30 billion barrels (ibid.). Germany is the main partner of Kazakhstan in the implementation of the 'Digital Kazakhstan' program, a dual education program for the training of highly qualified technical personnel, the introduction of the German experience in innovation of the industrial revolution 'Industry 4.0' (ibid.). The transfer of German technology and experience to Kazakhstan, according to the Executive Director of the Public Fund 'Kazakhstan German Association' Renaissance D. Redler, provides the organisation of the German diaspora (2019).

At the regional level, in addition to the 'Berlin Water Initiative', the German Foreign Ministry has launched the 'Green Central Asia' initiative, which will cover cooperation between the Federal Republic of Germany, the five Central Asian

countries and Afghanistan on sustainable development and environmental safety (Kazakhstan and Germany are ready for a new stage of cooperation 2019).

Thus, the regional policy of Germany in Central Asia is promising and long-term. Relations between Germany and the European Union with Central Asia, despite the existing difficulties (geographical remoteness, the struggle of great powers in the region, bureaucracy, differences in political and business culture, poor modernisation of the countries of the region, some destabilisation of the German political system), can be called quite successful and stable.

From January to October 2018, the authors conducted a series of in-depth interviews with ten scientists and experts:

- Dr. Cord Jakobeit, Professor of the University of Hamburg, Head of the Department of Politics and Economics
- Heiko Pleines, Acting Director of the East European Research Centre at the University of Bremen
- Dr. Beate Eschment, Research Fellow at the Centre for East European and International Studies, Editor of the Central Asia Analysis Journal (Berlin)
- Dr. Ludger Kühnhardt and Enrico Fels, Professor and Research Fellow at the Centre for European Integration Research, University of Bonn named after Friedrich Wilhelm
- Katharina Koch, Deputy Head of the Representative Office of the German Economy in Central Asia, General Director of the Limited Liability Partnership (LLP) "DE International Kasachstan" (Almaty)
- Bartholomaeus Minkowski, Head of the Information Centre of the German Academic Exchange Service in Almaty (DAAD)
- Troitsky Yevgeny Florentievich and Suprygina Galina Gavrilovna, Professor and Associate Professor of the World Politics Department of the National Research Tomsk State University
- Akimbekov Sultan Magrupovich, Kazakhstan historian, political scientist, editor-in-chief of the journal "The Centre of Asia" (Almaty)
- Sarabekov Zhumabek, an employee of the Institute of World Economy and Politics in the city of Nur-Sultan.

The group of questions was formulated in the form of the following thematic blocks, which were logically built on the principle from general to particular.

5 DISCUSSION

EU High Representative and Vice President Federica Mogherini explains that "Central Asia has always been a key region: for its history, for its culture and for its role as a combination of East and West. Today, it is becoming more and more strategic, amid positive internal and regional dynamics, as well as growing global challenges, which require strengthening partnerships" (European Union and Central Asia: New Opportunities for Partnership Strengthening 2001).

Kazakhstan and Turkmenistan are considered the most important to the EU to ensure uninterrupted supply and diversification of energy resources. Kazakhstan is in 4th place among the countries supplying oil to the EU (Die deutsche Wirtschaftspolitik in Zentralasien 2018, 7). The importance of Turkmenistan for the EU and Germany will increase with the start of the construction of the Trans-Caspian gas pipeline. President Gurbanguly Berdimuhamedow has diversified supply routes and supplies of gas to the European market (Deutsche Allgemeine

Zeitung 2019a). The possibility of investing German companies in the Turkmenistan-Afghanistan-Pakistan-India (TAPI) pipeline, which will transport about 30 billion cubic meters of gas per year, was also discussed (Deutsche Allgemeine Zeitung 2019a).

Interest is expressed in by some in the expansion of investment cooperation. Since the approval of the first loan by the European Investment Bank (EIB) and until the end of December 2018, the EIB has allocated 910 million euros to finance large investment projects in the region (Ein Beitrag zum mehr Wachstum in Zentralasien 2018). For the period 2014–2020, 182 million euros were allocated for Central Asia (ibid.).

Although the Central Asian market is not large and investments in this region are not essential to Germany and Europe, there are geopolitical and economic interests. The wider the interregional relations of the EU-CAR and bilateral relations between Germany and the countries of the region, the greater the opportunities achieving goals in the oil and gas and more broadly in the economic sphere of cooperation. According to the Head of the Information Centre of the German Academic Exchange Service (DAAD) in Almaty, Bartolomeus Minkowski, 2018, “the stronger humanitarian relations between countries, the easier economic relations develop.”

An important event in interregional relations was the signing of the EU–Central Asia Joint Communiqué in Bishkek on July 7, 2019, following the results of the 15th ministerial meeting. During the meeting, participants welcomed the holding of the first EU–Central Asia economic forum by the Government of the Kyrgyz Republic as an important opportunity to contribute to the development of partnership between the EU and Central Asia (15th EU–Central Asia Foreign Ministers' Meeting Bishkek 2019). Also, the appointment of Special Representatives of the European Union in the Central Asian region indicates a significant increase in the importance of the region for the European Union. Special representatives play an important role in developing a strong and effective foreign and security policy for the European Union and ensure an active political presence of the EU in key countries and regions (EU Special Representative for Central Asia Ambassador Peter Burian visits Tashkent 2016).

Economic and cultural diplomacy, the so-called “soft power,” of Germany and the EU should help solve two key tasks of the German and European regional policies: ensuring the security of the Central Asian region and maintaining an uninterrupted supply of energy resources to Germany and European countries. German President Frank-Walter Steinmeier, while still the Minister of Foreign Affairs, noted that “in the face of instability” and “the export of radical Islam to the north” – from Afghanistan and Pakistan to Central Asia – “even energy interests fade into the background” (Norling 2007, 99). One of the main goals of the European Union is to strengthen security in Central Asia, which it seeks to achieve through the new strategy (The EU has adopted a new strategy for relations with Central Asian countries 2019).

Kazakhstan is the fourth largest oil supplier to Germany (Federal Foreign Office 2019b). Germany and the EU should seriously consider the possibility of transporting oil and gas from the Caspian countries of Turkmenistan, Kazakhstan and Azerbaijan along the bottom of the Caspian Sea. The signing of the Convention on the legal status of the Caspian Sea in 2018 intensified the talk about the possibility of building a gas pipeline connecting Turkmen gas with the

Southern Gas Corridor (Sarukhanyan 2019). The decision to open a Representative Office in Ashgabat shows the importance of this issue for Brussels (ibid.). However, this route has its own objective limitations and risks (primarily threat from terrorists) and the Russian-Georgian conflict showed the vulnerability of gas transportation through the Caucasus. But if Germany did not already have its own large oil company, which could compete with such oil market giants as Total (France), Eni (Italy), Agip (Italy), Shell (Great Britain/Netherlands), now Wintershall DEA has appeared (Germany). Wintershall DEA will be engaged in the production and exploration of gas and oil fields in 13 countries, including Russia, and plans to enter the exchange in the second half of 2020 (Mishchenko 2019). Wintershall has experience in the region, as it previously participated in the implementation of the EU "INOGATE program."

The events of September 11, 2001, clearly demonstrated the importance of ensuring a "southern shield" on the border with unstable Afghanistan and the countries of South Asia. Assistance in development, investment in the region, support for the democratic development of countries, implementation of various projects and programs at both the European Union and from Germany, should serve the purpose of ensuring the stability of the Central Asian countries. J. Sloan, head of the Department of Strategic Studies and International Relations at the Royal Naval College of Britain in Dartmouth, writes that "Central Asia, rich in hydrocarbons, is again the key to the security of all of Eurasia" (Megoran 2004, 348-349).

The Afghan factor also has a certain effect on the EU's increased interest in Central Asia (Sarukhanyan 2019). Although Brussels does not consider Afghanistan as part of the region, the issue of resolving the situation in this country is somehow on the agenda of cooperation with Central Asia. In addition, the states of the region themselves are beginning to pay more attention to the processes in Afghanistan. For the EU, this topic is important given the flow of Afghan refugees into Europe (ibid.). In this regard, Brussels is trying in every possible way to support the infrastructure and humanitarian projects that launch the Central Asian republics toward Afghanistan. In particular, during a recent visit to Kazakhstan, the EU Special Representative for Central Asia, Peter Burian, announced the EU's interest in implementing a project to provide training opportunities for Afghan women in Kazakhstan and Uzbekistan (ibid.).

The EU should pay more attention to the regional mechanism for multilevel security cooperation. The European Union and Germany cannot fully contribute to ensuring the security of the region without cooperation with the organisations of the Shanghai Cooperation Organisation (SCO) existing in the region (which includes two key actors in the region - China and Russia) and the Collective Security Treaty Organisation (CSTO). These organisations have extensive experience in joint military exercises of the participating countries. The specialists of these organisations possess information about the state, capabilities, problems, strength and personnel of the armed forces of the states of the region (with the exception of secret information from the spheres of national security), geographic area, potential and existing security threats, and possible methods of countering terrorist and other threats. In a word, the experts of these organisations know in detail all the "pain points" of the region's security system. This cooperation with the SCO and the CSTO should be preventive in nature, and not eliminate the consequences of emergency situations that have already occurred. According to Greg Austin, an employee of the European

Institute for Asian Studies, “the EU should build a large-scale dialogue with the SCO, this dialogue should be of a multi-level format, starting from meetings at the level of SCO and EU foreign ministers and ending with meetings of state diplomatic representatives” (Tsvyk 2014, 75).

The German government is taking all necessary measures to maintain the German diasporas in the states of Central Asia. The main assistance measures include the activities of the Meeting Centres, language clubs, summer camps for children and youth, continuing education courses, and social assistance (Botschaft der Bundesrepublik Deutschland Bischkek 2016, 37). Germany supports the work of the German–Kazakh Social Fund “Renaissance,” annually from 2.4 million euros (Deutsche Allgemeine Zeitung 2019b). At the expense of the German government, support in the form of 250,000 euros per year is granted to four cultural centres for German minorities in Uzbekistan (Bölinger 2011).

In terms of the number of diasporas, the Germans in Kazakhstan have the second highest, with Russia having the most. The number of Germans in the Kyrgyz Republic in 2015 amounted to 8,453 people (Bundesministerium des Innern, für Bau und Heimat 2018, 57). To date, about 8,000 Uzbek citizens of German nationality live in Uzbekistan (BMI 2018, 139). Currently, less than 500 Germans live in Tajikistan (BMI 2018, 115). In 2015, the German minority in Turkmenistan amounted to about 100 people (BMI 2018, 123). Throughout, Berlin remained the most consistent supporter of the development of EU relations with the countries of Central Asia, turning into the real – and so far the only – visible lobbyist for their interests in the European Union (Yoon 2009, 409). Since their independence in 1991, five Central Asian republics (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) and Germany have been linked by partnerships (Tsvyk 2014, 71).

Germany has resources for this purpose, primarily economic. Today's Germany is the strongest European power with the firm goal of pursuing a new independent foreign policy, with a strong economy. According to the forecast for 2020 from the German Institute for Economic Research (DIW Berlin), the in gross domestic product compared with 2019 should increase by 1.7 percent (Statistica 2019).

Germany stands for the active intensification and strengthening of relations between the European Union and Central Asia. When, in the first half of 2007, Germany took the chairmanship of the Council of the EU in order of priority, one of the main tasks on the agenda of its chairmanship was the revision and reformulation of EU policies in Central Asia (Norling 2007, 96). Therefore, it is clear and logical that Germany is the main locomotive of the development of relations between the European Union and the countries of the Central Asian Republic (Tsvyk 2014, 71–72).

Kazakhstan is a dynamic state, which is considered an important trading partner for the German economy in Central Asia and an important partner of the global initiative “One Belt – One Way” (Kazakhstan is an effective terminal for investments in Central Asia 2019). After difficult years (2015–2016), the volume of bilateral trade between Germany and Kazakhstan in 2018 amounted to more than five billion euros (Federal Foreign Office 2019b). From 2005 to November 2018, investments from Germany to Kazakhstan amounted to US\$8.6 billion (Deutsche Allgemeine Zeitung 2019c).

The location of Kazakhstan in the centre of Eurasia offers the advantage of being a freight hub between China, Europe and the Middle East (Invest successfully in Kazakhstan 2019). Brussels understands that Central Asia is a potentially important transit region for strengthening trade relations with China. The EU and China could cooperate in the region, combining European experience in creating a system of relationships with Chinese financial resources (Sarukhanyan 2019), especially now, when the EU is going through hard times.

In these conditions, Germany and the EU should not ignore the “One Belt – One Way” project, which, for all its risks, can simultaneously contribute to the development of Central Asian states and strengthen cooperation between the EU–Central Asia, Germany–Central Asia, the EU–China, and Germany–China. “The Belt and Way Initiative should be taken seriously by itself. In many respects, it intersects with the European Union: conceptually, economically and culturally, in terms of political preferences and regional ideas” (Kühnhardt 2018, 2). The EU needs to develop an active stance on the “Belt and Way” initiative. Moreover, it needs to develop an active strategy of interaction with China within the framework of the “Belt and Way” initiative (ibid.).

Of all the European countries, it was Germany that made the greatest efforts to develop continental trade. The result was the beginning of the movement of transcontinental trains from China to Germany (along the Chongqing–Duisburg route), and the signing by Russia, China and Germany of a memorandum on transcontinental rail transportation (Memorandum of Understanding between the Ministry of Railways of the People's Republic of China, JSC German Railway and JSC Russian Railways”) (Norling 2007, 101).

The world must take into account the strengthening of China. For Germany, China is a key trading partner. With a trade volume of 199.3 billion euros in 2018, China was Germany's most important trading partner for the third consecutive year, ahead of the Netherlands (189.4 billion euros) and the United States (178.0 billion euros) (Auswärtiges Amt 2019).

Central Asian states need to act as a single region in their relations with major powers. Central Asian states need investments that will turn them into a strong and powerful economic region. Once they reach this position, the formation of a regional bloc will make sense from the point of view of economic integration (Kumar 1998, 1017).

In terms of relations with the countries of Central Asia, Germany and the EU are important partners in ensuring a multi-vector course. Germany is well aware of the connection between Central Asia and Russia, which is a priority partner, and also clearly recognises the importance of Central Asia for China, Germany's major economic partner, and the connection of Central Asia with Afghanistan. Germany invested a lot of political effort and financial resources in Afghanistan. At the NATO summit in Brussels on 11 and 12 July 2018, the Allies reed to continue financing the Afghan security forces until 2024, inclusive, to further enable them to assume security responsibilities. Germany contributes by financing of 150 million euros per year (Federal Foreign Office 2019a).

6 RESULTS OF AN EXPERT SURVEY ON THE TOPIC OF THE STUDY

6.1 The nature, features and problems of the EU-CA and FRG-CA relations are new trends in these relations after the adoption of the EU strategy in 2007.

Germany generally defines the policies of the European Union in Central Asia. Germany initiated both the first Strategy and the subsequent ones. "Of course, German foreign policy is embedded in pan-European politics. Of course, Germany does not have such a broad foreign policy strategy in bilateral relations with the countries of the region like Russia and China. This sometimes results in the absence of a serious basis for the activities of German enterprises in the region. Although Germany, like any country, seeks to sell more goods and services in foreign markets," says Dr. Cord Jakobeit. Kazakhstan political scientist Sultan Akimbekov says that "Germany is one of the few EU countries that has its own foreign policy that everyone understands, which to a greater extent forms European politics. This is a consequence of the old Ostpolitik (Eastern Policy). Despite the existing acceptance of the Western values of democracy, the foreign policy of Germany proceeds from a pragmatic approach. In this sense, it is more convenient for the Central Asian countries to interact with Germany than with the United States, which very much brings an ideological component to their relations. But, understandably, in geopolitical terms, German caution is the flip side of some remote presence."

Nevertheless, for Germany, Central Asia is not a top priority, but a noticeable secondary direction of foreign policy. "In my opinion," Dr. Beate Eshment shared, "relations between Germany and Central Asia can develop more intensively than at the moment. It is important for Germany to build relations separately with each Central Asian state, and the prospect of adopting a new EU Strategy for Central Asia provides such an opportunity. In bilateral relations between Germany and the countries of the region, everything is not so simple, since the issues of ensuring democracy in the states are on the agenda. Now there are certain changes in Uzbekistan in this vein." It was Germany that actively pursued this area as an EU policy developer in the Central Asian region. Zh. Sarabekov focuses on the fact that it is necessary not to lose sight of the development of the situation in these areas, since it is in them that there are shortcomings. "These issues of the fight against corruption and respect for human rights are the weakest points of cooperation."

In the development of Kazakh-German relations, the role of interpersonal communication, or "popular diplomacy," is important. Plein says that "the EU does not have wide influence in the Central Asia region. The EU and Germany rely more on 'soft power,' on regulatory power." The activities of the German political foundations of K. Adenauer and F. Ebert are effective. Almost every respondent emphasised positive interactions in education and science. Minkowski notes 2018 that many German organisations and institutions, for example, DAAD, work in Kazakhstan. Considering the complexity of the relationship, the geographical remoteness of the region in relation to Europe should be noted. This was mentioned by several experts, such as Jakobeit, Troitsky and Sarabekov, in their assessments of risks and difficulties that affect the internal problems of the EU, in particular Brexit. It is important to note that when building a policy regarding the region, it is necessary for the countries of Central Asia and the EU to balance between interests and take into account the interests of Russia and China. This also complicates the intensification of interregional relations. Jakobeit gave an

analysis of the certain dependence of the Central Asian region on external players: “Forget about the influence of the United States in the region due to its role in the global economy and politics. Russia does not want to allow the strengthening of the EU and the USA (NATO) in the post-Soviet space, and especially in Ukraine. But it is important for Russia to take into account the interests of others. For Central Asia, of course, it is important to have good relations with both Russia and China.”

The next aspect, Jakobeit identified different ideas about sovereignty, territorial integrity and principles of international relations between Europe and post-Soviet countries, in particular Russia. This became apparent after the events of the annexation of Crimea in 2014 and the subsequent war in the Donbass. This, of course, indirectly affects relations between Germany and the EU with Central Asia, as Russia seeks to play the role of a geopolitical and economic leader in the region. The countries of Central Asia are close to Russia in language and culture.

Sultan Akimbekov revealed that, regarding the cooperation between Kazakhstan and Germany, certain problems exist associated with the restriction of bilateral cooperation after the start of EU sanctions against Russia. This is reflected in the intensity of mutual trade. German businesses are extremely careful and accurate, and their investments are always balanced. Meanwhile, the Kazakhstan market is not large and does not accommodate the implementation of large German projects, excluding in the logistics sphere. This is a huge field for German small and medium-sized businesses, but it is not yet so active in Kazakhstan.

Continuing the theme of the role of major powers in the region, Troitsky claimed that aside from obstacles within Germany, the country is now also experiencing an unprecedented crisis in relations with the United States, due to the fact that the Trump administration interprets allied relations in a peculiar way.

For German and European politicians, Central Asia is extremely important as a neighbour of Afghanistan and Pakistan, in which international terrorism, in particular the Taliban, has been very active for a long time. This circumstance, according to Suprygina and Fels (2018), along with trafficking in arms, people, drugs and organised crime, set Europeans to use the countries of Central Asia as a bridgehead to stabilise the entire Central Asian region in the broad sense of the word, for preventive actions, primarily against international terrorism.

Sultan Akimbekov, in his interview, concluded that the EU and Germany are fundamentally important for Kazakhstan and Central Asia as important balancers, for the balance of forces in the region, as our country has a multi-vector policy. For Germany, in the light of the current situation with refugees and migrants, the stability of this region is important. With the construction of land routes from Asia to Europe in the future, migrants from overpopulated South Asia can reach Germany. Germany is interested in ensuring that states in the region are effective and able to control the situation.

6.2 The influence of the Silk Road Economic Belt (SREB) and other global and regional projects and organisations on relations between Germany and the countries of Central Asia, on other actors in the region.

The “One Belt – One Way” project is an important strategic investment and economic project of the People’s Republic of China (PRC), which opens up enormous opportunities not only for the countries of Central Asia. As a

geostrategic project aimed at ensuring a balance of forces in Eurasia or, to a greater extent, the development of China, it does present certain challenges. Some European experts fear the strengthening of China, including within the Silk Road economic belt.

“The draft SREB is comparable in terms of the expected effect with the Marshall Plan for Western Europe after 1945,” Dr. Jakobeit shared his thoughts. This project opens up opportunities for infrastructure development and access to the markets of China and Russia. China is strengthening economically, because through its development policy, China is represented even in Africa.

This project brings benefits, primarily to China, but is also beneficial for the Eurasian region as a whole. It is aimed primarily at Eastern Europe, the Caucasus and Central Asia, since in Western Europe trade and logistics with China are already well established. German experts emphasise the importance of the SREB for the port cities of Hamburg and Duisburg, which account for a large part of the export-import trade with China, especially regarding the provision of oil and gas import routes to Germany.

Enrico Fels considered the SREB through the prism of infrastructural development: “It is remarkable that within the framework of the project, Europe through Central Asia will be logistically connected to East Asia. This project for Central Asian states is an opportunity to build equal relations with Russia, China and Europe, to conduct not a declarative, but a truly multi-vector policy.”

Kühnhardt and Pleines, in addition to transport and logistics, highlight the economic security of Central Asian countries. Kühnhardt said that for China this is more of a project to realise its ambitions, while for Europe and Germany, being included the SREB is an opportunity to help develop transport centres in Kazakhstan, Uzbekistan, and other Central Asian countries, and to contribute to improving the economic situation of the CAR countries, which supports stability in the region. This is very important for Germany and Europe.

Pleines raised the problems of dependence that Central Asian countries have on loans from China: “This raises the question of national security of the state. Of course, Kazakhstan has oil and gas reserves, but, for example, for Kyrgyzstan, this is a big problem, because the country has less public funds. This is associated with great risks. In general, it is difficult to trade with the Chinese, because they always have the best positions and opportunities for trade and customs regulation.” He goes on to highlight several risks: “The first concerns a possible recession in the global economy and the growth of China. Trade between Europe and Central Asia will be reduced in this case. The second risk is associated with a possible increase in the confrontation between Trump and Putin, because Russia is participating in the Silk Road project. The third risk is the sometimes-unpredictable position of Donald Trump. The agenda of the White House is changing quite quickly: Iran, North Korea, Russia, etc.”

Eschment analysed the prospects for the functioning of the SREB in the context of the relationship between major players in the Central Asian region: “There is some competition between Russia (within the Eurasian Economic Union (EAEU)) and China (SREB) for influence in the region. The question is whether the relations between the EAEU and SREB members are equal or if they will be the spheres of influence of Russia and China. The EAEU is still not very strong, for example, in the field of border control. This is also an indicator of the degree of

today's integration within the union. The Silk Road is a project beneficial primarily to China, Europe has a certain fear of the estimated volumes of Chinese goods and this project is carefully and strategically examined by German experts from various fields. The role of Kazakhstan is as a well-known international mediator and Uzbekistan, with over 30 million residents, has a large market in the region. In this vein, there is also some competition between Kazakhstan and Uzbekistan. Now, after a change of power in Uzbekistan, integration of the region is also possible."

Sultan Akimbekov highlighted the growth potential of trade and the increase in trade between Europe and China. With an increase in volume, the price will decrease. This path is objectively beneficial for all potential participants, although there are threats of protectionism. A Kazakhstani expert reports that "today, goods go by sea 45–50 days, by land 12–17 days, there are high-speed delivery modes up to 10–11 days. But the price of shipping by sea is much cheaper. And there is a category of goods that cannot be transported by sea, for example, French wine is not desirable to be delivered by sea through the tropics due to temperature differences. And these types of goods open up new opportunities for the SREB participants. Germany can transport technological products along the Silk Road. The objective is to bring the passage of ten percent of China's trade with Europe through these paths. At present, about one percent of commodity flows between China and Europe (about 700–800 billion euros per year) pass through the existing routes."

In addition to boosting trade, Jakobeit draws attention to the strengthening of scientific and cultural relations between Germany and Europe as a whole and Central Asia and China. "The number of Chinese scholarships and the number of Chinese language centres in Central Asian countries will increase. Of course, German experts thoroughly research the SREB project to see how it is built on a truly equal basis and mutually beneficial ... For example, at the University of Hamburg in 2017–2018, a joint German–Central Asian project was launched under the project 'One Belt, One Way,' in which European experts also participate. It is important to comprehensively analyse and study this project. Because, for example, the US criticises the project, since, from their point of view, its implementation will lead to credit dependence of less developed member countries on China."

6.3 Strategies, plans and prospects for relations between Germany and the Central Asian countries in general, and with Kazakhstan in particular, EU and EAEU relations.

It was difficult for experts to speak unequivocally about the prospects of Germany's relations with the countries of Central Asia, since the world is changing rapidly. This enables Central Asian countries to play a new role in the international arena, primarily in economic relations, the role of a land bridge from Europe to China. China is the largest exporter in the world. Europe is the largest importer, primarily in terms of market size and purchasing power of the population. Kazakhstan has the opportunity to become a transit, logistics hub. The country is modernising its railways and roads. The greater connectivity of the CARs with Europe will create additional trade flows and, on the whole, will strengthen cooperation.

Considering the trends in relations, Eschment points out that the development of relations between Germany and Central Asia will depend on who will lead the

Central Asian states, and on the political decisions of the elites of the countries of the region, since in Central Asia the role of the individual in the decision-making process is very important. In terms of trends in the development of relations between Germany and Central Asian countries, Jakobeit notes the following points: "Firstly, the possibility of lifting sanctions against Russia after the regime of Vladimir Putin, secondly, the importance of continuing cooperation between the countries of the region and Germany with NATO, since there is a certain threat from Russia, for example, to the Baltic countries. Russia has limited economic potential and resources that need to be exported. It is worth pointing out a certain dependence of the Russian Federation on the supply of technological equipment from Western Europe. But there is still some tension and, perhaps, after the 'Putin era,' the EU will again be able to establish close cooperation, economic cooperation with Russia. The future of the FRG-CAR relations will, to some extent, depend on the position of the Trump administration and, of course, these relations will develop against the backdrop of US-EU-Russia relations."

The difficulties of relations between Russia and the Western world were expressed by Russian expert Galina Suprygina: "As regards the prospect of 'ending the crisis' in the EU-Russia relations, they are not particularly encouraging. The West, and Germany, including in the near future and, as it seems to me, in a more distant time, are unlikely to significantly improve cooperation with the Russian Federation, as it was in the 1990s, because it can strengthen Russia and make it more independent in international relations. Automatic renewal of sanctions confirms this. Although it should be borne in mind that European business puts some pressure on Berlin and Brussels. The more willing Germany is to cooperate with the EAEU, the more successful it will be. Therefore, the Silk Road project has prospects."

Pleines updated the issues of democratisation, security and counter-terrorism measures. "A lot will depend on how the world market develops," he argued, "on how the problem of terrorism will be solved. Of course, the problem of terrorism is not the sphere of activity of one country and not so much of the EU. Of course, all countries of the world are different. But in the 90s there were hopes for democratisation of the region according to the Western model. Now, there are no such assumptions. It is clear that the region has a specific, special understanding of democracy."

Interesting findings were provided by Enrico Fels. Speaking about world development trends, he noted the emergence of new strong actors in the international arena, such as China. With the rise of China, the creation of a "system of state capitalism" is evident. An exceptional challenge to the world is the emergence of an "Islamic state." Following the example of the Great October Revolution of 1917, one can observe how a small radical group can change the course of history and lead to major changes in the world. Therefore, Germany considers necessary the presence of external forces in Afghanistan and assistance to the countries of Central Asia in such a way as to ensure the stability of the region.

Further, Fels voiced a very important idea: "For Central Asia it is important that the countries of the region act not as an object, but as a subject of relations in interstate and interregional relations. This is important for building promising relations with the EU. Kazakhstan is a key country in the region. For Kazakhstan, in my opinion, the process of regionalisation, cooperation with the states of the

region, especially Uzbekistan, is important in order to act as one region, a subject in relations with large states. Kazakhstan participates in the NATO Partnership for Peace programs and this organisation can help Kazakhstan solve the problems of drug trafficking, the activities of criminal structures, radical Islamic movements and organisations, and human trafficking. This does not mean the need for Kazakhstan to withdraw from the Shanghai Cooperation Organisation (SCO), Collective Security Treaty Organisation (CSTO) and join NATO structures. But Kazakhstan and NATO countries need to consider in which areas and issues there are common goals and interests.”

Troitsky Yevgeny offers pragmatic conclusions: “I see prospects in the progressive increase in cooperation, primarily with Kazakhstan and possibly Turkmenistan, which needs to build a gas pipeline. Turkmenistan is interested in cooperation with Germany, somewhat shuns China. Of course, cooperation between Germany and Uzbekistan will develop, given the current reforms in the country ... Very bright breakthroughs and failures in cooperation are not expected, since there are no grounds for a conflict of interest.” A certain pessimistic, or maybe realistic, forecast was given by Kazakhstan expert Akimbekov: “Touching upon the prospects of relations between Germany and the countries of Central Asia, I believe that one should not expect rapid development of trade. The entire range of goods, the possibilities of economies and the scale of the markets of Kazakhstan and Germany are known. You should not expect dramatic changes, taking into account also the factor of EU sanctions against Russia as to some extent a deterrent. Also, the market of Kazakhstan is almost completely occupied. It is very difficult to find a free niche, since the market and consumer demand are not so large. In developed countries, rising incomes lead to higher production. Unfortunately, in countries of Central Asia with not very high incomes, a certain increase in income leads to an increase in imports of goods. Russia, in turn, positions itself as a determining factor in the system of interaction between Central Asia and Europe. She has her own national interests and is wary of observing the external presence in the Central Asian region.”

Zh. Sarabekov revealed the peculiarities of Kazakh–German relations and speaks of the importance of stability in countries for long-term cooperation. “Among the EU countries, Germany is a key partner, although the turnover by world standards is small – US\$2.5 billion. But it is very important that most German investments are made in the non-primary sector of the Kazakhstani economy. This distinguishes Germany from other Western investors. Of course, this meets the long-term interests of the development of Kazakhstan. Over the past ten years, Germany has invested in Kazakhstan more than US\$4 billion. Partnership with Germany is a priority for Kazakhstan and the Central Asian Republic. Germany and Kazakhstan are the two main vehicles for interregional cooperation.”

7 CONCLUSION

In the conclusion of this research, it seems appropriate to determine its value. This article is a broad study of domestic and foreign sources, a comparative analysis of expert opinion and approaches to the study of topics in various countries, and a systematic and meaningful disclosure of the issue. It is the systematic consideration of the problem of the European context of German regional policy in Central Asia that distinguishes this study from similar works.

The article significantly expands the available theoretical information and knowledge on the subject of research.

Thus, in the course of conducting and determining the results of an expert survey, the authors come to the following conclusions. The key problems in ensuring a constant exchange of views and experience between German, European and Central Asian scholars is the language barrier and the large geographical distance between countries and regions. German and English proficiency remains low. Although, it is worth noting the positive trends in improving the linguistic knowledge and skills of Central Asian experts. Many experts also agree that the success of the Silk Road Economic Belt, taking all the risks into account, will depend on the effectiveness of measures taken by the governments of Central Asian states. Also, difficulties in relations between Germany and the European Union with Central Asia must be overcome, as experts highlight a high level of corruption and bureaucracy, a low level of technological development, a lack of qualified personnel in Central Asian countries, and significant differences in the legal and political systems.

But nevertheless, experts highlight such achievements as the signing of the Agreement on Enhanced Partnership and Cooperation between the EU and Kazakhstan, the strengthening of relations in the field of education, the effective work of German political funds in the Central Asian region, and the gradual increase in trade and economic investment cooperation between Germany and the EU, especially with Kazakhstan. Consequently, the positive trends in the development of relations are the expansion and deepening of the entire spectrum of cooperation, including within the framework of the implementation of the Silk Road Economic Belt, the strengthening of the collective security system in the region and military cooperation, as well as the legal determination of the status of the Caspian Sea and the further strengthening of German cooperation and the EU in the oil and gas sector with Turkmenistan and Kazakhstan.

Most scientists note that the crisis in EU–Russian relations should not affect relations between Germany and the EU with Kazakhstan and Central Asia as a whole, since the Central Asian countries are sovereign and independent. However, it is impossible not to take into account the significant influence of both Russia and China on the Central Asian Republics. As recommendations for further study of this issue, it should be noted that there is a need for a more detailed consideration of the results of the implementation of the new European Union Strategy for Central Asia, adopted on June 17, 2019, and in the context of this interaction of European and German foreign policies. An interesting approach would be the study of energy cooperation between Germany and the European Union with Central Asian states in view of the legal determination of the status of the Caspian Sea and the creation of the German oil company Wintershall DEA, whose headquarters are located in the German cities of Kassel and Hamburg (Mishchenko 2019).

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ADMINISTRATIVE BURDENS FROM THE SERVICE USERS' PERSPECTIVE

Ruzhdi HALILI¹

Similar to the countries in the region, due to the needs of citizens and especially businesses, as well as new technological, economic and social developments, the Government of the Republic of Kosovo has developed policies and legislation that aiming at reducing administrative burden, particularly on businesses. While most of these policies have been adopted only recently and the extent of their effect and implementation will be seen in the years ahead, it remains unknown if evidence-based information for their design and needs of stakeholders have been taken into account. One segment that has not been sufficiently addressed and which lacks significant empirical information is the consideration of all regulatory, organizational, staffing and practical factors that affect access to administrative services, especially by businesses. The research aims to address this issue by discussing the survey results on the perception of businesses of a certain number of respective factors. The analysis of individual questions in the survey suggests that such factors can be categorized into several groups. The factors where more than 55% of respondents express their concern include lack of understanding with the frontline staff, faults made by administration and the need to run from one to another office to get administrative services. In addition, the article provides a discussion of the theoretical framework on administrative burden, elaboration on administrators that have direct contact with service users and a brief policy framework established by the Kosovo Government on the administrative burden reduction.

Key words: public administration; administrative burden; simplification; Western Balkan; Kosovo.

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1 INTRODUCTION

The performance of the administration and particularly better delivery of administrative services to citizens and other service users is a core task of the public administration. Provision of public services is subject to government regulations. The quality of regulations has been recognized as a key factor for an efficient, effective and good governance (Weatherill 2007, 4). Otherwise regulatory failures produce unnecessary regulations which are considered as administrative burden. Administrative burdens are the costs involved in reading and understanding regulations; developing compliance strategies; and meeting mandated reporting requirements, including data collection, data processing, reporting and data storing (OECD 2008), is unnecessary if the public interest is not in question. In addition to regulatory framework, administrators play an active role in creating and enforcing burdens and providing directly public services to citizens – street level bureaucrats – may use their discretion rigidly to enforce, expand upon, or ameliorate the effects of burdens.

The Western Balkans countries' growing awareness that the efficiency and quality of regulations affects economic performance led them towards creating a more strategic approach in relation to regulatory reform and adoption of comprehensive or fragmented regulatory reform strategies. All Western Balkan countries recognise improved service delivery as one of the priorities or key objectives in public administration reform (Weber 2018a, 102).

Since Kosovo faces not only with issues of regulatory inefficiency and complexity due to the history of the country and the absence of procedures that enhance regulatory clarity (Government of Kosovo 2017; Shala 2019, 5) better reforms are very important for the development of economy and social life. Substantial policy and legislative reforms have been undertaken during the last decade through which modern innovative instruments such as digital service delivery, principle silence is consent, once only principle, and introduction of one stop shops have improved the quality of administrative services and reduced administrative burden. But, a detailed analysis investigating the level of administrative burden in Kosovo are missing. A general impression is that procedures and legal requirements are far too numerous to comply with (Government of Kosovo 2020, 17). Policy framework approved by the Kosovo Government aims to upgrade the administrative burden reduction to the level of Government's key priorities. To have a success, an evidence-based policy making is a precondition for designing effective objectives and for ensuring their implementation. Different approaches and tools can be used to gather information on the needs and gaps which may require designing of policies. Measuring citizen satisfaction and preferences on a regular basis can be utilised for such a purpose.

This paper presents and analyses the results of a survey that aims to measure the perception of businesses and citizens of factors that cause administrative burdens or restrict access to administrative public services. Several questions are about the time and money they spend on non-regulatory burdens and an important factor that plays a role in the perception of respondents is the so-called street level bureaucracy. Factors that were tested in the survey include the level of communication of service users with the frontline bureaucrats, irreparable faults made by the administration during the provision of services, the situations created when service users are asked to run from one to another office to receive an administrative service. Very often happens that the administration requests

submission of a document that is produced by the very same institution where the request for an administrative service is filed. In addition, comparative information is provided on similar questions that were asked through other surveys administered to businesses and citizens. We compare the data of our survey with data gathered by Balkan barometer survey (RCC 2018), where applicable. The discussion on results of the survey is preceded by the theoretical framework on administrative burden, the definition of the administrators that are in direct contact with the service users and a brief review of policies and legislation established by the Kosovo Government on administrative burden reduction.

The structure of the article is simple. There are six chapters, including introduction and conclusion. The second chapter contains a description of the empirical survey as well as the methodology employed for the purposes of this article. The third chapter is dedicated to theoretical framework, while in fourth chapter the context of the research topic is explained. The main – fifth – chapter focuses on empirical research; in this part of the article results from the conducted survey are presented.

2 METHODOLOGY

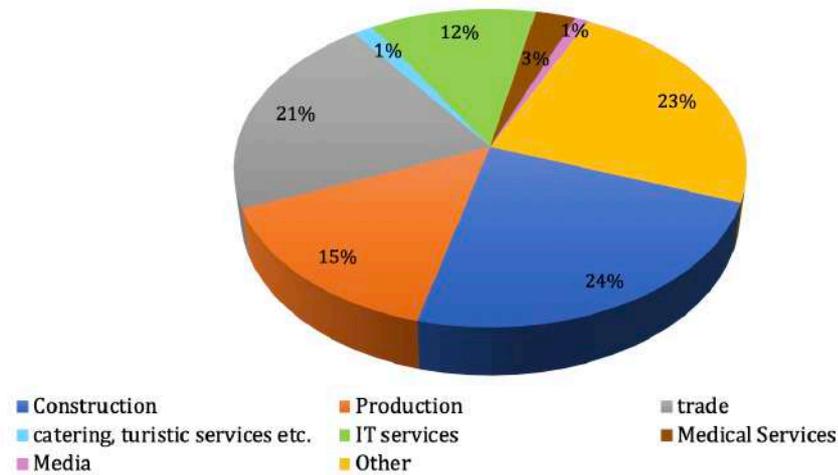
For the purposes of this article we used combination of quantitative and qualitative data. The main methods used are the survey and document analysis. The survey conducted during April and June 2019 is focused on businesses that are registered and operate in Kosovo. The survey aims to measure the perception of businesses of factors that cause administrative burdens or hamper their access to administrative services.²

The survey data were gathered via a questionnaire administered through a web-based *google.forms* platform using multiple-choice or close ended questions. The sample includes 210 respondents out of around 2000 businesses that received the invitation for participating in the survey. All categories of businesses were selected through the probability sampling technique as the goal was to have a balanced distribution among the individual, small, medium and large businesses.

The survey covered a wide range of fields of business activities such as construction, production, trade, electronic and broadcast media, education services, medical services, information technology, etc. (Figure 1). The aim was also to cover the geographic distribution of businesses within Kosovo. It is worth to mention that 51.3% of respondents that responded to this questionnaire come from the district of Pristina. Official statistics indicate that around one-third of all registered enterprises are located in the district of Pristina.

² The survey is conducted to address the research questions raised as part of the wider PhD research thesis. The survey conducted for the needs of the PhD study covers a wider scope of areas including the awareness of businesses on the government reforms on enabling business environment with focus of reduction of administrative burden, the level and causes of the burden and the perception of businesses on methods and tools for administrative simplification. However, the article covers only survey questions related to the factors that cause administrative burden to businesses, hamper or prevent them from having access to administrative services.

FIGURE 1: BREAKDOWN OF RESPONSES BY FIELD OF ACTIVITY



*N=209.

In addition, document analysis was mostly appropriate to complete the theoretical part of the study, analysis of other similar surveys was utilised as a complementary information for discussing the results of the survey.

3 THEORETICAL FRAMEWORK

Regulation defines the border between state and society, government and market. Therefore, regulation represents Government's attempt to set limits to the scope of private activities (Christensen 2010, 3), or regulation will be taken to mean the employment of legal instruments for the implementation of social-economic policy objectives (den Hertog 2010, 3). Regulation is the public administrative policing of a private activity with respect to a rule prescribed in the public interest (Mitnick in Christensen 2010, 3). The quality of regulation has been recognized as a key factor for efficient, effective and good governance (Weatherill 2007, 4). Regulations that enable functioning of the society are often seen as (Katsoulacos at al. 2011) excessive and/or of poor quality and are thus imposing unnecessary burden on businesses and on the overall economy. The unnecessary regulations do not succeed in fulfilling the primary goal of regulation and could be removed with no harm to the public interest (see for example Bozeman 1993). On the other hand, the necessary regulations are an administrative burden that is considered as a safeguard of public interest (Kaufman 1977).

When the regulatory policy is decided, the question that arises mostly is what constitute public interest of such policy and particularly when the policy may affect the interest of private sector? Public interest can be described as the best possible allocation of scarce resources for individual and collective goods and services in society (den Hertog 2010, 5). The assumption behind governmental regulation is the possibility for protecting the public interest against private, especially business, interests (Christensen 2010, 3). But the public interest is mostly interpreted by the law makers or the bureaucracy. Analogous public interest justification for the regulation has been heavily criticised and regulatory failures have been suggested, including regulation in the interest of the regulatory bodies, regulation in the interest of the regulators and high cost of the

operating systems (James 2000, 327). Regulatory failures produce unnecessary regulation which is considered administrative burden. Administrative burdens are the costs involved in obtaining reading and understanding regulations; developing compliance strategies; and meeting mandated reporting requirements, including data collection, data processing, reporting and data storing (OECD 2008). Or administrative burden has been defined as an individual's experience of policy implementation as onerous (Burden et al. 2012). Wilson (1887) called attention to administrative burden, disparaging the "wearing friction" of government and arguing for a science of public administration "to straighten the paths of government, to make its business less un-business-like (Heinrich 2015, 1).

Measurement of the size of an existing burden can be an important information-based approach for developing a policy on burden reduction and a basis for evaluation of policy initiative (OECD 2003, 44). The main focus of government's respective strategic documents over the last years was reduction of administrative burdens on businesses. During the administrative activities, different burdens are imposed on businesses, but on citizens too. A question to be answered here is about the factors that cause the administrative burden. The regulation may require businesses to fulfil certain requirements for carrying out their activities (staff qualification, occupational safety equipment, etc.), to meet specific internal obligations (bookkeeping, drafting rules on occupational safety) or external administrative obligations (registration, acquiring a licence, providing data to public authorities) (Virant and Kovač 2010, 381). If they are not relied on safeguarding the public interest, these requirements may cause unnecessary costs for businesses and citizens when they want to exercise their rights or comply with the obligations. They also can impact the ability of the interested parties to have access to Government's respective programmes. Administrative burden may not be only caused by the regulations that service users have to comply with. Service users' access to services can be hampered or prevented by other factors, such as: the lack of information about services, ambiguous regulative framework, frequent amendment of legislation, or practical difficulties that service users can face in front of the encounters.

In the contemporary governments, information technology has a substantial role in the daily encounters between individual citizens and government in the broad sense of the word, which improves citizens' position in their relations with public administration (Kukovič 2015, 28). The governmental part in this kind of state/citizen interaction can be characterised as "screen-level" or 'system level bureaucracy' or 'voice to voice" interaction (Bovend and Zouridis in Hupe 2019). However, there are parts of public sector that have not replaced yet the face to face interaction with voice to voice or even screen to screen contact. Thus, this part of the picture is of a fundamental importance. The picture focuses on a particular side of the government, that of the locus where state and society have direct contact. Administrators play an active role in creating and enforcing burdens and the administrators that offer direct public services for citizens – street level bureaucrats – may use their discretion rigidly to enforce, expand upon, or ameliorate the effects of burdens (Lipsky in Herd et al. 2013, 26).

It is here, at the 'street level' of bureaucracy or 'front line' of the state, that citizen, in diverse roles, interact with government (Hupe 2019). Michael Lipsky first used the term in a conference paper presented in 1969 and expounded it further in a book published in 1980 (Hupe 2019, 6). However, the term has other alternatives like 'the point of entry' (Hall in Hupe 2019, 6), or the public encounter (Goodsell

in Hupe 2019, 6).

Research on street-level bureaucracy further emphasizes the potential for frontline bureaucrats to use their interpretation of rules and other forms of discretion to make the application process more or less difficult, leading to what Lipsky (Hupe 2019) describes as “bureaucratic disempowerment.” This mixture of formal rules and discretionary behaviour creates burdens in the application and re-enrolment process (Herd et al. 2013, 70). Christensen et al. (2020, 131) state that individuals with low executive functioning tend to be less able to overcome learning and compliance costs, reflected in greater difficulty in initiating and completing interactions with the state. As a consequence, citizens with low executive functions may experience greater administrative burdens and, in turn, have a lower take-up of relevant government benefits and services.

4 THE CONTEXT

The Western Balkan states have undergone a steady transformation in their administrative culture and have undertaken concrete steps as their processes, procedures and institutional arrangements are at odds with their national needs for a more efficient administration, EU integration agenda and their priorities (Matei et al. 2011; Koprić et al. 2016). In addition to administrative burden, many other factors, such as corruption, informality, and lack of fair competition can hamper the enabling business environment. Creation of a better environment for businesses and improvement of administrative services for citizens through administrative simplification and administrative burden reduction programs has become one of the strategic objectives in the recent years. Most of legal, managerial, organizational, functional and other reforms have been at least at declaratory level run under the umbrella strategies.

Albania

Albania initiated its simplification and administrative burdens’ reduction program with the adoption of a Regulatory Reform Action Plan in 2006. Simplification and administrative burdens reduction program is also an important segment of the new 2009–2013 Government Program. The main document that sets the specific strategic framework for the administrative simplification in Albania is the Long-Term Policy Document on the Delivery of Citizen Centric Services by Central Government Institutions in Albania (LTPD).³ Other relevant strategies for this area are the Cross-cutting Public administration Reform Strategy 2015–2020⁴ and the Cross-cutting Strategy Digital Agenda of Albania 2015–2020.⁵

North Macedonia

In North Macedonia a separate Strategy, focused on provision of administrative services, is not available. Simplifying administrative procedures has been extremely difficult, as the Law on General Administrative Procedures has not yet been implemented systematically across the administration. (European Commission 2019, 14). One of the four priority areas or objectives of the PAR

³ Available at <http://www.adisa.gov.al/wp-content/uploads/2016/10/GoA-Citizen-Centric-Service-Delivery-Policy-Document2c-April-2016.pdf>.

⁴ Available at http://dap.gov.al/images/DokumentaStrategjik/PAR_Strategy_2015-2020_English.pdf.

⁵ Available at http://akshi.gov.al/wp-content/uploads/2018/03/Digital_Agenda_Strategy_2015-_2020.pdf.

Strategy (Ministry of Information Society and Administration 2017) is quality service delivery and ICT support for the administration (Weber 2018b, 81). As it can be seen from the PAR Strategy, the Government is focused on digitalization and provision and availability of e-services. The Ministry of Information Society and Administration (MISA) is tasked by law with setting and promoting the Government agenda in a wide range of areas, and with steering service delivery reforms as part of public administration reforms. The MISA provides more comprehensive assistance with digital government: in May 2015, it tabled a Short-Term ICT Strategy for 2016–2017 and issued a Strategic Plan for 2016–2018 containing government modernization and digitalization initiatives, used mainly as an internal guideline for further developing digital service delivery (OECD/SIGMA 2017a, 96–97).

Montenegro

Simplification and Administrative Burdens Reduction program in Montenegro has started with the adoption of the Action plan for Elimination of Business Barriers in 2007. The implementation of this program was followed by adoption of the strategic Regulatory reform action plan in 2009, with the simplification and administrative burdens reduction program as one of its segments (Penev and Marušić 2011). The reduction of administrative burden now is being addressed via the 2016–2020 strategy for public administration reform, which was adopted in July 2016 (European Commission 2017, 2). In addition, in January 2018, the Government adopted the PAR Strategy Action Plan for 2018–2020, which includes a chapter on activities for improvement of service delivery. Furthermore, the Government adopted the 2018 Action Plan for SDIS on 29 March 2018 (together with the report on implementation of the Action Plan for 2017).

Serbia

In Serbia the Government has adopted several strategies and action plans focusing on citizen-oriented service delivery. Under the umbrella of the 2014 Public Administration Reform (PAR) Strategy, the Government has adopted the e-Government Strategy for the period 2015–2018 which already expired and created a vacuum in the strategic framework of e-Government policy and a Regulatory Reform Strategy 2016–2020. Further strategies also contain objectives or activities focusing on reforming administrative service delivery, notably the Stop to Bureaucracy Action Plan (adopted in 2016), the National Programme Countering the Shadow Economy (adopted in 2015), the Open Government Partnership (OGP) Second National Action Plan 2016–2018, and the ERP 2016–2018 (OECD/SIGMA 2017b, 109). The e-Gov Office is preparing a new Programme on e-Government and its action plan under the Public Administration Reform (PAR) Strategy 2014. This programme will complete the strategic framework, as the last e-Government Development Strategy expired in 2018 (OECD/SIGMA 2019a, 34).

Kosovo

Strategic objectives and policies related to administrative simplification and aiming burden reduction in Kosovo are included progressively in several strategic and policy documents such as EDVAP 2011–2014,⁶ PAMS 2015–2020,⁷

⁶ *Action Plan of the Economic Vision of Kosovo 2011–2014*. Available at http://www.kryeministri-ks.net/repository/docs/Action_Plan_of_the_Economic_Vision_of_Kosovo_2011-2014.pdf.

⁷ Ministry of Public Administration. 2015. *Public Administration Modernization Strategy 2015–2020*. Available at <https://kryeministri-ks.net/wp-content/uploads/docs/Strategy-for-Modernisation-of-PA-2015-2020.pdf>.

NDS 2016–2021,⁸ Better Regulation Strategy 2.0⁹ etc. The administrative burden reduction has been one of main priorities of the Better Regulation Strategy 2.0 and an important step in this regards is approval in 2020 of the Concept Document on the Administrative Burden Reduction (Government of Kosovo 2020) and the Standards Cost Model in 2019 (Office of the Prime Minister 2018). PAR strategic framework's objective is for a citizens' oriented public administration in line with the OECD/SIGMA principles for public administration in the Western Balkans. Substantial legislative reforms have been undertaken during the last decade. In addition to the strategic framework, modern innovative instruments such as: digital service delivery, silence is consent, once only principle, one stop shops etc. have been included in the legislative framework through the Law on General Administrative Procedures,¹⁰ Law on Information Society Services,¹¹ Law on Business Organizations¹² and others.

These recent measures tend to alleviate findings of OECD/SIGMA assessment that the strategic framework for service delivery in Kosovo is in place, but does not clearly articulate a Government vision for service delivery transformation (OECD/SIGMA 2017c, 102). It continues to state that strategic framework fails to provide answers to some fundamental questions for effective service delivery (OECD/SIGMA 2019b, 7). In spite of this, there are many gaps, diversions, and outright failures that stand between the announcement of a reform policy and the successful implementation of that policy (Pollitt and Bouckaert 2011, 13; Brezovšek and Kukovič 2015). Most of public administration reforms are characterized by a gap between the theoretical and the practical implementation (Engel in Matei and Lazăr 2011) a case mostly evidenced in the Kosovo public administration experience for years. The evidence-based policy making is a precondition to design effective objectives and ensure their implementation, and measurement of stakeholders' perception can be one of the tools.

Measuring citizen satisfaction and preferences on a regular basis can help public managers to monitor public sector performance over time, continuously improve service delivery, and measure the impact of reforms and service-improvement activities on end users, ultimately resulting in a higher likelihood of citizens being satisfied with policy outcomes (RESPA 2018, 25). The quality of public services and citizens satisfaction are interlinked though the practice has shown that this is relative (Van de Walle 2018, 2). To have a clearer idea of the extent of the burden many OECD countries have attempted to measure burdens either through business surveys, or through quantitative evidence-based approaches (OECD 2006, 39). The measurement of citizens satisfaction for the services delivered by the Kosovo public administration is a rare practice. The responses given by businesses to the research question "*have you been asked by the administration over the last three years about the satisfaction with administrative services and the administration's approach to businesses?*" resulted that 93% or

⁸ Office of the Prime Minister. 2016. *Plan for Sustainable Development: National Development Strategy 2016–2021*. Available at http://www.kryeministri-ks.net/repository/docs/National_Development_Strategy_2016-2021_ENG.pdf.

⁹ Office of the Prime Minister. 2017. *Better regulation Strategy 2.0 for Kosovo 2017–2021*. Available at http://www.kryeministri-ks.net/repository/docs/Better_Regulation_Strategy_2_0_for_Kosovo_-_ENGLISH.pdf.

¹⁰ *Law no. 05/L-031 on General Administrative Procedure*. 2017. Available at <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=12559>.

¹¹ *Law no. 04/L-094 on the Information Society Services*. 2012. Available at <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2811>.

¹² *Law no. 06/L-016 on Business Organizations*. 2018. Available at <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2585>.

195 respondents were never asked and only 7% responded positively.

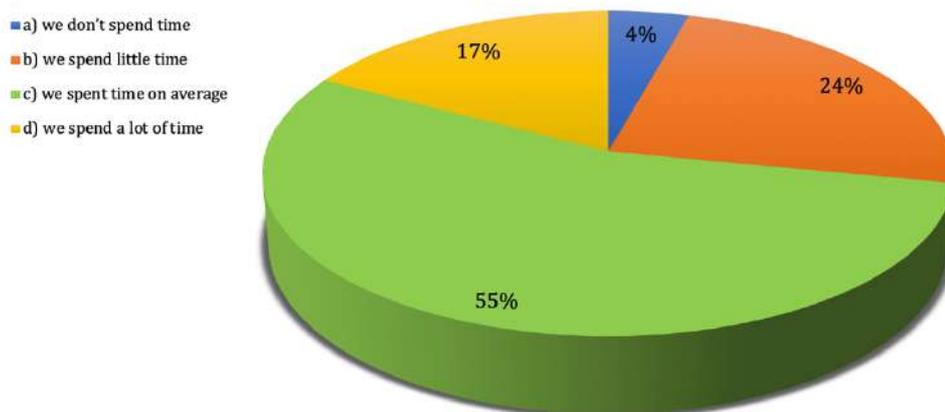
5 EMPIRICAL ANALYSIS AND DISCUSSION

The measurement of costs that administrative burden cause to businesses is a complex exercise. OECD considers the administrative compliance costs include time and money spent on formalities and paperwork necessary to follow regulations.

5.1 Time Spent Fulfilling Administrative Obligations

The time spent on complying with obligations, paying fees for licenses and permits, fees for registration of businesses, needs to employ additional staff, waiting for decisions, queuing in front of the administrative counters can have a significant role in the administrative burdens. Thus, the extent of an administrative burden is determined only partially by the direct input involved in marshalling required information and engaging in filling out forms and dealing with the administrators. In addition, costs are also imposed on the business or the citizen by time delays and uncertainty through provision of information or answers to requests (OECD 2003, 49). Only 4% of businesses consider that they “do not spend a lot of time” to fulfil their obligations required by the administration and 24% consider that they spend “little time”. On the other hand, more than half of businesses (55%) consider that they spend average time to fulfil their obligations required by the administration while 17 % of them consider that they spend a lot of time, meaning that a substantive proportion of businesses consider that the time they spend cause a relatively light burden (Figure 2).

FIGURE 2: DOES YOUR ORGANIZATION SPEND A LOT OF TIME IN FULFILLING ADMINISTRATIVE OBLIGATIONS REQUIRED BY GOVERNMENT RULES?



*N=210.

5.2. Cost for Services Provided by the Administration (Registration, Permit/License)

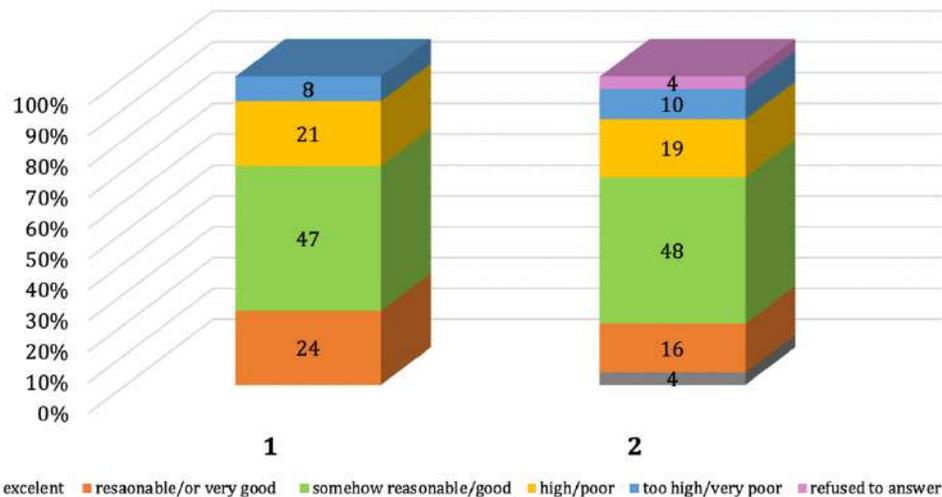
Costs incurred by administrative burden differ from business' usual costs, which would be made even if there would be no legislation in force obliging them to do so. This is e.g. the information that is essential for functioning of a business such

as the information that large companies need to have on the number of employees and their wages (Government of Kosovo 2018; International Working Group on Administrative Burdens 2004). Administrative burdens are the costs that companies need to make because they are legally obliged by law, such as providing information on the wages and taxes paid to the relevant administrative bodies. Fees and levies that need to be paid for processing of administrative procedures that are not in line with the Law on General Administrative Services,¹³ in particular the principle of gratuity of the proceeding, are considered to be administrative burdens as well (Government of Kosovo 2020).

On the question made about the costs of services 24% of respondents consider that cost for the services provided by the administration (registration, permit/license) are reasonable, for 47% these costs are somehow reasonable, for 21% of them costs are “high” and for 8% are “very high”.

Similar responses have been provided in the Balkan Barometer Survey for 2018.¹⁴ Citizens perceptions on the question “*how would you grade price of public services (e.g. issuance of personal documents, judiciary costs, etc.)?*” are as it follows (Figure 3).

FIGURE 3: COMPARATIVE RESULTS ON THE COST OF SERVICES (IN %)



*Column 1 presents data from author’s own survey; column 2 presents data from Balkan barometer survey. Sources: Author’s survey (2019); RCC (2018).

Results of the perception of costs for services provided by businesses and citizens in both surveys –Survey of the author and the Balkan Barometer survey– are very similar: 24% of businesses consider costs of services as “reasonable” (column 1), which can be compared with 4% plus 16 % of citizens that consider them as “excellent” respectively “very good” (column 2). Furthermore, 47% of businesses rate the cost of services as “somehow reasonable” (column 1) which can be close to the 48% of citizens that rate them as “good” (column 2).

On the other hand, 21% and 8% of businesses assess the cost of services as “high” respectively “too high” (column 1). This almost equals with responses of citizens given through Balkan Barometer Survey (RCC 2018) where 19% and 10% of

¹³ Law no. 05/L-031 On General Administrative Procedure. 2017. Available at <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=12559>.

¹⁴ Since the Balkan Barometer survey 2019 did not include detailed information for this question, 2018 Balkan barometer survey was analysed for the purposes of the study.

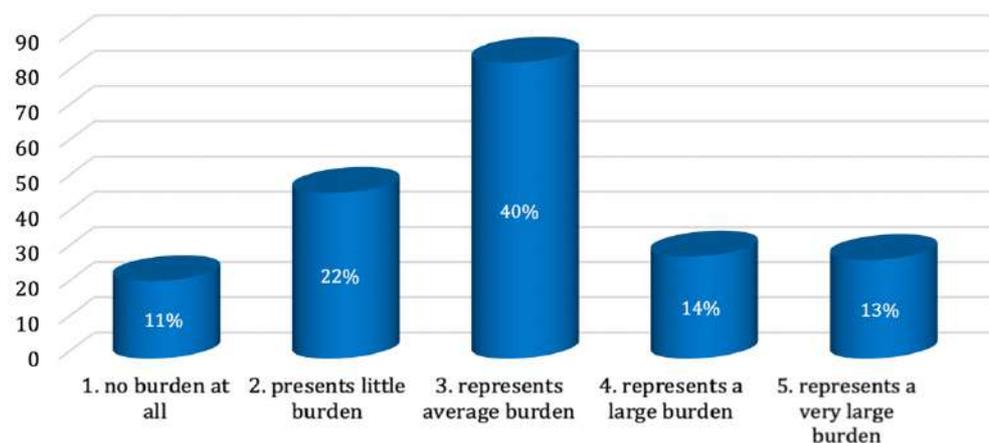
respondents grade the costs as “poor” respectively “very poor” (column 2). In Balkan Barometer survey (RCC 2018) this is graded with the scale 2.8 (out of 1–5) which is higher than the average of south East European countries while at the top level together with Northern of Macedonia and Montenegro (RCC 2018).

5.3 The Information Obligation and Report to Administration

Information obligations are the obligations arising from regulation to provide information and data to the public sector or third parties (International Working Group on Administrative Burdens 2004, 8). In this context the term “information” has a broader sense, thus including costs of labelling, re-reporting, registration, monitoring and assessment needed to provide the information and the respective registration (Atanasov et al. 2017, 28). For the purposes of this research we focus on the definition that includes information which is actively submitted by businesses to one or more public authority. It also covers the obligations to store and maintain information available to public authorities upon request such as: Financial Statements, Tax Statements, Application for Permit, Application for License, Work Safety Report, Keeping Documents, Sales Register, Invoices Guest Register, Employee File (Office of the Prime Minister 2018, 9).

When responding to question “*assess how burdensome is for you to provide information or report several times to the administration?*” the proportion of businesses that consider the obligation to provide information “is not a burden” (11%) or “presents little burden” (22%) is in total 33%. The percentage of businesses that consider that the obligation to provide information is a “large burden” (14%) and “very large burden” (13%) is in total 27%. While information obligations present an average burden for 40% of businesses (Figure 4).

FIGURE 4: ASSESS HOW BURDENSOME IS FOR YOU TO PROVIDE INFORMATION OR REPORT SEVERAL TIMES TO THE ADMINISTRATION?



*N=210.

Comparing other obstacles caused to businesses with Balkan Barometer Businesses opinion survey for 2019 on the question “*which regulations do you consider to be an obstacle to the success of a business?*” only 7% of respondents in Kosovo have mentioned that regulations that oblige them to provide information/record keeping are a burden for their businesses. On the other hand, tax related obligations (34%), minimum wage related regulation (27%), health and safety regulations (30%), trading standards regulation (25%) etc. were

considered as a burden for the higher number of businesses in Kosovo (RCC 2019).

5.4 Waiting Time at the Counters, the Duration of the Decision Making

When applying for documents, permits or services, staff from companies and citizens often need to come personally to offices of the responsible administrative body. Having to travel and to wait puts a considerable time demand on individuals, in particular when opening hours are considered (Government of Kosovo 2020, 32). Another important factor determining the extent of compliance of burden is the timeliness within which decisions are made and appeals can be launched or considered after an application is submitted. On the question “*evaluate how burdensome is for you the waiting time for carrying out tasks related to the administration (at the counters, the duration of the decision making)?*” a high number of respondents consider the waiting time as a burden for their businesses. The proportion of businesses that consider that the waiting time represents “a large burden” (22%) or a “very large burden” (21%) is much higher (in total 43%) than the proportion of businesses that consider that waiting time represents “no burden” (6%) or “a small burden” (20%) (in total 26%) or higher than the percentage of businesses that consider that waiting time represents an average burden (31%).

5.5 Filling Forms Required by Administration

Filling forms required by the administration are the link between the administration and legislation on one the one hand and the citizens and companies on the other hand. Citizens and companies have to submit forms multiple times and do not get speedy responses and decisions they were expecting; the administration need to analyse and return forms until they are completed in the correct manner (Government of Kosovo 2020, 68). The results of the survey show that filling forms does not represent a substantive burden for businesses. However, 25% of respondents consider that it is a factor that causes “large burden” (14%) or “very large burden” (11%) while 31% consider that filling forms represents average burden. On the other hand, 27% of respondents consider that filling forms represents “little burden” while for 17% this factor “represents no burden at all”.

Though filling forms does not represent a major burden, when requesting an administrative service, users in many cases are asked to fill a hard copy application, to attach original documents to the file etc. For example, when you apply for an apostille stamp for a birth certificate at the Civil Registration Agency, after receiving the original version of the birth certificate in the municipality, you have to fill a hardcopy request, make a copy of the birth certificate and make a certain payment for application.¹⁵ Or in order to change the ownership of a private vehicle, the buyer has to bring seven documents to the police station. Even a copy of the driving license has to be provided, despite the fact that the MoI holds information about driving licenses in its own registry (OECD/SIGMA 2019b, 8).

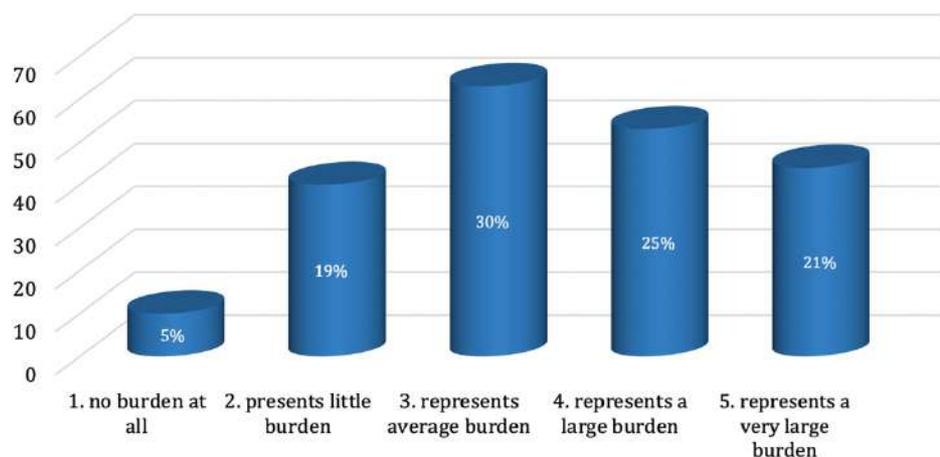
¹⁵ Personal experience from onsite visit, date 24 June 2019.

5.6 Ambiguous Legislation

People cannot comply with regulations if they do not understand what is required. Inaccessible and incomprehensible regulation affects small business compliance rates. Many studies show that small businesses cannot keep up with the volume of regulations and regulatory guidance that is produced by many regulatory agencies (OECD 2000, 14). Laws and sub-legal acts that are not harmonized might impose conflicting requirements. These make it difficult for administrative bodies to implement them. They create uncertainty and administrative burdens since it is unclear which rules must be followed (Government of Kosovo 2020, 38).

Responses on the question “Evaluate how much burden represents ambiguous legislation?” show that the ambiguous or lack of clarity legislation is a factor that cause a substantive burden for businesses. Cumulative results show that ambiguous legislation cause “large burden” (24%) and “very large burden” (21%) is in total 46% while 24 % of respondents rate the ambiguity of legislation cause “no burden” (5%) or “little burden” 19%. On the other hand, 30% of respondents consider that ambiguity of legislation is at the average level (Figure 5).

FIGURE 5: EVALUATE HOW BURDENSOME IS THE AMBIGUOUS LEGISLATION?



*N=210.

In order to be able to understand the legal requirements that are in force, companies and citizens need to compare a law with various laws amending and supplementing it if they are not consolidated. This takes time and is a process that sometimes can only be executed by legal professionals. The costs for hiring external expertise can be high and are considered to be administrative burdens (Government of Kosovo 2020, 32). Such a practice has been stressed by Ombudsperson’s Reports which noted that one of the difficulties of implementing laws is due to the method by which the laws are amended and supplemented. In the cases of amending and supplementing the existing laws, after adoption by the Assembly, those amendments are not included in the law that has been amended but remain separate in the format of a law. Such a practice only makes it difficult to use laws because it seeks concentration on two or more laws rather than concentration on the basic law alone with the changes contained in it (Ombudsperson Institution of Kosovo 2019, 29).

On the other hand, the perception of businesses on the same issue expressed in

Balkan Barometer business Opinion Survey was more positive. On the question “to what extent do you agree with the following statement – Laws and regulations affecting my company are clearly written, not contradictory and do not change too frequently?” more than the half of Kosovo business respondents provided positive responses. Thus, 13% of Kosovo businesses stated that strongly agree while 40% of them tend to agree. While, 1% of respondents strongly disagree, 9% tend to disagree and 32% neither agree or disagree (RCC 2019).

5.7 Accessing the Right Administration Officer

The civil servants that interact with companies and citizens are the ‘face’ of the administration. They determine to a great extent how people value services and thus how the administration functions (Government of Kosovo 2020, 32). When staff are not well informed and not prepared for their task, companies and citizens have difficulties to understand all the information they need and to whom they should address to get a service. The lack of information and organisation of work among staff will hamper the access to the right administrating officer.

The Concept Document on the Administrative Burden Reduction finds that when the staff that is dealing with the public services lacks appropriate information then that causes an administrative burden. It stresses that the staff that implements legislation needs to be informed and prepared for their task (Government of Kosovo 2020, 32). This applies also in relation to the core activity, but also to the factors that, from the perspective of the company or citizen, are relevant for the functioning of a (business) process. On the question “*assess how difficult it is to access the right officer you need to carry out the work with administration?*” around half of respondents (48%) perceive that having access to the appropriate officer for obtaining the service needed is “a huge burden” (29%) or “very huge burden” (19%) for businesses. While 28% of respondents consider that accessing the right officer represents “an average burden,” for 17% it presents little burden and for 7% “does not present burden at all”.

Having access to the right officer presents a much higher burden than most of the factors that are listed above. The government rules on the contents of the websites of institutions require institutions to publish the information on the services that the institution offers including the name of the unit that provides the service, procedures, documentation and forms, cost, deadlines (Administrative Instruction (MPA) No. 01/2015 on the Web-sites of Public Institutions 2015). However, many institutions that provide administrative services to citizens, such as Civil Registration Agency, do not have a website or most of ministries and municipalities do not publish information on their websites that would ease access to their services.

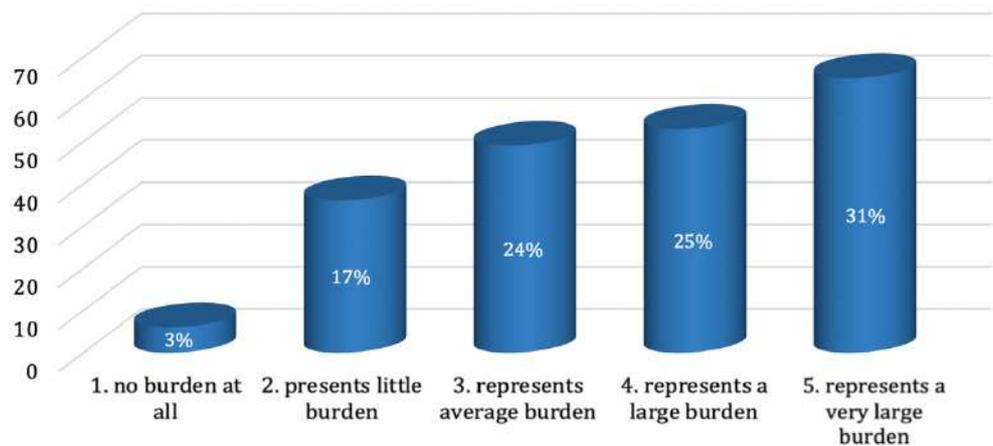
5.8 Faults of administration that Cannot be Fixed

When providing services for businesses or citizens, the administration often makes mistakes which cause costs and loss of time for them. When businesses or citizens need to ask for services from the frontline offices, the information that is provided by the administrative officer may be wrong, or the service delivered may not be appropriate. Such mistakes may cause additional costs and time consumption to the citizens or businesses. Street-level bureaucrats can impose costs through personal abuse, neglectful treatment, or inconvenience without

necessarily paying the normal penalty or having the other party retaliate (Lipsky 2010, 56).

When businesses are asked to estimate the burden from faults of the administration their perception is mostly negative. The cumulative proportion of businesses that consider that this factor causes “a huge burden” (25%) respectively “very huge burden” (31%) to them is 56%. In addition, 24% consider that faults of administration cause an average level of burden (Figure 6).

FIGURE 6: ESTIMATE HOW BURDENSOME ARE FAULTS OF THE ADMINISTRATION THAT CANNOT BE FIXED?



*N=209.

The OECD/SIGMA Principles of administration requires that “The public authorities assume liability in cases of wrongdoing and guarantee redress and/or adequate compensation” (OECD/SIGMA 2017d). In Kosovo there is no conceptually clear legal regulation on public liability. The Constitution does not establish a general principle of public liability in cases of damaging acts or omissions by public authorities, nor is a coherent and comprehensive statutory public liability regulation in place. However, the right to seek compensation for damage caused by unlawful actions or omissions of administrative bodies is laid out in the Law on Obligational Relationships, part of the civil law. Furthermore, in several other laws, some provisions refer to this issue, but they set out only a few examples of areas of public liability, while not containing any systematic procedural provisions to assist persons seeking compensation (OECD/SIGMA 2017c, 97–100). As a response one of the PAMS’ objectives aim that “Public authorities establish mechanisms that undertake debts in case of violations and which guarantee adequate correction and/or compensation” (Ministry of Public Administration 2015, objective 3.4). Only drafting of a concept document for this purpose has been planned within the framework 2020, indicating that this issue is not yet a priority for the Government. However, seeking liability from administration is one side of the issue while, strengthening the performance evaluation system, capacity building programmes, automatization for responsible staff, application of innovative instruments for the public administrative services are some instruments that can improve this situation.

5.9 The Need to Move From One to Another Office for Administrative Services

The accessibility of public services can be considered a performance criterion for governments, reflecting their capacities to accurately recognize the diversity and nature of different needs, create and tailor delivery and communication channels accordingly, and ensure equity and fairness in delivery and distribution (OECD 2013, 150). The administration requests many documents when one applies for an administrative service. They ask even for documents that are issued by them. Before they complete the application for a service, citizens and businesses have to run from one to another office, which in many cases may be in different locations. This factor causes additional and unreasonable administrative burden that may cause costs and loss of time. Businesses' perception on *"the burden that is caused when you have to move from one to another office to get a service from the administration"* is mostly very negative. They consider that the need to move from one to another office for administrative services presents "very huge burden" by 36% of businesses while 20% assessed this issue as "a huge burden," which indicates that 56% of respondents state that this issue is a high level burden for businesses. In addition, 26% of respondents stated that the need to move from one to another office to get a service from the administration "is an average burden". The number of businesses that consider that this factor presents little burden (14%) or does not present a burden at all (4%) is substantially low.

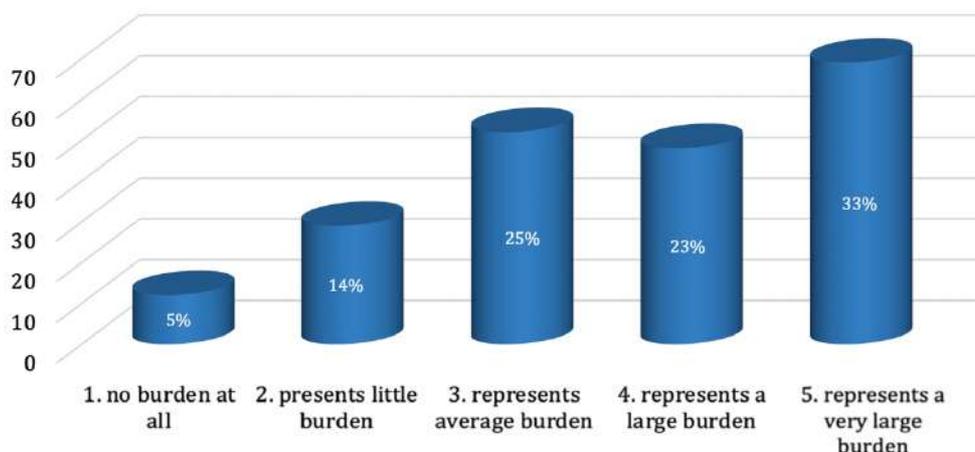
This aspect of the administrative service delivery shows there is a need for reforms such as establishment of one stop-shops, use the digital form of service delivery and reduction of the number of documents required to file a request for an administrative service.

5.10 Lack of Understanding with the Frontline Staff

The frontline bureaucrats are the main and direct interface with the service users. The way how direct interaction with the frontline bureaucrats is carried out according to the perception of businesses appears to be a factor that causes high level administrative burdens. The response of businesses indicating that lack of understanding with administration officers is a factor that causes "huge burden" (23%) respectively "very huge burden" (33%), is in total 56% of respondents that replied to the survey. In addition, 25% of respondents consider that lack of understanding with the frontline officers causes "an average burden". The number of businesses that consider that this factor "does not cause burden at all" (5%) or causes little burden (14%) is not substantively high (Figure 7).

These statistics confirm that the general assumption of the concept paper on the Administrative Burden reduction has revealed that the fact that staff on service level that are not fully informed and prepared for their task is one of the factors that cause administrative burden. They determine to a great extent how people value services and thus how the administration functions. When staff is not informed well and not prepared for their task, companies and citizens have difficulties with getting to know all the information that they need (Government of Kosovo 2020, 31).

FIGURE 7: ASSESS HOW BURDENSOME IS THE LACK OF UNDERSTANDING WITH THE STREET LEVEL BUREAUCRATS?



*N=210.

5.11 Treatment by Frontline Staff

Although understanding with the frontline staff is a concern for most of businesses with high impact on the administrative burden, the treatment by them or their behaviour during the service delivery has been graded positively or moderately satisfactory by most of respondents. On the question “*assess what treatment you have by the frontline officers during the service delivery?*” the majority of businesses are “moderately satisfied” (48%) while 26% of responses were that frontline officers behave “bad” (14%) respectively “very bad” approach (12%). On the other hand, 21% of respondents consider that the treatment by frontline officers is satisfactory while 5% are “very satisfied”. The results show that despite the neutral responses provided by businesses this factor is still an issue that should be addressed seriously.

6 CONCLUSIONS

It is well known that factors that impede enabling of business environment are numerous. In addition to administrative burdens, other factors that have a major impact are the level of corruption, the degree of informality, the lack of fair competition, and so on. Also, that includes unnecessary administrative burden caused by failure to follow principles of better regulation, lack of institutional or human capacity, and lack of implementation of innovative tools and methods that enable access and quality administrative public services to citizens and businesses.

Despite the small variances and different approaches, the degree of implementation of public administration reforms, in particular in simplification of administrative procedures in the Western Balkans, is approximately the same. Each country has followed its own approach and can learn from each other. Meanwhile the impact of the European integration process, overall new developments and the requirement for OECD/SIGMA principles of public administration had an influence on moving forward in conducting such reforms. OECD/SIGMA and EU imposition of common European integration requirements to Western Balkan states is a very useful mechanism that is contributing to the application of the same standards and practices in all countries. However regional initiatives or mechanisms for sharing of best practices and experiences

in conducting public administration reforms and particularly reforms that aim specifically improvement of the service delivery, the use of administrative simplification methods and methodologies among these countries are still weak. Networks on different topics are already established, including the network on Public Administration Reform or the network on e-governance which are the most appropriate and related to the reforms to be conducted on the administrative simplification.¹⁶ However, extending the RESPA Networks also on the administrative simplification can be a solution.

The highlighted study provides very important information for a particular segment which is not sufficiently treated either by previous studies or government policies on administrative burden reduction. The study focuses on businesses' perception of factors they consider to be largely impeding their access to administrative services or causing them a burden when seeking services. The analysis of the individual questions in the survey suggests that such factors can be categorized into several groups. It should be noted that about half of the respondents are neither positive nor negative about the direct costs or the time businesses spend when seeking administrative services. The analysis of the individual questions in the survey suggests that such factors can be categorized into several groups:

1. Factors where more than 55% of respondents express their concern are the lack of understanding with the frontline staff, mistakes the administration makes, and the need to run from one to another office to get administrative services.
2. Factors where more than 45% of respondents express their concern are waiting time to get the administrative service; the ambiguity of legislation and the difficulty to access the right officer.
3. Factors where more than 30% of respondents express their concern are the need to report several times; filling in the necessary forms, loss of time, and the treatment by administrative staff.

The research shows that an important role affecting the access to public administrative services, particularly for businesses is the front line officers that interact directly with service users'. The reasons for such gaps, as indicated by the survey, may be the inadequate organisation of work on the administrative service delivery, capacities of front line officers and their superiors, the share of information within the administration on services concerned, the level of discretion that front line officers have on their daily decisions and behaviours toward the service users is an important factor for the public service delivery (Lipsky 2010). The discretion that the front line officers have by the Kosovo public administration may be further explored.

Government policies to reduce the administrative burden through introduction of administrative simplification approach, particularly use of information technology can impact reduction of these factors substantially. However, given that the need for direct physical contact with front line officers or street level bureaucrats cannot be eliminated, the reform policies that Kosovo is conducting need to focus on this level of public administration, too.

¹⁶ RESPA has established several networks on certain areas of public administration reforms, including the network on Human Resource Management; the Network on Ethics and Integrity, the Network on Public Procurement etc. More about RESPA is available at <https://www.respaweb.eu/38/pages/28/respa-networks>.

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FINANCIAL AUTONOMY OF THE SLOVENIAN LOCAL GOVERNMENT¹

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Slovenia is one of the very few countries in the European Union with a single tier local government system, and while levels of local democracy have been on the rise since gaining independence in 1991, relations between the state on the one side and local governments (municipalities) on the other has slowly deteriorated, especially over the questions of municipal competencies and financing of local communities. While Slovenia ratified the European Charter on Local Self-Government (ECLG) in 1996, the charter was never fully implemented, as the subsidiarity principle was never fully implemented. The paper is analysing the issue of local autonomy with an emphasis on the financial autonomy, using primary and secondary sources as well as empirical data from national and local authorities.

Key words: Slovenia; local government; funding; autonomy; ECLG.

1 INTRODUCTION: RELATIONS BETWEEN THE STATE AND LOCAL GOVERNMENTS

All contemporary states include the most basic principles for local government functioning in the constitutional documents. This dimension is of fundamental importance for the local government because the municipal position is consolidated and the state hardly ever gets the chance to interfere – the state can only interpret it through legislation in the context of constitutional provisions. The general provisions (Article 9) of the Constitution of the Republic of Slovenia establishes that local government is provided in the Republic of Slovenia. Upon this, the local government has become a constitutional category. The constitutional provisions on local government are general because they provide more detailed regulation by the law; nonetheless, a separate chapter is dedicated

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to the local government.³ In the systems of political decentralisation based on the principle of subsidiarity, we often seek to find the equality of central and local government, which is provided by legal, financial and other instruments. The principle of autonomy is key in this respect, since local units and their authorities are empowered to carry out all activities that ensure the interests of the local population (Koprić et al. 2014, 307).

The autonomy of the local authorities cannot be absolute. The local units operate within the limits of the Constitution and laws, and should not violate the basic legal standards, based on which they were established. In order to effectively manage the country, the central national authority has a set of resources and forms by which it can influence the local government units (ibid., 309). These can be roughly divided into legal mechanisms (of which the central government normatively regulates the functioning of local government), financial mechanisms (by which the central government finances local government units), organisational mechanisms (by which the central government helps local government units in their organisation, technical and human resources development; with the organisation of state administration it can significantly affect the local government units' competences and thus their autonomy), and control mechanisms (perhaps the most delicate mechanism by which the state intervenes in the local government).

Local politicians mostly exercise vertically higher-level policies rather than create their own policies (Kukovič 2015). The result of this role is the division of competences between the state and the local governments. The regulations of local governments do not provide much room for manoeuvre in creating an independent policy in certain areas; therefore, we can only talk about relative autonomy (Schultz 1979, 79; Brezovšek and Kukovič 2011, 60). The local officials' political activity is partly limited by vertically higher-level policy and partly by the competences of senior state officials. Since politicians at the local level are faced with many difficulties, local politicians usually associate with senior state officials. In this way, they obtain different information, expert opinions and increase their influence in society. This creates a specific relationship between the state administration and local policy (Brejc 2004, 244; Kukovič 2011, 60; Toplak 2006, 826–827). Exercise of local government emphasises clear division of responsibilities between the state, its bodies and local community bodies. The main objective of the relationship regulation between the state and the local communities is to allow the municipality to obtain under authentic competence the functions that are essential for the life and work of its inhabitants, and that are more effectively and rationally exercised within the local community than through the state authorities (Vlaj 1998, 45).

Nevertheless, the work area of the municipalities in the Republic of Slovenia is relatively narrowly defined in the Constitution since the first paragraph of Article 140 provides that the jurisdiction of the municipality comprises local affairs that are governed autonomously by the municipality and that only affect the inhabitants of the municipality. This provision on municipality jurisdiction is limited and only partially in accordance with the policy that prevails in modern European arrangements. The local government should deal with all local matters, not only those that refer to the inhabitants but also matters that refer to people who are temporarily in its territory. The Slovenian municipalities are not responsible for exercising all the public functions in their territory (as for example Germany) but only for matters of local importance – in this respect,

³ Articles from 138 up to and including 144 (Official Gazette of RS no. 68/06, 20 June 2006).

Slovenian legislation is similar to the French example. The Constitution does not analyse local issues in detail that are not in the municipal authentic jurisdiction and thus leaves it to the legislation,⁴ which in connection with the issue of municipal competences, applies the terms: own and delegated sphere of work. The own municipal sphere of work reflects in the fact that the municipal competences comprise local affairs that may be regulated by a municipality autonomously and which affect only the residents of the municipality. Upon prior agreement with the municipality, the state may transfer to the municipality, by law, specific duties within the state competences, if it also provides the financial resources in this respect – the implementation of the principle of connexity. Such a transfer arrangement of certain state competences to the municipal level may on the one hand be understood as a regulation that prevents the state intervening in the sphere of autonomy of the local community, on the other hand, it may represent an insurmountable obstacle for the transfer of state functions to municipalities. The latter is also characteristic of Slovenia, since the municipalities have not obtained in their sphere of competencies any functions under the national jurisdiction for more than two decades.

At this point, it is necessary to draw attention to the difference between the ordinary and the urban municipality and thus the difference in the extent of their competences. A certain urban settlement may obtain the status of a municipality according to the procedure and after the fulfilment of specific legal requirements; the competencies of the urban municipality differ from an ordinary one in that it also performs statutory duties within the state competences that relate to urban development. The tasks provide the operation and integration of all the city functions like urban planning, public utilities, transport, the spatial and regulatory whole, and tasks that represent the city as a centre of cultural, health, educational, scientific and other institutions that are also important for other municipalities and the state. All the tasks that relate to the operation of the city are in the authentic city competence.⁵ The competences of the municipality are wider and more clearly defined than the competences of the ordinary municipality, which means that in practice the urban municipality effectively dissuades the state from intervening in its sphere of work, as it may invoke the urban municipality competences provided by the Constitution and the laws.

In matters of municipality competences, the Law on Local Self-Government (2015) limits the state rather than the municipality. It prevents the state from interfering in the municipalities' governing sphere. In the former, the municipal system, the municipality carried out the largest share of issues for the state. For example, in the area of internal affairs the municipality issued travel documents, firearm documents, kept a civil register, handled the registration and deregistration of permanent residences, etc. In the new organisation, the constitutional arrangement laid down the foundation of the relationship between the municipality and the state, however the focus is still on the Law on Local Self-Government (*ibid.*), which classifies the tasks that are independently governed by the municipality in six groups:

- In the field of normative regulation, the municipality adopts the municipality ordinances and other municipal acts, the municipal budget, the municipality development plan and annual accounts, spatial and local plans, regulates the management of energy and water supply utilities, roads, public paths, recreational and other public areas, public order in

⁴ The Local Government Act, Official Gazette of RS, nos. 94/07 - official consolidated text, 76/08, 79/09, 51/10, 40/12 and 14/15.

⁵ The area of public buildings, public utilities, urban transport, public institutions, etc.

the municipality, the functioning of the municipal administration, municipal public services, the manner and conditions for municipality assets management, keeps balance sheet, determines offenses and penalties for offenses that violate the municipality regulations and governs other local matters of public importance.

- In the field of governance, the municipality manages the municipal property and local public services, manages public and other companies, the municipal public areas and other public goods, local public roads and other routes.
- With its own resources, the municipality builds and maintains local public roads and other routes, promotes cultural, social, educational and library activities, builds municipal facilities and installations, apartments for the socially disadvantaged people, ensure the functioning of public services, municipal council, mayor and municipal administration.
- With the measures, it encourages the economic development of the municipality, facilitates the development of sports and recreation, provides fire safety and organises rescue aid, ensures the protection of air, soil, water resources, noise protection and orderly waste collection.
- Provides assistance and rescue in the event of natural disasters and the supervision of local events.
- Concludes contracts on the acquisition and alienation of movable and immovable property, concessions, the use of the public good and other relationships into which the municipality enters.

It should be noted that the municipality work area is governed primarily by sectorial legislation. Nevertheless, there are numerous conflicts in connection with the competences of the municipality and the state in which the Constitutional Court of RS interferes.

1.1 The autonomous performance of the municipal tasks

Under the Constitution and the legislation, the municipality independently regulates and performs its own affairs, and implements the tasks conferred on it by the law (Law on Local Self-Government 2015, Article 2). The municipality independently performs local matters of public importance (authentic tasks) determined by the municipality general act or by the law (*ibid.*, Article 21). In the past, the municipalities were not all able to perform the tasks; therefore, in the first years after the introduction of the local government in the mid of 1990s, bigger municipalities performed some tasks for smaller municipalities (under contract); later this was arranged by establishing common municipal administrations, the common provision of public services, and facilitating the integration of municipalities in interest groups.

The original Law on Local Self-Government adopted for the first time in 1993 already included the provision that smaller municipalities may have common municipal administration. It was also determined that one municipality cannot perform the tasks of another that are by the law or other regulation considered the tasks of the municipal administration. This provision was applicable until mid-2002, when it was supplemented by the statement "except for professional and technical tasks". The possibility of creating common municipal administrations and their co-financing by the state were an additional impetus for the creation of small municipalities.

The amendment of the Law on Local Self-Government of 1997 determined that municipalities that have established a common municipal administration (CMA), should also provide funds in this respect in the proportion of the inhabitants in each municipality in relation to the total number of inhabitants in these municipalities. This provision was amended in 2005 and determined that municipalities shall provide funds and other material conditions for the CMAs tasks in the proportion of inhabitants in each individual municipality in relation to the total number of inhabitants in municipalities for which the tasks are being carried out. The Law on Local Self-Government of the mid 2007 changed the status of CMAs upon determining that the provisions of the law governing the public finances of municipal budget direct users shall apply for the financial management of the common municipal administration body whereby the common municipal administration body is a direct user of the municipal budget of the municipality in which it is located.

TABLE 1: COMMON MUNICIPAL ADMINISTRATION (CMA) IN SLOVENIA

Year	April 2006	January 2011	November 2015	October 2019
Number of the CMA	15	47	49	51
The number of municipalities involved in the CMA	80	186	195	202
Number of employees in the CMA	55	219	-	-

Source: Court of Audit of Republic of Slovenia (2012); Ministry of Public Administration and Lavtar (2019).

Since the beginning of 2006, the municipalities that organise the common performance of individual municipal administrative tasks were granted – in accordance with the Law on Financing of Municipalities (Financing of Municipalities Act-1 2018, Article 26) – additional funds for the current year from the state budget in the amount of fifty percentage of the realised municipal budget expenditure in the previous year for financing common tasks. This has greatly increased the number of common municipal administrations and the number of employees, especially in the period after the financial crisis in the beginning of 2010s (see Table 1).

2 THE FUNDING OF SLOVENIAN MUNICIPALITIES

One of the findings of the Conference of the European Charter on Local Self-Government of 1985 is that the inadequacy of financial resources can undermine the very essence of each local government. Therefore, the European Charter on Local Self-Government indicates the basic principles for financing local authorities (Vlaj 1998):

- The principle of adequacy requires the local community to have its own relevant financial resources, with which it freely disposes within its powers.
- The principle of proportionality requires that the local communities' financial resources must be in proportion to their tasks and competences.
- The principle of self-financing requires that at least part of the financial resources must originate from own levies that are under the law defined by local communities.
- The principle of elasticity requires the local communities' financial resources to be sufficiently diversified and flexible in order to follow, as

closely as possible, the cost of the implementation of delegated tasks and needs.

- The principle of equalisation protects financially weaker local communities and requires that the state ensures uniformity between local communities, not only with financial equalisation, but also with other appropriate measures.
- The principle of cooperation means that the local communities are asked, in an appropriate way, to provide their opinion regarding the allocation of reallocated financial resources.
- The principle of autonomy requires that the resources granted by the state to local communities in the form of subsidies and grants are not strictly eligible and that the provision of such resources should not interfere with the fundamental freedom of local authorities to freely decide within their own powers.
- The principle of borrowing specifies that local communities have access to the domestic capital market in order to borrow funds for larger investments within the limits of the law.

Half of Slovenian municipalities today have fewer than 5000 inhabitants, which was however from the 1994 legislative criterion for the establishment of a new municipality. But for the political reasons the National Assembly did not follow own criterions (Kukovič 2018a, 84). Nevertheless, the average Slovenian municipality (9700 inhabitants) is still relatively large in terms of inhabitants as the average municipality in the EU has only 5500 inhabitants, while many countries have even smaller municipalities. The problem, therefore, is not "smallness" itself, but rather an unimaginative and failed system of division of competences between the state on one side and the municipality on the other. Another issue is that of the absence of a regional government and a completely inadequate system of municipal financing, where municipalities do not have their own financial resources to make decisions autonomously.

Many experts who deal with the relationship between the state and local communities note that the area of funding is crucial to the status of local communities and the degree of their genuine autonomy. The financial autonomy of municipalities significantly contributes to the image of a democratic state and more autonomous local authority. Page (1991, 31) argues that one of the methods for assessing local authority decisions is the degree to which local authorities can independently raise the tax burden on the population. The legal authorisation to perform certain tasks is meaningless if the local authorities are without the financial resources. The basic obligation of elected local representatives is to politically decide upon considering the benefits of the provided services and the taxpayers' costs (Vlaj 1998, 313). The lack of financial resources changes local communities in the executive bodies of state administration; therefore, we can recently observe the tendency of introducing such local public finance systems, which are optimally independent of the state authorities. Own municipality taxes and contributions contribute to increased autonomy, but only if they can be laid down according to their own tax bases with their own tax rate. The autonomy of the local government is recognised in the possibilities that the municipality can prescribe specific municipal tax in order to finance its basic functions, and is in this respect not directly tied to conditions that are otherwise prescribed by tax legislation, while in prescribing other taxes such as charges, utility charges, etc., the municipality is bound by the legal conditions (Vlaj 1998, 86; Brezovnik and Oplotnik 2012, 280). Municipalities show greater financial autonomy if they have the opportunity to prescribe their

revenues both by source and by subject of taxation and tax rate and decide on the use of their public revenues, otherwise the municipality is only the implementor of tasks transferred to it from the state (Vlaj 2004).

Article 142 of the Slovenian Constitution specifies that the municipalities are financed from their own resources, however if the municipality fails to fully ensure the performance of the tasks due to its poor economic development, the state must allocate the municipality additional resources. The Law on Local Self-Government (2015) has never been amended in the part stating that the municipality sources of financing are own resources, state resources and borrowings, and in the part that states that the municipalities finance local matters of public importance. According to the Court of Audit of the Republic of Slovenia (2012, 29), the structure of the municipal finances in the period from 1994 up to and including 2010 consisted of 79.4 percentage own resources, 17.2 percentage of government funding and borrowing 3.4 percentage. From 2006, the new Financing of Municipalities Act (Financing of Municipalities Act-1 2018), which is not fully harmonised with the Law on Local Self-Government (2015), manages the financing of the tasks that are within municipal competence. The financing of municipalities is based on the principles of the European Charter on Local Self-Government, in particular the principles of financial resource proportionality to the tasks of the municipalities and the principle of the municipalities' autonomy in financing municipal tasks (Financing of Municipalities Act-1 2018, article 3). The principle of proportionality is also taken into account in financing tasks under state jurisdiction that the state transfers to the municipality by law. In accordance with the Financing of Municipalities Act-1 (2018), the state must determine the method of state financing by law, upon which it transfers to the municipality the performance of specific tasks within its jurisdiction; the funds must be commensurate with the nature and extent of the delegated tasks (Financing of Municipalities Act-1 2018, article 5). In accordance with the Financing of Municipalities Act-1 (*ibid.*), the municipalities are financed from their own fiscal resources, municipal taxes and borrowing. In connection with their own tax resources, the legislation indicates the revenues of the municipal budget, namely, property tax, tax on watercraft, tax on real estate, tax on inheritance and gifts, tax on winnings from classic gaming and other taxes, if so defined by the law that regulates individual tax. Sources of municipality income are also revenues from the 54% personal income tax paid in the previous year plus inflation for the year before and the year for which the calculation of municipal eligible expenditure is made in accordance with Financing of Municipalities Act-1 (*ibid.*).

With the adoption of the new Financing of Municipalities Act-1 (2018), the structure of municipality sources of funding changed; namely, in the period between 1994 and 2006 it amounted to (data in percentages) 78.3 own municipality resources, 20 state funds, and 1.7 borrowing; in the period 2007 to 2015 it amounted to 80.9 own municipality resources, 13.1 state funds and 6.0 borrowing. It should be noted that the own municipality resources include personal income tax, of which the share allocated to the municipalities increased from 30 to 35 percentage in 1998 and to 54 percentage in 2008. The increase in the share of personal income tax also resulted in the reduction of the necessary financial resources equalisation that falls into the category of state funds.

The proportion of borrowing in municipal funding sources also increased from 1994 to 2015 due to the reductions in limiting municipal borrowings, leading to several cases of heavily in-debt municipalities. According to the Ministry of

Finance (2019) data, there have been only 13 municipalities (out of 212) on 31 December 2018 that did not have any debt at all; average municipal debt per inhabitant was 414 EUR, which is still very low compared to average state debt per inhabitant.⁶ Only 27 municipalities had higher debt per inhabitant than 600 EUR, with only four municipalities having debt per inhabitant higher than 1000 EUR at the end of 2018. It is also interesting to note that 40 municipalities had their total debt higher than 50 percent of their annual budget, with only one municipality having its total debt higher than its annual budget (ibid.).

2.1 Financial autonomy of Slovenian municipalities

An international benchmarking study on the functionality of the vertical dimensions of power, conducted among the mayors of European countries between 2003 and 2004, modernised earlier topologies and covered the relations between the state and local governments in 17 participating countries. Table 2 shows the findings of the researchers from the said international study. The data for Slovenia is added by carrying out empirical research among Slovenian mayors in 2014 (indicator 1; Kukovič 2015, 43) and by calculating budgetary data from 2018 and 2019 fiscal years (indicators 2 and 3). Vertical relations between the municipalities and the state are⁷ measured according to three indicators:

- Indicator 1: responsibility of municipalities for pursuing social policies, in particular social services (0 = no or little responsibility, 1 = some responsibility, 2 = a lot of responsibility);
- Indicator 2: financial autonomy of municipalities in collecting their own taxes and/or in assessing the use of government subsidies (0 = low autonomy, 1 = some autonomy, 2 = high autonomy);
- Indicator 3: level (and adequacy) of public spending of municipalities, measured as a percentage of GDP (0 = less than 5%, 1 = between 5 and 10 %, 2 = more than 10%).

The value of Indicator 1 on the responsibility of municipalities for pursuing social policies, in particular social services, was determined by the Resolution on the National Social Assistance Programme 2013–2020 (Official Gazette of the Republic of Slovenia 2013). The network of public services in the field of social security includes (1) social security services, (2) social security programmes, and (3) public powers. *Social security services* can be divided into three major categories: a) information, counselling and support services; b) support and assistance services concerning social inclusion and independent living in the community; and c) housing and care services. The analysis of the Resolution shows that Slovenian municipalities have powers and responsibilities in four⁸ out of six tasks in the category of support and assistance services concerning social inclusion and independent living in the community (Category B), with three of them organised at the level of individual municipalities and one at the level of several municipalities. In Categories A (information, counselling and support services) and C (housing and care services), Slovenian municipalities have no powers; they are the responsibility of the state, organised at the level of one or

⁶ According to the data available from the National Statistical office, total debt per inhabitant at the end of 2018 was 15.560 EUR (see <https://www.stat.si/StatWeb/Field/Index/1/86>).

⁷ The vertical power relations between municipalities and the state are measured on the basis of estimates made by the selected countries that participated in the international study among the mayors of European countries in 2003 and 2004 (see Bäck et al. 2006, 11).

⁸ These tasks include: domestic help for the elderly; domestic help for adults with disabilities, the chronically ill and people with long-term health problems; home care assistant and domestic help for children and minors.

more administrative units. *Social security programmes* consist of 10 networks of programmes aimed at preventing and solving the social distress of vulnerable groups. Only one network out of ten falls within the scope of work of municipalities,⁹ while all others belong to the remit of administrative units and are under the jurisdiction of the state. The implementation of *public powers* and other tasks and measures is also organised by the state in the Social Work Centres for one or more administrative units. Davor Dominkuš explains the current division of powers in the area of social policies between the state and municipalities by the absence of an intermediate level – regions; the latter could take over most of the tasks under the jurisdiction of the state (Kukovič 2015, 44). Based on the analysis of the Resolution and the review of powers in the area of social services, we estimate that Slovenian municipalities have some powers and responsibility for social policy. There were no significant legislative changes in the last five years in this policy area, so it's safe to assume that mentioned estimation is still very much valid today.

Indicator 2 represents the financial autonomy of municipalities in collecting their own taxes and/or in assessing the use of government subsidies. Local taxes are the largest source of income for local communities in countries with developed local self-government. They are one of the characteristics of independent local communities and symbolise the autonomy of local representative bodies elected by the inhabitants. Tax assessment is a fundamental right of democratically elected representative bodies, separating the public authority from private citizens. It is also the most challenging task performed by public authorities. However, the citizens more willingly accept the assessed taxes if they know what they are intended for at the local level. In Slovenia, the position of municipalities is quite difficult. The only tax source on which the municipalities could decide is the *compensation for the land use*, but this should be¹⁰ replaced by the property tax sometime in the future. Taking into account the compensation for the land use in the total income of municipalities, the tax autonomy of Slovenian municipalities in 2012 was 8.9% (Kukovič 2015, 41–43) and in 2019 the tax autonomy of Slovenian municipalities increased to 15.1% (Ministry of Finance 2020). If we compare this indicator with the scope of tax autonomy in the EU Member States, which ranges from 0% in Malta and Latvia to over 50% in the Nordic countries (Godet and Hoorens 2008), we see that Slovenia ranks in the bottom half on the scale of fiscal autonomy of subnational authorities. As a result, Slovenia has already been warned by the Council of Europe (2011) that it should strengthen the financing system in terms of increasing the financial autonomy of local authorities with the expansion of the income from local taxes and fees and ensure the criteria that more closely connect the calculation of the amount of per capita consumption with the functions of local authorities, and tax autonomy actually slowly increased to 15.1% in 2019. The increase is mainly – given that there were no significant legislation framework changes in the given period – consequence of increased taxation rates for the compensation for the land use and increased European Union (co)funded projects.

The municipalities are also quite dependent in the area of assessing the use of government subsidies, since the factor of financial dependence of the municipalities amounted to 73.5% (in 2012; Kukovič 2015, 42) and 69.8% (in 2019; Ministry of Finance 2020). This suggests that the financial independence

⁹ This is a network of programmes for the elderly who are at risk of social exclusion or needs support and assistance in everyday life, including the programme of assistance and support to people with dementia and their relatives, as well as intergenerational centres.

¹⁰ See *Strategy of Local Self-Government Development* (2015).

of municipalities in the year considered was only 26.5% (in 2012) and 30.2% (in 2019). In addition, the state and its institutions exercise supervision of the use of financial resources (Kukovič 2018b, 177; Milunovič 2012; Križanič et al. 2019, 46); in this respect, the municipalities do not have a high levels of autonomy. To conclude, the financial autonomy of Slovenian municipalities remains relatively low, but its improving slowly through the last few years.

Indicator 3, public spending of municipalities as a percentage of GDP, was calculated on the basis of the available GDP data for 2018, which amounted to EUR 45,755,000,000, and the overall spending of municipalities, which amounted to EUR 2,198,005,264 in 2018 (Ministry of Finance 2020). The percentage of public spending in Slovenian municipalities as a percentage of GDP is 4.80 for 2018.

TABLE 2: VERTICAL POWER RELATIONS OF THE MUNICIPALITIES OF THE SELECTED EUROPEAN COUNTRIES

Country	Municipalities are responsible for social policy, in particular social services (1)	Financial autonomy of municipalities (2)	Consumption of municipalities in GDP % (3)	Sum of the values of indicators (4)
France	0	0	0	0
Greece	0	0	0	0
Portugal	0	0	0	0
Spain	0	0	0	0
Slovenia	1	1	0	2
Italy	1	1	0	2
Czech Republic	1	0	1	2
Ireland	2	0	0	2
England	2	0	1	3
Belgium	2	0	1	3
Poland	1	1	1	3
Austria	2	1	1	4
Switzerland	2	2	1	5
Germany	2	2	1	5
Netherlands	2	2	1	5
Denmark	2	2	2	6
Hungary	2	2	2	6
Sweden	2	2	2	6

* Column 1: 0 = none or little, 1 = some, 2 = a lot; Column 2: 0 = low, 1 = some, 2 = high; Column 3: 0 = less than 5%, 1 = between 5 and 10 %, 2 = more than 10%; Column 4: sum of the values in Columns 1-3. Source: Assessment made by national research groups in Heilnet and Hlepas (2006, 28); the data on Slovenia derived from our own analysis.

Table 2 shows that, according to the three indicators considered, the assessment of the role of municipalities in relation to the state in the vertical separation of power, responsibilities and resources, made by the national research groups of the selected countries, corresponds to the Hesse-Sharpe's typology. Each country could obtain a maximum of six points. This means that a highly autonomous decentralised level of policy-making has a strong constitutional position and relative financial independence in relation to the state. This is typical of the Northern and Central European group, as is evident from the table. On the other hand, there are the countries of the Franco-group, where local authorities cover territorial communities and form territorial structures for representing interests at the lower level of government. In between, there are the countries with a weak legal and political status of local authorities, whose role is more functional than political (Anglo-group). Slovenia received two points, as did the Czech Republic (along with Poland, which is ranked in the middle of the continuum with three

points),¹¹ belonging to a special group of new democracies, to the Central and Eastern European group. Hungary also belongs to this group, but its score stands out – based on the assessment made by the national research group, it got six points.¹²

4 CONCLUSION

One of the key objectives of the local self-government in Slovenia was to establish such a system of division of authority between local communities and the state that would enable and create a certain level of autonomy of local communities in relation to state authorities. After gaining independence, Slovenia had to re-define and establish a system of local self-government, which was significantly different to the earlier communal organisation. As the entire system was introduced too quickly, without considering expert opinions, and as the area was new and relatively unknown, certain issues arose. As a consequence, and due to the unwillingness of the state to give up its powers, the division of powers caused disagreements and tensions. The tasks imposed on the municipalities by the state in previous two decades were mostly non-essential from its point of view. At the same time, the state was not willing to increase the powers of municipalities in certain other areas, such as spatial planning, agriculture, small industries, etc. The municipalities thus perform relatively narrow local tasks, while no national power has been delegated to them. A relatively modest range of original tasks hinders the process of decentralisation, which is typical of the development of local self-government in other European countries.

The financing of local communities also represents an important aspect of relations between the state and local communities, indicating the level of autonomy of local communities in relation to the state. The financial autonomy of Slovenian municipalities is minimal, since their financing largely depends on the law and the annual budgetary decisions of the national parliament. In Slovenia, the financing of municipalities is quite centralised, as the state has significant power and supervision of the use of public income. What is more, its power is also reflected in a high proportion of grants and transfers allocated to the municipalities from the state budget. On the other hand, the problem lies in the high fragmentation of the Slovenian territory – a lot of municipalities established during the process of introducing the new system are too small and too weak to be financially autonomous and self-sustaining. If we also consider the findings of an international study and our own research, through which we included Slovenia in the study, we can conclude that the autonomy of Slovenian local self-government is, unfortunately, very low even in the context of international comparison.

¹¹ For Poland, recent study (Satola et al. 2019, 332) finds that a large percentage of Polish rural municipalities (nearly 60%) continue to exhibit medium low and low levels of financial autonomy.

¹² It should be pointed out that the countries (apart from Slovenia) were originally assessed in 2003 and 2004, i.e. before the reforms introduced in the last decade. Today the situation might be different.

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ANCHORING POLITICAL CHANGE: ADAPTIVE GOVERNMENT IN THE CLASSICAL WORLD

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This article takes an historical approach to analyse ways in which political changes are shaped and perceived. It compares ancient Athenian and Roman examples to highlight the difference between changes in governance that are explicitly referred to as innovations or adaptations to a new situation, and those that pretend to be continuations of existing practices. Athenian democracy, which mainly developed in the sixth century BC, is an example of an explicit adaptation. The Roman transition from Republic to Empire in the late first century BC illustrates a disguised form of adjustment. These two examples highlight the importance of 'anchoring' changes by making use of known concepts or structures. This is an important element to take into account when adapting governmental structures to changes in society, since it strongly influences how those changes are perceived.

Key words: anchoring innovation; political change; Athenian democracy; Roman empire.

1 INTRODUCTION²

Any stable form of government is adaptive. Societies change, and even if formal governance structures remain the same, the application of specific measures, or the explicit or implicit substantiation of those measures changes (OECD 2005; Brunner et al. 2005). Even the choice to remain static is a response to a changing society. In this sense, to mention an extreme example, an increasingly repressive dictatorship, trying to control a people on the verge of escaping the grip of this dictatorship through violent measures, is a form of adaptive government. But the fact that any stable administration is in a sense adaptive does not mean that all adaptive administrations are equal, or equally efficient. If we define the state as a cultural practice in which administrators respond to a changing context (Bevir

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² An alternate version of this argument appeared in Dutch as Hekster (2018).

and Rhodes 2010), it is clear that the way in which different groups of functionaries respond to all kinds of external factors determines how a form of governance is developing.

The notion that every administration is adaptive is obviously too simplistic and needs to be refined. One can analyse what administrators or politicians pay attention to when shaping changing governance, or the ways in which they respond (Shergold 2015, 63–82). It is also possible to discuss how changes are experienced by different groups in society. This article presents an historical perspective on what adaptive government means, focusing on classical antiquity, in particular Athenian and Roman forms of government.

Comparing the Athenian and Roman examples will highlight an important element within forms of adaptive government: some changes in governance are explicitly referred to as innovations or adaptations to a new situation, while others pretend to be continuations of existing practices. Athenian democracy, which mainly developed in the sixth century BC, is an example of an explicit adaptation.³ The Roman transition from Republic to Empire in the late first century BC illustrates a disguised form of adjustment. Through these two examples it becomes possible to analyse what is important to the powers-that-be in adaptive government; how people react to a changing society; and how those changes are perceived.

2 ADAPTIVE GOVERNMENT: ATHENS AND ROME

The first example is the Athenian democracy, which forms an obvious benchmark in political history. The exceptional political framework of ancient Athens is justly famous: a direct democracy, in which a majority of male citizens took the important decisions, and in which men could acquire further legal, political and military functions by lot or through direct election. Even determining who posed a threat to the state was democratically organized through so-called *ostracism*: men whom a majority found too powerful could be banned, with voting taking place on inscribed pottery shards. This form of democracy is often dated to 508 BC, and linked to the politician Cleisthenes (Cartledge 2016, 61–76).

However, in his reforms he built on previous important changes, in particular those of the famous statesman and poet Solon (ca. 638–ca. 558), who initiated the first popular assembly (Noussia-Fantuzzi 2010, 25–26). Cleisthenes also explicitly responded to attempts by other individuals to gain sole control of Athens. Nor did the development of Athenian democracy end with Cleisthenes. Final steps toward the so-called Athenian ‘radical democracy’, such as paying citizens to participate in public affairs, and the abolition of the powerful position of the aristocratic Areopagus, were only taken under Ephialtes in 462 BC (Cartledge 2016, 84–87; Osborne 2006).

Before that time, the Areopagus had been a council of Elders, in which those men who had held important positions in Athens served as some sort of supervisory board and supreme court of the city state. After 462 it remained only a criminal court (especially for cases of murder); the other functions were permanently transferred to the popular assembly (Rihll 1995; Wallace 2003; Cohen 2005). The development of Athens’ famous democracy, then, developed over more than a

³ Years are AD, unless BC is indicated.

century. Several times in that century, aristocrats tried to regain power and influence, after which new reforms further limited their power. The emergence of Athenian democracy in the form in which it has become justly famous was a process of adapting to specific challenges. Those adaptations were explicitly presented as improvements and innovations to the inhabitants of Athens.

The second example is that of ancient Rome at the end of the first century BC. Here, the situation was vastly different, though it would lead to the emergence of another form of government that functions as a benchmark in political history: Roman emperorship. The origin of this process was, like in the Athenian case, one in which governance structures were adapted step by step to changes in society, and to the expectations that these changes brought with them. From the sixth century BC onwards, Rome had been a Republic, led by two yearly elected consuls who were appointed and controlled by a senate of experienced administrators (Lintott 1999, esp. 65–120; Beck et al. 2011.). In contrast, in the new political situation there was a clear sole ruler, in power until his death, whose position allowed him to appoint and banish senators.

Where in Athens the changes in the political structure were explicitly presented as innovative, Roman rulers emphatically presented the new political structure as traditional. Roman emperorship arose after years of civil wars, in which men such as Sulla, Pompey and Caesar attempted to seize supremacy in a society that had for centuries emphasised its Republican form of government (Vervaeke 2014, 214–239; Rosillo-López 2019; Van der Blom 2011). The increasing problems faced by the vastly extended empire showed that the old governance structures, which had been stretched to its limits, no longer sufficed, but supremacy still seemed unacceptable. This did not stop Caesar's adoptive son, the later emperor Augustus, from gaining power. He reigned as sole ruler from 31 BC, when he won a decisive victory in the civil war following Caesar's assassination (44 BC), until his death in 14. The way he formulated his position was sufficiently successful to form the basis of a dynasty that lasted till 68 (Rich 2011; Galinsky 2005). And even the end of that dynasty, through the death of Nero, did not lead to an end of the administrative structure which Augustus created. This would last (in adapted forms) for more than two centuries. But *officially* no new form of government emerged under Augustus. Emperorship did not officially exist. Instead, there was a dominant administrator who had happened to acquire more influence within the *Res Publica* ('public affairs') than his predecessors had (Millar 1984). As in Athens, the government of the state adapts to specific challenges, but these Roman adaptations were hidden behind a façade of continuity.

The Athenian and Roman examples both show how forms of government change over time. In both cases, the result was a new form of government that turned out to be exceptionally successful. In one case innovation was emphasized, in the other continuity. Were there other differences and similarities? And how can an analysis of these political and administrative changes help research into contemporary adaptive government?

3 ANCHORING CHANGE IN ATHENS AND ROME

Striking in both historical examples is that the design of the - explicitly or implicitly - changing structure of government emphatically reverts to existing structures and recognizable, traditional forms of organization. In Athens, the ancient Aereopagus remained part of the new Athenian democracy, although in

a new position (Wallace 2003). And in his measures at the end of the sixth century, Cleisthenes not only built on Solon's much older and already normalized measures, but restructured Athens using a geographical distribution of its citizens, for which he used redefined existing terms and structures (*deme, phyle, trittys*) (Ober 2012, 129–131). Roughly speaking, Cleisthenes' reforms can be divided into two forms: redefining existing institutions, and changing how Athenian citizens perceived their position vis-à-vis each other and the state. Over time, these redefinitions became the new starting points, with all subsequent governmental adjustments relating to them. When shaping his new structure, Cleisthenes not only looked at the situation that had to be changed (removing threats to the developing democracy, in particular the reduction of the power of the aristocrats) but also emphatically at ways in which to formulate that new structure in terms that people already knew. Even an explicit innovation had to be incorporated into recognizable concepts. Only when that new structure had, in itself, become traditional, there was space to abolish older traditions, such as the role of the Areopagus.

In Rome we see broadly the same way of dealing with existing administrative structures. The *Res Publica* remained the underlying terminology for describing the new form of rule, and the new ruler did not become *rex* (king) but instead used the term *princeps* (the first man); a form of address previously used for important men in the Republic, such as Scipio, Cato and Pompey (Moatti 2018; Hekster 2017a, 50–51). The power of the new ruler was shaped by "stacking" different existing honours and powers. Existing governmental institutions, such as the Senate and the popular assemblies, remained formally unaffected, but changed their functions and lost influence, though not all at once. Even the new name/ title that was given to the ruler, 'Augustus' (the exalted one), had previously been in use as a concept within Roman religion – be it a rarely used one. The use of Augustus as a name/title was new, and made it clear that matters had changed considerably, but the term was known to Roman subjects, and had clear associations with traditional Roman values. In the Roman case, furthermore, there is a noticeable discussion about agency regarding the process of reforms (Morell 2019; Wallace-Hadrill 2008).

Stories circulate about the ways in which people surrounding the ruler took an important role in shaping the new form of government through stapling existing magistracies, and in formulating the new ruler's title. In both cases, people surrounding the ruler awarded him honours and powers, and suggested new names. In his turn, the new ruler accepted some of these and refused others (Hekster 2017a, 52). Quite possibly, the emergence of Roman emperorship could more easily be presented as continuity with the previous form of administration, because several groups were involved in the way it was designed. That did not alter the fact that Augustus had come to power through a military victory, and became *de facto* sole ruler in a state that had been a Republic for centuries. But the use of recognizable terms and structures made the new situation acceptable as a form of adapted tradition, rather than forced innovation.

4 ANCHORING AND INNOVATION

What both examples show is the importance of 'anchor points' when trying to make new policies and government structures understandable – and therefore acceptable – to different groups within a state. People relate to matters and concepts that they know, and seem to be able to position innovations

(cognitively) better if that innovation is explicitly embedded into what they already know. That is the starting point of the research agenda "anchoring innovation" which is currently being carried out by classicists, historians and archaeologists in the Netherlands (Sluiter 2017; Hekster 2017b). Familiar terms, structures or visual language give people a direction of thinking, which helps them to fit new structures and situations into their world view. (Administrative) changes that are insufficiently anchored, or use an anchor point with unfortunate connotations, are much more likely to fail.

In the context of Athens, the regime of the so-called 'Thirty Tyrants' forms a good example of a failed adaptation of government. This new governmental structure followed on the Athenian loss against Sparta in the Peloponnesian War (431–404 BC). One result was that Sparta forced Athens to give up its democratic government. A new regime was imposed on the loser Athens, and it was consequently clearly linked to that loss. Already a year later that government fell, and democracy was restored (Osborne 2010, 273–287). A possibly useful contrast is formed by the rule over Egypt by Alexander the Great (336–323) and his successors, the Ptolemies. Here, too, rule changed after a military victory. Yet rather than emphasising the victory through an innovative political framework, Alexander allowed himself to be worshiped as a pharaoh. His successors likewise emphatically placed themselves into that well-known structure of rule (Bosch-Puche 2013; Bosch-Puche 2014). That made it much easier for the inhabitants of the area to accept the new regime. This appropriation of earlier traditions proved so successful that when the Romans incorporated Egypt into their empire, they kept this pharaonic formulation of power (Hekster 2015, 268–273).

For Rome, the famous attempt by Caesar (Augustus' predecessor and adoptive father) to gain supremacy was at least partly problematic because it was overtly linked to the concept of kingship, which was highly unpopular in Rome. There are a number of classical anecdotes in which Caesar denies that he wants to function as king. He famously publicly refused the crown offered to him by Antony, and is purported to have stated: 'I am not called *Rex* (king) but Caesar' (*Rex* being both a Roman surname and the word for king) (Baraz 2018).⁴ But even the denial of the link did not remove kingship as an anchor point from people's mind. Once such a link is made, it becomes difficult to remove that association. The removal of the kings of old to establish the Republic (519 BC) had been celebrated as a positive act for centuries. This made it difficult to formulate Caesar's sole regime in positive terms, with his assassination in 44 BC as ultimate consequence.

The above examples all discuss fairly major political shifts, in which not only parts of government structure but whole forms of government changed. However, the basic principles that follow from these examples may also apply to more limited changes. In all cases, there was a change in society which made political changes necessary, and these changes had to relate explicitly to what people already knew in order to be successful. Positive anchor points made it easier for people to accept new measures. An example from the Roman Empire, from the year 48, makes clear how important these anchor points can be to get a political response to a changing context accepted by different groups.

In this period, a number of prominent members of the elite of Roman Gaul (modern France) increasingly wished to be involved in the central administration of the Roman Empire. That central administration was in practice carried out by senators; important Roman (ex) magistrates. Gaul had been part

⁴ Caesar's quote is from Suetonius, *Life of Caesar*, 79.2, written in the early second century.

of the Roman Empire for a century, since its conquest by Caesar (58–54 BC), and had become a very prosperous territory, becoming an integral part of the empire (Woolf 1998). Thus, over a prolonged period of time, there had been a change in context, in which Gallic leaders had changed from being conquered enemies to wealthy citizens. The reaction of incumbent senators to the Gallic wish to join the senate was – perhaps unsurprisingly – negative. They apparently did not wish to open up their sphere of influence to (relative) outsiders. But the reigning emperor, Claudius (41–54), was willing to meet the Gallic requests, partly to strengthen unity in the empire and partly to strengthen his own position. The new ‘Gallic’ senators would, after all, be loyal to the person who had admitted them into the senate (Osgood 2011, 165–167). The way in which Claudius made this measure acceptable to the Roman people and the local senators is known because his speech from 48 on this topic has been preserved in both a passage from the historian Tacitus (*Annales*, 11.23–24) and a famous bronze plaque (*CIL* 13.1668), the so-called Tablet of Lyon (Brock 1995, 210–212). In the speech, Claudius emphasised how Rome had traditionally allowed foreigners to become citizens, and how citizens from outside Rome had already been allowed to join the senate at prior occasions. In addition, he stressed how prosperous and ‘Roman’ the members of the Gallic elite were, emphasising their similarity to current senators (Smith 2006, 424). After anchoring his speech through these two notions, he proposed that a number of Gallic men be admitted to the Senate. The measure was explicitly presented not as an adjustment, but as a logical consequence of existing practices. The administrative adjustment becomes acceptable because it is presented as hardly an adjustment.

A final example comes from late Antiquity and differs somewhat from the previous cases. It deals with a prolonged process of adjustments, making it difficult to identify precise agents or moments of change. Moreover, it shows a change in the surroundings in which politics was enacted, rather than in the political structures as such. Yet this change, too, shows the importance of anchoring administrative shifts through the use of existing notions and concepts. Through the fourth and fifth century, the Roman Empire had changed from a pagan into a Christian world. This also had consequences for administrative structures. Bishops took over some of the roles of senators (Heather 1997; Hunt 1997). Senators nevertheless continued to perform certain important civic duties. But the location in which those tasks were performed shifted from the market square (*forum*), which had been the centre of public space for centuries, to the church (*basilica*). Important ceremonies, meetings of the senate, the publication of laws and the issuing of legal decisions, imperial rulings and edicts increasingly took place in the churches of Rome, such as Saint Peter, and less and less at the traditional locations of the Roman Forum and Forum of Trajan (Liverani 2014, 33; Machado 2006, 157; Videbech 2017). In other words, the *basilica* took over the role of the public heart of Rome from the forum at all levels. It is interesting to see that exactly in this period the churches became decorated with all kinds of *spolia* – recycled materials from other locations. As a result, churches were filled with columns, statues, mosaics, floor pieces and other ornaments that often came from forums, or from buildings adjacent to the forums. The church thus not only took over the function of the market square, but even to a certain extent its form (Videbech 2017; Bosman 2014). That may well have been the point. The use of material that had always shaped the environment of the activities now taking place in the basilica, anchored this new environment in ancient traditions. The architectural change of the churches made it easy to anchor the new administrative situation in an understandable

past. People understood new and innovative messages better if they used a well-known visual language.

5 ANCIENT ANCHORS AND MODERN ADAPTIVE GOVERNMENT

It is difficult to compare a classical Greek *polis* and the developing Roman empire to the various cities and nation states in our 21st-century globalized world. The above examples cannot be simply translated into lessons for the modern world. What they can do is help us to consider the preconditions that are important to make changes in government structures understandable and acceptable for the groups that are affected by those changes. As this article has aimed to show, how changes in governmental structures are perceived depends greatly on the extent to which these changes are embedded in known concepts or structures. We have seen how when changes were sufficiently anchored in recognisable terms and practices, it became easier for people to accept these new measures. Even a renewal that explicitly emphasized its revolutionary character (and distanced itself from the existing elite and its practices), such as the development of the Athenian 'radical democracy', could not avoid anchoring its new form in a language or image that people recognized. One noticeable point that the various examples showed was furthermore the importance of the reason why changes in governmental structures were instigated. It made substantial difference whether changes were the result of changing local expectations, or of changes at a supra-regional level, to which local government had to react – possibly even against local wishes. In the latter case, it became even more important to anchor these changes in local practices and structures. The rule of the 'Thirty Tyrants' failed at least partly because it was presented as an innovation, highlighting the outside intervention that underlay it. Ptolemaic rule, in contrast, was deemed much less problematic because it anchored itself in local traditions, taking into account how ancient Egyptians thought about their local government. The success of Augustus's sole rule was to a large extent due to the way in which the new regime was formulated through known concepts and magistracies, making the changes less obtrusive. Adaptive government, ultimately, implies that organizational structures and political decision-making adapt to changing expectations in society. But society includes multiple groups, and multiple patterns of expectations, often mutually contradictory. It is therefore essential that ways in which different groups of people position themselves in time and place are taken into account when making political changes. As history shows, working from recognizable anchor points makes it easier to accommodate such changes.

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